CONTRIBUTING ZONE
PLAN MODIFICATION
FOR
SINGING HILLS
REGULATED ENTITY NUMBER (RN) 10609062

PREPARED FOR:

SH LAND HOLDINGS, LTD.

DATE: September 2023

PREPARED BY:

• Engineers
• Surveyors
• Planners

Moy Tarin Ramirez Engineers, LLC

12770 Cimarron Path, Ste 100 San Antonio, TX 78249
TBPELS Firm #5297 (Engineering)
Phone 210-698-5051 – Fax 210-698-5085
MTR JOB #22215

SINGING HILLS
CONTRIBUTING ZONE PLAN MODIFICATION

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I. EDWARDS AQUIFER APPLICATION COVER PAGE

Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

Our Review of Your Application

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

Administrative Review

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

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

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.

3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.

4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

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

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.

6. If the geologic assessment was completed before October 1, 2004 and the site contains "possibly sensitive" features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

Technical Review

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

2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be

clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or will be denied. Please note that because the technical review is underway, whether the application is withdrawn or denied **the application fee will be forfeited**.
4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

Mid-Review Modifications

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

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

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

- If the technical review has begun your application can be denied/withdrawn, your fees will be forfeited, and the plan will have to be resubmitted.
- TCEQ can continue the technical review of the application as it was submitted, and a modification application can be submitted at a later time.

If the application is denied/withdrawn, the resubmitted application will be subject to the administrative and technical review processes and will be treated as a new application. The application will be redistributed to the affected jurisdictions.

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

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

1. Regulated Entity Name: Singing Hills					**2. Regulated Entity No.: RN106090962**				
3. Customer Name: SH Land Holdings, Ltd.					**4. Customer No.:**				
5. Project Type: (Please circle/check one)	New	Modification			Extension		Exception		
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Residential	Non-residential				**8. Site (acres):**			Project Area = 13.36 ac. (Entire Site = 253.8 ac.)
9. Application Fee:	$6,500	**10. Permanent BMP(s):**				2x Proposed Jellyfish Filter			
11. SCS (Linear Ft.):	N/A	**12. AST/UST (No. Tanks):**				N/A			
13. County:	Comal	**14. Watershed:**				Lewis Creek			

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Application Distribution

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

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

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

Austin Region			
County:	**Hays**	**Travis**	**Williamson**
Original (1 req.)	__	__	__
Region (1 req.)	__	__	__
County(ies)	__	__	__
Groundwater Conservation District(s)	__Edwards Aquifer Authority __Barton Springs/ Edwards Aquifer __Hays Trinity __Plum Creek	__Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	__Austin __Buda __Dripping Springs __Kyle __Mountain City __San Marcos __Wimberley __Woodcreek	__Austin __Bee Cave __Pflugerville __Rollingwood __Round Rock __Sunset Valley __West Lake Hills	__Austin __Cedar Park __Florence __Georgetown __Jerrell __Leander __Liberty Hill __Pflugerville __Round Rock

San Antonio Region					
County:	**Bexar**	**Comal**	**Kinney**	**Medina**	**Uvalde**
Original (1 req.)	__	X	__	__	__
Region (1 req.)	__	X	__	__	__
County(ies)	__	X	__	__	__
Groundwater Conservation District(s)	__ Edwards Aquifer Authority __Trinity-Glen Rose	X Edwards Aquifer Authority	__Kinney	__EAA __Medina	__EAA __Uvalde
City(ies) Jurisdiction	__Castle Hills __Fair Oaks Ranch __Helotes __Hill Country Village __Hollywood Park __San Antonio (SAWS) __Shavano Park	X Bulverde __Fair Oaks Ranch __Garden Ridge __New Braunfels __Schertz	NA	__San Antonio ETJ (SAWS)	NA

I certify that to the best of my knowledge, that the application is complete and accurate. This application is hereby submitted to TCEQ for administrative review and technical review. Chris Dumas, P.E.
Print Name of Customer/Authorized Agent
Signature of Customer/Authorized Agent — Date: 9/11/23

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

II. MODIFICATION OF A PREVIOUSLY APPROVED PLAN

Modification of a Previously Approved Contributing Zone Plan

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Customer/Agent: Chris Dumas, P.E.

Date: 9/11/23

Signature of Customer/Agent:

Project Information

1. Current Regulated Entity Name: Singing Hills
   Original Regulated Entity Name: Singing Hills
   Assigned Regulated Entity Number(s) (RN): 106090962
   Edwards Aquifer Protection Program ID Number(s): 2969.01
   ☐ The applicant has not changed and the Customer Number (CN) is: _____
   ☒ The applicant or Regulated Entity has changed. A new Core Data Form has been provided.

2. ☒ **Attachment A: Original Approval Letter and Approved Modification Letters.** A copy of the original approval letter and copies of any modification approval letters are attached.

3. A modification of a previously approved plan is requested for (check all that apply):

☒ Any physical or operational modification of any best management practices or structure(s), including but not limited to temporary or permanent ponds, dams, berms, silt fences, and diversionary structures;
☒ Any change in the nature or character of the regulated activity from that which was originally approved;
☒ A change that would significantly impact the ability to prevent pollution of the Edwards Aquifer and hydrologically connected surface water; or
☐ Any development of land previously identified in a contributing zone plan as undeveloped.

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

CZP Modification Summary	***Approved Project***	***Proposed Modification***
Acres	See Attached Summary	13.36
Type of Development	_____	Mixed Use
Number of Residential Lots	_____	0
Impervious Cover (acres)	_____	11.53
Impervious Cover (%)	_____	92.46
Permanent BMPs	_____	2x Jellyfish Filters
Other	_____	N/A
AST Modification Summary	***Approved Project***	***Proposed Modification***
Number of ASTs	_____	_____
Other	_____	_____
UST Modification Summary	***Approved Project***	***Proposed Modification***
Number of USTs	_____	_____
Other	_____	_____

5. ☒ **Attachment B: Narrative of Proposed Modification**. A detailed narrative description of the nature of the proposed modification is attached. It discusses what was approved,

including previous modifications, and how this proposed modification will change the approved plan.

6. ☒ **Attachment C: Current Site Plan of the Approved Project**. A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is attached. A site plan detailing the changes proposed in the submitted modification is required elsewhere.
   - ☐ The approved construction has not commenced. The original approval letter and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.
   - ☐ The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.
   - ☐ The approved construction has commenced and has been completed. Attachment C illustrates that the site was **not** constructed as approved.
   - ☒ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was constructed as approved.
   - ☐ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was **not** constructed as approved.

7. ☒ Acreage has not been added to or removed from the approved plan.
   ☐ Acreage has been added to or removed from the approved plan and is discussed in *Attachment B: Narrative of Proposed Modification*.

8. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

Attachment A:
Approval Letters

ATTACHMENT A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2012

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

Re: Edwards Aquifer, Comal County

Name of Plan: Singing Hills; Located at northwest corner of the intersection of Highway 281 and State Highway 46; Bulverde, Texas

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

Edwards Aquifer Protection Program ID No. 2969.01; Investigation No. 1030114; Regulated Entity No. RN106090962

Dear Mr. Keith:

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 Moy Tarin Ramirez Engineers, LLC on behalf of DJL Ventures, Inc. and SH-DJL Development, LLC on August 27, 2012. Final review the CZP was completed after additional material was received on October 18, 2012. 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 legal boundary of the site where proposed regulated activities will occur is 253.8 acres. The site is located over the Edwards Aquifer Contributing Zone. The proposed mixed use development project will include:

- approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site
- a wastewater treatment plant will be constructed on the northeast portion of the site
- approximately 86 acres of mass grading activities following with the permanent stabilization measures
- 4.4 acres of demolition activities
- approximately 78 acres will remain uncleared and undisturbed
- offsite improvements consisting of pavement widening along Highway 281 and State Highway 46.

The impervious cover will be 64.2 acres of on-site impervious cover and 1.9 acres offsite impervious cover. The total impervious cover for the project is 66.1 acres (26 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Water Recycling Center owned by SH-DJL Development, LLC (TCEQ ID No. WQ0015038001).

Upgradient stormwater entering the site along the north and west boundaries will flow onto the site and into a proposed detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction and eventually reenter the site along the southern west boundary. This runoff will be intercepted by a permanent vegetative swale into a concrete lined channel and conveyed across the site.

Permanent Pollution Abatement Measures

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two (2) sedimentation filtration basins, 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 55,379 pounds of TSS generated from the 61.7 acres of impervious cover (66.1 acres proposed minus 4.4 acres of preexisting impervious cover). The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures are described below:

BMP Summary									
Sedimentation/Filtration Basin 1									
Watershed Area	Total Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. WQV (ft3)	Design WQV (ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Pond 1	68.59	56.49	1.79	282,956	289,408	23,580	35,952	49,097	50,395
Sedimentation/Filtration Basin 2									
Pond 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115

Uncaptured Areas*						
Onsite**	177	2.2	2.4		-230	—
Offsite	1:9	1.9	0.2		1,530	—
Total project	253.8	66.1	4.4		55,379	55,510

*The basin is oversized to account for the uncaptured area.
**Includes 86 acres of mass grading area, 78 acres of undisturbed/uncleared area and 13 acres within the 90 acre commercial development area. Those 13 acres will be intercepted by an underground storm drain system and discharged into the permanent concrete lined channel.

Water quality ponds 1 and 2 will utilize a concrete liner and sand filtration system consisting of 18 inch thick, ASTM C-33 sand beds and underdrain piping system covered with a minimum two inch gravel layer.

The mass grading is for future development. At this time, plans for this development have not been developed. Once those plans are finalized a modification to this CZP will be required. The mass grading will have no impervious cover and generate no wastewater. Temporary erosion and sedimentation controls will remain in place until completion of the mass grading. If the mass grading is completed before the future commercial development is presented and approved, the following permanent stabilization measures will be provided:

- The topsoil will be placed over the disturbed areas which have not already exhibited sufficient re-establishment of vegetation.
- The topsoil areas will be hydraulically mulched with grass seed to establish vegetation.
- Irrigation will be provided until sufficient vegetation has been established.

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.

IV. For any future modifications to this CZP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

V. This CZP approval letter does not include the installation of the above ground storage tank facility at any commercial developments within the site. Prior to construction of the AST

Facility, a modification to this CZP must be submitted and received approval from the executive director.

VI. The proposed project will include a construction of a no-discharge wastewater treatment facility. This approval letter is being issued for regulated activities (as defined in Chapter 213) and for best management practices presented in the application. This approval does not constitute a wastewater permit or authorization from the TCEQ Wastewater Program. If wastewater is to be discharges in the contributing zone, requirements under 30 TAC 213. 6(c) (relating to Wastewater Treatment and Disposal Systems) must be satisfied.

VII. Since the project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.24(5).

Standard Conditions

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

Prior to Commencement of Construction:

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

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

During Construction:

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

After Completion of Construction:

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

through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

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

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Yuliya Dunaway of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-490-3096.

Sincerely,

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

LB/YD/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Tom Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

ATTACHMENT A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2015

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located on the northwest corner of U.S. Highway 281 and SH 46; Bulverde, Texas

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

Regulated Entity No.: RN106090962; Investigation No.: 1203582; Additional ID No.: 13-14101601

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineers, LLC on behalf of SH-DJL Development, LLC on October 16, 2014. Final review of the CZP was completed after additional material was received on December 12, 2014 and December 22, 2014, and January 12, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately 90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain

undisturbed. Two sedimentation/filtration basins were constructed to provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

PROJECT DESCRIPTION

The proposed mixed use, phased development will have an area of approximately 253.8 acres. The phase 1 impervious cover will be slightly reduced from 66.1 acres to 65.68 acres. Phase 2 activities will include 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover will be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements will also occur. Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two sedimentation/sand filtration basins, 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. Two existing sedimentation/sand filtration basins will continue to provide treatment for the phase 1 development. The required total suspended solids (TSS) treatment for this project is 112,857 pounds of TSS generated from the 130.45 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of two new partial sedimentation/filtration basins and two existing partial sedimentation/filtration basins. All four basins will be concrete lined with a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

Basin #1 will be designed with a water quality volume of 289,408 cubic feet (282,530 cubic feet required), and a sand filter area of 35,952 square feet (23,544 square feet required). This basin is designed to remove 50,890 pounds of TSS (50,212 pounds required).

Basin #2 will be designed with a water quality volume of 35,508 cubic feet (33,566 cubic feet required), and a sand filter area of 5,792 square feet (2,797 square feet required). This basin is designed to remove 5,115 pounds of TSS (4,983 pounds required).

Basin #3 will be designed with a water quality volume of 309,104 cubic feet (289,672 cubic feet required), and a sand filter area of 41,214 square feet (24,071 square feet required). This basin is designed to remove 33,525 pounds of TSS (29,083 pounds required).

Basin #4 will be designed with a water quality volume of 214,992 cubic feet (197,320 cubic feet required), and a sand filter area of 26,874 square feet (16,392 square feet required). This basin is designed to remove 24,200 pounds of TSS (21,749 pounds required).

*Basins 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover (2,163 pounds of TSS) within the phase 1 development.

*Basins 3 and 4 have been oversized to account for 5.199 acres of uncaptured impervious cover (4,667 pounds of TSS) within the phase 2 development

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012.

III. All permanent pollution abatement measures shall be operational prior to first occupancy of any structure within each drainage area.

IV. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

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

control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

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

After Completion of Construction:

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

submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.

17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4035.

Sincerely,

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

LB/AG/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

ATTACHMENT A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 30, 2017

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located approximately 1400 feet west of the US Highway 281 and Harmony Hills intersection; Bulverde, Texas

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

Regulated Entity No.: RN106090962; Additional ID No.: 13000394

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineers, LLC on behalf of SH-DJL Development, LLC on April 26, 2017. Final review of the CZP was completed after additional material was received on June 16, 2017. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately 90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain undisturbed. Two sedimentation/filtration basins were constructed to

provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

A CZP modification was approved by letter dated January 13, 2015 and it proposed to construct a mixed use, phased development on an area of approximately 253.8 acres. The Phase 1 impervious cover will be slightly reduced from 66.1 acres to 65.68 acres. Phase 2 activities will include 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover was approved to be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements was also approved with the modification. Project wastewater was to be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

The second modification was approved on December 30, 2015 to construct nine aboveground storage tanks with a total volume of 3,900 gallons located at the Jiffy Lube retail store. The tanks were to be located within a containment area with greater than 150 percent of the total storage capacity of the tank system.

PROJECT DESCRIPTION

The proposed CZP modification covers the Phase 2 mixed use development and will have an area of approximately 136.73 acres. The Phase 1 impervious cover will remain unchanged. Phase 2 activities will include increasing the single-family residential lot total from 318 to 352 single-family residential lots, the construction of a multi-family development, two commercial/office lots, and an entertainment/movie theatre development. Additionally, sedimentation/filtration Basin #3 will be expanded. The total onsite impervious cover will be 67.46 acres (49 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

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, four existing sedimentation/sand filtration basins, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will be utilized to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 58,938 pounds of TSS generated from 67.46 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of the existing four water quality basins that will be concrete lined, a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

The individual treatment measures are described below.

Table 1: BMP Summary

Drainage Area	Total On-Site Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. Water Quality Volume (ft^3)	Design Water Quality Volume (ft^3)	Req. Sand Filter Area (ft^2)	Design Sand Filter Area (ft^2)	Req. TSS Removal (lbs.)	Design TSS Removal (lbs.)
Basin 1	68.59	56.49	1.79	282,530	289,408	23,544	35,952	50,212	50,890
Basin 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115
Basin 3	58.31*	37.14	1.40	319,174	329,712	26,596	41,214	32,078	36,525

Basin 4	46.34	24.82	0.40	213,608	214,992	17,801	26,874	21,919	24,500

* Includes 0.09 acres of offsite drainage area.

**Basin 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover within the Phase 1 development. There are 39.76 undisturbed acres remaining.

***Basin 3 and 4 have been oversized to account for 5.502 acres of uncaptured impervious cover within the Phase 2 development. There are 20.08 undisturbed acres remaining.

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012, and January 13, 2015.

III. The permanent pollution abatement measures shall be operational prior to first occupancy or use of a facility within the measure's respective drainage area.

IV. All sediment and/or media removed from the water quality basins during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

4. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.
5. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
6. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity,

the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.

7. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

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

After Completion of Construction:

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

must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

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

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Ms. Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4012.

Sincerely,

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

LB/MR/eg

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

cc: Ms. Ana-Maria E. Morales, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
Mr. H.L. Saur, Comal Trinity Groundwater Conservation District

ATTACHMENT A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 13, 2020

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located 0.96 miles northwest of the intersection of US Hwy 281 and Hwy 46; Bulverde, Texas

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

Regulated Entity No. RN106090962; Additional ID No. 13001164

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineering, LLC on behalf of SH-DJL Development, LLC on June 23, 2020. Final review of the CZP Modification was completed after additional material was received on July 28, 2020 and August 4, 2020. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The Singing Hills CZP was approved by letter dated November 2, 2012 for a 253.8-acre mixed use development with 64.2 acres (25.29 percent) impervious cover. Permanent BMPs included two sedimentation filtration basins (Basin #1 and Basin #2).

The Singing Hills CZP Modification was approved by letter dated January 13, 2015 for Phase 1 mixed used development to include a lift station and two additional sedimentation filtration basins (Basin #3 and Basin #4) with impervious cover totaling 128.83 acres (50.76 percent).

The Singing Hills CZP Modification approved by letter dated June 30, 2017 was for Phase 2 development with an area of approximately 136.73 acres. This modification included additional mixed use development. Impervious cover for Phase 2 development totaled 64.46 acres (47.14 percent). Permanent BMPs included the four existing sedimentation filtration basins.

PROJECT DESCRIPTION

This modification proposes the expansion of Unit 5 which is defined as a 18.25-acre site with 5.93 acres (32.49 percent) of impervious cover. Unit 5 is within the Phase 2 development. The addition of 13 residential lots and associated streets is proposed. Project wastewater will be disposed of by conveyance to the Singing Hills Wastewater Treatment Plant owned and operated by the City of Bulverde.

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, an existing sedimentation filtration basin #4 (13-14101601) and a JellyFish system, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will be utilized to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 5,323 pounds of TSS generated from 5.93 acres of impervious cover. The approved measure meets the required 80 percent removal of the increased load in TSS caused by the project.

SPECIAL CONDITIONS

I. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012, and subsequent modifications dated January 13, 2015 and June 30, 2017.

II. The permanent pollution abatement measures shall be operational prior to occupancy of the facilities within their respective drainage areas.

III. All sediment and/or media removed from the permanent pollution abatement measures during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

4. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.

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

<u>During Construction:</u>

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

After Completion of Construction:

14. Owners of permanent BMPs and measures must ensure that the BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.
15. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.
16. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Contributing Zone Plan. If the new owner intends to commence any new regulated activity on the site, a new Contributing Zone Plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.
17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Dianne Pavlicek-Mesa, P.G. of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4074.

Sincerely,

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

RCS/dpm

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

cc: Mr. Brad Seay, P.E., Moy Tarin Ramirez Engineering, LLC
Mr. Thomas Hornseth, P.E., Comal County Engineer
Mr. Roland Ruiz, Edwards Aquifer Authority
Mr. H. L. Saur, Comal Trinity Groundwater Conservation District
The Honorable Bill Krawietz, City of Bulverde

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

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

Customer: _____

Regulated Entity Name: _____

Site Address: _____

City, Texas, Zip: _____

County: _____

Approval Letter Date: _____

BMPs for the project: _____

New Responsible Party: _____

Name of contact: _____

Mailing Address: _____

City, State: _____ Zip: _____

Telephone: _____ FAX: _____

_____ _____

Signature of New Responsible Party Date

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

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

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

SUMMARY OF PROPOSED MODIFICATIONS @ SINGING HILLS

CZP Modification Summary	*Approved Project*	*Approved Modification #1*	*Approved Modification #2*	*Approved Modification #3*	*Proposed Modification #4*
Acres	253.8	253.8	136.73 ac. (portion of 253.8 ac. Site)	18.25 ac. (portion of 253.8 ac. Site)	13.36 ac. (portion of 253.8 ac. Site)
Type of Development	Mixed Use	Mixed Use	Mixed Use	Mixed Use	Mixed Use
Number of Residential Lots	0	352	318	53 @ Unit 5 (331 overall)	0
Impervious Cover (acres)	66.10 ac.	130.45 ac. (128.83 ac. on-site; 1.62 ac. off-site road improvements)	67.46 ac. (Site total = 133.14 ac)	5.93 ac. in Unit 5 (Site total = 134.76 ac)	11.53 ac. (Site total = 13.36 ac)
Impervious Cover (%)	26.0%	50.76% (51.04%)	49.34% (52.46% of site)	32.49% (53.10% of site)	92.46%
Permanent BMPs	2x Sedimentation/ Filtration Basins	4x Sedimentation/ Filtration Basins	4x Sedimentation/ Filtration Basins	4x Sedimentation/ Filtration Basins 1x Jellyfish Filter	4x Sedimentation/ Filtration Basins 1x Jellyfish Filter 2x Jellyfish Filters
Other	N/A	N/A	N/A	N/A	N/A
Date	November 2, 2012	January 13, 2015	June 30, 2017	August 13, 2020	

Table from TCEQ-0590
Item 4

Attachment B: Narrative of Proposed Modification

ATTACHMENT B

NARRATIVE OF PROPOSED MODIFICATION

This CZP Modification is in regards to the addition of parking lot, building and other impervious improvements for a commercial tract within approximate 12.5-acre tract within the Singing Hills development previously approved for mass grading and the addition of some impervious cover for driveway improvements. This modification addresses the need for the installation of two new BMPs to treat the proposed impervious cover on the 12.5-acre tract.

A Contributing Zone Plan (CZP) for the site was approved on November 2, 2012 for the installation of 66.1 acres of impervious cover (64.2 ac on-site & 1.9 ac off-site) associated with the 253.8-acre tract. As part of this approval, two (2) partial sedimentation filtration basins were constructed to treat stormwater runoff. The required TSS treatment for this project was 55,379 lbs of TSS. The Design TSS Removal for the two basins was 55,510 lbs, 131 lbs/yr above minimum requirements.

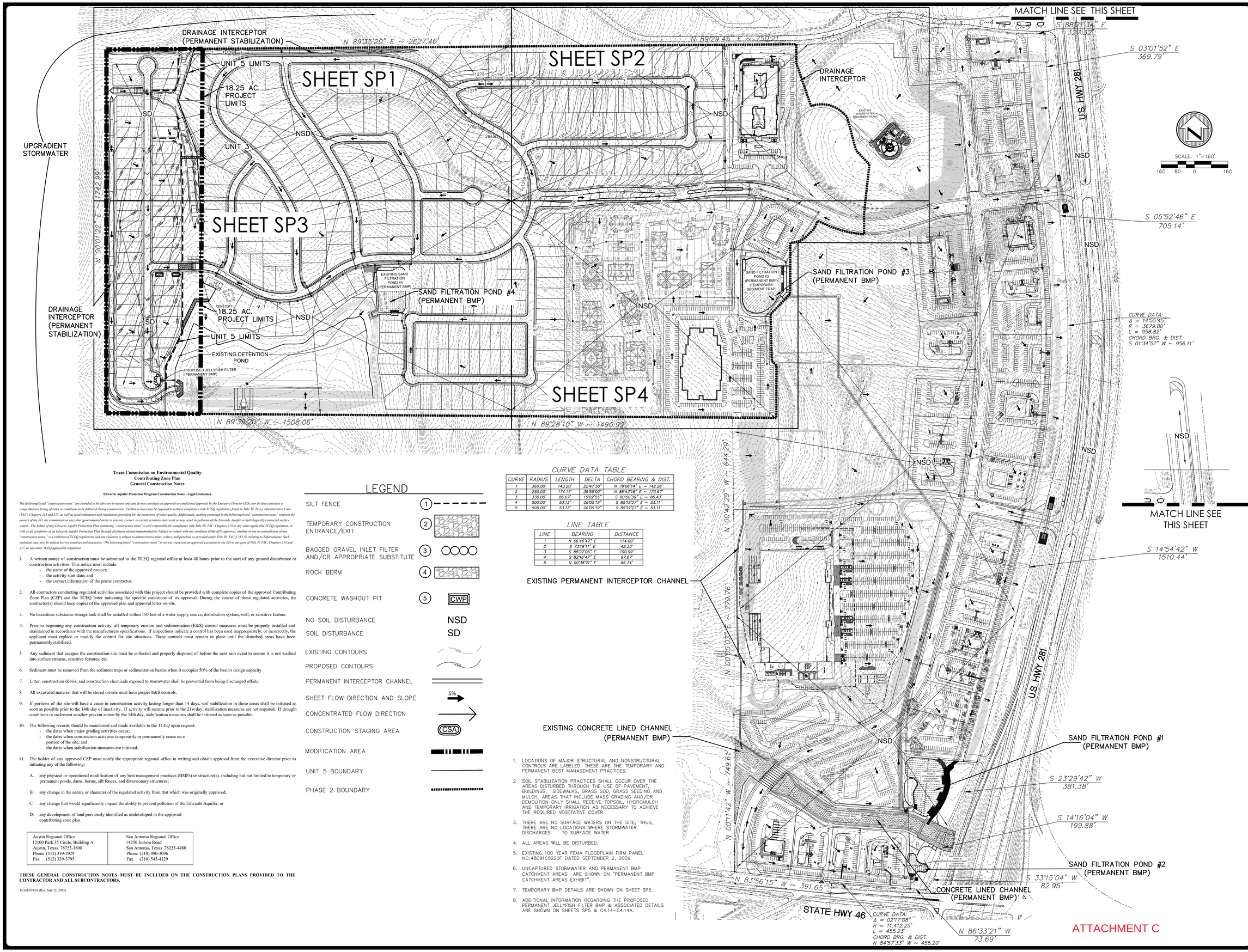
CZP Modification #1 for the site was approved on January 13, 2015. The modification decreased the Phase 1 impervious cover from 66.1 acres to 65.68 acres. It also included the installation of 130.45 acres of impervious cover (128.83 ac on-site & 1.62 ac off-site) & two (2) additional partial sedimentation filtration basins to treat the increase in stormwater runoff. The required TSS treatment for this project was 112,857 lbs of TSS. The Design TSS Removal for all four basins was 113,730 lbs, 873 lbs/yr above minimum requirements.

CZP Modification #2 for the site was approved on June 30, 2017. The modification covered a Phase 2 area of 136.73 acres & included, among other things, increasing the number of residential lots from 318 to 352 and expanding Basin #3. The required TSS treatment for this project is 116,022 lbs of TSS. The Design TSS Removal for all four basins is 117,030 lbs. This is an extra 1,008 lbs/yr of TSS removed by the Basins.

CZP Modification #3 for the site was approved on August 13, 2020. The modification covered the Unit 5 residential area (18.25-acres) within the Phase 2 development. Included was the addition of 13 residential lots and roadway improvements. The required TSS treatment for this project is 5,323 lbs which was achieved through the use of Basin #4 and a Jellyfish filtration system.

The proposed modification to the CZP are as follows:
This CZP proposes to provide two (2) new Jellyfish filtration systems to treat proposed building, parking lot and other impervious improvements proposed on an approximate 13.4-acres tract. Driveway improvements located within the 13.4-acre tract previously identified as going to Basin #1 in the original CZP will be treated by the easternmost Jellyfish (Jellyfish "A") filtration unit thereby reducing the TSS load to Basin #1. The two Jellyfish filtration systems will treat the impervious cover routed to the system and overtreat for areas that cannot be routed to and bypass the filtration units. For additional information regarding the proposed Jellyfish filtration systems, see Attachment K – BMPs for On-Site Water in Section III (Contributing Zone Plan Application) of this report.

Attachment C:
Current Site Plan of the Approved Project



Texas Commission on Environmental Quality
Contributing Zone Plan
General Construction Notes

Edwards Aquifer Protection Program Construction Notes - Legal Disclaimer

The following listed "construction notes" are intended to be advisory in nature only and do not constitute an approval or conditional approval by the Executive Director (ED), nor do they constitute a comprehensive listing of rules or conditions to be followed during construction. Further actions may be required to achieve compliance with TCEQ regulations found in Title 30, Texas Administrative Code (TAC), Chapters 213 and 217, as well as local ordinances and regulations providing for the protection of water quality. Additionally, nothing contained in the following listed "construction notes" restricts the powers of the ED, the commission or any other governmental entity to prevent, correct, or curtail activities that result or may result in pollution of the Edwards Aquifer or hydrologically connected surface waters. The holder of any Edwards Aquifer Protection Plan containing "construction notes" is still responsible for compliance with Title 30, TAC, Chapters 213 or any other applicable TCEQ regulation, as well as all conditions of an Edwards Aquifer Protection Plan through all phases of plan implementation. Failure to comply with any condition of the ED's approval, whether or not in contradiction of any "construction notes," is a violation of TCEQ regulations and any violation is subject to administrative rules, orders, and penalties as provided under Title 30, TAC § 213.16 (relating to Enforcement). Such violations may also be subject to civil penalties and injunction. The following listed "construction notes" in no way represent an approved exception by the ED to any part of Title 30 TAC, Chapters 213 and 217, or any other TCEQ applicable regulation

1. A written notice of construction must be submitted to the TCEQ regional office at least 48 hours prior to the start of any ground disturbance or construction activities. This notice must include:
   - the name of the approved project;
   - the activity start date; and
   - the contact information of the prime contractor.
2. All contractors conducting regulated activities associated with this project should be provided with complete copies of the approved Contributing Zone Plan (CZP) 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 hazardous substance storage tank shall be installed within 150 feet of a water supply source, distribution system, well, or sensitive feature.
4. Prior to beginning any construction activity, all temporary erosion and sedimentation (E&S) control measures must be properly installed and maintained in accordance with the manufacturers specifications. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. These controls must remain in place until the disturbed areas have been permanently stabilized.
5. Any sediment that escapes the construction site must be collected and properly disposed of before the next rain event to ensure it is not washed into surface streams, sensitive features, etc.
6. Sediment must be removed from the sediment traps or sedimentation basins when it occupies 50% of the basin's design capacity.
7. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from being discharged offsite.
8. All excavated material that will be stored on-site must have proper E&S controls.
9. If portions of the site will have a cease in construction activity lasting longer than 14 days, soil stabilization in those areas shall be initiated as soon as possible prior to the 14th day of inactivity. If activity will resume prior to the 21st day, stabilization measures are not required. If drought conditions or inclement weather prevent action by the 14th day, stabilization measures shall be initiated as soon as possible.
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 CZP 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 (BMPs) 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; or
    D. any development of land previously identified as undeveloped in the approved contributing zone plan.

Austin Regional Office 12100 Park 35 Circle, Building A Austin, Texas 78753-1808 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

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

TCEQ-0592A (Rev. July 15, 2015)

LEGEND

SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 CWP
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	1300
PROPOSED CONTOURS	1200
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
UNIT 5 BOUNDARY	
PHASE 2 BOUNDARY	

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	360.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 66°45'47" E	174.00'
2	S 73°19'11" E	42.33'
3	S 88°22'06" E	190.99'
4	S 82°16'47" E	97.67'
5	N 00°38'21" E	66.74'

1. LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY AND PERMANENT BEST MANAGEMENT PRACTICES.
2. SOIL STABILIZATION PRACTICES SHALL OCCUR OVER THE AREAS DISTURBED THROUGH THE USE OF PAVEMENT, BUILDINGS, SIDEWALKS, GRASS SOD, GRASS SEEDING AND MULCH. AREAS THAT INCLUDE MASS GRADING AND/OR DEMOLITION ONLY SHALL RECEIVE TOPSOIL, HYDROMULCH AND TEMPORARY IRRIGATION AS NECESSARY TO ACHIEVE THE REQUIRED VEGETATIVE COVER.
3. THERE ARE NO SURFACE WATERS ON THE SITE; THUS, THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.
4. ALL AREAS WILL BE DISTURBED.
5. EXISTING 100 YEAR FEMA FLOODPLAIN FIRM PANEL NO: 48091C0220F DATED SEPTEMBER 2, 2009.
6. UNCAPTURED STORMWATER AND PERMANENT BMP CATCHMENT AREAS ARE SHOWN ON "PERMANENT BMP CATCHMENT AREAS EXHIBIT".
7. TEMPORARY BMP DETAILS ARE SHOWN ON SHEET SP5.
8. ADDITIONAL INFORMATION REGARDING THE PROPOSED PERMANENT JELLYFISH FILTER BMP & ASSOCIATED DETAILS ARE SHOWN ON SHEETS SP5 & C4.14–C4.14A.

NO.	DATE	DESCRIPTION	BY	PROJ. #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE:
				18084	MBS	GR	MBS	06-2020

REVISIONS

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
FIRM REG. NO. F-3251
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
PH: (210) 698-5051
FAX: (210) 698-5085

STATE OF TEXAS
BRAD SEAY
114549
LICENSED
PROFESSIONAL ENGINEER
7-27-2020

SINGING HILLS

OVERALL CZP SITE PLAN

SHEET
SP0

III. CONTRIBUTING ZONE PLAN APPLICATION

Contributing Zone Plan Application

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Customer/Agent: Chris Dumas, P.E.

Date: 9/11/23

Signature of Customer/Agent:

Regulated Entity Name: Singing Hills

Project Information

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

   Contact Person: Todd A. Gold
   Entity: SH Land Holdings, Ltd.
   Mailing Address: 8023 Vantage Dr. Suite 1200
   City, State: San Antonio, Texas Zip: 78230
   Telephone: (210) 524-4000 Fax: _____
   Email Address: tgold@reocsanantonio.com

5. Agent/Representative (If any):

Contact Person: Chris Dumas, P.E.
Entity: Moy Tarin Ramirez Engineers, LLC
Mailing Address: 12770 Cimarron Path, Suite 1000
City, State: San Antonio, Texas Zip: 78249-3415
Telephone: (210) 698-5051 Fax: (210) 698-5085
Email Address: cdumas@mtrengineers.com

6. Project Location:

☒ The project site is located inside the city limits of Bulverde.
☐ The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of _____.
☐ The project site is not located within any city's limits or ETJ.

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

Northwest corner of Melody Hills and Singing Oaks

8. ☒ **Attachment A - Road Map**. A road map showing directions to and the location of the project site is attached. The map clearly shows the boundary of the project site.

9. ☒ **Attachment B - USGS Quadrangle Map**. A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') is attached. The map(s) clearly show:

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

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

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

11. Existing project site conditions are noted below:

☒ Existing commercial site
☐ Existing industrial site
☒ Existing residential site

☒ Existing paved and/or unpaved roads
☒ Undeveloped (Cleared)
☐ Undeveloped (Undisturbed/Not cleared)
☐ Other: _____

12. The type of project is:

☐ Residential: # of Lots: _____
☐ Residential: # of Living Unit Equivalents: _____
☐ Commercial
☐ Industrial
☒ Other: Mixed Use Development

13. Total project area (size of site): 253.8 acres (Project site = 13.36 ac) Acres

Total disturbed area: 13.36 Acres

14. Estimated projected population: 50

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

Table 1 - Impervious Cover

Impervious Cover of Proposed Project	*Sq. Ft.*	*Sq. Ft./Acre*	*Acres*
Structures/Rooftops	132,793	÷ 43,560 =	3.05
Parking	332,363	÷ 43,560 =	7.63
Other paved surfaces	37,090	÷ 43,560 =	0.85
Total Impervious Cover	502,246	÷ 43,560 =	11.53

Total Impervious Cover 11.53 **÷ Total Acreage** 13.36 **X 100 =** 86**% Impervious Cover**

16. ☒ **Attachment D - Factors Affecting Surface Water Quality**. A detailed description of all factors that could affect surface water quality is attached. If applicable, this includes the location and description of any discharge associated with industrial activity other than construction.

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

For Road Projects Only

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

☒ N/A

18. Type of project:

- ☐ TXDOT road project.
- ☐ County road or roads built to county specifications.
- ☐ City thoroughfare or roads to be dedicated to a municipality.
- ☐ Street or road providing access to private driveways.

19. Type of pavement or road surface to be used:

- ☐ Concrete
- ☐ Asphaltic concrete pavement
- ☐ Other: _____

20. Right of Way (R.O.W.):

Length of R.O.W.: _____ feet.
Width of R.O.W.: _____ feet.
L x W = _____Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

21. Pavement Area:

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.

22. ☐ A rest stop will be included in this project.

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

23. ☐ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

Stormwater to be generated by the Proposed Project

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

Wastewater to be generated by the Proposed Project

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

☐ N/A

26. Wastewater will be disposed of by:

☐ On-Site Sewage Facility (OSSF/Septic Tank):

☐ **Attachment F - Suitability Letter from Authorized Agent.** An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.

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

☒ Sewage Collection System (Sewer Lines):
The sewage collection system will convey the wastewater to the Singing Hills Wastewater (name) Treatment Plant. The treatment facility is:

☒ Existing.
☐ Proposed.

☐ N/A

Permanent Aboveground Storage Tanks(ASTs) ≥ 500 Gallons

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

☒N/A

27. Tanks and substance stored:

Table 2 - Tanks and Substance Storage

AST Number	*Size (Gallons)*	*Substance to be Stored*	*Tank Material*
1			
2			
3			
4			
5			

Total x 1.5 = _____ Gallons

28. ☐ The AST will be placed within a containment structure that is sized to capture one and one-half (1 1/2) times the storage capacity of the system. For facilities with more than

one tank system, the containment structure is sized to capture one and one-half (1 1/2) times the cumulative storage capacity of all systems.

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

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

Table 3 - Secondary Containment

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

Total: _____ Gallons

30. Piping:

☐ All piping, hoses, and dispensers will be located inside the containment structure.
☐ Some of the piping to dispensers or equipment will extend outside the containment structure.
☐ The piping will be aboveground
☐ The piping will be underground

31. ☐ The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of: _____.

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

☐ Interior dimensions (length, width, depth and wall and floor thickness).
☐ Internal drainage to a point convenient for the collection of any spillage.
☐ Tanks clearly labeled
☐ Piping clearly labeled
☐ Dispenser clearly labeled

33. ☐ Any spills must be directed to a point convenient for collection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.

☐ In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.

☐ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

Site Plan Requirements

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

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

    Site Plan Scale: 1" = 40'.

35. 100-year floodplain boundaries:

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

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

    The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s): FEMA Map Number 48091C0220F.

36. ☒ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

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

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

38. ☒ The drainage patterns and approximate slopes anticipated after major grading activities.

39. ☒ Areas of soil disturbance and areas which will not be disturbed.

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

41. ☒ Locations where soil stabilization practices are expected to occur.

42. ☐ Surface waters (including wetlands).

    ☒ N/A

43. ☐ Locations where stormwater discharges to surface water.

    ☒ There will be no discharges to surface water.

44. ☐ Temporary aboveground storage tank facilities.

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

45. ☐ Permanent aboveground storage tank facilities.

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

46. ☒ Legal boundaries of the site are shown.

Permanent Best Management Practices (BMPs)

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

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

☐ N/A

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

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

☐ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is: _____.

☐ N/A

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

☐ N/A

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

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

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

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

51. The executive director may waive the requirement for other permanent BMPs for 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**. The site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is attached.

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

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

52. ☒ **Attachment J - BMPs for Upgradient Stormwater.**

☒ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is attached.

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

☐ Permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, and an explanation is attached.

53. ☒ **Attachment K - BMPs for On-site Stormwater.**

☒ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is attached.

☐ Permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, and an explanation is attached.

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

☐ N/A

55. ☒ **Attachment M - Construction Plans**. Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer, and are signed, sealed, and dated. Construction plans for the proposed permanent BMPs and measures are

attached and include: Design calculations, TCEQ Construction Notes, all proposed structural plans and specifications, and appropriate details.

☐ N/A

56. ☒ **Attachment N - Inspection, Maintenance, Repair and Retrofit Plan.** A site and BMP specific plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan fulfills all of the following:

☒ Prepared and certified by the engineer designing the permanent BMPs and measures
☒ Signed by the owner or responsible party
☒ Outlines specific procedures for documenting inspections, maintenance, repairs, and, if necessary, retrofit.
☒ Contains a discussion of record keeping procedures

☐ N/A

57. ☐ **Attachment O - Pilot-Scale Field Testing Plan.** Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.

☒ N/A

58. ☒ **Attachment P - Measures for Minimizing Surface Stream Contamination.** A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that result in water quality degradation.

☐ N/A

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

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

60. ☒ A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development,

or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

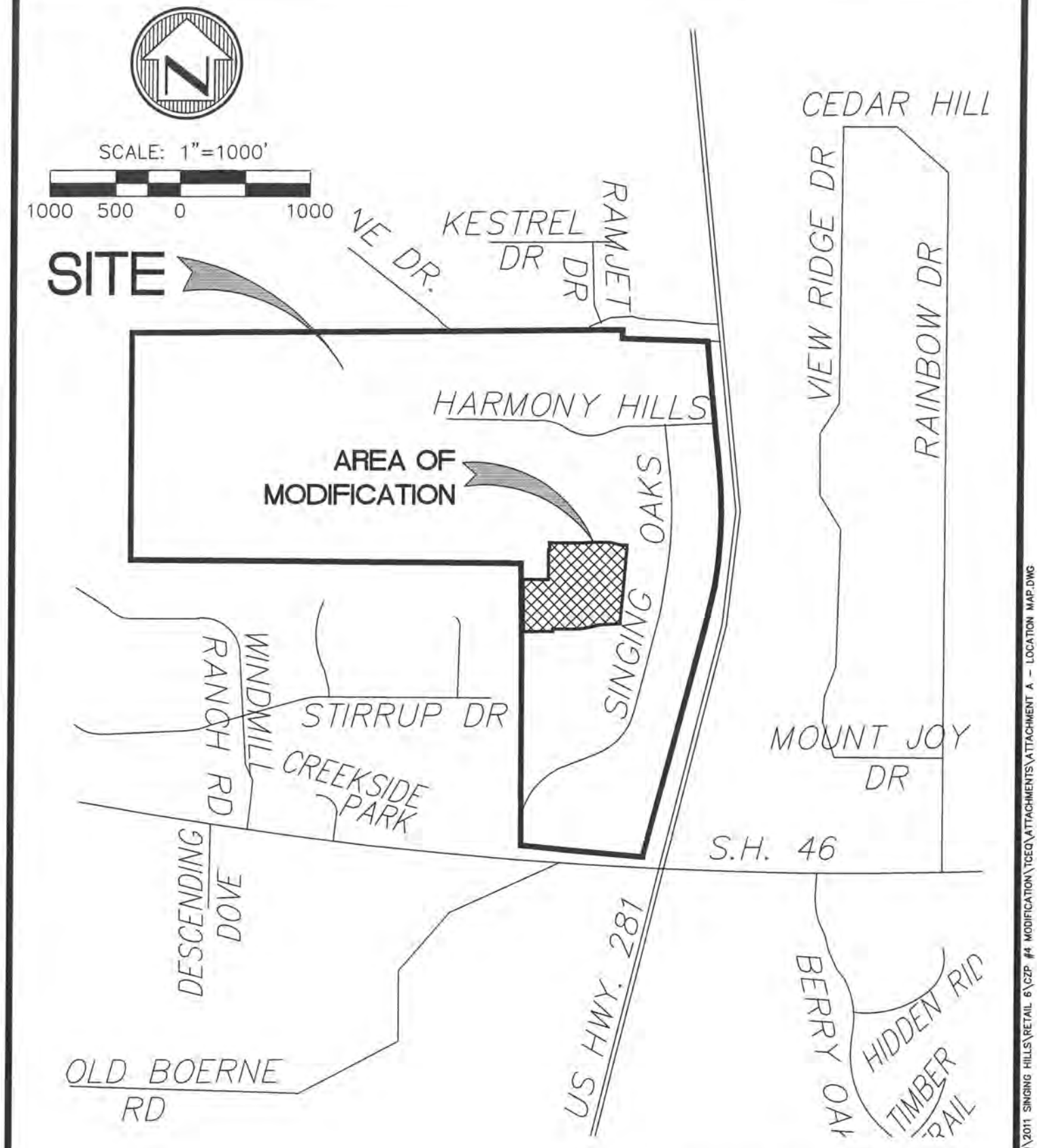
Administrative Information

61. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions.

62. ☒ Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.

63. ☐ The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

☒ The Temporary Stormwater Section (TCEQ-0602) is included with the application.



SINGING HILLS
LOCATION MAP

ATTACHMENT A

PROJ. #: 22241 **DATE: SEPTEMBER 2023**

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS: ENGINEERING F-5297/SURVEYING: F-10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 696-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

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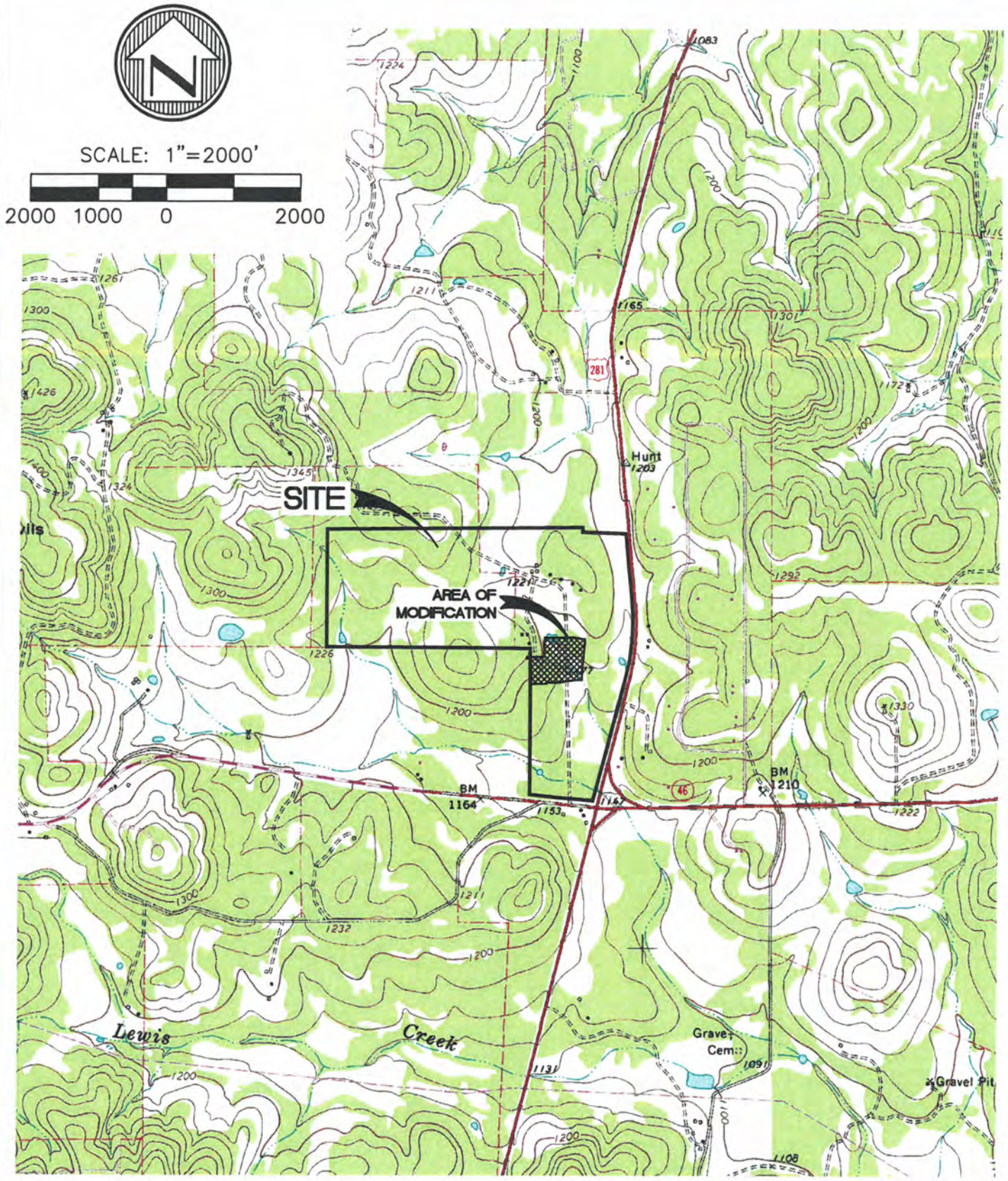


SINGING HILLS
USGS QUADRANGLE MAP
(ANHALT QUADRANGLE)

ATTACHMENT B

PROJ. #: 22241 **DATE: SEPTEMBER 2023**

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS: ENGINEERING F-5297/SURVEYING: F-10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

R:\RECC - SINGING HILLS (46 @ 281)\2011 SINGING HILLS\RETAIL 6\CZP #4 MODIFICATION\TCEQ\ATTACHMENTS\ATTACHMENT B - USGS MAP.DWG

ATTACHMENT C

PROJECT DESCRIPTION

Singing Hills is an approximate 254 acre mixed use development located on the northwest corner of U.S. Highway 281 and State Highway 46 intersection. The existing site consisted of the remnants of residential homes and related improvements, an abandoned EMS building with parking lot, an abandoned library with parking lot, a detention basin, and undeveloped areas. The Singing Hills development is located within the city limits of the City of Bulverde and within Bulverde's Extra Territorial Jurisdiction (ETJ). The 13.4-acre project site for this modification is situated within the City of Bulverde.

The original Contributing Zone Plan (CZP) application for Singing Hills was approved by the Texas Commission on Environmental Quality (TCEQ) on November 2, 2012. That CZP application addressed the onsite and offsite improvements associated with the initial phase of the Singing Hills development which included: approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site; a wastewater treatment plant on the northeast end of the site; a storm water detention pond on the west end of the site; and improvements to U.S. Highway 281 and State Highway 46.

The first CZP Modification was approved January 13, 2015, addressing the construction of two (2) super street U-turns with deceleration lanes on U.S. Highway 281 and the second phase of this development. The second phase of development consisted of 352 single-family residential lots approximately 118 acres, a multi-family development approximately 13 acres and a commercial/office development approximately 5 acres. Permanent water quality treatment for the second phase was to provided by two (2) sand filtration ponds located within the multi-family project site and near the northeast corner of the existing detention basin. The sand filtration ponds were designed in accordance with the TCEQ Technical Guidance Manual to remove at least 80% of the total suspended solids generated by the total increase of impervious cover, including the additional offsite impervious cover.

The second CZP Modification was approved June 30, 2017 and addressed the second phase of the Singing Hills project, which comprises approximately 137 acres. The second phase of the singing Hills development is located within the City of Bulverde's Extraterritorial Jurisdiction (ETJ) and includes approximately 6.5 acres of commercial/office development, 15 acres of a multi-family development, 7 acres of an entertainment/movie theatre development and 108 acres of single-family residential development. The single-family residential development consist of 318 lots in which 211 lots being on 60' lots with 4,000 square feet of impervious cover, 106 lots being on 50' lots with 3,550 square feet of impervious cover and one lot being for the lift station with an approximately 4,000 square feet of impervious cover.

The third CZP Modification Application was approved on August 13, 2020 and addressed the expansion of Unit 5 north and south by adding 13 residential lots and associated Right-Of-Way improvements. Unit 5 is part of Phase 2 referenced in previous applications & associated approval letters. Unit 5 previously consisted of 40 residential lots. The third Modification included five (5) additional residential lots constructed at the NW end of Unit 5, which the associated impervious cover drains to Basin #4. An additional five (5) residential lots

constructed at the NE end of Unit 5, it's associated impervious cover bypasses treatment, however treatment is provided at Basin #4 to compensate for the bypassed stormwater. The remaining three (3) additional residential lots are at the SW end of Unit 5, for a total of 53 residential lots in the third Modification. Previously, the fifteen (15) residential lots & associated improvements in the southern end of Unit 5 bypassed treatment and were accounted for via excess treatment in Basin #4. In the proposed layout, eleven (11) of the southern lots & associated Right-Of-Way improvements will drain to the proposed Jellyfish Filter associated with the third Modification Application. The remaining seven (7) southern lots will continue to bypass treatment and be accounted for via excess treatment in Basin #4.

This CZP modification proposes to provide two (2) new Jellyfish filtration systems to treat proposed building, parking lot and other impervious improvements proposed on an approximate 13.4-acres tract previously approved for clearing and grading activities. Driveway improvements located within the 13.4-acre tract previously identified as going to Basin #1 in the original CZP will be treated by the easternmost Jellyfish (Jellyfish "A") filtration unit thereby reducing the TSS load to Basin #1. The two Jellyfish filtration systems will treat the impervious cover routed to the system and overtreat for areas that cannot be routed to and bypass the filtration units. Offsite area draining toward the 13.4-acre project site is from the north. This offsite area will be collected prior to entering the project site by storm drain facilities. No existing demolition is proposed within the project area. For additional information regarding the proposed Jellyfish filtration systems, see Attachment K – BMPs for On-Site Water in Section III (Contributing Zone Plan Application) of this report. The Project Area associated with this portion of work is 13.4 acres and is delineated on the CZP Site Plan, sheet SP0.

During construction, temporary BMP's will be utilized to control erosion and sediment runoff. Temporary BMP's will consist of silt fences, a rock berm, bagged gravel inlet filters, concrete washout pits, stabilized construction entrance/exit and other temporary BMP's identified on sheet SW0.

Other notable project characteristics include the following:

- Project Area: **13.36 Acres**
- Onsite Bypass Area: **0.284 Acres**
- Total Impervious Cover in Project Area**: 11.53 Acres**
- Impervious Cover in Proposed Jellyfish "A" Catchment Area: **5.762 Acres**
- Impervious Cover in Proposed Jellyfish "B" Catchment Area: **5.480 Acres**
- Proposed Site Use: **Mixed Use (Commercial retail, Entertainment, Restaurant)**

ATTACHMENT D

FACTORS AFFECTING SURFACE WATER QUALITY

The proposed ultimate land use for **Singing Hills, Commercial development of 13.36 acres** is expected to be approximately mixed-use commercial retail/entertainment/restaurant.

Factors impacting surface water quality include: fertilizers, pesticides from landscaping, sediment from soil disturbances, organic matter from clearing activities, small amounts of oil grease from vehicular traffic, and suspended solids from the proposed impervious cover areas. These factors may cause suspended solids to enter into the storm water runoff and subsequently affect the surface water. However, temporary and permanent BMP's consisting of silt fences, rock berms, bagged gravel inlet filters, stabilized construction entrance/exit, sand filtration ponds and Jellyfish filtration systems have been designed on the basis of the Technical Guidance Manual to treat the required amount of storm water runoff as to not adversely affect water quality entering into any surface water or groundwater.

ATTACHMENT E

VOLUME AND CHARACTER OF STORM WATER

Volume of Storm Water

The existing regional storm water detention pond for the overall Singing Hills development is designed to decrease the post development peak runoff rate to less than the existing peak runoff rate for the overall development in accordance with City of Bulverde and Comal County requirements. This regional pond is located in the southwestern portion of the residential area of the Singing Hills development.

EXISTING CONDITIONS:

Entire Site	**Project Area**
Area: 253.51 ac	Area: 13.36 ac
Runoff Coefficient: 0.50	Runoff Coefficient: 0.50
T_c = 40 min.; I = 4.47 in/hr	T_c = 20 min.; I = 6.39 in/hr
Q_{25} = 567 cfs	Q_{25} = 43 cfs

PROPOSED CONDITIONS FOR ENTIRE SITE

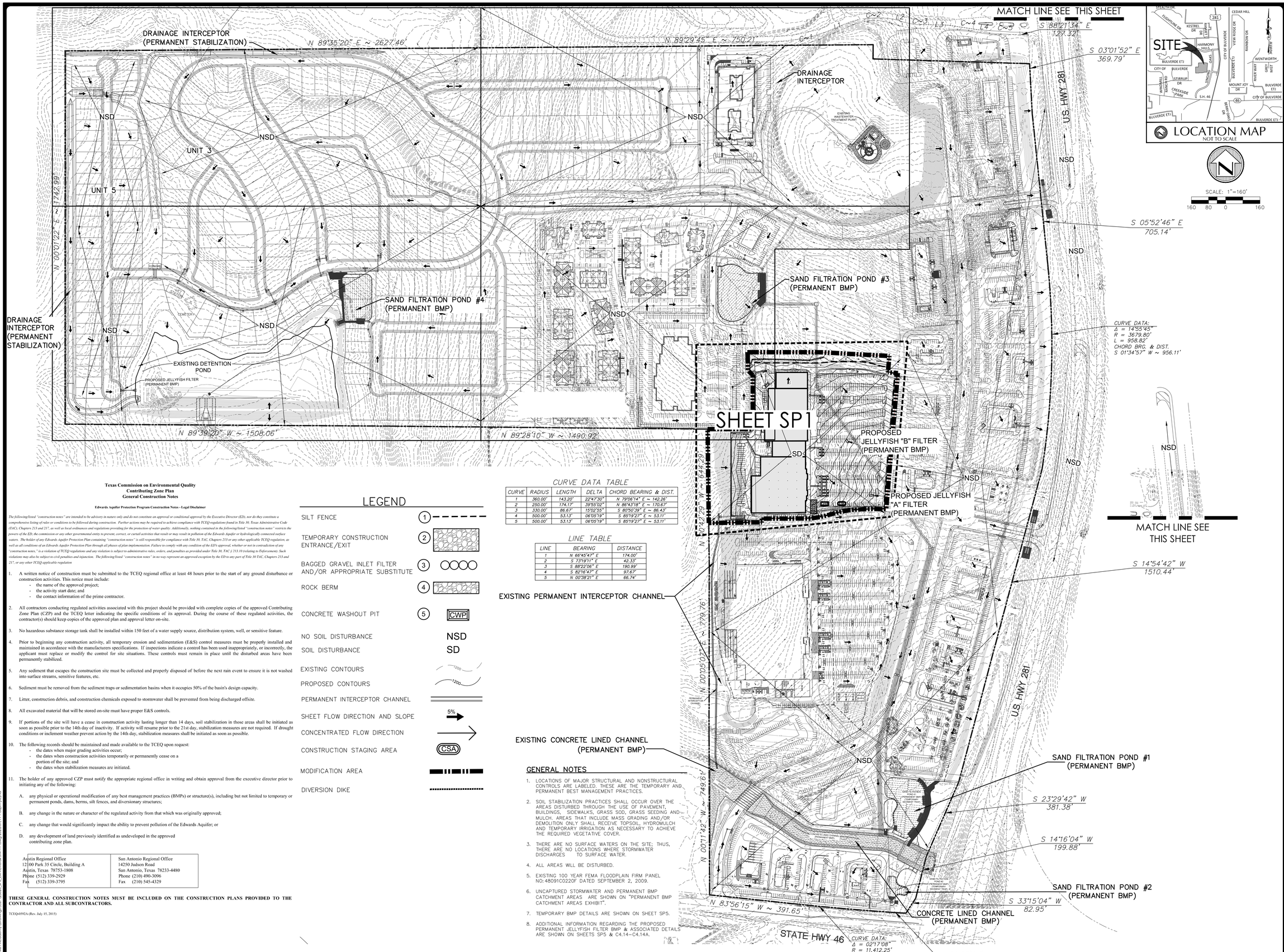
Entire Site	**Project Area**
Area: 253.51 ac	Area: 13.36 ac
Runoff Coefficient: 0.70	Runoff Coefficient: 0.90
T_c = 25 min.; I = 5.70 in/hr	T_c = 10 min.; I = 8.44 in/hr
Q_{25} = 1,012 cfs	Q_{25} = 101 cfs
Δ = 445 cfs	Δ = 58 cfs

Character of Storm Water

Storm water runoff generated from the site during construction will be typical of a commercial construction project. The runoff will consist of small amounts of suspended solids created by construction activities which may include sediments from disturbed soils, construction dust, sawdust and hydrocarbons from construction equipment. Temporary BMP's have been designed on the basis of the Technical Guidance Manual to treat the required volume and character of storm water runoff to remove the increased total suspended solids (TSS) due to the proposed construction activities. Permanent stabilization of areas where soil is disturbed by construction activities will be accomplished by installing new vegetation, mulch and impervious cover in those areas.

Storm water runoff generated after construction is complete will be typical of commercial developments. The runoff will contain sediments from rooftops, driveways, parking lots, sidewalks, landscape areas, and other miscellaneous impervious areas from the site. The runoff may contain small amounts of oil, grease, suspended solids, fertilizers and pesticides. The post construction runoff for the entire site will be treated through two (2) Jellyfish Filter designed in accordance with the Technical Guidance Manual to remove 80% of the total increase in TSS caused by the proposed impervious cover.

CONTRIBUTING ZONE SITE PLAN & DETAILS



LOCATION MAP
NOT TO SCALE

SCALE: 1"=160'
160 80 0 160

REVISIONS

NO.	DATE	DESCRIPTION	BY:

PROJ. #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE:

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS - ENGINEERING F-5297 / SURVEYING F-10131500
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

STATE OF TEXAS
CHRISTOPHER B. DUMAS
99231
LICENSED
PROFESSIONAL ENGINEER
9/11/23

SINGING HILLS RETAIL 6 - CZP

OVERALL CZP SITE PLAN

SHEET
SP0

Texas Commission on Environmental Quality
Contributing Zone Plan
General Construction Notes

Edwards Aquifer Protection Program Construction Notes - Legal Disclaimer

The following/listed "construction notes" are intended to be advisory in nature only and do not constitute an approval or conditional approval by the Executive Director (ED), nor do they constitute a comprehensive listing of rules or conditions to be followed during construction. Further actions may be required to achieve compliance with TCEQ regulations found in Title 30, Texas Administrative Code (TAC), Chapters 213 and 217, as well as local ordinances and regulations providing for the protection of water quality. Additionally, nothing contained in the following/listed "construction notes" restricts the powers of the ED, the commission or any other governmental entity to prevent, correct, or curtail activities that result or may result in pollution of the Edwards Aquifer or hydrologically connected surface waters. The holder of any Edwards Aquifer Protection Plan containing "construction notes" is still responsible for compliance with Title 30, TAC, Chapters 213 or any other applicable TCEQ regulation, as well as all conditions of an Edwards Aquifer Protection Plan through all phases of plan implementation. Failure to comply with any condition of the ED's approval, whether or not in contradiction of any "construction notes," is a violation of TCEQ regulations and any violation is subject to administrative rules, orders, and penalties as provided under Title 30, TAC § 213.10 (relating to Enforcement). Such violations may also be subject to civil penalties and injunction. The following/listed "construction notes" in no way represent an approved exception by the ED to any part of Title 30 TAC, Chapters 213 and 217, or any other TCEQ applicable regulation

1. A written notice of construction must be submitted to the TCEQ regional office at least 48 hours prior to the start of any ground disturbance or construction activities. This notice must include:
   - the name of the approved project;
   - the activity start date; and
   - the contact information of the prime contractor.
2. All contractors conducting regulated activities associated with this project should be provided with complete copies of the approved Contributing Zone Plan (CZP) 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 hazardous substance storage tank shall be installed within 150 feet of a water supply source, distribution system, well, or sensitive feature.
4. Prior to beginning any construction activity, all temporary erosion and sedimentation (E&S) control measures must be properly installed and maintained in accordance with the manufacturers specifications. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. These controls must remain in place until the disturbed areas have been permanently stabilized.
5. Any sediment that escapes the construction site must be collected and properly disposed of before the next rain event to ensure it is not washed into surface streams, sensitive features, etc.
6. Sediment must be removed from the sediment traps or sedimentation basins when it occupies 50% of the basin's design capacity.
7. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from being discharged offsite.
8. All excavated material that will be stored on-site must have proper E&S controls.
9. If portions of the site will have a cease in construction activity lasting longer than 14 days, soil stabilization in those areas shall be initiated as soon as possible prior to the 14th day of inactivity. If activity will resume prior to the 21st day, stabilization measures are not required. If drought conditions or inclement weather prevent action by the 14th day, stabilization measures shall be initiated as soon as possible.
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 CZP 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 (BMPs) 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; or

    D. any development of land previously identified as undeveloped in the approved contributing zone plan.

Austin Regional Office	San Antonio Regional Office
12100 Park 35 Circle, Building A	14250 Judson Road
Austin, Texas 78753-1808	San Antonio, Texas 78233-4480
Phone (512) 339-2929	Phone (210) 490-3096
Fax (512) 339-3795	Fax (210) 545-4329

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

TCEQ-0592A (Rev. July 15, 2015)

LEGEND

SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 CWP
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	1200
PROPOSED CONTOURS	1200
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
DIVERSION DIKE	

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	360.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 64°45'47" E	174.09'
2	S 73°19'11" E	42.33'
3	S 88°22'06" E	190.99'
4	S 82°16'47" E	97.67'
5	N 00°38'21" E	66.74'

GENERAL NOTES

1. LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY AND PERMANENT BEST MANAGEMENT PRACTICES.
2. SOIL STABILIZATION PRACTICES SHALL OCCUR OVER THE AREAS DISTURBED THROUGH THE USE OF PAVEMENT, BUILDINGS, SIDEWALKS, GRASS SOD, GRASS SEEDING AND MULCH. AREAS THAT INCLUDE MASS GRADING AND/OR DEMOLITION ONLY SHALL RECEIVE TOPSOIL, HYDROMULCH AND TEMPORARY IRRIGATION AS NECESSARY TO ACHIEVE THE REQUIRED VEGETATIVE COVER.
3. THERE ARE NO SURFACE WATERS ON THE SITE; THUS, THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.
4. ALL AREAS WILL BE DISTURBED.
5. EXISTING 100 YEAR FEMA FLOODPLAIN FIRM PANEL NO: 48091C0220F DATED SEPTEMBER 2, 2009.
6. UNCAPTURED STORMWATER AND PERMANENT BMP CATCHMENT AREAS ARE SHOWN ON "PERMANENT BMP CATCHMENT AREAS EXHIBIT".
7. TEMPORARY BMP DETAILS ARE SHOWN ON SHEET SP5.
8. ADDITIONAL INFORMATION REGARDING THE PROPOSED PERMANENT JELLYFISH FILTER BMP & ASSOCIATED DETAILS ARE SHOWN ON SHEETS SP5 & C4.14–C4.14A.

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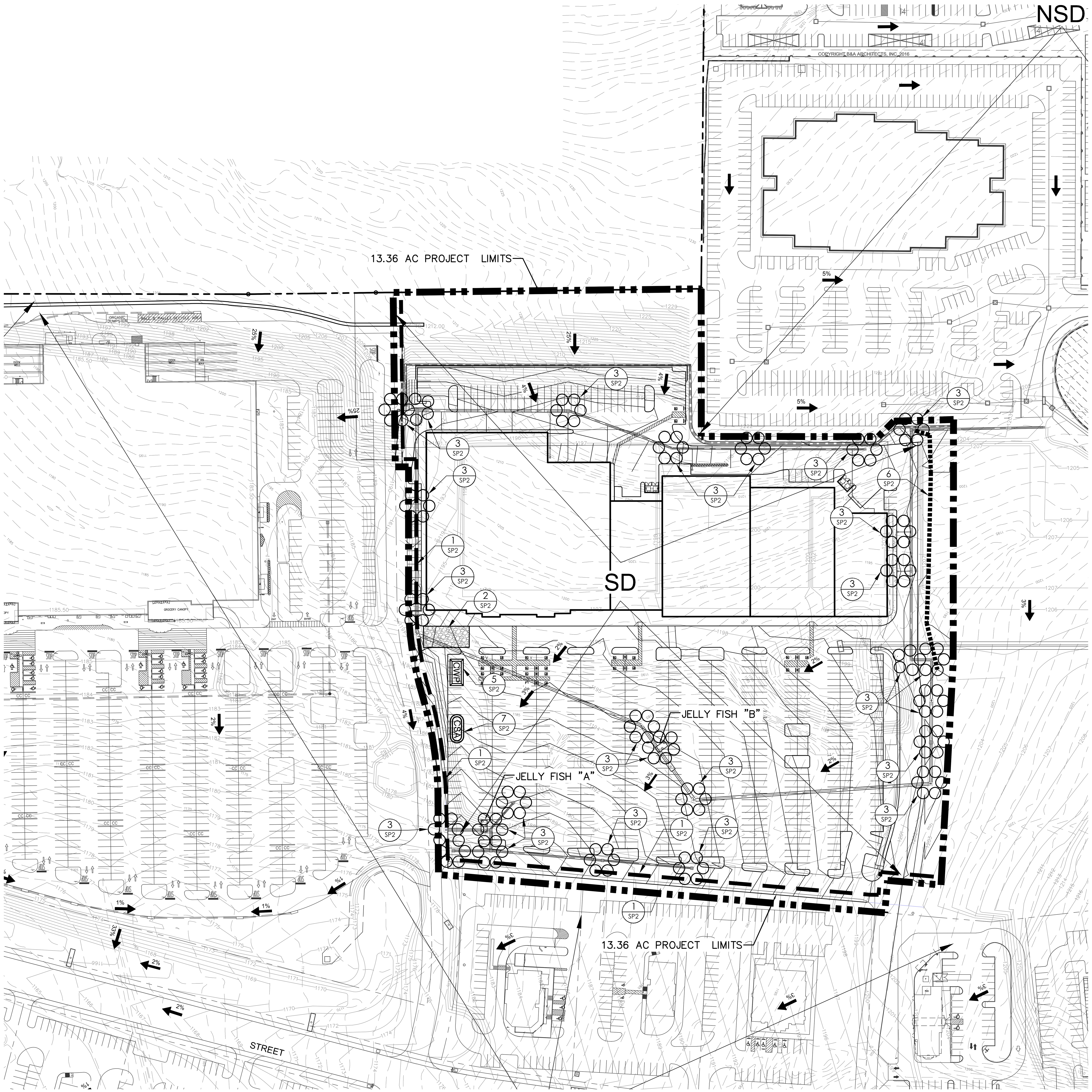
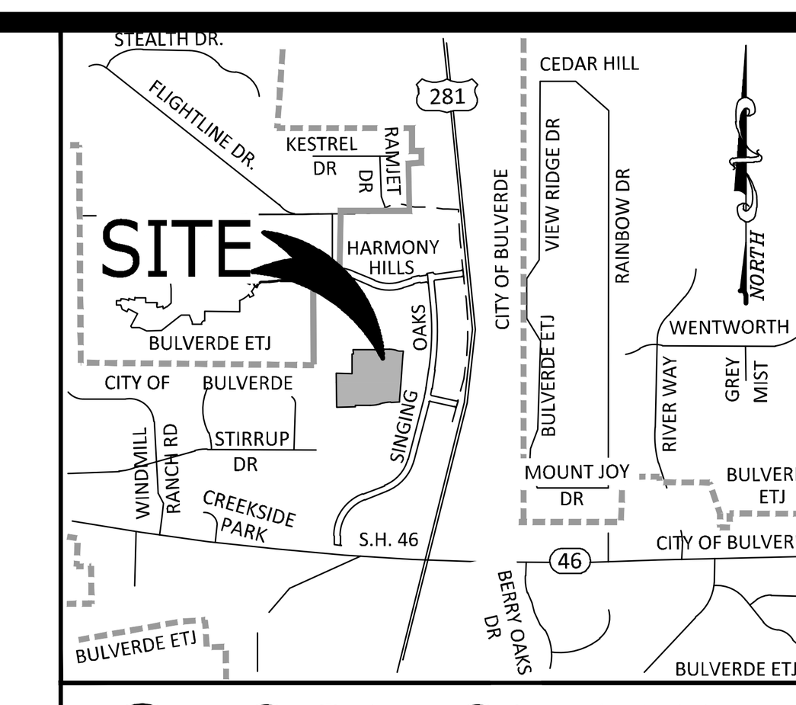




LOCATION MAP
NOT TO SCALE

SCALE: 1"=60'
60 30 0 60

LEGEND

SILT FENCE	1	
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2	
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3	
ROCK BERM	4	
CONCRETE WASHOUT PIT	5	CWP
NO SOIL DISTURBANCE		NSD
SOIL DISTURBANCE		SD
EXISTING CONTOURS		
PROPOSED CONTOURS		900
PERMANENT INTERCEPTOR CHANNEL		
SHEET FLOW DIRECTION AND SLOPE		5%
CONCENTRATED FLOW DIRECTION		
CONSTRUCTION STAGING AREA		CSA
MODIFICATION AREA		
DIVERSION DIKE		

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJ. # | DGN. BY | DWN. BY | CHKD. BY | DATE

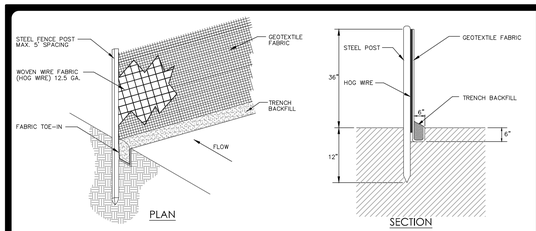
Moy Tarin Ramirez Engineers, LLC
· Engineers · Surveyors · Planners
TBPELS: ENGINEERING F-5297 / SURVEYING F-10131500
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

STATE OF TEXAS
CHRISTOPHER B. DUMAS
99231
LICENSED
PROFESSIONAL ENGINEER

SINGING HILLS RETAIL 6 - CZP

CZP SITE PLAN

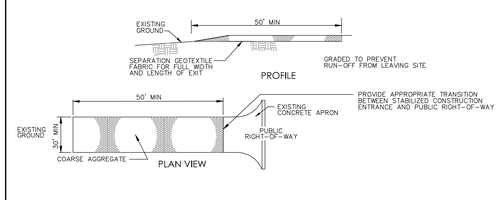
SHEET
SP1



SILT FENCE NOTES

1. SILT FENCE MATERIAL SHOULD BE POLYPROPYLENE, POLYETHYLENE OR POLYAMIDE WOVEN OR NONWOVEN FABRIC. THE FABRIC WIDTH SHOULD BE 36 INCHES, WITH A MINIMUM UNIT WEIGHT OF 4.5 OZ/YD, MULLEN BURST STRENGTH EXCEEDING 190 LB/IN 2 , ULTRAVIOLET STABILITY EXCEEDING 70%, AND MINIMUM APPARENT OPENING SIZE OF U.S. SIEVE NO. 30.
2. FENCE POSTS SHOULD BE MADE OF HOT ROLLED STEEL, AT LEAST 4 FEET LONG WITH TEE OR Y-BAR CROSS SECTION, SURFACE PAINTED OR GALVANIZED, MINIMUM NOMINAL WEIGHT 1.25 LB/FT 2 , AND BRINELL HARDNESS EXCEEDING 140.
3. WOVEN WIRE BACKING TO SUPPORT THE FABRIC SHOULD BE GALVANIZED 2" X 4" WELDED WIRE, 12.5 GAUGE MINIMUM.
4. STEEL POSTS, WHICH SUPPORT THE SILT FENCE, SHOULD BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF 1 FOOT DEEP AND SPACED NOT MORE THAN 5 FEET ON CENTER.
5. LAY OUT FENCING DOWN-SLOPE OF DISTURBED AREA, FOLLOWING THE CONTOUR AS CLOSELY AS POSSIBLE. THE FENCE SHOULD BE SITED SO THAT THE MAXIMUM DRAINAGE AREA IS ¼ACRE/100 FEET OF FENCE.
6. THE TOE OF THE SILT FENCE SHOULD BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWN-SLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CANNOT BE TRENCHED IN (E.G., PAVEMENT OR ROCK OUTCROP), WEIGHT FABRIC FLAP WITH 3 INCHES OF PEA GRAVEL ON UPHILL SIDE TO PREVENT FLOW FROM SEEPING UNDER FENCE.
7. 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.
8. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST. THERE SHOULD BE A 3-FOOT OVERLAP, SECURELY FASTENED WHERE ENDS OF FABRIC MEET.
9. SILT FENCE SHOULD BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
10. REMOVE SEDIMENT WHEN BUILDUP REACHES 6 INCHES, OR INSTALL A SECOND LINE OF FENCING PARALLEL TO THE OLD FENCE.
11. REPLACE ANY TORN FABRIC OR INSTALL A SECOND LINE OF FENCING PARALLEL TO THE TORN SECTION.
12. REPLACE OR REPAIR ANY SECTIONS CRUSHED OR COLLAPSED IN THE COURSE OF CONSTRUCTION ACTIVITY. IF A SECTION OF FENCE IS OBSTRUCTING VEHICULAR ACCESS, CONSIDER RELOCATING IT TO A SPOT WHERE IT WILL PROVIDE EQUAL PROTECTION, BUT WILL NOT OBSTRUCT VEHICLES. A TRIANGULAR FILTER DIKE MAY BE PREFERABLE TO A SILT FENCE AT COMMON VEHICLE ACCESS POINTS.

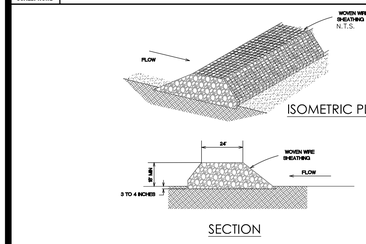
1 **SILT FENCE DETAIL**
SCALE: NONE



TEMPORARY CONSTRUCTION ENTRANCE/EXIT NOTES

1. THE AGGREGATE SHOULD CONSIST OF 4 TO 8 INCH WASHED STONE OVER A STABLE FOUNDATION.
2. THE AGGREGATE SHOULD BE PLACED WITH A MINIMUM THICKNESS OF 8 INCHES.
3. THE GEOTEXTILE FABRIC SHOULD BE DESIGNED SPECIFICALLY FOR USE AS A SOIL FILTRATION MEDIA WITH AN APPROXIMATE WEIGHT OF 6 OZ/YD 2 , A MULLEN BURST RATING OF 140 LB/IN 2 , AND AN EQUIVALENT OPENING SIZE GREATER THAN A NUMBER 50 SIEVE.
4. AVOID CURVES ON PUBLIC ROADS AND STEEP SLOPES. REMOVE VEGETATION AND OTHER OBJECTIONABLE MATERIAL FROM THE FOUNDATION AREA. GRADE CROWN FOUNDATION FOR POSITIVE DRAINAGE.
5. THE MINIMUM WIDTH OF THE ENTRANCE/EXIT SHOULD BE 12 FEET OR THE FULL WIDTH OF EXIT ROADWAY, WHICHEVER IS GREATER.
6. THE CONSTRUCTION ENTRANCE SHOULD BE AT LEAST 50 FEET LONG.
7. PLACE GEOTEXTILE FABRIC AND GRADE FOUNDATION TO IMPROVE STABILITY, ESPECIALLY WHERE WET CONDITIONS ARE ANTICIPATED.
8. PLACE STONE TO DIMENSIONS AND GRADE SHOWN. LEAVE SURFACE SMOOTH AND SLOPE FOR DRAINAGE.
9. THE ENTRANCE SHOULD BE MAINTAINED IN A CONDITION, WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-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.
10. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ON TO PUBLIC RIGHTS-OF-WAY SHOULD BE REMOVED IMMEDIATELY BY CONTRACTOR.
11. WHEN NECESSARY, WHEELS SHOULD BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
12. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
13. ALL SEDIMENT SHOULD BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATER COURSE.

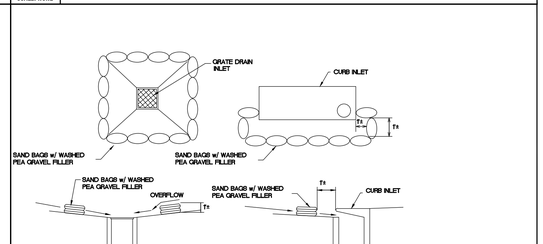
2 **STABILIZED CONSTRUCTION ENTRANCE/EXIT**
SCALE: NONE



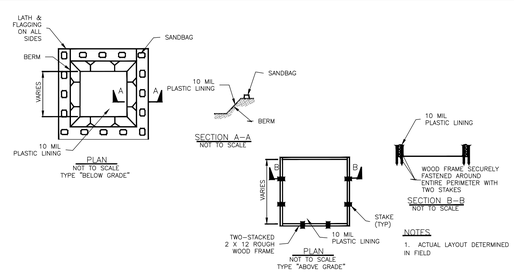
ROCK BERM NOTES

1. THE BERM STRUCTURE SHOULD BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MAXIMUM OPENING OF 1 INCH AND A MINIMUM WIRE DIAMETER OF 20 GAUGE GALVANIZED AND SHOULD BE SECURED WITH SHOAT RINGS.
2. CLEAN, OPEN GRADED 3 TO 5-INCH DIAMETER ROCK SHOULD BE USED, EXCEPT IN AREAS WHERE HIGH VELOCITIES OR LARGE VOLUMES OF FLOW ARE EXPECTED, WHERE 5-TO 8-INCH DIAMETER ROCKS MAY BE USED.
3. LAY OUT THE WOVEN WIRE SHEATHING PERPENDICULAR TO THE FLOW LINE.
4. BERM SHOULD HAVE A TOP WIDTH OF 2 FEET MINIMUM WITH SIDE SLOPES BEING 2:1 (H:V) OR FLATTER.
5. PLACE THE ROCK ALONG THE SHEATHING TO A HEIGHT NOT LESS THAN 18".
6. WRAP THE WIRE SHEATHING AROUND THE ROCK AND SECURE WITH TIE WIRE SO THAT THE ENDS OF THE SHEATHING OVERLAP AT LEAST 2 INCHES, AND THE BERM RETAINS ITS SHAPE WHEN WALKED UPON.
7. BERM SHOULD BE BUILT ALONG THE CONTOUR AT ZERO PERCENT GRADE OR AS NEAR AS POSSIBLE.
8. THE ENDS OF THE BERM SHOULD BE TIED INTO EXISTING UPSLOPE GRADE AND THE BERM SHOULD BE BURIED IN A TRENCH APPROXIMATELY 3 TO 4 INCHES DEEP TO PREVENT FAILURE OF THE CONTROL.
9. INSPECTION SHOULD BE MADE WEEKLY AND AFTER EACH RAINFALL BY THE RESPONSIBLE PARTY. FOR INSTALLATIONS IN STREAMBEDS, ADDITIONAL DAILY INSPECTIONS SHOULD BE MADE. THE BERM SHOULD BE RESHAPED AS NEEDED DURING INSPECTION.
10. REMOVE SEDIMENT AND OTHER DEBRIS WHEN BUILDUP REACHES 6 INCHES AND DISPOSE OF THE ACCUMULATED SILT OF IN AN APPROVED MANNER AND REPAIR ANY LOOSE WIRE SHEATHING.
11. THE BERM SHOULD BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.
12. THE ROCK BERM SHOULD BE LEFT IN PLACE UNTIL ALL UPSTREAM AREAS ARE STABILIZED AND ACCUMULATED SILT REMOVED.

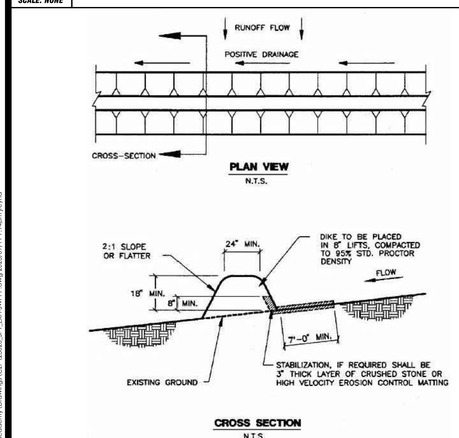
4 **ROCK BERM**
SCALE: NONE



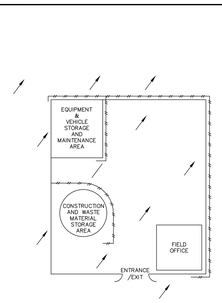
3 **BAGGED GRAVEL INLET FILTER**
SCALE: NONE



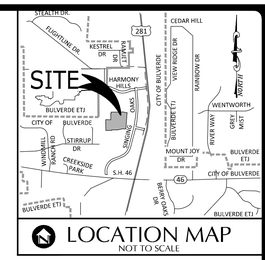
5 **CONCRETE TRUCK WASHOUT PIT**
SCALE: NONE



6 **DIVERSION DIKE**
SCALE: NONE



7 **CONSTRUCTION STAGING AREA**
SCALE: NONE



LOCATION MAP
NOT TO SCALE

NO.	DATE	REVISIONS DESCRIPTION	PROJ #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE:

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS: ENGINEERING F-5297 / SURVEYING F-10135500
2727 MARKET PLACE, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-2085
FAX: (210) 696-2085

STATE OF TEXAS
CHRISTOPHER B. DUMAS
99231
LICENSED
PROFESSIONAL ENGINEER
P.E.
4/11/23

SINGING HILLS RETAIL 6 - CZP

DETAILS

SHEET
SP2

R:\Singing Hills - Academy\Drawings\CZP\23020_SP1_ESKS-SWPPP.dwg 2023/09/11 7:14pm jmyna

ATTACHMENT J

BMPS FOR UPGRADIENT STORMWATER

Upgradient stormwater enters the 13.4-acre project site along the north boundary. Offsite area draining toward the 13.4-acre project site is from the north. This offsite area will be collected prior to entering the project site by storm drain facilities such that offsite storm water from this area will not flow across the surface of the 13.4-acre project site.

During construction, temporary BMPs consisting of silt fences, rock berms, bagged gravel inlet filters, diversion dikes, stabilized construction entrance/exit and other temporary BMPs as identified on sheet SP0 will be utilized to alleviate sediment from the leaving the site. During and after construction, the upgradient water will not flow into the permanent BMP catchment areas.

ATTACHMENT K

BMP'S FOR ON-SITE STORM WATER

During construction, temporary BMP's consisting of silt fences, rock berms, bagged gravel inlet filters, stabilized construction entrance/exit and other temporary BMPs shown on sheet SP0 will be utilized to alleviate sediment from leaving the site.

The commercial development of 13.36-acre project site will be divided into two (2) areas, each with its own proposed Jellyfish Filter system. The total impervious cover onsite for the proposed commercial development is 11.53 acres. Removal of the required TSS pollutants from the runoff generated by the 0.284 acres of onsite impervious cover that bypasses the two (2) Jellyfish filtration systems is accomplished through over treatment of the impervious cover. The required removal of total suspended solids (TSS) for the 11.53 impervious acres is 9405 lbs.

Jellyfish Filters: The commercial development of 13.36 acres will be treated for the required TSS pollutant removal by means of a Contech Jellyfish Filter System. The amount of impervious cover draining to each Jellyfish in total is 11.53 acres from the 13.36-acre site, which generates 9405 lbs of TSS to be removed (minimum). The two (2) units will be placed within each designated drainage area.

There is a total of 0.284 acres of uncaptured impervious cover within the 13.36-acres commercial development that creates a total of 232 lbs. of TSS to be removed. The Jellyfish have been oversized to account for this additional TSS removal. The impervious cover will be divided into two (2) sections, with each its own proposed Jellyfish filter system.

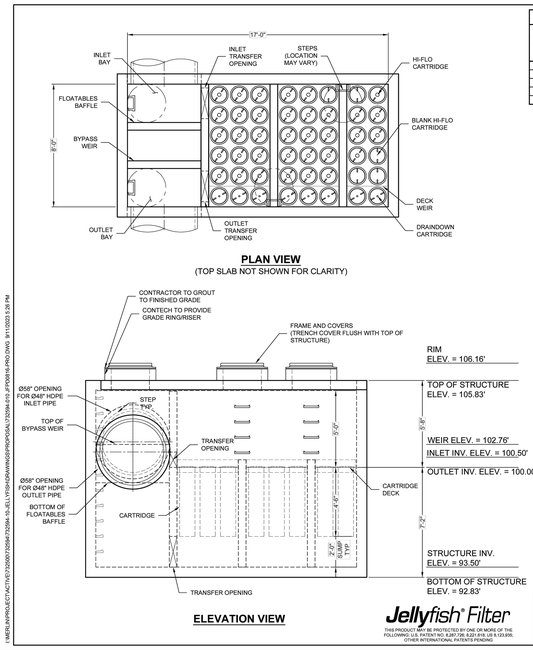
ATTACHMENT L

BMP's FOR SURFACE STREAMS

Surface streams do not exist on the site that would require protective measures. Permanent and temporary BMP's, as shown on the CZP Site Plan, shall be used to minimize pollutants draining to offsite surface streams, both during and after construction.

ATTACHMENT M

CONSTRUCTION PLANS



PLAN VIEW
(TOP SLAB NOT SHOWN FOR CLARITY)

ELEVATION VIEW

JELLYFISH DESIGN NOTES

JELLYFISH TREATMENT CAPACITY IS A FUNCTION OF THE CARTRIDGE LENGTH AND THE NUMBER OF CARTRIDGES. THE STANDARD PEAK DIVERSION STYLE WITH PRECAST TOP SLAB IS SHOWN. ALTERNATE OFFLINE VAULT AND/OR SHALLOW ORIENTATIONS ARE AVAILABLE. PEAK CONVEYANCE CAPACITY TO BE DETERMINED BY ENGINEER OF RECORD

CARTRIDGE SELECTION

CARTRIDGE LENGTH	54"
OUTLET INVERT TO STRUCTURE INVERT (A)	6'-0"
FLOW RATE HI-FLO / DRAINDOWN (CFS) (PER CART)	0.178 / 0.089
MAX. TREATMENT (CFS)	7.84
DECK TO INSIDE TOP (MIN) (B)	5.00

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID					WQU
WATER QUALITY FLOW RATE (cfs)					7.07
PEAK FLOW RATE (cfs)					74
RETURN PERIOD OF PEAK FLOW (yrs)					100
# OF CARTRIDGES REQUIRED (HF / DD)					36 / 8
CARTRIDGE LENGTH					54"
PIPE DATA:	I.E.	MAT'L	DIA	SLOPE %	HGL
INLET #1	100.50'	HDPE	48"	*	*
INLET #2	*	*	*	*	*
OUTLET	100.00'	HDPE	48"	*	*

SEE GENERAL NOTES 6-7 FOR INLET AND OUTLET HYDRAULIC AND SIZING REQUIREMENTS.

RIM ELEVATION	106.16'

ANTI-FLOTATION BALLAST	WIDTH	HEIGHT
	*	*

NOTES/SPECIAL REQUIREMENTS:

* PER ENGINEER OF RECORD

FRAME AND COVER
(DIAMETER VARIES)
N.T.S.

GENERAL NOTES:
1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. FOR SITE SPECIFIC DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS REPRESENTATIVE. www.ContechES.com
3. JELLYFISH WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
4. STRUCTURE SHALL MEET AASHTO HS-20 OR PER APPROVING JURISDICTION REQUIREMENTS, WHICHEVER IS MORE STRINGENT, ASSUMING EARTH COVER OF 0' - 10', AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 LOAD RATING AND BE CAST WITH THE CONTECH LOGO.
5. STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-857, ASTM C-918, AND AASHTO LOAD FACTOR DESIGN METHOD.
6. OUTLET PIPE INVERT IS EQUAL TO THE CARTRIDGE DECK ELEVATION.
7. THE OUTLET PIPE DIAMETER FOR NEW INSTALLATIONS IS RECOMMENDED TO BE ONE PIPE SIZE LARGER THAN THE INLET PIPE AT EQUAL OR GREATER SLOPE.
8. NO PRODUCT SUBSTITUTIONS SHALL BE ACCEPTED UNLESS SUBMITTED 10 DAYS PRIOR TO PROJECT BID DATE, OR AS DIRECTED BY THE ENGINEER OF RECORD.

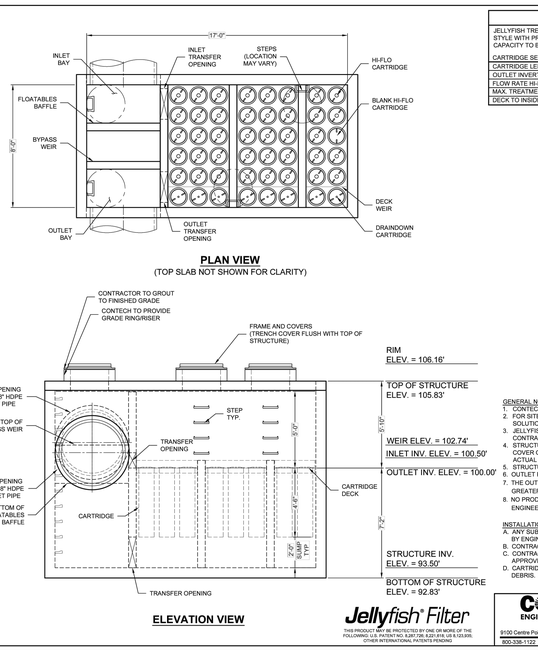
INSTALLATION NOTES
A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STRUCTURE.
C. CONTRACTOR WILL INSTALL AND LEVEL THE STRUCTURE, SEALING THE JOINTS, LINE ENTRY AND EXIT POINTS (NON-SHRINK GROUT WITH APPROVED WATERSTOP OR FLEXIBLE BOOT).
D. CARTRIDGE INSTALLATION, BY CONTECH, SHALL OCCUR ONLY AFTER SITE HAS BEEN STABILIZED AND THE JELLYFISH UNIT IS CLEAN AND FREE OF DEBRIS. CONTACT CONTECH TO COORDINATE CARTRIDGE INSTALLATION WITH SITE STABILIZATION.

Jellyfish® Filter
THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING: U.S. PATENT NO. 8,287,726; 8,821,616; US & 10,excl.; OTHER INTERNATIONAL PATENTS PENDING

CONTECH ENGINEERED SOLUTIONS LLC
www.ContechES.com
9100 Centre Pointe Dr., Suite 400, West Chester, OH 45069
800-338-1122 513-645-7000 513-645-7993 FAX

8' x 16' JELLYFISH - 732594 - 010
SINGING HILLS RETAIL
SPRING HILLS, TX
SITE DESIGNATION: BASIN A

1 **JELLYFISH - BASIN A**
SCALE: NONE



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MAX. TREATMENT (CFS)	7.84
DECK TO INSIDE TOP (MIN) (B)	5.00

SITE SPECIFIC DATA REQUIREMENTS

STRUCTURE ID					BASIN B
WATER QUALITY FLOW RATE (cfs)					7.50
PEAK FLOW RATE (cfs)					74
RETURN PERIOD OF PEAK FLOW (yrs)					100
# OF CARTRIDGES REQUIRED (HF / DD)					39 / 8
CARTRIDGE LENGTH					54"
PIPE DATA:	I.E.	MAT'L	DIA	SLOPE %	HGL
INLET #1	100.50'	HDPE	48"	*	*
INLET #2	*	*	*	*	*
OUTLET	100.00'	HDPE	48"	*	*

SEE GENERAL NOTES 6-7 FOR INLET AND OUTLET HYDRAULIC AND SIZING REQUIREMENTS.

RIM ELEVATION	106.16'

ANTI-FLOTATION BALLAST	WIDTH	HEIGHT
	*	*

NOTES/SPECIAL REQUIREMENTS:

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FRAME AND COVER
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N.T.S.

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Jellyfish® Filter
THIS PRODUCT MAY BE PROTECTED BY ONE OR MORE OF THE FOLLOWING: U.S. PATENT NO. 8,287,726; 8,821,616; US & 10,excl.; OTHER INTERNATIONAL PATENTS PENDING

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8' x 16' JELLYFISH - 732594 - 020
SINGING HILLS RETAIL
SPRING HILLS, TX
SITE DESIGNATION: BASIN B

2 **JELLYFISH - BASIN B**
SCALE: NONE

Contech Engineered Solutions Calculations for Texas Commission on Environmental Quality
TSS Removal Calculations

Project Name: Singing Hills
Date Prepared: 9/11/2023

1. The Required Load Reduction for the total project:

Calculations from RG-348 Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$
Pages 3-27 to 3-30

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Bexar	
Total project area included in plan * =	13.36	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan* =	11.53	acres
Total post-development impervious cover fraction * =	0.86	
P =	30	inches
$L_{M\ TOTAL\ PROJECT}$ =	9405	lbs.
Number of drainage basins / outfalls areas leaving the plan area =	2	

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

Drainage Basin/Outfall Area No. =	**A**
Total drainage basin/outfall area =	6.119 acres
Predevelopment impervious area within drainage basin/outfall area =	0.000 acres
Post-development impervious area within drainage basin/outfall area =	5.761 acres
Post-development impervious fraction within drainage basin/outfall area =	0.94
$L_{M\ THIS\ BASIN}$ =	4702 lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP =	JF	abbreviation
Removal efficiency =	86	percent

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

RG-348 Page 3-33 Equation 3.7:
LR = (BMP efficiency) x P x (A_C x 34.6 + A_P x 0.54)

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C =	6.119	acres
A_I =	5.761	acres
A_P =	0.36	acres
L_R =	3149	lbs.

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

Desired $L_{R\ THIS\ BASIN}$ =	4774	lbs.
F =	0.03	

6. Calculate Treated Flow required by the BMP Type for this drainage basin / outfall area.

Offsite area draining to BMP =	0.00	acres
Offsite impervious cover draining to BMP =	0.00	acres
Rainfall Intensity =	1.35	inches per hour
Effective Area =	5.80	acres
Cartridge Length =	54	inches
Peak Treatment Flow Required =	7.07	cubic feet per second

Calculations from RG-348
Pages Section 3.2.22

7. Jellyfish
Designed as Required in RG-348
Section 3.2.22

Flow Through Jellyfish Size	Vault
Jellyfish Size for Flow-Based Configuration =	JFPD0816-36-8
Jellyfish Treatment Flow Rate =	7.13 cfs

3 **JELLYFISH A CALCULATIONS**
SCALE: NONE

Contech Engineered Solutions Calculations for Texas Commission on Environmental Quality
TSS Removal Calculations

Project Name: Singing Hills
Date Prepared: 9/11/2023

1. The Required Load Reduction for the total project:

Calculations from RG-. Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$
Pages 3-27 to 3-30

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Bexar	
Total project area included in plan * =	12.75	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan* =	11.53	acres
Total post-development impervious cover fraction * =	0.90	
P =	30	inches
$L_{M\ TOTAL\ PROJECT}$ =	9405	lbs.
Number of drainage basins / outfalls areas leaving the plan area =	2	

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

Drainage Basin/Outfall Area No. =	**A Uncaptured**
Total drainage basin/outfall area =	0.051 acres
Predevelopment impervious area within drainage basin/outfall area =	0.000 acres
Post-development impervious area within drainage basin/outfall area =	0.051 acres
Post-development impervious fraction within drainage basin/outfall area =	1.00
$L_{M\ THIS\ BASIN}$ =	42 lbs.

4 **JELLYFISH A BYPASS CALCULATIONS**
SCALE: NONE

Contech Engineered Solutions Calculations for Texas Commission on Environmental Quality
TSS Removal Calculations

Project Name: Singing Hills
Date Prepared: 9/11/2023

1. The Required Load Reduction for the total project:

Calculations from RG-348 Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$
Pages 3-27 to 3-30

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Bexar	
Total project area included in plan * =	13.36	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan* =	11.53	acres
Total post-development impervious cover fraction * =	0.86	
P =	30	inches
$L_{M\ TOTAL\ PROJECT}$ =	9405	lbs.
Number of drainage basins / outfalls areas leaving the plan area =	2	

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

Drainage Basin/Outfall Area No. =	**B**
Total drainage basin/outfall area =	6.348 acres
Predevelopment impervious area within drainage basin/outfall area =	0.000 acres
Post-development impervious area within drainage basin/outfall area =	5.480 acres
Post-development impervious fraction within drainage basin/outfall area =	0.86
$L_{M\ THIS\ BASIN}$ =	4478 lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP =	JF	abbreviation
Removal efficiency =	86	percent

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

RG-348 Page 3-33 Equation 3.7:
LR = (BMP efficiency) x P x (A_C x 34.6 + A_P x 0.54)

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C =	6.348	acres
A_I =	5.480	acres
A_P =	0.87	acres
L_R =	4004	lbs.

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

Desired $L_{R\ THIS\ BASIN}$ =	4534	lbs.
F =	0.94	

6. Calculate Treated Flow required by the BMP Type for this drainage basin / outfall area.

Offsite area draining to BMP =	0.00	acres
Offsite impervious cover draining to BMP =	0.00	acres
Rainfall Intensity =	1.50	inches per hour
Effective Area =	4.96	acres
Cartridge Length =	54	inches
Peak Treatment Flow Required =	7.50	cubic feet per second

Calculations from RG-348
Pages Section 3.2.22

7. Jellyfish
Designed as Required in RG-348
Section 3.2.22

Flow Through Jellyfish Size	Vault
Jellyfish Size for Flow-Based Configuration =	JFPD0816-29-8
Jellyfish Treatment Flow Rate =	7.66 cfs

5 **JELLYFISH B CALCULATIONS**
SCALE: NONE

Contech Engineered Solutions Calculations for Texas Commission on Environmental Quality
TSS Removal Calculations

Project Name: Singing Hills
Date Prepared: 9/11/2023

1. The Required Load Reduction for the total project:

Calculations from RG Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$
Pages 3-27 to 3-30

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Bexar	
Total project area included in plan * =	12.75	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan* =	11.53	acres
Total post-development impervious cover fraction * =	0.90	
P =	30	inches
$L_{M\ TOTAL\ PROJECT}$ =	9405	lbs.
Number of drainage basins / outfalls areas leaving the plan area =	2	

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

Drainage Basin/Outfall Area No. =	**B Uncaptured**
Total drainage basin/outfall area =	0.233 acres
Predevelopment impervious area within drainage basin/outfall area =	0.000 acres
Post-development impervious area within drainage basin/outfall area =	0.233 acres
Post-development impervious fraction within drainage basin/outfall area =	1.00
$L_{M\ THIS\ BASIN}$ =	190 lbs.

6 **JELLYFISH B BYPASS CALCULATIONS**
SCALE: NONE

NO.	DATE	REVISIONS DESCRIPTION	PROJ. #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE

• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS: ENGINEERING F-5297 / SURVEYING F-10013500
8303 N. MOPAC EXPWY, SUITE 100 TEL: (210) 698-0085
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-0085

STATE OF TEXAS
CHRISTOPHER B. DUMAS
99231
LICENSED
PROFESSIONAL ENGINEER
9/11/23

SINGING HILLS RETAIL 6 - CZP

PERMANENT BMP PLAN

SHEET
SP4

R:\Singing Hills - Academy\Drawings\CZP\ 23020_SP4_EXHCIETAILS.dwg 2023/09/11 7:11 pm jmorris

ATTACHMENT N

INSPECTION, MAINTENANCE, REPAIR, & RETROFIT PLAN

JELLYFISH® FILTER

Jellyfish cartridges are passively backwashed automatically after each storm event, which removes accumulated sediment from the membranes and significantly extends the service life of the cartridges and the maintenance interval. If required, the cartridges can be easily manually backwashed without removing the cartridges. Additionally, the lightweight cartridges can be removed by hand and externally rinsed, and rinsed cartridges then re-installed. These simple maintenance options allow for cartridge regeneration, thereby minimizing cartridge replacement costs and life-cycle treatment costs while ensuring long-term treatment performance.

Regular inspection and maintenance are proven, cost-effective ways to maximize water resource protection for all stormwater pollution control practices, and are required to insure proper functioning of the Jellyfish® Filter. Inspection of the Jellyfish® Filter is performed from the surface, while proper maintenance requires a combination of procedures conducted from the surface and with worker entry into the structure. Please refer to the following information and guidelines before conducting inspection and maintenance activities:

When is inspection needed?

- Post-construction inspection is required prior to putting the Jellyfish Filter into service.
- Routine inspections are recommended quarterly during the first year of operation to accurately assess the sediment and floatable pollutant accumulation, and to ensure that the automatic backwash feature is functioning properly.
- Inspection frequency in subsequent years is based on the maintenance plan developed in the first year, but must occur annually at a minimum.
- Inspections should also be performed immediately after oil, fuel or other chemical spill.

When is maintenance service needed?

- The unit must be cleaned annually. This cleaning includes removal and appropriate disposal of all water, sediment, oil and grease, and debris that has accumulated within the unit. The Jellyfish Filter is inspected and maintained by professional vacuum cleaning service providers with experience in the maintenance of underground tanks, sewers and catch basins. Since some of the maintenance procedures require manned entry into the Jellyfish structure, only professional maintenance service providers trained in confined space entry procedures should enter the vessel. Service provider companies typically have personnel who are trained and certified in confined space entry procedures according to local, state, and federal standards.
- Filter cartridges should be tested for adequate flow rate, every 12 months and cleaned and re-commissioned, or replaced if necessary. A manual backflush must be performed on a single draindown cartridge using a Jellyfish Cartridge Backflush Pipe (described in the Jellyfish® Filter Owner's Manual). If the time required to drain 14 gallons of backflush water from the Backflush Pipe (from top of pipe to the top of the open flapper

valve) exceeds 15 seconds, it is recommended to perform a manual backflush on each of the cartridges. After the manual backflush, the draindown test should be repeated on a single cartridge to determine if the cartridge can drain 14 gallons of water in 15 seconds. If the cartridge still does not achieve the design flow rate, it must be replaced.

- The unit should be cleaned out immediately after an oil, fuel or chemical spill.

External Rinsing

- This cartridge cleaning procedure is performed by removing the cartridge from the cartridge deck and externally rinsing the filtration tentacles using a low-pressure water sprayer, as described in the Jellyfish® Filter Owner's Manual. If this procedure is performed within the structure, the cartridge or individual filtration tentacles should be rinsed while safely suspended over the maintenance access wall opening in the cartridge deck, such that rinsate flows into the lower chamber of the Jellyfish® Filter. If the rinsing procedure is performed outside the structure, the cartridge or individual filtration tentacles should be rinsed in a suitable basin such as a plastic barrel or tub, and rinsate subsequently poured into the maintenance access wall opening in the cartridge deck. Sediment is subsequently removed from the lower chamber by standard vacuum service.

RECORD KEEPING

Maintenance and inspection records should be kept on file by the Owner of the permanent BMPs for a period of at least three (3) years. Repair and retrofit records should be kept on file by the Owner of the permanent BMPs for a period of at least five (5) years. The attached Operation and Maintenance Checklist shall be completed for each inspection performed.

Todd A. Gold, Vice President – SH-Land Holdings, Ltd., LLC
Print Name of Applicant/Owner

→ Todd A Gold
Applicant's Signature

→ 9-11-23
Date

ATTACHMENT P

MEASURES FOR MINIMIZING SURFACE STREAM CONTAMINATION

Both permanent and temporary BMP's, as shown on the CZP Site Plan, shall be used to minimize contamination to offsite surface streams, both during and after construction. During construction, temporary BMP's will consist of silt fences, rock berms, bagged gravel inlet filters, stabilized construction entrance/exit and other measures as shown on sheet SP0. After construction, the permanent BMP's will consist of two (2) new Jellyfish filtration systems. There is no change to the manner in which storm water enters or discharges from the existing basins and storm drain facilities, thus minimizing the potential for contamination of offsite surface streams.

IV. TEMPORARY STORM WATER SECTION

Temporary Stormwater Section

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Customer/Agent: Chris Dumas, P.E.

Date: 9/11/23

Signature of Customer/Agent:

Regulated Entity Name: Singing Hills

Project Information

Potential Sources of Contamination

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

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

   ☐ The following fuels and/or hazardous substances will be stored on the site: _____

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

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

☐ Aboveground storage tanks with a cumulative storage capacity between 250 gallons and 499 gallons will be stored on the site for less than one (1) year.

☐ Aboveground storage tanks with a cumulative storage capacity of 500 gallons or more will be stored on the site. An Aboveground Storage Tank Facility Plan application must be submitted to the appropriate regional office of the TCEQ prior to moving the tanks onto the project.

☒ Fuels and hazardous substances will not be stored on the site.

2. ☒ **Attachment A - Spill Response Actions.** A site specific description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is attached.

3. ☒ Temporary aboveground storage tank systems of 250 gallons or more cumulative storage capacity must be located a minimum horizontal distance of 150 feet from any domestic, industrial, irrigation, or public water supply well, or other sensitive feature.

4. ☒ **Attachment B - Potential Sources of Contamination.** A description of any activities or processes which may be a potential source of contamination affecting surface water quality is attached.

Sequence of Construction

5. ☒ **Attachment C - Sequence of Major Activities.** A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is attached.

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

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

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

Temporary Best Management Practices (TBMPs)

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

7. ☒ **Attachment D – Temporary Best Management Practices and Measures.** TBMPs and measures will prevent pollution of surface water, groundwater, and stormwater. The construction-phase BMPs for erosion and sediment controls have been designed to retain sediment on site to the extent practicable. The following information is attached:

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

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

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

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

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

   ☐ **Attachment E - Request to Temporarily Seal a Feature**. A request to temporarily seal a feature is attached. The request includes justification as to why no reasonable and practicable alternative exists for each feature.

   ☒ There will be no temporary sealing of naturally-occurring sensitive features on the site.

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

10. ☒ **Attachment G - Drainage Area Map**. A drainage area map supporting the following requirements is attached:

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

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

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

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

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

11. ☐ **Attachment H - Temporary Sediment Pond(s) Plans and Calculations.** Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are attached.

☒ N/A

12. ☒ **Attachment I - Inspection and Maintenance for BMPs.** A plan for the inspection of each temporary BMP(s) and measure(s) and for their timely maintenance, repairs, and, if necessary, retrofit is attached. A description of the documentation procedures, recordkeeping practices, and inspection frequency are included in the plan and are specific to the site and/or BMP.

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

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

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

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

Soil Stabilization Practices

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

17. ☒ **Attachment J - Schedule of Interim and Permanent Soil Stabilization Practices.** A schedule of the interim and permanent soil stabilization practices for the site is attached.

18. ☒ Records must be kept at the site of the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.

19. ☒ Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

Administrative Information

20. ☒ All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.

21. ☒ If any geologic or manmade features, such as caves, faults, sinkholes, etc., are discovered, all regulated activities near the feature will be immediately suspended. The appropriate TCEQ Regional Office shall be immediately notified. Regulated activities must cease and not continue until the TCEQ has reviewed and approved the methods proposed to protect the aquifer from any adverse impacts.

22. ☒ Silt fences, diversion berms, and other temporary erosion and sediment controls will be constructed and maintained as appropriate to prevent pollutants from entering sensitive features discovered during construction.

ATTACHMENT A

SPILL RESPONSE ACTIONS

1. Housekeeping

   A. Minimize materials: An effort will be made to store only enough materials required to do the job.

   B. Storage: All materials stored on site will be stored in a neat, orderly manner in their appropriate containers in a covered area. If storage in a covered area is not feasible, then the materials will be covered with polyethylene or polypropylene sheeting to protect them from the elements.

   C. Labeling: Products will be kept in their original containers with the original manufacturer's label affixed to each container.

   D. Mixing: Substances will not be mixed with one another unless this is recommended by the manufacturer.

   E. Disposal: Whenever possible, all of a product will be used prior to disposal of the container. Manufacturer's recommendations will be followed for proper use and disposal of materials on site.

   F. Inspections: The site superintendent will inspect the site daily to ensure proper use and disposal of materials on site.

   G. Spoil Materials: Any excavated earth that will not be used for fill material and all demolished pavement will be hauled off site immediately and will be disposed of properly, in accordance with all applicable state/local regulations.

2. Product Specific Practices

   A. Petroleum Products: All on site vehicles will be monitored for leaks and will receive regular preventive maintenance to reduce the chance of leakage. If petroleum products will be present at the site, then they will be stored in tightly sealed containers which are clearly labeled. Any asphalt substances used on site will be applied according to the manufacturer's recommendations.

   B. Concrete Trucks: Ready/Transit Mix Trucks will not be allowed to wash out or discharge surplus concrete or drum wash water except in the designated location on site as shown on the SWPPP site plan.

   C. Paints: All containers will be tightly sealed and stored when not required for use. Excess paint will not be poured into storm sewer system or drainage channels, but will be properly disposed of according to manufacturers' instructions or state/local regulations.

D. Fertilizers: Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked into the soil to limit exposure to storm water. The fertilizer will be stored in a covered area, and any partially used bags will be transferred to a sealable plastic bin to avoid spills.

3. Spill Control and Response Measures

A spill prevention and response team will be designated by the site superintendent. In addition, the following practices will be followed for spill cleanup:

A. Information: Manufacturers' recommended methods for spill cleanup will be clearly posted, and site personnel will be made aware of the procedures and location of the information and cleanup supplies.

B. Equipment: Materials and equipment necessary for spill cleanup will be present on the site at all times. Equipment and materials will include, but not be limited to brooms, shovels, rags, gloves, goggles, absorbent materials (sand, sawdust, etc.) and plastic or metal trash containers specifically designed for this purpose. The materials and equipment necessary for spill cleanup will be dependent upon the nature and quantity of the material stored on site.

C. Response: All spills will be cleaned up immediately upon discovery.

<u>Cleanup</u>

(1) Clean up leaks and spills immediately
(2) Use a rag for small spills on paved surfaces, a damp mop for general cleanup, and absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be disposed of as hazardous waste.
(3) Never hose down or bury dry material spills. Clean up as much of the material as possible and dispose of properly. See the waste management BMPs in TCEQ Technical Guidance Manual RG-348 for specific information.

<u>Minor Spills</u>

(1) Minor spills typically involve small quantities of oil, gasoline, paint, etc. which can be controlled by the first responder at the discovery of the spill.
(2) Use absorbent materials on small spills rather than hosing down or burying the spill.
(3) Absorbent materials should be promptly removed and disposed of properly.
(4) Follow the practice below for a minor spill:
(5) Contain the spread of the spill.
(6) Recover spilled materials.
(7) Clean the contaminated area and properly dispose of contaminated materials.

<u>Semi-Significant Spills</u>

Semi-significant spills still can be controlled by the first responder along with the aid of other personnel such as laborers and the foreman, etc. This response may require the cessation of all other activities.

Spills should be cleaned up immediately:

(1) Contain spread of the spill.

(2) Notify the project foreman immediately.
(3) If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (absorbent materials, cat litter and/or rags). Contain the spill by encircling with absorbent materials and do not let the spill spread widely.
(4) If the spill occurs in dirt areas, immediately contain the spill by constructing an earthen dike. Dig up and properly dispose of contaminated soil.
(5) If the spill occurs during rain, cover the spill with tarps or other material to prevent contaminating runoff.

Significant/Hazardous Spills

For significant or hazardous spills that are in reportable quantities:

(1) Notify the TCEQ by telephone as soon as possible and within 24 hours at 512-339-2929 (Austin) or 210-490-3096 (San Antonio) between 8 AM and 5 PM. After hours, contact the Environmental Release Hotline at 1-800-832-8224. It is the contractor's responsibility to have all emergency phone numbers at the construction site.
(2) For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110, 119, and 302, the contractor should notify the National Response Center at 1-800-424-8802.
(3) Notification should first be made by telephone and followed up with a written report.
(4) The services of a spills contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
(5) Other agencies which may need to be consulted include, but are not limited to, the City Police Department, County Sheriff Office, Fire Departments, etc.

D. Vehicle and Equipment Maintenance

(1) If maintenance must occur onsite, use a designated area and a secondary containment, located away from drainage courses, to prevent the run-on of storm water and the runoff of spills.
(2) Regularly inspect onsite vehicles and equipment for leaks and repair immediately.
(3) Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
(4) Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
(5) Place drip pans or absorbent materials under paving equipment when not in use.
(6) Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.
(7) Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around.
(8) Oil filters disposed of in trash cans or dumpsters can leak oil and pollute storm water. Place the oil filter in a funnel over a waste oil-recycling drum to drain excess oil before disposal. Oil filters can be recycled. Ask the oil supplier or recycler about recycling oil filters.
(9) Store cracked batteries in a non-leaking secondary container. Do this with all cracked batteries even if you think all the acid has drained out. If you drop a battery, treat it as if it is cracked. Put it into the containment area until you are sure it is not leaking.

E. Vehicle and Equipment Fueling
   (1) If fueling must occur onsite, use designated areas, located away from drainage courses, to prevent the run-on of storm water and the runoff of spills.
   (2) Discourage "topping off" of fuel tanks.
   (3) Always use secondary containment, such as a drain pan, when fueling to catch spills/leaks.

F. Safety: The spill area will be kept well ventilated, and personnel will wear appropriate protective clothing to prevent injury from contact with hazardous substances.

G. Reporting: Spills of toxic or hazardous material (if present on site) will be reported to the appropriate state or local government agency, regardless of the spill's size.

H. Record Keeping: The spill prevention plan will be modified to include measures to prevent this type of spill from recurring as well as improved methods for cleaning up any future spills. A description of each spill, what caused it, and the cleanup measures used will be kept with this plan.

ATTACHMENT B

POTENTIAL SOURCES OF CONTAMINATION

Potential Source	Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle drippings.
Preventive Measure	Vehicle maintenance when possible will be performed within a construction staging area specified by the General Contractor.
Potential Source	Miscellaneous trash and litter from construction workers and material wrappings.
Preventive Measure	Trash containers will be placed throughout the site to encourage proper trash disposal.
Potential Source	Construction and demolition debris.
Preventive Measure	Construction and demolition debris will be monitored daily by contractor. Debris will be collected weekly and placed in disposal bins. Situations requiring immediate attention will be addressed on a case by case basis.
Potential Source	Storm water contamination from excess application of fertilizers, herbicides and pesticides.
Preventive Measure	Fertilizers, herbicides and pesticides will be applied only when necessary and in accordance with manufacturers directions.
Potential Source	Soil and mud from construction vehicle tires as they leave the site.
Preventive Measure	A stabilized construction exit/entrance shall be utilized as vehicles leave the site. Any soil, mud, etc. carried from the project onto public roads shall be cleaned up within 24 hours.
Potential Source	Sediment from soil, sand, gravel and excavated materials stockpiled on site.
Preventive Measure	Silt fence shall be installed on the downgradient side of all stockpiled materials. Reinforced rock berms shall be installed at all downstream discharge locations.
Potential Source	Portable toilet spillage.
Preventive Measure	Portable toilets will be set within an area specified by the General Contractor. Spillage will be contained to prevent the spill from spreading and cleaned up immediately by the General Contractor. Disposal of spillage will be performed in accordance with governing regulations. Portable toilets will not be connected to existing sewer lines.

ATTACHMENT C

SEQUENCE OF MAJOR ACTIVITIES

Construction Sequencing

A. Installation of Temporary BMP's as shown on the CZP Site Plan. Silt fence will be placed along the down gradient boundary and as shown on the CZP site Plan. Rock berms will be utilized to reduce concentrated sediment transport. (1 acre disturbed)

B. Clearing & Grading (13.3 acres disturbed)

C. Construction of drainage structures and underground utilities. These areas will have been disturbed by the clearing and grading of the site.

D. Construction of Permanent BMP's. These areas will have been disturbed by the clearing and grading of the site.

E. Construction of building foundations and vertical construction. These areas will have been disturbed by the clearing and grading of the site.

F. Construction of parking and driveway pavement. These areas will have been disturbed by the clearing and grading of the site.

G. Construction of concrete sidewalks, installation of surface utilities and miscellaneous site work. These areas will have been disturbed by the clearing and grading of the site.

H. Installation of topsoil and permanent vegetation for stabilization. (1.5 acres)

I. Removal of temporary BMP's and Site clean-up.

ATTACHMENT D

TEMPORARY BEST MANAGEMENT PRACTICES AND MEASURES

Description of Temporary Best Management Practices:

1. Silt Fence (Item 1) – A barrier consisting of geotextile fabric supported by metal posts to prevent soil and sediment loss from a site. Silt fences shall be installed on the downgradient side of the proposed areas to be disturbed that have a drainage area of 2 or less acres.

2. Temporary Construction Entrance/Exit (Item 2) – A stabilized pad of crushed stone located at any point where traffic will be entering or leaving the construction site from a public R.O.W., street, alley, sidewalk or parking area. It shall be a minimum of 50 feet long, 12 feet wide and 8 inches thick. The rock shall be 4" to 8" in size.

3. Bagged Gravel Inlet Filter (Item 3) – A sediment trap consisting of ¾" gravel wrapped in polypropylene, polyethylene, polyamide or cotton burlap woven fabric. The bag length should be 24 inches, width should be 18 inches and thickness should be 6 inches. The gravel bags should be stacked to form a continuous barrier around the inlets. The bags should be tightly abutted against each other to prevent runoff from flowing between the bags.

4. Rock Berm (Item 4) – A sediment trap consisting of 3" to 5" diameter rock wrapped in woven wire sheathing. The berm shall have a minimum height of 18" and a minimum top width of 2 feet. A rock berm shall be placed at locations of concentrated flows where the drainage area is between 2 and 5 acres.

5. Temporary Seeding – Temporary seeding of disturbed areas shall be performed if disturbed areas are expected to have no construction activity for a period of at least 21 days.

6. Concrete Washout Pits and Equipment Staging Areas (Items 5 concrete washout pit) – These areas have been identified on the CZP Site Plan. Reference TCEQ Technical Guidance Manual June 2005 sections 1.4.16 and 1.4.18 for descriptions.

Sequence of installation during construction process for each phase of construction:

1. The Temporary Construction Entrance/Exit (Item 2) shall be installed prior to disturbing any soil except at the location of the Temporary Construction Entrance/Exit. It shall stay in place and be maintained until the onsite pavement is in place.

2. Silt Fence (Item 1) shall be installed along the down gradient sides of the site as indicated on the CZP Site Plan prior to any disturbance of the site.

3. Rock Berms (Item 4) shall be installed at concentrated storm water discharge locations as indicated on the CZP Site Plan prior to any disturbance of the site.

4. Bagged Gravel Inlet Filters (Item 3) shall be installed immediately after installation at each drainage inlet that they are intended to protect.

5. Concrete washout pits (Item 5) shall be installed prior to installation of any concrete. Equipment staging areas shall be identified and established prior to beginning construction.

Up gradient storm water flowing across the site:

Upgradient storm water enters the Project Area along the north and west boundaries. Proposed permanent interceptor channels will collect the upgradient flow as it enters the site and convey it downstream into an existing detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction across Windmill Ranch Subdivision and eventually converge with an adjacent watershed flowing in the natural low that enters the site along the southwest boundary. Along this southwest boundary, the runoff is intercepted and conveyed across the site in a concrete lined channel. Upgradient flow entering the site will be intercepted and routed around the proposed improvements and therefore no upgradient stormwater will traverse proposed impervious cover.

During construction, temporary BMP's consisting of silt fences, rock berms, bagged gravel inlet filters and stabilized construction entrance/exit will be utilized to alleviate sediment from leaving the site. During construction, the upgradient water will not flow into the Sand Filtration Pond catchment areas. After construction, only some of the upgradient flow will enter the Sand Filtration Pond; see the CZP drainage area map to see the upgradient areas that will enter into the Sand Filtration Ponds.

Onsite storm water flowing across and off the site:

The storm water originating onsite and flowing off the site will be treated through temporary BMPs. Rock berms will be installed at the concentrated discharge locations to create sediment traps and help prevent sediment, silt, and, and debris from leaving the site. Silt fences will be installed at all locations where non-concentrated storm water exits the site. Theses temporary BMPs will filter the storm water prior to it leaving the site.

Prevention of pollutants from entering surface streams, sensitive features and the aquifer:

The storm water originating onsite and flowing off the site will be treated using temporary BMPs prior to it entering surface streams, sensitive features and the aquifer. Silt fences will be installed at all locations where non-concentrated storm water may leave the site. These silt fences should filter the storm water prior to it leaving the site.

Maintaining flow to naturally-occurring sensitive features:

The storm water originating onsite and flowing off the site will continue to flow into the down gradient receiving waters. Any sensitive features downstream will continue to receive flow originating on the site. Prior to the flow leaving the site, it will be treated through temporary BMPs. These temporary BMPs should remove sediment, pollutants and debris if installed and maintained properly.

ATTACHMENT F

STRUCTURAL PRACTICES

Runoff discharge of pollutants from exposed areas of the site will be limited through the utilization of temporary BMPs. Prior to leaving the site, flows containing pollutant discharges will be treated by silt fence, stabilized construction entrance/exit, gravel filter bags and rock berms which will limit the amount of pollutants leaving the site. Concrete washout pits and staging areas for construction equipment have been identified to help control/minimize the amount of pollutants leaving the site.

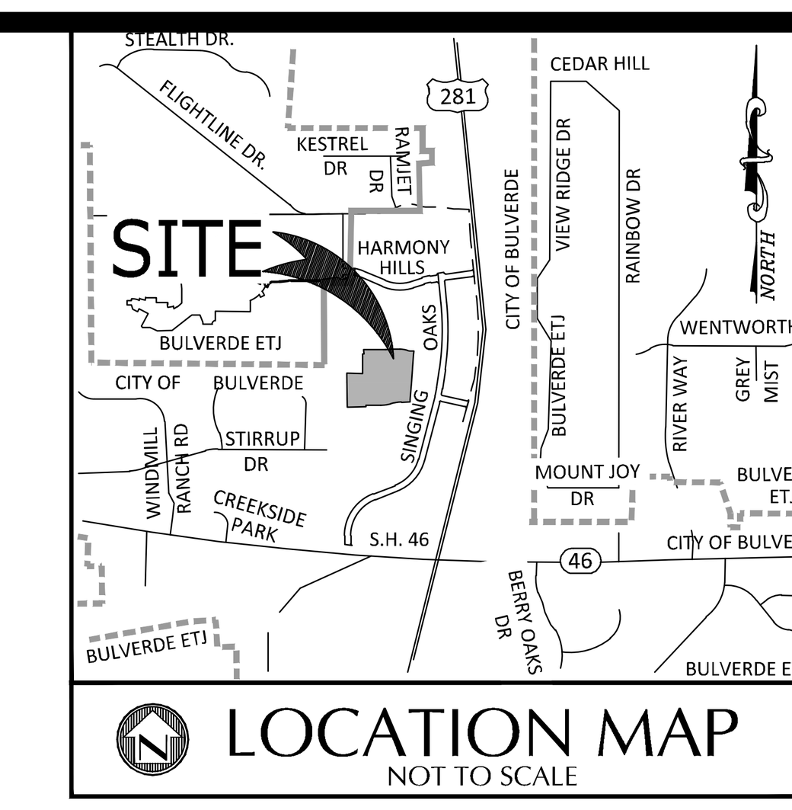
These structural measures will be installed prior to the initiation of site preparation and earth moving activities. All temporary BMPs shall be installed and maintained in accordance with TCEQ RG-348 July 2005.

Location of the BMP's are shown on the CZP Site Plan.

ATTACHMENT G

DRAINAGE AREA MAP

There are NO areas greater and 10 acres with a common drainage area that will be disturbed at one time. See the CZP Site Plan (SP0) for locations of temporary sediment and erosion controls. See the Permanent BMP Catchment Areas exhibit for delineation of the on-site drainage areas.



LEGEND

(dash-dot line)	CZP MODIFICATION AREA
JELLYFISH A CATCHMENT AREA	(yellow)
JELLYFISH B CATCHMENT AREA	(cyan)
* BASIN BYPASS AREAS	(red)
EXISITING IMPERVIOUS COVER	(magenta)

Project Name:	Singing Hills
Engineer:	MTR
County:	Bexar

Drainage Area	Total Area (ac)	Post-development Impervious (ac)	Desired Lm Basin (lbs)	TSS (lbs) Treated
A	6.119	5.762	4702	**4771**
B	6.348	5.48	4472	**4634**
A Uncaptured	**0.051**	**0.051**	**42**	**0**
B Uncaptured	**0.233**	**0.233**	**190**	**0**
			9405	9405

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJ. # | DGN. BY: | DWN. BY: | CHKD. BY: | DATE:

MTR
Moy Tarin Ramirez Engineers, LLC
· Engineers · Surveyors · Planners
TBPELS: ENGINEERING F-5297 / SURVEYING F-10131500
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

STATE OF TEXAS
CHRISTOPHER B. DUMAS
99231
LICENSED PROFESSIONAL ENGINEER
P.E. 9/11/23

SINGING HILLS RETAIL 6 - CZP

PERMANENT BMP CATCHMENT AREAS (ATTACHMENT G)

SHEET
SP3

ATTACHMENT I

INSPECTION AND MAINTENANCE FOR BMPS

Silt Fence

1. Inspect all fencing weekly, and after any rainfall.
2. Remove sediment when buildup reaches 6 inches, or install a second line of fencing parallel to the old fence.
3. Replace any torn fabric or install a second line of fencing parallel to the torn section.
4. Replace or repair any sections crushed or collapsed in the course of construction activity.

Rock Berm

1. Inspections should be made weekly and after each rainfall by the responsible party.
2. Remove sediment and other debris when buildup reaches 6 inches and dispose of the accumulated silt in an approved manner.
3. Repair any loose wire sheathing.
4. The berm should be reshaped as needed during inspection.
5. The berm should be replaced when the structure ceases to function as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
6. The rock berm should be left in place until all upstream areas are stabilized and accumulated silt removed.

Temporary Construction Entrance and Exits

1. The entrance should be maintained in a condition, which will prevent tracking or following of sediment onto public rights-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.
2. All sediment spilled, dropped, washed or tracked on to public rights-of-ways should be removed immediately by contractor.
3. When necessary, wheels should be cleaned to remove sediment prior to entrance onto public right-of-way.
4. When washing is required, it should be done on an area stabilized with crushed stone that drains into an approved sediment trap or sediment basin.
5. All sediment should be prevented from entering any storm drain, ditch, or water course by using approved methods.

Bagged Gravel Inlet Filter

1. Inspections should be made weekly and after each rainfall. Repair or replacement should be made promptly as needed by contractor.
2. Remove sediment when buildup reaches a depth of 3 inches. Removed sediment should be deposited in a suitable area and in such a manner that it will not erode.
3. Check placement of device to prevent gaps between device and curb.
4. Inspect filter fabric and patch or replace if torn or missing.
5. Structures should be removed and the area stabilized only after the remaining drainage area has been properly stabilized.

Singing Hills, Retail 6

Inspection Report

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fence	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berm	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			
Temporary Sediment Trap	Inspections			
	Remove sediment and Debris			
	Mow vegetation			
	Repair any erosion			

Inspector's Name

Inspector's Signature

Name of Owner/Operator

Date

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

ATTACHMENT J

SCHEDULE OF INTERIM AND PERMANENT SOIL STABILIZATION PRACTICES

Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site. In areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.

Temporary stabilization shall consist of temporary seeding of disturbed areas that are denuded beyond 14 days without construction restart within 21 days.

As pad sites (buildings, sidewalks and pavement) are completed, permanent landscaping and sod shall be planted and irrigated. Overland and underground drainage systems will direct runoff into the permanent water quality basin.

Temporary vegetation stabilization techniques shall be in accordance with the TCEQ Technical Guidance Manual RG-248 (*Complying with the Edwards Aquifer Rules – Technical Guidance on Best Management Practices*), Chapter 1 Temporary Best Management Practices, Section 1.3.8 Temporary Vegetation, as follows:

Temporary Vegetation
Vegetation is used as a temporary or permanent stabilization technique for areas disturbed by construction, but not covered by pavement, buildings, or other structures. As a temporary control, vegetation can be used to stabilize stockpiles and barren areas that are inactive for long periods of time.

Vegetative techniques can and should apply to every construction project with few exceptions. Vegetation effectively reduces erosion in swales, stockpiles, berms, mild to medium slopes, and along roadways.

Other techniques may be required to assist in the establishment of vegetation. These other techniques include erosion control matting, mulches, surface roughening, swales and dikes to direct runoff around newly seeded areas, and proper grading to limit runoff velocities during construction. (NCTCOG, 1993b)

Materials:
The type of temporary vegetation used on a site is a function of the season and the availability of water for irrigation. For areas that are not irrigated, the year can be divided into two temporary planting seasons and one season for planting of permanent warm weather

groundcovers. These periods are shown in Figure 1-19 for Bexar, Comal, Kinney, Medina, and Uvalde Counties. Appropriate temporary vegetation for these areas are shown in Table 1-4.

Other vegetation may perform as well as the recommended varieties, especially where irrigation is available. County agricultural extension agents are a good source for suggestions for other types of temporary vegetation. All seed should be high quality, U.S. Dept. of Agriculture certified seed.

Installation:
(1) Interim or final grading must be completed prior to seeding, minimizing all steep slopes. In addition, all necessary erosion structures such as dikes, swales, and diversions, should also be installed.

(2) Seedbed should be well pulverized, loose, and uniform.

(3) Fertilizer should be applied at the rate of 40 pounds of nitrogen and 40 pounds of phosphorus per acre, which is equivalent to about 1.0 pounds of nitrogen and phosphorus per 1000 square feet. Compost can be used instead of fertilizer and applied at the same time as the seed.

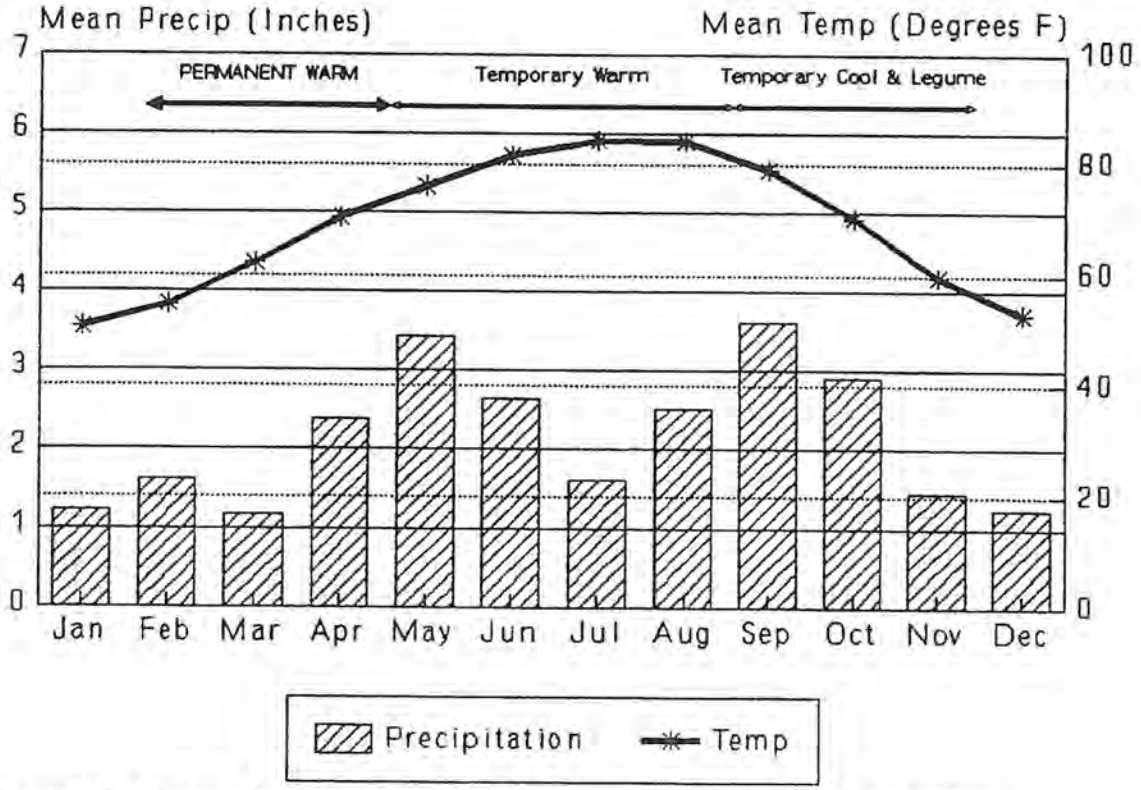


Figure 1-19 Planting Dates for Bexar, Comal, Kinney, Medina, and Uvalde Counties (Northcutt, 1993)

Table 1-4 Temporary Seeding for Bexar, Comal, Kinney, Medina, and Uvalde Counties (Northcutt, 1993)

Dates	Climate	Species (lb/ac)	
Sept 1 to Nov 30	Temporary Cool Season	Tall Fescue	4.0
		Oats	21.0
		Wheat (Red, Winter)	30.0
		Total	**55.0**
Sept 1 to Nov 30	Cool Season Legume	Hairy Vetch	8.0
May 1 to Aug 31	Temporary Warm Season	Foxtail Millet	30.0

(4) Seeding rates should be as shown in Table 1-4 or as recommended by the county agricultural extension agent.

(5) The seed should be applied uniformly with a cyclone seeder, drill, cultipacker seeder or hydroseeder (slurry includes seed, fertilizer and binder).

(6) Slopes that are steeper than 3:1 should be covered with appropriate soil stabilization matting as described in the following section to prevent loss of soil and seed.

Irrigation

Temporary irrigation should be provided according to the schedule described below, or to replace moisture loss to evapotranspiration (ET), whichever is greater. Significant rainfall (on-site rainfall of ½" or greater) may allow watering to be postponed until the next scheduled irrigation.

Time Period	Irrigation Amount and Frequency
Within 2 hours of installation	Irrigate entire root depth, or to germinate seed
During the next 10 business days	Irrigate entire root depth every Monday, Wednesday, and Friday
During the next 30 business days or until Substantial Completion	Irrigate entire root depth a minimum of once per week, or as necessary to ensure vigorous growth
During the next 4 months or until Final Acceptance of the Project	Irrigate entire root depth once every two weeks, or as necessary to ensure vigorous growth

If cool weather induces plant dormancy, water only as necessary to maintain plant health. Irrigate in a manner that will not erode the topsoil but will sufficiently soak the entire depth of roots.

Inspection and Maintenance Guidelines:

(1) Temporary vegetation should be inspected weekly and after each rain event to locate and repair any erosion.

(2) Erosion from storms or other damage should be repaired as soon as practical by regrading the area and applying new seed.

(3) If the vegetated cover is less than 80%, the area should be reseeded.

V. TPDES TXR 150000 GENERAL PERMIT

Texas Commission on Environmental Quality

P.O. Box 13087, Austin, Texas 78711-3087

GENERAL PERMIT TO DISCHARGE UNDER THE

TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR150000,
effective March 5, 2018, and amended January 28, 2022

Construction sites that discharge stormwater associated with construction activity located in the state of Texas may discharge to surface water in the state only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission 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 stormwater and certain non-stormwater discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general 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 general permit and the authorization contained herein shall expire at midnight, on March 5, 2028.

EFFECTIVE DATE: March 5, 2023

ISSUED DATE: February 27, 2023

For the Commission

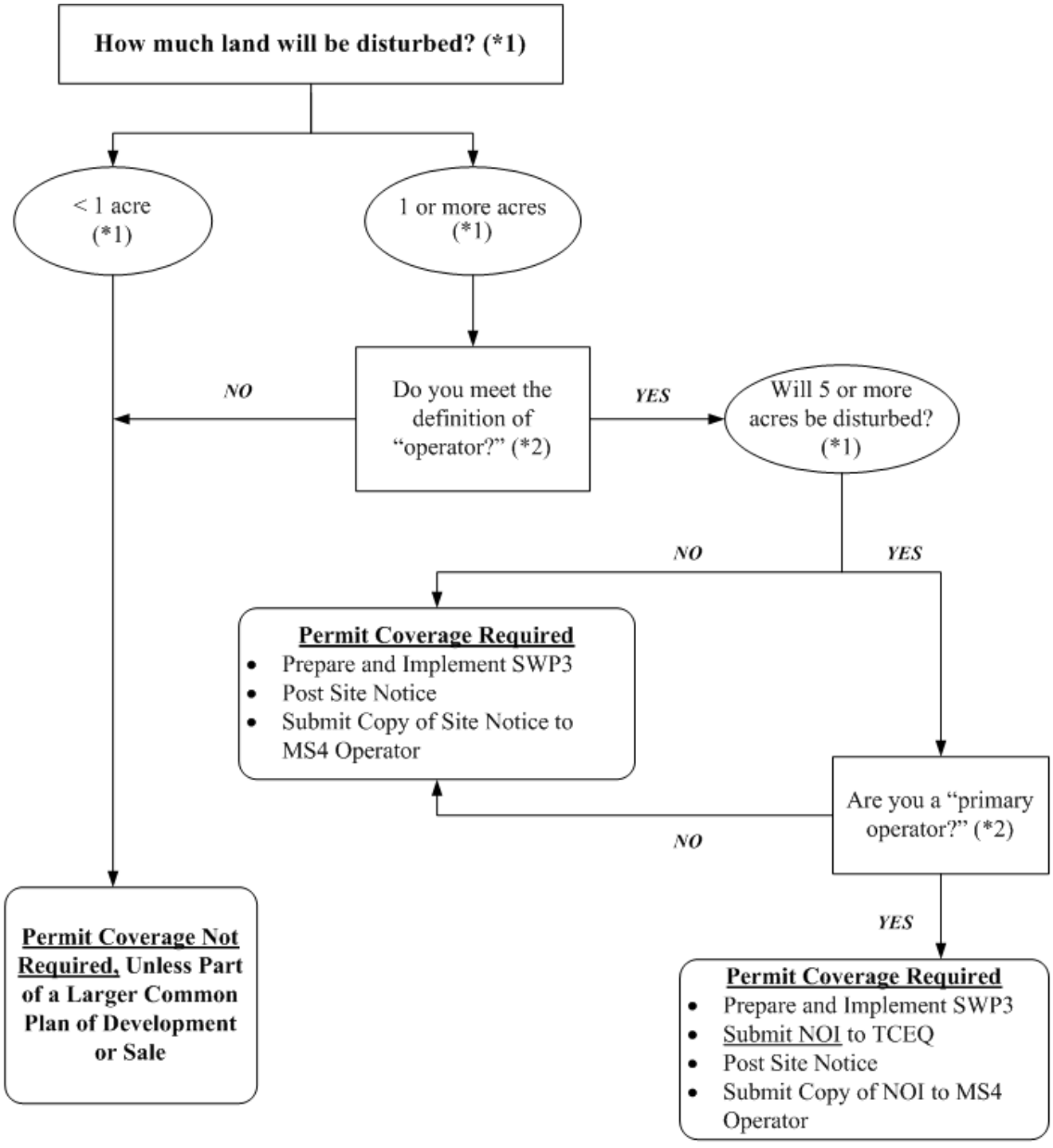
TPDES GENERAL PERMIT NUMBER TXR150000
RELATING TO STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

Table of Contents

Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required

When calculating the acreage of land area disturbed, include the disturbed land-area of all construction and construction support activities.



(*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 "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 zero (0) to ten (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., demolition; grubbing; stockpiling of fill material; placement of raw materials at the site).

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 one quarter (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.

Construction Activity – Includes soil disturbance activities, including clearing, grading, excavating, construction-related activity (e.g., stockpiling of fill material, demolition), and construction support activity. This 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 rights-of-way, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Construction Support Activity – A construction-related activity that specifically supports construction activity, which can involve earth disturbance or pollutant-generating activities of its own, and can include, but are not limited to, activities associated with concrete or asphalt batch plants, rock crushers, equipment staging or storage areas, chemical storage areas, material storage areas, material borrow areas, and excavated material disposal areas. Construction support activity must only directly support the construction activity authorized under this general permit.

Dewatering – The act of draining accumulated stormwater or groundwater from building foundations, vaults, trenches, and other similar points of accumulation.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater 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 wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Drought-Stricken Area – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

Edwards Aquifer – As defined under Texas Administrative Code (TAC) § 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 (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at https://www.tceq.texas.gov/gis/edwards-viewer.html

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 No. 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 No. 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 No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at https://www.tceq.texas.gov/gis/edwards-viewer.html

Effluent Limitations Guideline (ELG) – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

Facility or Activity – For the purpose of this permit, referring to a construction site, the location of construction activity, or a construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtenances used at a construction site or industrial site.

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 (that is, 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, or gabions) 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 BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization. Fulfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

(c) For construction activities on land used for agricultural purposes (such as 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 (for example, 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% of the native background vegetative coverage within three years.

High-Level Radioactive Waste – Meaning as assigned by 42 United States Code (U.S.C.) Section 10101 (12) and includes spent nuclear fuel as defined by 42 U.S.C. Section 10101 (23).

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.

Impaired Water – A surface water body that is identified as impaired on the latest approved CWA § 303(d) List or waters with an EPA-approved or established total maximum daily load (TMDL) that are found on the latest EPA approved *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, which lists the category 4 and 5 water bodies.

Indian Country Land – (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. (40 CFR § 122.2)

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

Infeasible – Not technologically possible, or not economically practicable and achievable in light of best industry practices. (40 CFR § 450.11(b)).

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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

Linear Project – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Low Rainfall Erosivity Waiver (LREW) – A written submission to the executive director from an operator of a construction site that is considered as small construction activity under the permit, which qualifies for a waiver from the requirements for small construction activities, only during the period of time when the calculated rainfall erosivity factor is less than five (5).

Minimize – To reduce or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

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, stormwater, 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 this 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 construction activity that meets either of the following two criteria:

(a) the person or persons have on-site 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 Stormwater Pollution Prevention Plan (SWP3) for the site or other permit conditions (for example, 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 or entity, often the property owner, whose operational control is limited to:

(a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or

(b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site, where they have control over the construction plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Outfall – For the purpose of this permit, a point source at the point where stormwater 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 stormwater runoff and certain non-stormwater discharges from construction activity.

Point Source – 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 stormwater runoff (40 CFR § 122.2).

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 – 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 (Texas Water Code (TWC) § 26.001(14)).

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).

Receiving Water – A "Water of the United States" as defined in 40 CFR § 122.2 or a surface water in the state into which the regulated stormwater discharges.

Semi-arid 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 stormwater; 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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

Steep Slopes – Where a state, Tribe, local government, or industry technical manual (e.g., stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

Stormwater (or Stormwater Runoff) – Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity – Stormwater runoff, as defined above, from a construction activity.

Structural Control (or Practice) – A pollution prevention practice that requires the construction of a device, or the use of a device, to reduce or prevent pollution in stormwater 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 non-navigable, 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.

Thawing Conditions – For the purposes of this permit, thawing conditions are expected based on the historical likelihood of two (2) or more days with daytime temperatures greater than 32 degrees Fahrenheit (°F). This date can be determined by looking at historical weather data.

NOTE: The estimation of thawing conditions is for planning purposes only. During construction, the permittee will be required to conduct site inspections based upon actual conditions (i.e., if thawing conditions occur sooner than expected, the permittee will be required to conduct inspections at the regular frequency).

Total Maximum Daily Load (TMDL) – The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Turbidity – A condition of water quality characterized by the presence of suspended solids and/or organic material.

Waters of the United States – Waters of the United States or waters of the U.S. means the term as defined in 40 CFR § 122.2.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

   Discharges of stormwater runoff and certain non-stormwater discharges from small and large construction activities may be authorized under this general permit, except as described in Part II.C. of this permit.

2. Discharges of Stormwater Associated with Construction Support Activities

   Discharges of stormwater runoff and certain non-stormwater discharges from construction support activities as defined in Part I.B. of this general permit may be authorized, provided that the following conditions are met:

   (a) the construction support activities are located within one (1) mile from the boundary of the construction site where the construction activity authorized under the permit is being conducted that requires the support of these activities;

   (b) an SWP3 is developed and implemented for the permitted construction site according to the provisions in Part III.F. of this general permit, including appropriate controls and measures to reduce erosion and the discharge of pollutants in stormwater runoff according to the provisions in Part IV. of this general permit;

   (c) the activities are directly related to the construction site;

   (d) the activities are not a commercial operation, nor serve other unrelated construction projects; and

   (e) the activities do not continue to operate beyond the completion of the construction activity at the project it supports.

   Construction support activities that operate outside the terms provided in (a) through (e) above must obtain authorization under a separate Texas Pollutant Discharge Elimination System (TPDES) permit, which may include the TPDES Multi-Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), an alternative general permit (if available), or an individual water quality permit.

3. Non-Stormwater Discharges

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

(a) discharges from emergency fire-fighting activities (emergency fire-fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, or 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 solvents, detergents, and soaps are not used, 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, but 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 National Pollutant Discharge Elimination System (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 wash out of concrete trucks at regulated construction sites must be performed in accordance with the requirements of Part VI 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) or removal of the appropriate TCEQ site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of stormwater 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, have the reasonable potential to cause, or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses of surface water in the state 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 if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II.H.3. of this general permit.

4. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

   The permittee shall determine whether the authorized discharge is to an impaired water body on the latest EPA-approved CWA § 303(d) List or waters with an EPA-approved or established TMDL that are found on the latest EPA-approved *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, which lists the category 4 and 5 water bodies.

   New sources or new discharges of the pollutants 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 standard(s) and are listed as category 4 or 5 in the current version of the *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)*, and waterbodies listed on the CWA § 303(d) List. Pollutants of concern are those for which the water body is listed as impaired.

   Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for coverage under this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

   Discharges cannot be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer). In addition, commencement of construction (see definition for commencement of construction in Part I.B. above)) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan (EAPP) 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 (CZ), 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 (WPAP) under the Edwards Aquifer Rule are in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater 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 stormwater runoff are in addition to the requirements in this general permit for this pollutant.

(c) For discharges located within ten (10) stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional office.

Counties: Comal, Bexar, Medina, Uvalde, and Kinney

Contact: TCEQ Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

Counties: Williamson, Travis, and Hays

Contact: TCEQ Water Program Manager
Austin Regional Office
12100 Park 35 Circle
Room 179, Building A
Austin, Texas 78753
(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.

8. Indian Country Lands

Stormwater 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 stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Exempt Oil and Gas Activities

The CWA § 402(l)(2) provides that stormwater discharges from construction activities related to oil and gas exploration, production, processing, or treatment, or transmission facilities are exempt from regulation under this permit. The term "oil and gas exploration, production, processing, or treatment operations, or transmission facilities" is defined in 33 U.S.C. Annotated § 1362 (24).

The exemption in CWA § 402(l)(2) *includes* stormwater discharges from construction activities regardless of the amount of disturbed acreage, which are necessary to prepare a site for drilling and the movement and placement of drilling equipment, drilling waste management pits, in field treatment plants, and in field transportation infrastructure (e.g., crude oil pipelines, natural gas treatment plants, and both natural gas transmission pipeline compressor and crude oil pumping stations) necessary for the operation of most producing oil and gas fields. Construction activities are defined in 33 U.S. Code § 1362(24) and interpreted by EPA in the final rule. *See* June 12, 2006 Amendments to the NPDES Regulations for Storm Water Discharges Associated with Oil and Gas Exploration, Production, Processing, or Treatment Operations or Transmission Facilities (71 FR 33628, Part V. Terminology).

The exemption *does not include* stormwater discharges from the construction of administrative buildings, parking lots, and roads servicing an administrative building at an oil and gas site, as these are considered traditional construction activities.

As described in 40 CFR § 122.26(c)(1)(iii) [*regulations prior to 2006*], discharges from oil and gas construction activities are waived from CWA § 402(l)(2) permit coverage *unless* the construction activity (or construction support activity) has had a discharge of stormwater resulting in the discharge of a reportable quantity of oil or hazardous substances or the discharge contributes to a violation of water quality standards.

Exempt oil and gas activities which have lost their exemption as a result of one of the above discharges, must obtain permit coverage under this general permit, an alternative general permit, or a TPDES individual permit prior to the next discharge.

10. Stormwater Discharges from Agricultural Activities

    Stormwater discharges from agricultural activities that are not point source discharges of stormwater 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 stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. Endangered Species Act

    Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

12. Storage of High-Level Radioactive Waste

    Discharges of stormwater from construction activities associated with the construction of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 CFR Part 72 are not authorized by this general permit. Texas Health and Safety Code (THSC) § 401.0525 prohibits TCEQ from issuing any TPDES authorizations for the construction or operation of these facilities.

    Discharges of stormwater from the construction activities associated with the construction of a facility located at the site of currently or formerly operating nuclear power reactors and currently or formerly operating nuclear research and test reactors operated by a university are not prohibited under THSC § 401.0525 and continue to be regulated under this general permit.

13. Other

Nothing in Part II. of the general permit is intended to negate any person's ability to assert *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 activity 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 the TPDES Construction General Permit (CGP) TXR150000 (effective on March 5, 2018, and amended on January 28, 2022), must submit an NOI to renew authorization or an NOT to terminate coverage under this general permit within 90 days of the effective date of this general permit. During this interim or grace period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the issued and amended 2018 TPDES CGP.

2. Small Construction Activities

   (a) New Construction – Discharges from sites where the commencement of construction activity 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 do not meet the conditions to qualify for termination of this permit as described in Part II.F. 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 issued and amended 2018 TPDES CGP.

Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities with Low Potential for Erosion

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

   Operators of small construction activities, which occur in certain counties and during periods of low potential for erosion that do not meet the conditions of the waiver described in Part II.G. of this general permit, may be automatically authorized under this general permit if all the following conditions are met prior to the commencement of construction.

   (a) The construction activity occurs in a county and during the corresponding date range(s) 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; the permittee signs a completed TCEQ Small Construction Site Notice for low potential for erosion (Form TCEQ-20964), including the certification statement;

(d) A signed and certified copy of the TCEQ Small Construction Site Notice for low potential for erosion 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 final stabilization has been achieved;

NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ site notice, with a viewable signature, located on-site and available for review by any applicable regulatory authority.

(e) A copy of the signed and certified TCEQ Small Construction Site Notice for low potential for erosion is provided to the operator of any MS4 receiving the discharge at least two (2) days prior to commencement of construction activities;

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

(g) Any non-stormwater discharges are either authorized under a separate permit or authorization, are not considered by TCEQ to be a wastewater, or are captured and routed for disposal at a publicly operated treatment works or licensed waste disposal facility.

If all of the conditions in (a) – (h) above are met, then the operator(s) of small construction activities with low potential for erosion are not required to develop a SWP3.

If an operator is conducting small construction activities and any of the above conditions (a) – (h) are not met, the operator cannot declare coverage under the automatic authorization for small construction activities with low potential for erosion and must meet the requirements for automatic authorization (all other) small construction activities, described below in Part II.E.2.

For small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available, an operator may apply for and obtain a waiver from permitting (Low Rainfall Erosivity Waiver – LREW), as described in Part II.G. of this general permit. Waivers from coverage under the LREW do not allow for any discharges of non-stormwater and the operator must ensure that discharges on non-stormwater are either authorized under a separate permit or authorization.

2. Automatic Authorization for Small Construction Activities

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

Operators of small construction activities, as defined in Part I.B. of this general permit or as defined but who do not meet in the conditions and requirements located in Part II.E.1 above, may be automatically authorized for small construction activities, 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 the SWP3 prior to commencing construction activities;

(b) all operators of regulated small construction activities must post a copy of a signed and certified TCEQ Small Construction Site Notice (Form TCEQ-20963), the notice must be posted 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, at least two (2) days prior to commencing construction activity , and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the TCEQ 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);

(c) operators must maintain a posted TCEQ Small Construction Site Notice on the approved TCEQ form at the construction site until final stabilization has been achieved; and

> NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ Small Construction Site Notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

(d) provide a copy of the signed and certified TCEQ Small Construction Site Notice to the operator of any municipal separate storm sewer system (MS4) receiving the discharge at least two (2) days prior to commencement of construction activities.

(e) if signatory authority is delegated by an authorized representative, then a Delegation of Signatory form must be submitted as required by 30 TAC § 305.128 (relating to Signatories to Reports). Operators for small construction activities must submit this form via mail following the instructions on the approved TCEQ paper form. A new Delegation of Signatory form must be submitted if the delegation changes to another individual or position.

As described in Part I.B 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 where the applicant is the operator. The SWP3 must be developed and implemented prior to obtaining coverage and prior to commencing construction activities;

(b) primary operators of large construction activities must submit an NOI prior to commencing construction activity at a construction site. A completed NOI must be submitted to TCEQ electronically using the online ePermits system on TCEQ's website.

Operators with an electronic reporting waiver must submit a completed paper NOI to TCEQ at least seven (7) days prior to commencing construction activity to obtain provisional coverage 48-hours from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the NOI is administratively complete, and an authorization number is issued to the permittee for the construction site indicated on the NOI.

If an additional primary operator is added after the initial NOI is submitted, the additional primary operator must meet the same requirements for existing primary operator(s), as indicated above.

If the primary operator changes due to responsibility at the site being transferred from one primary operator to another after the initial NOI is submitted, the new primary operator must submit an electronic NOI, unless they request and obtain a waiver from electronic reporting, at least ten (10) days prior to assuming operational control of a construction site and commencing construction activity.

(c) all operators of large construction activities must post a TCEQ Large Construction Site Notice on the approved TCEQ form (Form TCEQ-20961) in accordance with Part III.D.2. of this permit. The TCEQ 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 activities, and must be maintained in that location until final stabilization has been achieved. For linear construction activities, e.g., pipeline or highway, the TCEQ 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;

(d) two days prior to commencing construction activities, all primary operators must:

i. provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and

ii. list in the SWP3 the names and addresses of all MS4 operators receiving a copy;

(e) if signatory authority is delegated by an authorized representative, then a Delegation of Signatories form must be submitted as required by 30 TAC § 305.128 (relating to Signatories to Reports). Primary operators must submit this form electronically using the State of Texas Environmental Electronic Reporting System (STEERS), TCEQ's online permitting system, or by paper if the permittee requested and obtained an electronic reporting waiver. A new Delegation of Signatories form must be submitted, if the delegation changes to another individual or position;

(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 a primary operator at the site has submitted an NOI, or prior to commencement of construction activities, a primary operator 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; and

(g) all secondary operators of large construction activities must post a copy of the signed and certified TCEQ Large Construction Site Notice for Secondary Operators on the approved TCEQ form (Form TCEQ-20962) and provide a copy of the signed and certified TCEQ site notice to the operator of any MS4 receiving the discharge at least two (2) days prior to the commencement construction activities.

NOTE: Posted TCEQ site notices may have a redacted signature as long as there is an original signed and certified TCEQ Large Construction Site Notice for Secondary Operators, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

Applicants must submit an NOI using the online ePermits system (accessed using STEERS) available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Waivers for Small Construction Activities:

Operators of certain small construction activities may obtain a waiver from coverage under this general permit, if applicable. The requirements are outlined in Part II.G. below.

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 that electronically submit an NOI are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director.

Operators with an electronic reporting waiver are provisionally authorized 48-hours from the date that a completed paper NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. An authorization is no longer provisional when the executive director finds the NOI is administratively complete and an authorization number is issued to the permittee for the construction site indicated on the NOI.

For construction 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 activities 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 site notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement action for any unpermitted activities that may have occurred between the time construction commenced and authorization under this general permit was obtained.

(d) If operators that submitted NOIs have active authorizations for construction activities that are ongoing when this general permit expires on March 5, 2028, and a new general permit is issued, a 90-day interim (grace) period is granted to provide coverage that is administratively continued until operators with active authorizations can obtain coverage under the newly issued CGP. The 90-day grace period starts on the effective date of the newly issued CGP.

6. 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) the estimated construction project start date and end date;

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

(g) confirmation if the construction activity is associated with an oil and gas exploration, production, processing, or treatment, or transmission facility (see Part II.C.9.)

(h) confirmation that the construction activities are not associated with the construction of a facility that is licensed for the storage of high-level radioactive waste by the United States Nuclear Regulatory Commission under 10 CFR Part 72 (see Part II.C.12.);

(i) confirmation that a SWP3 has been developed in accordance with all conditions of this general permit, that it will be implemented prior to commencement of construction activities, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;

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

(k) 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

(l) 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 or *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d)* as not meeting applicable state water quality standards.

7. Notice of Change (NOC)

(a) If relevant information provided in the NOI changes, the operator that has submitted the NOI must submit an NOC to TCEQ at least fourteen (14) days before the change occurs. Where a 14-day advance notice is not possible, the operator must submit an NOC to TCEQ within fourteen (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 submitted to TCEQ in an NOC within fourteen (14) days after discovery.

(b) Information on an NOC may include, but is not limited to, the following:

i. a change in the description of the construction project;

ii. an increase in the number of acres disturbed (for increases of one (1) or more acres);

iii. or the name of the operator (where the name of the operator has changed).

(c) Electronic NOC.

Applicants must submit an NOC using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. All waivers from electronic reporting are not transferrable. Electronic reporting waivers expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance. A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. Operators are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director.

(d) Paper NOC.

Applicants who request and obtain an electronic reporting waiver shall submit the NOC on a paper form provided by the executive director, or by letter if an NOC form is not available.

(e) A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. A list that includes the names and addresses of all MS4 operators receiving a copy of the NOC (or NOC letter) must be included in the SWP3. Information that may not be included on an NOC includes but is not limited to the following:

i. transfer of operational control from one operator to another, including a transfer of the ownership of a company. 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 or charter number that is on record with the Texas Secretary of State (SOS) must be changed.

ii. coverage under this general permit is not transferable from one operator to another. Instead, the new operator will need to submit an NOI or LREW, as applicable, and the previous operator will need to submit an NOT.

iii. a decrease in the number of acres disturbed. This information must be included in the SWP3 and retained on site.

8. Signatory Requirement for NOI Forms, NOT Forms, NOC Forms, and Construction Site Notices

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

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

   Each operator that has submitted an NOI for authorization of large construction activities under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit.

   Authorization of large construction must be terminated by submitting an NOT electronically via the online ePermits system available through the TCEQ website, or on a paper NOT form to TCEQ supplied by the executive director with an approved waiver from electronic reporting. Authorization to discharge under this general permit terminates at midnight on the day a paper NOT is postmarked for delivery to the TCEQ or immediately following confirmation of the receipt of the NOT submitted electronically by the TCEQ.

   Applicants must submit an NOT using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance.

   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 operator;

   (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.

   Compliance with the conditions and requirements of this permit is required until the NOT is submitted and approved by TCEQ.

2. Minimum Contents of the NOT

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

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

   (b) an indication of whether final stabilization has been achieved at the site and a NOT has been submitted 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 location (latitude/longitude) of the construction project or site; and

   (e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant 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

   (a) Each operator that has obtained automatic authorization for small construction or is a secondary operator for large construction must perform the following when terminating coverage under the permit:

      i. remove the TCEQ site notice;

      ii. complete the applicable portion of the TCEQ site notice related to removal of the TCEQ site notice; and

      iii. submit a copy of the completed TCEQ 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).

   (b) The activities described in Part II.F.3.(a) above must be completed by the operator within 30 days of meeting any of the following conditions:

      i. final stabilization has been achieved on all portions of the site that are the responsibility of the operator;

      ii. a transfer of day-to-day operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions has occurred (See Section II.F.4. below); or

      iii. the operator has obtained alternative authorization under an individual or general TPDES permit.

   For Small Construction Sites and Secondary Operators at Large Construction Sites, authorization to discharge under this general permit terminates immediately upon removal of the applicable TCEQ construction site notice. Compliance with the conditions and requirements of this permit is required until the TCEQ construction site notice is removed. The construction site notice cannot be removed until final stabilization has been achieved.

4. Transfer of Day-to-Day Operational Control

   (a) When the primary operator of a large construction activity changes or operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions is transferred to another primary operator, the original operator must do the following:

      i. submit an 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 (c) below; and

      ii. submit a copy of the NOT from the primary operator terminating its coverage under the permit and its operational control of the construction site and submit a copy of the NOI from the new primary operator to the operator of any MS4 receiving the discharge in accordance with Part II.F.1. above.

   (b) For transfer of operational control, operators of small construction activities and secondary operators of large construction activities who are not required to submit an NOI must do the following:

      i. the existing operator must remove the original TCEQ construction site notice, and the new operator must post the required TCEQ construction site notice prior to the transfer of operational control, in accordance with the conditions in Part II.F.4.(c) i or ii below; and

ii. a copy of the TCEQ construction site notice, which must be completed and provided to the operator of any MS4 receiving the discharge, in accordance with Part II.F.3. above.

(c) Each operator is responsible for determining its role as an operator as defined in Part I.B. and obtaining authorization under the permit, as described above in Part II.E. 1. - 3. Where authorization has been obtained by submitting an NOI for coverage under this general permit, permit coverage is not transferable from one operator to another. A transfer of operational control can include 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 (SOS). A transfer of operational control can also occur when one of the following criteria is met, as applicable:

i. another operator has assumed control over all areas of the site that do not meet the definition for final stabilization;

ii. 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 original permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Records of this notification (or attempt at notification) shall be retained by the operator transferring operational control to another 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; or

iii. a homebuilder has purchased one (1) 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 of this permit. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to the lot(s) it has operational control over in a larger common plan of development, 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 stormwater 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, when the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5).

The operator must submit a Low Rainfall Erosivity Waiver (LREW) certification form to the TCEQ electronically via the online ePermits system available through the TCEQ website. The LREW form is a certification by the operator that the small construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5).

Applicants who request and obtain an electronic reporting waiver shall submit the LREW on a paper form provided by the executive director at least seven (7) days prior to commencing construction activity to obtain provisional coverage 48-hours from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the LREW is administratively complete, and an authorization number is issued to the permittee for the construction site indicated on the LREW. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge, except for temporary waivers that expire one (1) year from issuance.

This LREW from coverage does not apply to any non-stormwater discharges, including what is allowed under this permit. The operator must ensure that all non-stormwater discharges are either authorized under a separate permit or authorization or are captured and routed to an authorized treatment facility for disposal.

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 five (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: https://lew.epa.gov/, or using another available resource.

A copy of the LREW certification form is not required to be posted at the small construction site.

3. Effective Date of an LREW

Unless otherwise notified by the executive director, operators of small construction activities seeking coverage under an LREW are provisionally waived from the otherwise applicable requirements of this general permit 48-hours from the date that a completed paper LREW certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, made via the online ePermits system available through the TCEQ website.

Applicants seeking coverage under an LREW must submit an application for an LREW using the online ePermits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Activities Extending Beyond the LREW 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 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 LREW 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 for automatic authorization for small construction activities in Part II.E.2. of this permit, prior to the end of the approved LREW 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 must be submitted at least 330 days prior to commencement of construction activities to ensure timely authorization. Existing coverage under this general permit should not be terminated until an individual permit is issued and in effect.

2. General Permit Alternative

   Any discharges 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), as applicable.

3. Individual Permit Required

   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 TMDL or TMDL I-Plan on the receiving water;

   (b) the activity being determined to cause, has a reasonable potential to cause, or contribute to 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.

      A discharger with a TCEQ compliance history rating of "unsatisfactory" is ineligible for coverage under this general permit. In that case, 30 TAC § 60.3 requires the executive director to deny or suspend an authorization to discharge under a general permit. However, per TWC § 26.040(h), a discharger is entitled to a hearing before the commission prior to having an authorization denied or suspended for having an "unsatisfactory" compliance history.

   Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit for reasons other than compliance history shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

Section I. Permit Expiration

1. This general permit is effective 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. All authorizations that are active at the time the permit term expires will be administratively continued as indicated in Part II.I.2. below and in Part II.D.1.(b) and D.2.(b) of this 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. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2. and II.E.3. of this general permit that will reach waters of the U.S. This includes discharges to MS4s and privately owned separate storm sewer systems that drain into surface water in the state or waters of the U.S.

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 (1) SWP3 for a site, operators 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.

An SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater associated with construction activity and non-stormwater discharges described in Part II.A.3., in compliance with the terms and conditions of this permit.

An SWP3 must also identify any potential sources of pollution that have been determined to cause, have a reasonable potential to cause, or contribute to a violation of water quality standards or have been found to cause or contribute to the loss of a designated use of surface water in the state from discharges of stormwater from construction activities and construction support activities. Where potential sources of these pollutants are present at a construction site, the SWP3 must also contain a description of the management practices that will be used to prevent these pollutants from being discharged into surface water in the state or waters of the U.S.

> NOTE: Construction support activities can also include vehicle repair areas, fueling areas, etc. that are present at a construction site solely for the support construction activities and are only used by operators at the construction site.

The SWP3 is intended to serve as a road map for how the construction operator will comply with the effluent limits and other conditions of this permit. Additional portions of the effluent limits are established in Part IV. of the permit.

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 of small and large construction activities must independently obtain authorization under this permit but may work together with other regulated operators at the construction site to prepare and implement a single, comprehensive SWP3, which can be shared by some or all operators, for the construction activities that each of the operators are performing at the entire construction site.

1. The SWP3 must include the following:
   (a) for small construction activities – the name of each operator that participates in the shared SWP3;
   (b) for large construction activities – the name of each operator that participates in the shared SWP3, the general permit authorization numbers of each operator (or the date that the NOI was submitted to TCEQ by each operator that has not received an authorization number for coverage under this permit); and
   (c) for large and small construction activities – the signature of each operator participating in the shared 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.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

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 shall:
   (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 that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMP s as necessary to remain compliant with the conditions of this general permit; and

(d) ensure that the SWP3 for portions of the project where each operator has control indicates the name and site-specific TPDES authorization number(s) for operators with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If a primary operator has not been authorized or has abandoned the site, the secondary operator is considered to be the responsible party and must obtain authorization as a primary operator under the permit, until the authority for day-to-day operational control is transferred to another primary operator. The new primary operator must update or develop a new SWP3 that will reflect the transfer of operational control and include any additional updates to the SWP3 to meet requirements of the permit.

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 BMPs described in the SWP3;

(c) indicates areas of the project where they have operational control over day-to-day activities; and

(d) the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications for areas where they have operational control over day-to-day activities.

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 stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.

   NOTE: The SWP3 may be prepared and kept electronically, rather than in paper form, if the records are: (a) in a format that can be read in a similar manner as a paper record; (b) legally valid with no less evidentiary value than their paper equivalent; and (c) immediately accessible to the inspector during an inspection to the same extent as a paper copy stored at the site would be, if the records were stored in paper form.

2. Operators with authorization for construction activity under this general permit must post a TCEQ site notice at the construction site at a place readily available for viewing by the general public, and local, state, and federal authorities.

(a) Primary and secondary operators of large construction activities must each post a TCEQ construction site notice, respective to their role as an operator at the construction site, as required above and according to requirements in Part II.E.3. of this general permit.

(b) Primary and secondary operators of small construction activities must post the TCEQ site notice as required in Part III.D.2.(a) above and for the specific type of small construction described in Part II.E.1. and 2. of the permit.

(c) If the construction project is a linear construction project, such as a pipeline or highway, the notices must be placed in a publicly accessible location near where construction is actively underway. TCEQ construction site notices for small and large construction activities at these linear construction sites may be relocated, as necessary, along the length of the project, but must still be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:

i. the site-specific TPDES authorization number for the project if assigned;

ii. the operator name, contact name, and contact phone number;

iii. a brief description of the project; and

iv. 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, including the site map, within seven (7) days of when any of 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 construction site personnel authorized by the permittee, 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 be developed and implemented by primary operators of small and large construction activities and include, at a minimum, the information described in this section and must comply with the construction and development effluent guidelines in Part IV. of the general permit.

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, including estimated start dates and duration of activities;

(d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including areas where construction support activities (defined in Part I.B. of this general permit) occur;

(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. property boundary(ies);

ii. drainage patterns and approximate slopes anticipated before and after major grading activities;

iii. areas where soil disturbance will occur (note any phasing), including any demolition activities;

iv. locations of all controls and buffers, either planned or in place;

v. locations where temporary or permanent stabilization practices are expected to be used;

vi. locations of construction support activities, including those located off-site;

vii. surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicate whether those waters are impaired;

NOTE: Surface waters adjacent to or in close proximity to the site means any receiving waters within the site and all receiving waters within one mile downstream of the site's discharge point(s).

viii. locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;

ix. vehicle wash areas; and

x. designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

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 (an electronic copy of this TPDES general permit or a current link to this TPDES general permit on the TCEQ webpage is acceptable);

(k) the NOI and the acknowledgement of provisional and non-provisional authorization for primary operators of large construction sites, and the TCEQ site notice for small construction sites and for secondary operators of large construction sites;

(l) if signatory authority is delegated by an authorized representative, then a copy of the formal notification to TCEQ, as required by 30 TAC 305.128 relating to Signatories to Reports must be filed in the SWP3 and made available for review upon request by TCEQ or local MS4 Operator. For primary operators of large construction activities, the formal notification to TCEQ must be submitted either electronically through

STEERS, TCEQ's electronic reporting system, or, if qualifying for an electronic reporting waiver, by paper on a Delegation of Signatories form. For operators or small construction activities, the formal notification to TCEQ must be submitted by paper on a Delegation of Signatories form.

(m) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site where construction support activities will occur; and

(n) locations of all pollutant-generating activities at the construction site and where construction support activities will occur, such as the following: Paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.

2. A description of the BMPs that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for installation and 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 good engineering practices, and the manufacturer's or designer's specifications.

iii. Controls must be developed to minimize the offsite transport of litter, construction debris, construction materials, and other pollutants required of Part IV.D.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the construction site, where small or large construction activity will occur. The erosion control and stabilization practices selected by the permittee must be compliant with the requirements for sediment and erosion control, located in Part IV. of this permit. The description of the SWP3 must also include a schedule of when the practices will be implemented. Site plans must ensure that existing vegetation at the construction site 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 immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding fourteen (14) calendar days. Stabilization

measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than fourteen (14) calendar days after the initiation of soil stabilization measures:

(A) where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased due to frozen conditions, non-vegetative controls must be implemented until thawing conditions (as defined in Part I.B. of this general permit) are present, and vegetative stabilization measures can be initiated as soon as practicable.

(B) in arid areas, semi-arid areas, or drought-stricken areas, as they are defined in Part I.B. of this general permit, where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, other types of erosion control and stabilization measures must be initiated at the site as soon as practicable. Where vegetative controls are infeasible due to arid conditions, and within fourteen (14) calendar days of a temporary or permanent cessation of construction activity in any portion of the site, the operator shall immediately install non-vegetative erosion controls in areas of the construction site where construction activity is complete or has ceased. If non-vegetative controls are infeasible, the operator shall install temporary sediment controls as required in Part III.F.2.(b)iii.(C) below.

(C) in areas where non-vegetative controls 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 frequencies established in Part III.F.8.(c) for unstabilized sites.

(D) the requirement for permittees to initiate stabilization is triggered as soon as it is known with reasonable certainty that construction activity at the site or in certain areas of the site will be stopped for 14 or more additional calendar days. If the initiation or completion of vegetative stabilization is prevented by circumstances beyond the control of the permittee, the permittee must employ and implement alternative stabilization measures immediately. When conditions at the site changes that would allow for vegetative stabilization, then the permittee must initiate or complete vegetative stabilization as soon as practicable.

iv. Final stabilization must be achieved prior to termination of permit coverage.

v. TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater runoff, including the general timing or sequence for implementation of controls. Controls selected by the permittee must be compliant with the requirements in Part IV. of this permit.

i. Sites With Drainage Areas of Ten (10) or More Acres

(A) Sedimentation Basin(s) or Impoundments

(1) A sedimentation basin or similar impoundment 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 or impoundment 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 or similar impoundment. Capacity calculations shall be included in the SWP3. Sedimentation basins must be designed for and appropriate for controlling runoff at the site and existing detention or retention ponds at the site may not be appropriate.

(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 or impoundment is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin or impoundment 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 or impoundments are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins or impoundments.

(4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.

(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 (10) Acres:

(A) Sediment traps and sediment basins may be used to control solids in stormwater 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.

(C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part IV.F. of this general permit.

3. Description of Permanent Stormwater Controls

A description of any stormwater control measures that will be installed during the construction process to control pollutants in stormwater discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are responsible for the installation and maintenance of stormwater management measures, as follows:

(a) permittees authorized under the permit for small construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site; or

(b) permittees authorized under the permit for large construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site and 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 dust. The SWP3 shall include a description of controls utilized to control the generation of pollutants that could be discharged in stormwater from the site.

(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 in discharges of stormwater from all areas of the construction site where construction activity, including construction support activities, will be located, 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 in accordance with Part IV. of this permit to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

(f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part IV. of this general permit.

(g) For demolition of any structure with at least 10,000 square feet of floor space that was built or renovated before January 1, 1980, and the receiving waterbody is impaired for polychlorinated biphenyls (PCBs):

i. implement controls to minimize the exposure of PCB-containing building materials, including paint, caulk, and pre-1980 fluorescent lighting fixtures to precipitation and to stormwater; and

ii. ensure that disposal of such materials is performed in compliance with applicable state, federal, and local laws.

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 stormwater 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 stormwater 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 WPAP 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, as soon as the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness of stormwater 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 shall 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 shall work with the owner or operator of the property to remove the sediment.

7. Observation and Evaluation of Dewatering Controls Pursuant to Part IV.C. of this General Permit

   (a) Personnel provided by the permittee must observe and evaluate dewatering controls at a minimum of once per day on the days where dewatering discharges from the construction site occur. Personnel conducting these evaluations must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site. Personnel conducting these evaluations are not required to have signatory authority for reports under 30 TAC § 305.128 (relating to Signatories to Reports).

(b) Requirements for Observations and Evaluations

i. A report summarizing the scope of any observation and evaluation must be completed within 24-hours following the evaluation. The report must also include, at a minimum, the following:

(A) date of the observations and evaluation;

(B) name(s) and title(s) of personnel making the observations and evaluation;

(C) approximate times that the dewatering discharge began and ended on the day of evaluation, or if the dewatering discharge is a continuous discharge that continues after normal business hours, indicate that the discharge is continuous (this information can be reported by personnel initiating the dewatering discharge);

(D) estimates of the rate (in gallons per day) of discharge on the day of evaluation;

(E) whether or not any indications of pollutant discharge were observed at the point of discharge (e.g., foam, oil sheen, noticeable odor, floating solids, suspended sediments, or other obvious indicators of stormwater pollution); and

(F) major observations, including: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; 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.

ii. Actions taken as a result of evaluations, including the date(s) of actions taken, 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 retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

iii. The names and qualifications of personnel making the evaluations for the permittee may be documented once in the SWP3 rather than being included in each report.

8. Inspections of All Controls

(a) Personnel provided by the permittee must inspect disturbed areas (cleared, graded, or excavated) of the construction site that do not meet the requirements of final stabilization in this general permit, all locations where stabilization measures have been implemented, areas of construction support activity covered under this permit, stormwater controls (including pollution prevention controls) for evidence of, or the potential for, the discharge of pollutants, areas where stormwater typically flows within the construction site, and points of discharge from the construction site.

i. Personnel conducting these inspections must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site.

ii. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC § 305.128 (relating to Signatories to Reports).

(b) Requirements for Inspections

i. Inspect all stormwater controls (including sediment and erosion control measures identified in the SWP3) to ensure that they are installed properly, appear to be operational, and minimizing pollutants in discharges, as intended.

ii. Identify locations on the construction site where new or modified stormwater controls are necessary.

iii. Check for signs of visible erosion and sedimentation that can be attributed to the points of discharge where discharges leave the construction site or discharge into any surface water in the state flowing within or adjacent to the construction site.

iv. Identify any incidents of noncompliance observed during the inspection.

v. Inspect locations where vehicles enter or exit the site for evidence of off-site sediment tracking.

vi. If an inspection is performed when discharges from the construction site are occurring: identify all discharge points at the site, and observe and document the visual quality of the discharge (i.e., color, odor, floating, settled, or suspended solids, foam, oil sheen, and other such indicators of pollutants in stormwater).

vii. Complete any necessary maintenance needed, based on the results of the inspection and in accordance with the requirements listed in Part III.F.6. above.

(c) Inspection frequencies:

i. Inspections of construction sites must be conducted at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, unless as otherwise provided below in Part III.F.8.(c)ii. – v. below.

(A) If a storm event produces 0.5 inches or more of rain within a 24-hour period (including when there are multiple, smaller storms that alone produce less than 0.5 inches but together produce 0.5 inches or more in 24 hours), you are required to conduct one inspection within 24 hours of when 0.5 inches of rain or more has fallen. When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

(B) If a storm event produces 0.5 inches or more of rain within a 24-hour period on the first day of a storm and continues to produce 0.5 inches or more of rain on subsequent days, you must conduct an inspection within 24 hours of the first day of the storm and within 24 hours after the last day of the storm that produces 0.5 inches or more of rain (i.e., only two (2) inspections would be required for such a storm event). When the 24-hour inspection time frame occurs entirely outside of normal working hours, you must conduct an inspection by no later than the end of the next business day.

ii. Inspection frequencies must be conducted at least once every month in areas of the construction site that meet final stabilization or have been temporarily stabilized.

iii. Inspection frequencies for construction sites, where runoff is unlikely due to the occurrence of frozen conditions at the site, must be conducted at least once every month until thawing conditions begin to occur (see definitions for thawing conditions in Part I.B.). The SWP3 must also contain a record of the approximate beginning and ending dates of when frozen conditions occurred at the site, which resulted in inspections being conducted monthly, while those

conditions persisted, instead of at the interval of once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

iv. In arid, semi-arid, or drought-stricken 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. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of when drought conditions occurred at the site, which resulted in inspections being conducted monthly, while those conditions persisted, instead of at the interval of once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

v. As an alternative to the inspection schedule in Part III.F.8.(c)i. above, 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 regardless of whether or not there has been a rainfall event since the previous inspection.

vi. The inspection procedures described in Part III.F.8.(c)i. – v above can be performed at the frequencies and under the applicable conditions indicated for each schedule option, provided that the SWP3 reflects the current schedule and that any changes to the schedule are made in accordance with the following provisions: the inspection frequency schedule can only be changed a maximum of once per calendar month and implemented within the first five (5) business days of a calendar month; and the reason for the schedule change documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(d) 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.

i. Inspection of linear construction sites could require the use of vehicles that could compromise areas of temporary or permanent stabilization, cause additional disturbance of soils, and result in the increase the potential for erosion. In these circumstances, controls must be inspected at least once every fourteen (14) calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, but representative inspections may be performed.

ii. 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 inspection schedule described in Part III.F.8.(c)i. above, 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 regardless of whether or not there has been a rainfall event since the previous inspection.

iii. the SWP3 for a linear construction site must reflect the current inspection schedule. Any changes to the inspection schedule must be made in accordance with the following provisions:

(A) the schedule may be changed a maximum of one time each month;

(B) the schedule change must be implemented at the beginning of a calendar month, and

(C) the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(e) Adverse Conditions.

Requirements for inspections may be temporarily suspended for adverse conditions. Adverse conditions are conditions that are either dangerous to personnel (e.g., high wind, excessive lightning) or conditions that prohibit access to the site (e.g., flooding, freezing conditions). Adverse conditions that result in the temporary suspension of a permit requirement to inspect must be documented and included as part of the SWP3. Documentation must include:

i. the date and time of the adverse condition,

ii. names of personnel that witnessed the adverse condition, and

iii. a narrative for the nature of the adverse condition.

(f) In the event of flooding or other adverse conditions which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable. Inspection Reports.

i. A report summarizing the scope of any inspection must be completed within 24-hours following the inspection. The report must also include the date(s) of the inspection and major observations relating to the implementation of the SWP3. Major observations in the report must include: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; 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.

ii. Actions taken as a result of inspections, including the date(s) of actions taken, 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 retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC § 305.128 (relating to Signatories to Reports).

iii. 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.

(g) 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. If necessary, modify your site map to reflect changes to your stormwater controls that are no longer accurately reflected on the current site map.

9. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-stormwater components of the discharge, as listed in Part II.A.3. of this permit.

10. The SWP3 must include the information required in Part III.B. of this general permit.

11. The SWP3 must include pollution prevention procedures that comply with Part IV.D. of this general permit.

Part IV. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§ 125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT). The BPT are also required by and must satisfy the Effluent Limitations Guideline (ELG) permitting requirement for application of 40 CFR § 450.24 New Source Performance Standards (NSPS), 40 CFR § 450.22 Best Available Technology Economically Achievable (BAT), and 40 CFR § 450.23 Best Conventional Pollutant Control Technology (BCT).

Section A. Erosion and Sediment Controls

Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

1. control stormwater volume and velocity within the site to minimize soil erosion in order to minimize pollutant discharges;
2. control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge point(s);
3. minimize the amount of soil exposed during construction activity;
4. minimize the disturbance of steep slopes;
5. minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
6. provide and maintain appropriate natural buffers around surface water in the state. Direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are infeasible and shall implement additional erosion and sediment controls to reduce sediment load;
7. preserve native topsoil at the site, unless the intended function of a specific area of the site dictates that the topsoil be disturbed or removed, or it is infeasible; and
8. minimize soil compaction. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:
   (a) restrict vehicle and equipment use to avoid soil compaction; or
   (b) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible.

   Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted.
9. TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface water" for the purposes of triggering the buffer requirement in Part IV.A.(6) above.

Section B. Soil Stabilization

Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding fourteen (14) calendar days. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next workday, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary stabilization must be completed no more than fourteen (14) calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements. In limited circumstances, stabilization may not be required if the intended function of a specific area of the site necessitates that it remain disturbed.

Section C. Dewatering

Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls to address sediment and prevent erosion. Operators must observe and evaluate the dewatering controls once per day while the dewatering discharge occurs as described in Part III.F.7. of this general permit.

Section D. Pollution Prevention Measures

Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:

1. minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
2. minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater;
3. minimize the exposure of waste materials by closing waste container lids at the end of the workday and during storm events. For waste containers that do not have lids, where the container itself is not sufficiently secure enough to prevent the discharge of pollutants absent a cover and could leak, the permittee must provide either a cover (e.g., a tarp, plastic sheeting, temporary roof) to minimize exposure of wastes to precipitation, stormwater, and wind, or a similarly effective means designed to minimize the discharge of pollutants (e.g., secondary containment). Minimization of exposure is not required in cases where the exposure to precipitation and to stormwater will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of stormwater contamination (such as final products and materials intended for outdoor use);
4. minimize exposure of wastes by implementing good housekeeping measures. Wastes must be cleaned up and disposed of in designated waste containers on days of operation at the site. Wastes must be cleaned up immediately if containers overflow;

5. minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures. Where a leak, spill, or other release containing a hazardous substance or oil in an amount equal to or in excess of a reportable quantity established under either 40 CFR Part 110, 40 CFR Part 117, or 40 CFR Part 302 occurs during a 24-hour period, you must notify the National Response Center (NRC) at (800) 424-8802 in accordance with the requirements of 40 CFR Part 110, 40 CFR Part 117, and 40 CFR Part 302 as soon as you have knowledge of the release. You must also, within seven (7) calendar days of knowledge of the release, provide a description of the release, the circumstances leading to the release, and the date of the release; and
6. minimize exposure of sanitary waste by positioning portable toilets so that they are secure and will not be tipped or knocked over, and so that they are located away from surface water in the state and stormwater inlets or conveyances.

Section E. Prohibited Discharges

The following discharges are prohibited:

1. wastewater from wash out of concrete, unless managed by an appropriate control;
2. wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
3. fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
4. soaps or solvents used in vehicle and equipment washing; and
5. toxic or hazardous substances from a spill or other release.

Section F. Surface Outlets

When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible. If infeasible, the permittee must provide documentation in the SWP3 to support the determination, including the specific conditions or time periods when this exception will apply.

Part V. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater runoff from concrete batch plants present at regulated construction sites and operated as a construction support activity 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. Only the discharges of stormwater runoff and non-stormwater from concrete batch plants that meet the requirements of a construction support activity can be authorized under this permit (see the requirements for "Non-Stormwater Discharges" in Part II.A.3. and "Discharges of Stormwater Associated with Construction Support Activity" in Part II.A.2.).

If discharges of stormwater runoff or non-stormwater from concrete batch plants are not authorized under this general permit, then discharges must be authorized under an alternative general permit or individual permit [see the requirement in Part II.A.2.(c)].

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 shall sample the stormwater 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:

Table 1. Benchmark Parameters

Benchmark Parameter	Benchmark Value	Sampling Frequency	Sample Type
Oil and Grease (*1)	15 mg/L	1/quarter (*2) (*3)	Grab (*4)
Total Suspended Solids (*1)	50 mg/L	1/quarter (*2) (*3)	Grab (*4)
pH	6.0 – 9.0 Standard Units	1/quarter (*2) (*3)	Grab (*4)
Total Iron (*1)	1.3 mg/L	1/quarter (*2) (*3)	Grab (*4)

(*1) All analytical results for these parameters must be obtained from a laboratory that is accredited based on rules located in 30 TAC § 25.4 (a) or through the National Environmental Laboratory Accreditation Program (NELAP). Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §§ 136.1(c) and 122.44(i)(1)(iv).

(*2) 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.

(*3) 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 stormwater 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 stormwater discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Part II.E.2., and prior to terminating coverage.

(*4) A grab sample shall be collected from the stormwater 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 stormwater run-on to the permitted facility, by laboratory analyses of samples of stormwater 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 SWP3 Requirements – The following are required in addition to other SWP3 requirements listed in this general permit, which include, but are not limited to the applicable requirements located in Part III.F.8. of this general permit, as follows:

1. Description of Potential Pollutant Sources – The SWP3 must provide a description of potential sources (activities and materials) that can cause, have a reasonable potential to cause or contribute to a violation of water quality standards or have been found to cause, or contribute to, the loss of a designated use of surface water in the state in stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater discharges associated with industrial activity and non-stormwater discharges (described in Part II.A.3. of this general permit), in compliance with the terms and conditions of 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:

      i. the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;

      ii. a depiction of the drainage area and the direction of flow to the outfall(s);

      iii. structural controls used within the drainage area(s);

iv. 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

v. 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 stormwater and precipitation and that have a potential to affect the quality of stormwater 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 stormwater and precipitation and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.

(d) Sampling Data – A summary of existing stormwater 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 V.B.1. 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.

i. 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 stormwater. 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.

ii. Operators must prevent the exposure of fine granular solids, such as cement, to stormwater. 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 stormwater runoff and precipitation, 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. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC § 305.128. Inspections of facilities in operation must be performed

once every seven (7) days. Inspections of facilities that are not in operation must be performed at a minimum of once per month. The current inspection frequency being implemented at the facility must be recorded in the SWP3. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to stormwater 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 stormwater 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 (1) 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 stormwater 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 stormwater 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 (2) weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part V.B.1., "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part V.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 § 305.128 (relating to Signatories to Reports).

(d) the Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part V.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 wash out at construction sites may be authorized if conducted in accordance with the requirements of Part VI of this general permit.

Part VI. Concrete Truck Wash Out Requirements

This general permit authorizes the land disposal of wash out from concrete trucks at construction sites regulated under this general permit, provided the following requirements are met. Any discharge of concrete production wastewater to surface water in the state must be authorized under a separate TCEQ general permit or individual permit.

A. Discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.

B. Concrete truck wash out water shall be disposed in areas at the construction site where structural controls have been established to prevent discharge to surface water in the state, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent discharge to surface water in the state. 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.

C. Wash out of concrete trucks during rainfall events shall be minimized. The 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 wash out as the result of rainfall or stormwater runoff.

D. The disposal of wash out water from concrete trucks, made under authorization of this general permit must not cause or contribute to groundwater contamination.

E. If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated site map.

Part VII. 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 in Part II.F.1. and 2. of this permit. 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:

A. a copy of the SWP3;

B. all reports and actions required by this permit, including a copy of the TCEQ construction site notice;

C. all data used to complete the NOI, if an NOI is required for coverage under this general permit; and

D. 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 VIII. Standard Permit Conditions

A. 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 (CWA and TWC), and is grounds for enforcement action, for terminating, revoking and reissuance, or modification, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41 (a).

B. Authorization under this general permit may be modified, suspended, revoked and reissued, terminated or otherwise suspended for cause, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41(f). 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 modifying, revoking and reissuing, terminating or, otherwise suspending authorization under this permit, based on rules located in TWC § 23.086, 30 TAC § 305.66, and 40 CFR § 122.41 (h). 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.

C. 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.

D. Inspection and entry shall be allowed under TWC Chapters 26-28, Texas Health and Safety Code §§ 361.032-361.033 and 361.037, and 40 CFR § 122.41(i). The statement in TWC § 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.

E. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under TWC Chapter 7 for violations including but not limited to the following:

   1. negligently or knowingly violating the federal 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);

   2. 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; and

   3. knowingly violating CWA §303 and placing another person in imminent danger of death or serious bodily injury.

F. 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).

G. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

H. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

I. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

J. The permittee shall comply with the monitoring and reporting requirements in 40 CFR § 122.41(j) and (l), as applicable.

K. Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §§ 136.1(c) and 122.44(i)(1)(iv).

Part IX. Fees

A. A fee of must be submitted along with the NOI:

1. $225 if submitting an NOI electronically, or
2. $325 if submitting a paper NOI.

B. 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.

C. No separate annual fees will be assessed for this general permit. 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

Deaf Smith: Nov. 15 - Apr. 30

Dickens: 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

Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14

Jones: 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: Storm Erosivity (EI) Zones in Texas

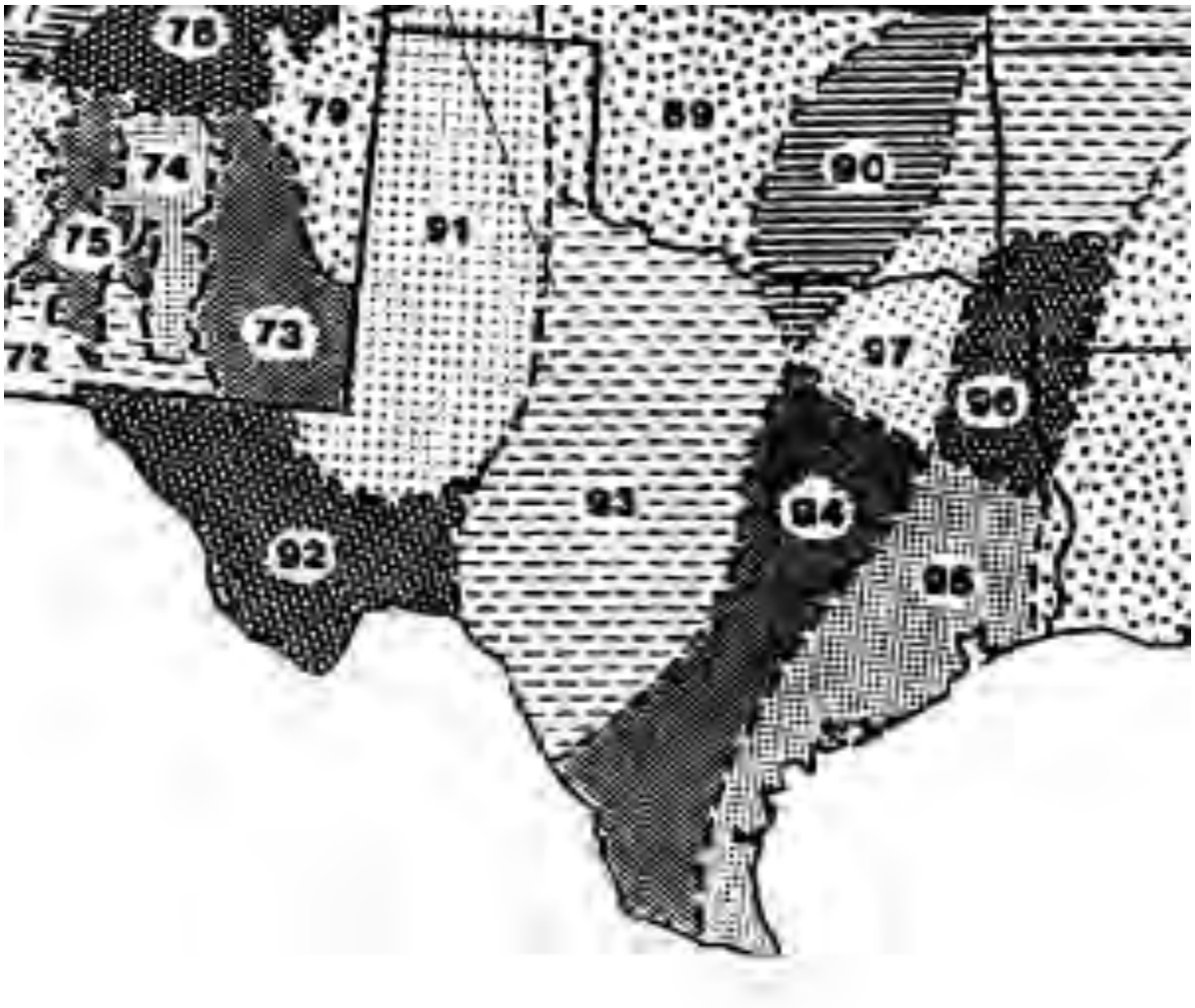


Figure B. EI Distribution Zones

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

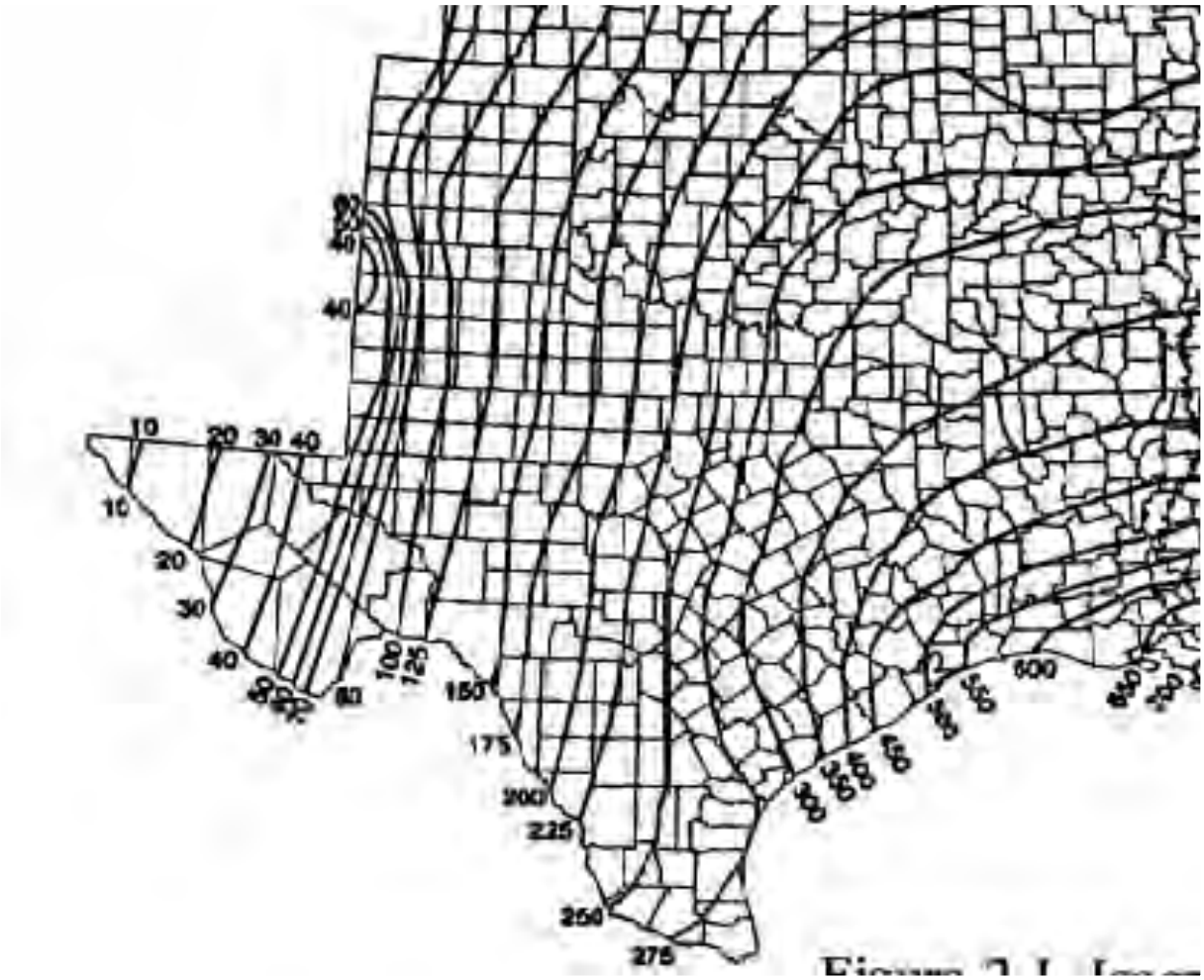


Figure C. Isoerodent Map of Texas. Units are hundreds ft*tonf*in(ac*h*yr)$^{-1}$

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

Table D. EI as percentage of average annual computed selected geographic areas (EI number) by date period (month/day).

Date Periods* (Month/Day)

EI #	1/1	1/16	1/31	2/15	3/1	3/16	3/31	4/15	4/30	5/15	5/30	6/14	6/29	7/14	7/29	8/13	8/28	9/12	9/27	10/12	10/27	11/11	11/26	12/11	12/31
89	0	1	1	2	3	4	7	2	8	27	38	48	55	62	69	76	83	90	94	97	98	99	100	100	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	100
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	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	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	100
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	100
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	100
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	100
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	100
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	100

*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 11 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.

VI. NOTICE OF INTENT (NOI)

TCEQ Office Use Only
Permit No:
CN:
RN:

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

IMPORTANT INFORMATION

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

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

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

ePERMITS

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

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

APPLICATION FEE AND PAYMENT

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

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

Provide your payment information for verification of payment:

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

RENEWAL (This portion of the NOI is not applicable after June 3, 2018)

Is this NOI for a renewal of an existing authorization? ☐ Yes ☐ No

If Yes, provide the authorization number here: TXR15 Click here to enter text.

NOTE: If an authorization number is not provided, a new number will be assigned.

SECTION 1. OPERATOR (APPLICANT)

a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? CN Click here to enter text.

(Refer to Section 1.a) of the Instructions)

b) What is the Legal Name of the entity (applicant) applying for this permit? (The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal document forming the entity.)

c) What is the contact information for the Operator (Responsible Authority)?

Prefix (Mr. Ms. Miss): Click here to enter text.

First and Last Name: Suffix: Click here to enter text.

Title: Credentials:

Phone Number: Fax Number: Click here to enter text.

E-mail:

Mailing Address:

City, State, and Zip Code:

Mailing Information if outside USA:

Territory: Click here to enter text.

Country Code: Click here to enter text. Postal Code: Click here to enter text.

d) Indicate the type of customer:

☐ Individual
☐ Limited Partnership
☐ General Partnership
☐ Trust
☐ Sole Proprietorship (D.B.A.)
☐ Corporation
☐ Estate
☐ Federal Government
☐ County Government
☐ State Government
☐ City Government
☐ Other Government
☐ Other: Click here to enter text.

e) Is the applicant an independent operator? ☐ Yes ☐ No

(If a governmental entity, a subsidiary, or part of a larger corporation, check No.)

f) Number of Employees. Select the range applicable to your company.

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

g) Customer Business Tax and Filing Numbers: (**Required** for Corporations and Limited Partnerships. **Not Required** for Individuals, Government, or Sole Proprietors.)

State Franchise Tax ID Number: Click here to enter text.

Federal Tax ID: Click here to enter text.

Texas Secretary of State Charter (filing) Number: Click here to enter text.

DUNS Number (if known): Click here to enter text.

SECTION 2. APPLICATION CONTACT

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

☐ Yes, go to Section 3

☐ No, complete this section

Prefix (Mr. Ms. Miss): Click here to enter text.

First and Last Name: Click here to enter text. Suffix: Click here to enter text.

Title: Click here to enter text. Credential: Click here to enter text.

Organization Name: Click here to enter text.

Phone Number: Click here to enter text. Fax Number: Click here to enter text.

E-mail: Click here to enter text.

Mailing Address: Click here to enter text.

Internal Routing (Mail Code, Etc.): Click here to enter text.

City, State, and Zip Code: Click here to enter text.

Mailing information if outside USA:

Territory: Click here to enter text.

Country Code: Click here to enter text. Postal Code: Click here to enter text.

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

a) If this is an existing permitted site, what is the Regulated Entity Number (RN) issued to this site? RN Click here to enter text.

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

b) Name of project or site (the name known by the community where it's located): Click here to enter text

c) In your own words, briefly describe the type of construction occurring at the regulated site (residential, industrial, commercial, or other): Click here to enter text

d) County or Counties (if located in more than one): Click here to enter text

e) Latitude: Click here to enter text Longitude: Click here to enter text

f) Site Address/Location

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

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

Section A:

Street Number and Name: Click here to enter text

City, State, and Zip Code: Click here to enter text

Section B:

Location Description: Click here to enter text

City (or city nearest to) where the site is located: Click here to enter text

Zip Code where the site is located: Click here to enter text

SECTION 4. GENERAL CHARACTERISTICS

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

☐ Yes, do not submit this form. You must obtain authorization through EPA Region 6.

☐ No

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

☐ Yes. Note: The construction stormwater runoff may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization through EPA Region 6.

☐ No

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

d) What is the Secondary SIC Code(s), if applicable? Click here to enter text

e) What is the total number of acres to be disturbed? Click here to enter text

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

☐ Yes

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

g) What is the estimated start date of the project? Click here to enter text.

h) What is the estimated end date of the project? Click here to enter text.

i) Will concrete truck washout be performed at the site? ☐ Yes ☐ No

j) What is the name of the first water body(ies) to receive the stormwater runoff or potential runoff from the site? Click here to enter text.

k) What is the segment number(s) of the classified water body(ies) that the discharge will eventually reach? Click here to enter text.

l) Is the discharge into a Municipal Separate Storm Sewer System (MS4)?

☐ Yes ☐ No

If Yes, provide the name of the MS4 operator: San Antonio/Bexar County – Steven M. Clouse

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

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

☐ Yes, complete the certification below.

☐ No, go to Section 5

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

SECTION 5. NOI CERTIFICATION

a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000). ☐ Yes

b) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. ☐ Yes

c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. ☐ Yes

d) I certify that a Stormwater Pollution Prevention Plan has been developed, will be implemented prior to construction and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the Construction General Permit (TXR150000). ☐ Yes

Note: For multiple operators who prepare a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3, provided all obligations are confirmed by at least one operator.

SECTION 6. APPLICANT CERTIFICATION SIGNATURE

Operator Signatory Name: Click here to enter text

Operator Signatory Title: Click here to enter text

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

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

Signature (use blue ink): _____Date: _____

NOTICE OF INTENT CHECKLIST (TXR150000)

Did you complete everything? Use this checklist to be sure!

Are you ready to mail your form to TCEQ? Go to the General Information Section of the Instructions for mailing addresses.

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

APPLICATION FEE

If paying by check:

☐ Check was mailed **separately** to the TCEQs Cashier's Office. (See Instructions for Cashier's address and Application address.)

☐ Check number and name on check is provided in this application.

If using ePay:

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

RENEWAL

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

OPERATOR INFORMATION

☐ Customer Number (CN) issued by TCEQ Central Registry

☐ Legal name as filed to do business in Texas. (Call TX SOS 512-463-5555 to verify.)

☐ Name and title of responsible authority signing the application.

☐ Phone number and e-mail address

☐ Mailing address is complete & verifiable with USPS. www.usps.com

☐ Type of operator (entity type). Is applicant an independent operator?

☐ Number of employees.

☐ For corporations or limited partnerships – Tax ID and SOS filing numbers.

☐ Application contact and address is complete & verifiable with USPS. http://www.usps.com

REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

☐ Regulated Entity Number (RN) (if site is already regulated by TCEQ)

☐ Site/project name and construction activity description

☐ County

☐ Latitude and longitude http://www.tceq.texas.gov/gis/sqmaview.html

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

GENERAL CHARACTERISTICS

☐ Indian Country Lands –the facility is not on Indian Country Lands.

☐ Construction activity related to facility associated to oil, gas, or geothermal resources

☐ Primary SIC Code that best describes the construction activity being conducted at the site. www.osha.gov/oshstats/sicser.html

☐ Estimated starting and ending dates of the project.

☐ Confirmation of concrete truck washout.

☐ Acres disturbed is provided and qualifies for coverage through a NOI.

☐ Common plan of development or sale.

☐ Receiving water body or water bodies.

☐ Segment number or numbers.

☐ MS4 operator.

☐ Edwards Aquifer rule.

CERTIFICATION

☐ Certification statements have been checked indicating Yes.

☐ Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original.

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

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

By Regular Mail:
TCEQ
Stormwater Processing Center (MC228)
P.O. Box 13087
Austin, Texas 78711-3087

By Overnight or Express Mail:
TCEQ
Stormwater Processing Center (MC228)
12100 Park 35 Circle
Austin, TX

Application Fee:

The application fee of $325 is required to be paid at the time the NOI is submitted. Failure to submit payment at the time the application is filed will cause delays in acknowledgment or denial of coverage under the general permit. Payment of the fee may be made by check or money order, payable to TCEQ, or through EPAY (electronic payment through the web).

Mailed Payments:

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

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

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

TCEQ Contact List:

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

Notice of Intent Process:

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

- **Administrative Review**: Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(es) on the form must be verified with the US Postal service as receiving regular mail delivery. Do not give an overnight/express mailing address.

- **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a notice of deficiency (NOD) will be mailed to the operator. The operator will have 30 days to respond to the NOD. The response will be reviewed for completeness.
- **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

  or

  Denial of Coverage: If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

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

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

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

Change in Operator

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

TCEQ Central Registry Core Data Form

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

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

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

INSTRUCTIONS FOR FILLING OUT THE NOI FORM

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

Section 1. OPERATOR (APPLICANT)

a) Customer Number (CN)

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

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

b) Legal Name of Applicant

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

c) Contact Information for the Applicant (Responsible Authority)

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

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

The phone number should provide contact to the applicant.

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

d) Type of Customer (Entity Type)

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

Individual

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

Partnership

A customer that is established as a partnership as defined by the Texas Secretary of State Office (TX SOS). If the customer is a 'General Partnership' or 'Joint Venture' filed in the county (not filed with TX SOS), the legal name of each partner forming the 'General Partnership' or 'Joint Venture' must be provided. Each 'legal entity' must apply as a co-applicant.

Trust or Estate

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

Sole Proprietorship (DBA)

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

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

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

Corporation

A customer that meets all of these conditions:

1. is a legally incorporated entity under the laws of any state or country
2. is recognized as a corporation by the Texas Secretary of State
3. has proper operating authority to operate in Texas

The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the entity.

Government

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

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

Other

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

e) Independent Entity

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

f) Number of Employees

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

g) Customer Business Tax and Filing Numbers

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

State Franchise Tax ID Number

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

Federal Tax ID

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

TX SOS Charter (filing) Number

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

DUNS Number

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

Section 2. APPLICATION CONTACT

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

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

a) Regulated Entity Number (RN)

The RN is issued by TCEQ's Central Registry to sites where an activity is regulated by TCEQ. This is not a permit number, registration number, or license number. Search TCEQ's Central Registry to see if the site has an assigned RN at http://www15.tceq.texas.gov/crpub/. If this regulated entity has not been assigned an RN, leave this space blank.

If the site of your business is part of a larger business site, an RN may already be assigned for the larger site. Use the RN assigned for the larger site.

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

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

b) Name of the Project or Site

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

c) Description of Activity Regulated

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

d) County

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

e) Latitude and Longitude

Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to: http://www.tceq.texas.gov/gis/sqmaview.html.

f) Site Address/Location

If a site has an address that includes a street number and street name, enter the complete address for the site in *Section A*. If the physical address is not recognized as a USPS delivery address, you may need to validate the address with your local police (911 service) or through an online map site used to locate a site. Please confirm this to be a complete and valid address. Do not use a rural route or post office box for a site location.

If a site does not have an address that includes a street number and street name, provide a complete written location description in *Section B.* For example: "The site is located on the north side of FM 123, 2 miles west of the intersection of FM 123 and Highway 1."

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

Section 4. GENERAL CHARACTERISTICS

a) Indian Country Lands

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

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

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

Construction activities associated with a facility related to oil, gas or geothermal resources may include the construction of a well site; treatment or storage facility; underground hydrocarbon or natural gas storage facility; reclamation plant; gas processing facility; compressor station; terminal facility where crude oil is stored prior to refining and at which refined products are stored solely for use at the facility; a

carbon dioxide geologic storage facility; and a gathering, transmission, or distribution pipeline that will transport crude oil or natural gas, including natural gas liquids, prior to refining of such oil or the use of the natural gas in any manufacturing process or as a residential or industrial fuel.

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

For more information about the jurisdictions of the RRC and the TCEQ, read the Memorandum of Understanding (MOU) between the RRC and TCEQ at 16 Texas Administrative Code, Part 1, Chapter 3, Rule 3.30, by entering the following link into an internet browser: http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30 or contact the TCEQ Stormwater Team at 512-239-4671 for additional information.

c) Primary Standard Industrial Classification (SIC) Code

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

Common SIC Codes related to construction activities include:

- 1521 - Construction of Single Family Homes
- 1522 - Construction of Residential Buildings Other than Single Family Homes
- 1541 - Construction of Industrial Buildings and Warehouses

- 1542 - Construction of Non-residential Buildings, other than Industrial Buildings and Warehouses
- 1611 - Highway and Street Construction, except Highway Construction
- 1622 - Bridge, Tunnel, and Elevated Highway Construction
- 1623 - Water, Sewer, Pipeline and Communications, and Power Line Construction

For help with SIC Codes, enter the following link into your internet browser: http://www.osha.gov/pls/imis/sicsearch.html or you can contact the TCEQ Small Business and Local Government Assistance Section at 800-447-2827 for assistance.

d) Secondary SIC Code

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

e) Total Number of Acres Disturbed

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

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

f) Common Plan of Development

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

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

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

g) Estimated Start Date of the Project

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

h) Estimated End Date of the Project

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

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

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

j) Identify the water body(s) receiving stormwater runoff

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

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

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

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

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

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

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

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

l) Discharge into MS4 – Identify the MS4 Operator

The discharge may initially be into a municipal separate storm sewer system (MS4). If the stormwater discharge is into an MS4, provide the name of the entity that operates the MS4 where the stormwater discharges. An MS4 operator is often a city, town, county, or utility district, but possibly can be another form of government. Please note that the Construction General Permit requires the Operator to supply the MS4 with a

copy of the NOI submitted to TCEQ. For assistance, you may call the technical staff at 512-239-4671.

m) Discharges to the Edwards Aquifer Recharge Zone and Certification

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

See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer by entering the following link into an internet browser: www.tceq.texas.gov/field/eapp/viewer.html or by contacting the TCEQ Water Quality Division at 512-239-4671 for assistance.

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site-specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin.

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

Section 5. NOI CERTIFICATION

Note: Failure to indicate Yes to all of the certification items may result in denial of coverage under the general permit.

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

Provisional coverage under the Construction General Permit (TXR150000) begins 7 days after the completed paper NOI is postmarked for delivery to the TCEQ. Electronic applications submitted through ePermits have immediate provisional coverage. You must obtain a copy and read the Construction General Permit before submitting your application. You may view and print the Construction General Permit for which you are seeking coverage at the TCEQ web site by entering the following link into an internet browser: www.tceq.texas.gov/goto/construction or you may contact the TCEQ Stormwater processing Center at 512-239-3700 for assistance.

b) Certification of Legal Name

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

c) Understanding of Notice of Termination

A permittee shall terminate coverage under the Construction General Permit through the submittal of a NOT when the operator of the facility changes, final stabilization has

been reached, the discharge becomes authorized under an individual permit, or the construction activity never began at this site.

d) Certification of Stormwater Pollution Prevention Plan

The SWP3 identifies the areas and activities that could produce contaminated runoff at your site and then tells how you will ensure that this contamination is mitigated. For example, in describing your mitigation measures, your site's plan might identify the devices that collect and filter stormwater, tell how those devices are to be maintained, and tell how frequently that maintenance is to be carried out. You must develop this plan in accordance with the TCEQ general permit requirements. This plan must be developed and implemented before you complete this NOI. The SWP3 must be available for a TCEQ investigator to review on request.

Section 6. APPLICANT CERTIFICATION SIGNATURE

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

If you are a corporation:

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

If you are a municipality or other government entity:

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

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

30 Texas Administrative Code

§305.44. Signatories to Applications

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or 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 only if you are mailing your payment.

Instructions:

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

Mail this form and your check to either of the following:

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

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

Fee Code: GPA General Permit: TXR150000

1. Check or Money Order No: Click here to enter text
2. Amount of Check/Money Order: Click here to enter text
3. Date of Check or Money Order: Click here to enter text
4. Name on Check or Money Order: Click here to enter text
5. NOI Information:

   If the check is for more than one NOI, list each Project or Site (RE) Name and Physical Address exactly as provided on the NOI. **Do not submit a copy of the NOI with this form, as it could cause duplicate permit application entries!**

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

   Project/Site (RE) Name: Click here to enter text

   Project/Site (RE) Physical Address: Click here to enter text

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

VII. AGENT AUTHORIZATION FORM

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

I Todd A. Gold,
Print Name

Manager of SH Land Holdings, GP, LLC,

a Texas Limited Liability Company, the General Partner of SH Land Holdings, Ltd.,

Title - Owner/President/Other

of SH Land Holdings, Ltd., a Texas Limited Partnership,
Corporation/Partnership/Entity Name

have authorized Moy Tarin Ramirez Engineers, LLC
Print Name of Agent/Engineer

of Moy Tarin Ramirez Engineers, LLC
Print Name of Firm

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

I also understand that:

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

2. For those submitting an application who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.

3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.

4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.

5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

Todd A Gold
Applicant's Signature

9-11-23
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Todd A Gold 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 11th day of September, 2023.

LAURA BARBEE
Notary Public, State of Texas
Comm. Expires 05-04-2024
Notary ID 128977124

Laura Barbee
NOTARY PUBLIC

Laura Barbee
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 5/4/2024

VIII. APPLICATION FEE FORM

Application Fee Form

Texas Commission on Environmental Quality
Name of Proposed Regulated Entity: Singing Hills
Regulated Entity Location: Northwest corner of Melody Hills and Singing Oaks
Name of Customer: SH Land Holdings, Ltd.
Contact Person: Todd A. Gold Phone: (210) 524-4000
Customer Reference Number (if issued):CN _____
Regulated Entity Reference Number (if issued):RN 106090962

Austin Regional Office (3373)

☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362)

☐ Bexar ☐ Medina ☐ Uvalde
☒ Comal ☐ Kinney

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

☐ Austin Regional Office
☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☒ San Antonio Regional Office
☐ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☐ Recharge Zone ☐ Contributing Zone ☐ Transition Zone

Type of Plan	*Size*	*Fee Due*
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	13.36 Acres	$ 6,500
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: _____

Date: 9/11/23

Application Fee Schedule

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

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

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

Organized Sewage Collection Systems and Modifications

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

Underground and Aboveground Storage Tank System Facility Plans and Modifications

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

Exception Requests

Project	*Fee*
Exception Request	$500

Extension of Time Requests

Project	*Fee*
Extension of Time Request	$150

IX. TCEQ CORE DATA FORM

TCEQ Use Only

TCEQ Core Data Form

For detailed instructions on completing 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 **Modification to approved CZP**

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number *(if issued)*
CN		RN 106090962

SECTION II: Customer Information

4. General Customer Information	5. Effective Date for Customer Information Updates (mm/dd/yyyy)	4/25/2022

☒ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership
☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).

6. Customer Legal Name *(If an individual, print last name first: eg: Doe, John)*	*If new Customer, enter previous Customer below:*
SH Land Holdings, Ltd.	

7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number *(if applicable)*
804538611	32084286973	88-3705835	N/A

11. Type of Customer:	☐ Corporation	☐ Individual	Partnership: ☐ General ☒ Limited
Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other		☐ Sole Proprietorship	☐ Other:

12. Number of Employees	13. Independently Owned and Operated?
☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher	☒ Yes ☐ No

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

☒ Owner ☐ Operator ☐ Owner & Operator ☐ Other:
☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant

15. Mailing Address:	8023 VANTAGE DR. SUITE 1200						
	City	San Antonio	State	TX	ZIP	78230	ZIP + 4	4778

16. Country Mailing Information *(if outside USA)*	17. E-Mail Address *(if applicable)*
	tgold@reocsanantonio.com

18. Telephone Number	19. Extension or Code	20. Fax Number *(if applicable)*

(210) 524-4000		( ) -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information *(If 'New Regulated Entity" is selected, a new permit application is also required.)*

☐ New Regulated Entity ☐ Update to Regulated Entity Name ☒ Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).

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

Singing Hills

23. Street Address of the Regulated Entity: ***(No PO Boxes)***	Undeliverable							
	City	Bulverde	**State**	TX	**ZIP**	78070	**ZIP + 4**	
24. County	Comal							

If no Street Address is provided, fields 25-28 are required.

25. Description to Physical Location:	Northwest corner of Melody Hills and Singing Oaks				
26. Nearest City			**State**		**Nearest ZIP Code**
Bulverde			TX		78070

Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).

27. Latitude (N) In Decimal:	29.8033		**28. Longitude (W) In Decimal:**	98.4218	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
29	48	12	98	25	18

29. Primary SIC Code (4 digits)	**30. Secondary SIC Code** (4 digits)	**31. Primary NAICS Code** (5 or 6 digits)	**32. Secondary NAICS Code** (5 or 6 digits)
5941	5999	459110	459999

33. What is the Primary Business of this entity? *(Do not repeat the SIC or NAICS description.)*

Sporting goods and general retail

34. Mailing Address:	**8023 Vantage Dr. Suite 1200**							
	City	**San Antonio**	**State**	**TX**	**ZIP**	**78230**	**ZIP + 4**	**4726**

35. E-Mail Address:	**tgold@reocsanantonio.com**

36. Telephone Number	**37. Extension or Code**	**38. Fax Number** *(if applicable)*
(210) 524-4000		**(210) 524-4029**

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

☐ Dam Safety	☐ Districts	☒ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
		13000394		
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☐ Wastewater	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	Chris Dumas, P.E.	41. Title:	Project Manager
42. Telephone Number	**43. Ext./Code**	**44. Fax Number**	**45. E-Mail Address**
(210) 698-5051	230	(210) 698-5085	CDumas@mtrengineers.com

SECTION V: Authorized Signature

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

Company:	Moy Tarin Ramirez Engineers, LLC	**Job Title:**	Project Manager
Name *(In Print):*	Chris Dumas	**Phone:**	(210) 698- **5051**
Signature:		**Date:**	9/6/23

CONTRIBUTING ZONE
PLAN MODIFICATION #3
FOR
SINGING HILLS

PREPARED FOR:

SH-DJL DEVELOPMENT, LLC.
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

DATE: June 2020

PREPARED BY:

• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
12770 Cimarron Path, Ste 100 San Antonio, TX 78249 TBPE Firm #5297
Phone 210-698-5051 Fax 210-698-5085
MTR JOB #18084

SINGING HILLS
CONTRIBUTING ZONE PLAN MODIFICATION #3

TABLE OF CONTENTS

I. EDWARDS AQUIFER APPLICATION COVER PAGE

Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

Our Review of Your Application

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

Administrative Review

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

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

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.

3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.

4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

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

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.

6. If the geologic assessment was completed before October 1, 2004 and the site contains “possibly sensitive” features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

Technical Review

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

2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be

clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or will be denied. Please note that because the technical review is underway, whether the application is withdrawn or denied **the application fee will be forfeited**.

4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

Mid-Review Modifications

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

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

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

- If the technical review has begun your application can be denied/withdrawn, your fees will be forfeited, and the plan will have to be resubmitted.
- TCEQ can continue the technical review of the application as it was submitted, and a modification application can be submitted at a later time.

If the application is denied/withdrawn, the resubmitted application will be subject to the administrative and technical review processes and will be treated as a new application. The application will be redistributed to the affected jurisdictions.

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

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

1. Regulated Entity Name: Singing Hills					**2. Regulated Entity No.: RN106090962**				
3. Customer Name: SH-DJL Development, LLC					**4. Customer No.: CN604065060**				
5. Project Type: **(Please circle/check one)**	New	Modification			Extension		Exception		
6. Plan Type: **(Please circle/check one)**	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: **(Please circle/check one)**	Residential	Non-residential				**8. Site (acres):**			Project Areas = 18.25 ac. (Entire Site = 253.8 ac.)
9. Application Fee:	$6,500.00	**10. Permanent BMP(s):**				4x Ex. Sedimentation/Filtration Basins 1x Proposed Jellyfish Filter			
11. SCS (Linear Ft.):		**12. AST/UST (No. Tanks):**							
13. County:	Comal	**14. Watershed:**				Cibolo Creek			

Application Distribution

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

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

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

Austin Region			
County:	**Hays**	**Travis**	**Williamson**
Original (1 req.)	__	__	__
Region (1 req.)	__	__	__
County(ies)	__	__	__
Groundwater Conservation District(s)	__Edwards Aquifer Authority __Barton Springs/ Edwards Aquifer __Hays Trinity __Plum Creek	__Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	__Austin __Buda __Dripping Springs __Kyle __Mountain City __San Marcos __Wimberley __Woodcreek	__Austin __Bee Cave __Pflugerville __Rollingwood __Round Rock __Sunset Valley __West Lake Hills	__Austin __Cedar Park __Florence __Georgetown __Jerrell __Leander __Liberty Hill __Pflugerville __Round Rock

San Antonio Region					
County:	**Bexar**	**Comal**	**Kinney**	**Medina**	**Uvalde**
Original (1 req.)	__	X	__	__	__
Region (1 req.)	__	X	__	__	__
County(ies)	__	X	__	__	__
Groundwater Conservation District(s)	__ Edwards Aquifer Authority __Trinity-Glen Rose	__Edwards Aquifer Authority X Comal Trinity	__Kinney	__EAA __Medina	__EAA __Uvalde
City(ies) Jurisdiction	__Castle Hills __Fair Oaks Ranch __Helotes __Hill Country Village __Hollywood Park __San Antonio (SAWS) __Shavano Park	X Bulverde __Fair Oaks Ranch __Garden Ridge __New Braunfels __Schertz	NA	__San Antonio ETJ (SAWS)	NA

I certify that to the best of my knowledge, that the application is complete and accurate. This application is hereby submitted to TCEQ for administrative review and technical review. Brad Seay, P.E.
Print Name of Customer/Authorized Agent
Signature of Customer/Authorized Agent — Date: 6-15-2020

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

II. MODIFICATION OF A PREVIOUSLY APPROVED PLAN

Modification of a Previously Approved Contributing Zone Plan

Texas Commission on Environmental Quality

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

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

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

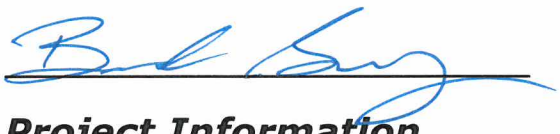
Signature

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

Print Name of Customer/Agent: Brad Seay, PE

Date: 6-15-2020

Signature of Customer/Agent:



Project Information

1. Current Regulated Entity Name: Singing Hills
   Original Regulated Entity Name: Singing Hills
   Assigned Regulated Entity Number(s) (RN): 106090962
   Edwards Aquifer Protection Program ID Number(s): 2969.01
   ☒ The applicant has not changed and the Customer Number (CN) is: 604065060
   ☐ The applicant or Regulated Entity has changed. A new Core Data Form has been provided.

2. ☒ **Attachment A: Original Approval Letter and Approved Modification Letters**. A copy of the original approval letter and copies of any modification approval letters are attached.

3. A modification of a previously approved plan is requested for (check all that apply):

☒ Any physical or operational modification of any best management practices or structure(s), including but not limited to temporary or permanent ponds, dams, berms, silt fences, and diversionary structures;
☒ Any change in the nature or character of the regulated activity from that which was originally approved;
☐ A change that would significantly impact the ability to prevent pollution of the Edwards Aquifer and hydrologically connected surface water; or
☐ Any development of land previously identified in a contributing zone plan as undeveloped.

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

CZP Modification Summary	***Approved Project***	***Proposed Modification***
Acres	Multiple Mods - See	Multiple Mods - See
Type of Development	attached summary	attached summary
Number of Residential Lots	spreadsheet for info.	spreadsheet for info.
Impervious Cover (acres)	_____	_____
Impervious Cover (%)	_____	_____
Permanent BMPs	_____	_____
Other	_____	_____

AST Modification Summary	***Approved Project***	***Proposed Modification***
Number of ASTs	_____	_____
Other	_____	_____

UST Modification Summary	***Approved Project***	***Proposed Modification***
Number of USTs	_____	_____
Other	_____	_____

5. ☒ **Attachment B: Narrative of Proposed Modification**. A detailed narrative description of the nature of the proposed modification is attached. It discusses what was approved,

including previous modifications, and how this proposed modification will change the approved plan.

6. ☒ **Attachment C: Current Site Plan of the Approved Projec**t. A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is attached. A site plan detailing the changes proposed in the submitted modification is required elsewhere.
   - ☐ The approved construction has not commenced. The original approval letter and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.
   - ☐ The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.
   - ☐ The approved construction has commenced and has been completed. Attachment C illustrates that the site was **not** constructed as approved.
   - ☒ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was constructed as approved.
   - ☐ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was **not** constructed as approved.

7. ☒ Acreage has not been added to or removed from the approved plan.
   ☐ Acreage has been added to or removed from the approved plan and is discussed in *Attachment B: Narrative of Proposed Modification*.

8. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

SUMMARY OF PROPOSED MODIFICATIONS @ SINGING HILLS

WPAP Modification Summary	***Approved Project***	***Approved Modification #1***	***Approved Modification #2***	***Proposed Modification #3***
Acres	253.8	253.8	136.73 ac. (portion of 253.8 ac. Site)	18.25 ac. (portion of 253.8 ac. Site)
Type of Development	Mixed Use	Mixed Use	Mixed Use	Mixed Use
Number of Residential Lots	0	352	318	53 @ Unit 5 (331 overall)
Impervious Cover (acres)	66.10 ac.	130.45 ac. (128.83 ac. on-site; 1.62 ac. off-site road improvements)	67.46 ac. (Site total = 133.14 ac)	5.93 ac. in Unit 5 (Site total = 134.76 ac)
Impervious Cover (%)	26.0%	50.76% (51.04%)	49.34% (52.46% of site)	32.49% (53.10% of site)
Permanent BMPs	2x Sedimentation/ Filtration Basins	4x Sedimentation/ Filtration Basins	4x Sedimentation/ Filtration Basins	4x Sedimentation/ Filtration Basins 1x Jellyfish Filter
Other	N/A	N/A	N/A	N/A
Date	November 2, 2012	January 13, 2015	June 30, 2017	This submittal

Table from TCEQ-0590
Item 4

Attachment A: Approval Letters

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2012

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

Re: Edwards Aquifer, Comal County

Name of Plan: Singing Hills; Located at northwest corner of the intersection of Highway 281 and State Highway 46; Bulverde, Texas

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

Edwards Aquifer Protection Program ID No. 2969.01; Investigation No. 1030114; Regulated Entity No. RN106090962

Dear Mr. Keith:

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 Moy Tarin Ramirez Engineers, LLC on behalf of DJL Ventures, Inc. and SH-DJL Development, LLC on August 27, 2012. Final review the CZP was completed after additional material was received on October 18, 2012. 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 legal boundary of the site where proposed regulated activities will occur is 253.8 acres. The site is located over the Edwards Aquifer Contributing Zone. The proposed mixed use development project will include:

- approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site
- a wastewater treatment plant will be constructed on the northeast portion of the site
- approximately 86 acres of mass grading activities following with the permanent stabilization measures
- 4.4 acres of demolition activities
- approximately 78 acres will remain uncleared and undisturbed
- offsite improvements consisting of pavement widening along Highway 281 and State Highway 46.

The impervious cover will be 64.2 acres of on-site impervious cover and 1.9 acres offsite impervious cover. The total impervious cover for the project is 66.1 acres (26 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Water Recycling Center owned by SH-DJL Development, LLC (TCEQ ID No. WQ0015038001).

Upgradient stormwater entering the site along the north and west boundaries will flow onto the site and into a proposed detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction and eventually reenter the site along the southern west boundary. This runoff will be intercepted by a permanent vegetative swale into a concrete lined channel and conveyed across the site.

Permanent Pollution Abatement Measures

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two (2) sedimentation filtration basins, 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 55,379 pounds of TSS generated from the 61.7 acres of impervious cover (66.1 acres proposed minus 4.4 acres of preexisting impervious cover). The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures are described below:

BMP Summary									
Sedimentation/Filtration Basin 1									
Watershed Area	Total Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. WQV (ft3)	Design WQV (ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Pond 1	68.59	56.49	1.79	282,956	289,408	23,580	35,952	49,097	50,395
Sedimentation/Filtration Basin 2									
Pond 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115

Uncaptured Areas*						
Onsite**	177	2.2	2.4		-230	—
Offsite	1:9	1.9	0.2		1,530	—
Total project	253.8	66.1	4.4		55,379	55,510

*The basin is oversized to account for the uncaptured area.
**Includes 86 acres of mass grading area, 78 acres of undisturbed/uncleared area and 13 acres within the 90 acre commercial development area. Those 13 acres will be intercepted by an underground storm drain system and discharged into the permanent concrete lined channel.

Water quality ponds 1 and 2 will utilize a concrete liner and sand filtration system consisting of 18 inch thick, ASTM C-33 sand beds and underdrain piping system covered with a minimum two inch gravel layer.

The mass grading is for future development. At this time, plans for this development have not been developed. Once those plans are finalized a modification to this CZP will be required. The mass grading will have no impervious cover and generate no wastewater. Temporary erosion and sedimentation controls will remain in place until completion of the mass grading. If the mass grading is completed before the future commercial development is presented and approved, the following permanent stabilization measures will be provided:

- The topsoil will be placed over the disturbed areas which have not already exhibited sufficient re-establishment of vegetation.
- The topsoil areas will be hydraulically mulched with grass seed to establish vegetation.
- Irrigation will be provided until sufficient vegetation has been established.

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.

IV. For any future modifications to this CZP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

V. This CZP approval letter does not include the installation of the above ground storage tank facility at any commercial developments within the site. Prior to construction of the AST

Facility, a modification to this CZP must be submitted and received approval from the executive director.

VI. The proposed project will include a construction of a no-discharge wastewater treatment facility. This approval letter is being issued for regulated activities (as defined in Chapter 213) and for best management practices presented in the application. This approval does not constitute a wastewater permit or authorization from the TCEQ Wastewater Program. If wastewater is to be discharges in the contributing zone, requirements under 30 TAC 213. 6(c) (relating to Wastewater Treatment and Disposal Systems) must be satisfied.

VII. Since the project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.24(5).

Standard Conditions

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

Prior to Commencement of Construction:

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

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

During Construction:

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

After Completion of Construction:

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

through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

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

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Yuliya Dunaway of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-490-3096.

Sincerely,

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

LB/YD/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Tom Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2015

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located on the northwest corner of U.S. Highway 281 and SH 46; Bulverde, Texas

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

Regulated Entity No.: RN106090962; Investigation No.: 1203582; Additional ID No.: 13-14101601

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineers, LLC on behalf of SH-DJL Development, LLC on October 16, 2014. Final review of the CZP was completed after additional material was received on December 12, 2014 and December 22, 2014, and January 12, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately 90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain

undisturbed. Two sedimentation/filtration basins were constructed to provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

PROJECT DESCRIPTION

The proposed mixed use, phased development will have an area of approximately 253.8 acres. The phase 1 impervious cover will be slightly reduced from 66.1 acres to 65.68 acres. Phase 2 activities will include 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover will be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements will also occur. Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two sedimentation/sand filtration basins, 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. Two existing sedimentation/sand filtration basins will continue to provide treatment for the phase 1 development. The required total suspended solids (TSS) treatment for this project is 112,857 pounds of TSS generated from the 130.45 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of two new partial sedimentation/filtration basins and two existing partial sedimentation/filtration basins. All four basins will be concrete lined with a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

Basin #1 will be designed with a water quality volume of 289,408 cubic feet (282,530 cubic feet required), and a sand filter area of 35,952 square feet (23,544 square feet required). This basin is designed to remove 50,890 pounds of TSS (50,212 pounds required).

Basin #2 will be designed with a water quality volume of 35,508 cubic feet (33,566 cubic feet required), and a sand filter area of 5,792 square feet (2,797 square feet required). This basin is designed to remove 5,115 pounds of TSS (4,983 pounds required).

Basin #3 will be designed with a water quality volume of 309,104 cubic feet (289,672 cubic feet required), and a sand filter area of 41,214 square feet (24,071 square feet required). This basin is designed to remove 33,525 pounds of TSS (29,083 pounds required).

Basin #4 will be designed with a water quality volume of 214,992 cubic feet (197,320 cubic feet required), and a sand filter area of 26,874 square feet (16,392 square feet required). This basin is designed to remove 24,200 pounds of TSS (21,749 pounds required).

*Basins 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover (2,163 pounds of TSS) within the phase 1 development.

*Basins 3 and 4 have been oversized to account for 5.199 acres of uncaptured impervious cover (4,667 pounds of TSS) within the phase 2 development

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012.

III. All permanent pollution abatement measures shall be operational prior to first occupancy of any structure within each drainage area.

IV. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

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

control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

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

After Completion of Construction:

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

submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.

17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4035.

Sincerely,

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

LB/AG/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 30, 2017

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located approximately 1400 feet west of the US Highway 281 and Harmony Hills intersection; Bulverde, Texas

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

Regulated Entity No.: RN106090962; Additional ID No.: 13000394

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineers, LLC on behalf of SH-DJL Development, LLC on April 26, 2017. Final review of the CZP was completed after additional material was received on June 16, 2017. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately 90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain undisturbed. Two sedimentation/filtration basins were constructed to

provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

A CZP modification was approved by letter dated January 13, 2015 and it proposed to construct a mixed use, phased development on an area of approximately 253.8 acres. The Phase 1 impervious cover will be slightly reduced from 66.1 acres to 65.68 acres. Phase 2 activities will include 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover was approved to be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements was also approved with the modification. Project wastewater was to be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

The second modification was approved on December 30, 2015 to construct nine aboveground storage tanks with a total volume of 3,900 gallons located at the Jiffy Lube retail store. The tanks were to be located within a containment area with greater than 150 percent of the total storage capacity of the tank system.

PROJECT DESCRIPTION

The proposed CZP modification covers the Phase 2 mixed use development and will have an area of approximately 136.73 acres. The Phase 1 impervious cover will remain unchanged. Phase 2 activities will include increasing the single-family residential lot total from 318 to 352 single-family residential lots, the construction of a multi-family development, two commercial/office lots, and an entertainment/movie theatre development. Additionally, sedimentation/filtration Basin #3 will be expanded. The total onsite impervious cover will be 67.46 acres (49 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

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, four existing sedimentation/sand filtration basins, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will be utilized to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 58,938 pounds of TSS generated from 67.46 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of the existing four water quality basins that will be concrete lined, a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

The individual treatment measures are described below.

Table 1: BMP Summary

Drainage Area	Total On-Site Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. Water Quality Volume (ft^3)	Design Water Quality Volume (ft^3)	Req. Sand Filter Area (ft^2)	Design Sand Filter Area (ft^2)	Req. TSS Removal (lbs.)	Design TSS Removal (lbs.)
Basin 1	68.59	56.49	1.79	282,530	289,408	23,544	35,952	50,212	50,890
Basin 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115
Basin 3	58.31*	37.14	1.40	319,174	329,712	26,596	41,214	32,078	36,525

Basin 4	46.34	24.82	0.40	213,608	214,992	17,801	26,874	21,919	24,500

* Includes 0.09 acres of offsite drainage area.

**Basin 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover within the Phase 1 development. There are 39.76 undisturbed acres remaining.

***Basin 3 and 4 have been oversized to account for 5.502 acres of uncaptured impervious cover within the Phase 2 development. There are 20.08 undisturbed acres remaining.

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012, and January 13, 2015.

III. The permanent pollution abatement measures shall be operational prior to first occupancy or use of a facility within the measure's respective drainage area.

IV. All sediment and/or media removed from the water quality basins during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

4. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.
5. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
6. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity,

the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.

7. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

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

After Completion of Construction:

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

must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

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

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Ms. Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4012.

Sincerely,

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

LB/MR/eg

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

cc: Ms. Ana-Maria E. Morales, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
Mr. H.L. Saur, Comal Trinity Groundwater Conservation District

ATTACHMENT B

NARRATIVE OF PROPOSED MODIFICATION

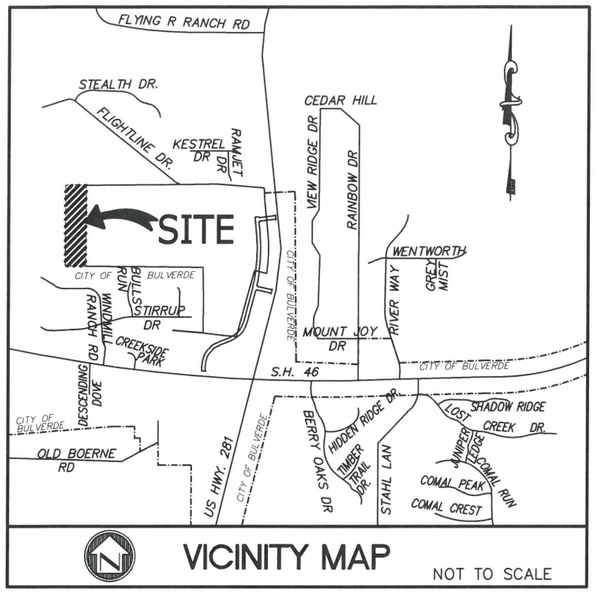
This WPAP Modification is in regards to the addition of residential lots and associated Right-Of-Way improvements in Unit 5 of the Singing Hills Subdivision. This modification addresses the need for an additional BMP, as well as verifying the existing BMPs will remain in compliance with TCEQ rules & regulations.

A Contributing Zone Plan (CZP) for the site was approved on November 2, 2012 for the installation of 66.1 acres of impervious cover (64.2 ac on-site & 1.9 ac off-site) associated with the 253.8 acre tract. As part of this approval, two (2) partial sedimentation filtration basins were constructed to treat stormwater runoff. The required TSS treatment for this project was 55,379 lbs of TSS. The Design TSS Removal for the two basins was 55,510 lbs, 131 lbs/yr above minimum requirements.

CZP Modification #1 for the site was approved on January 13, 2015. The modification decreased the Phase 1 impervious cover from 66.1 acres to 65.68 acres. It also included the installation of 130.45 acres of impervious cover (128.83 ac on-site & 1.62 ac off-site) & two (2) additional partial sedimentation filtration basins to treat the increase in stormwater runoff. The required TSS treatment for this project was 112,857 lbs of TSS. The Design TSS Removal for all four basins was 113,730 lbs, 873 lbs/yr above minimum requirements.

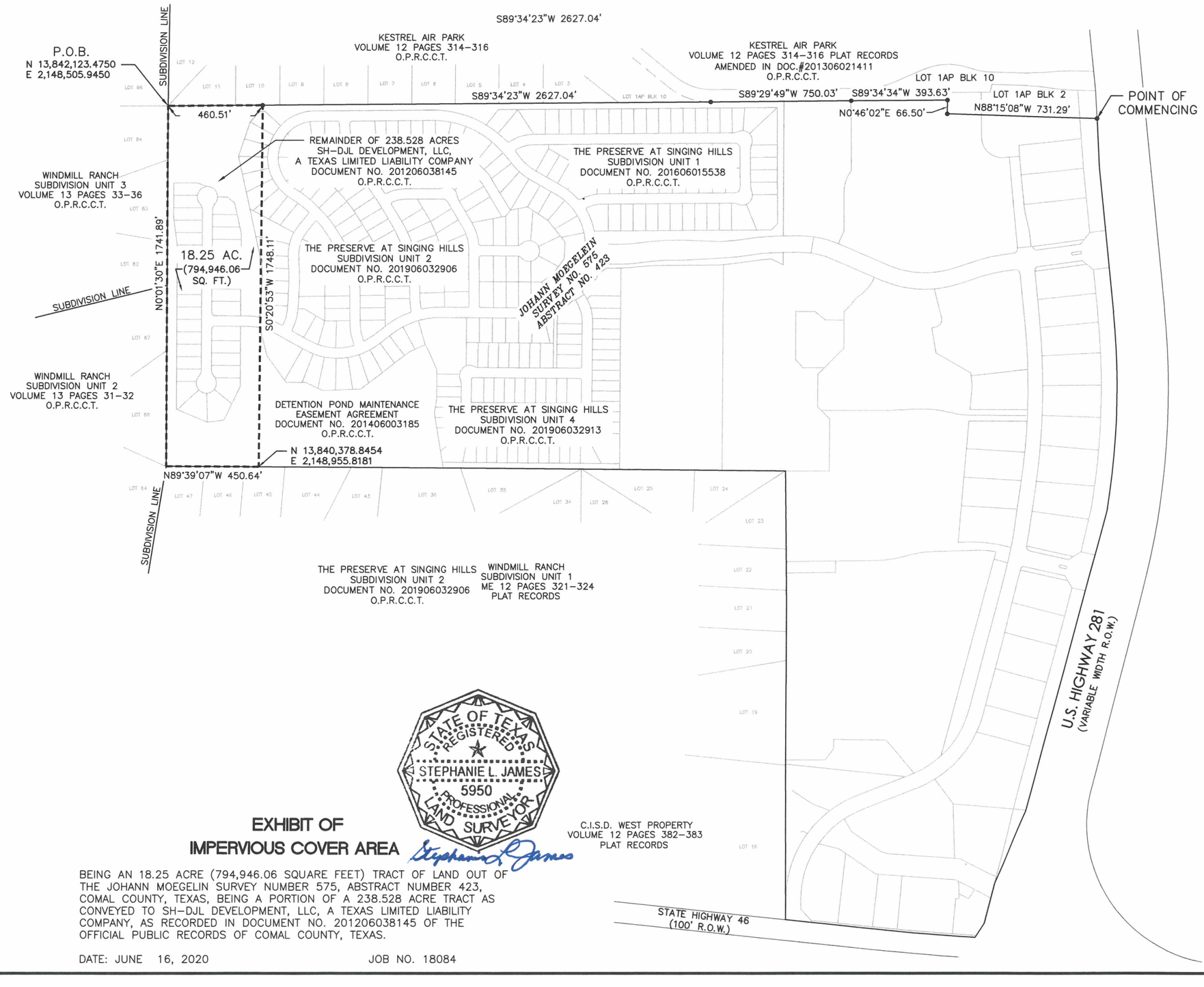
CZP Modification #2 for the site was approved on June 30, 2017. The modification covered a Phase 2 area of 136.73 acres & included, among other things, increasing the number of residential lots from 318 to 352 and expanding Basin #3. The required TSS treatment for this project is 116,022 lbs of TSS. The Design TSS Removal for all four basins is 117,030 lbs. This is an extra 1,008 lbs/yr of TSS removed by the Basins.

The proposed modifications to the CZP are as follows:
Unit 5 is expanding north and south by adding 13 residential lots and associated Right-Of-Way improvements. An additional five (5) residential lots will be constructed at the NW end of Unit 5. The associated impervious cover will drain to Basin #4. An additional five (5) residential lots will be constructed at the NE end of Unit 5. The associated impervious cover bypasses treatment, however treatment will be provided at Basin #4 to compensate for the bypassed stormwater. The remaining new three (3) residential lots are at the SW end of Unit 5. Previously, the fifteen (15) residential lots in this area bypassed treatment and were accounted for via excess treatment in Basin #4. In the proposed layout, eleven (11) of the lots will drain to the proposed Jellyfish Filter associated with this Modification Application. The remaining seven (7) lots will continue to bypass treatment and be accounted for via excess treatment in Basin #4. For additional information regarding the proposed Jellyfish Filter, see Attachment K – BMPs for On-Site Water in Section III (Contributing Zone Plan Application) of this report.



GENERAL NOTES:

1) BASIS OF BEARINGS AND COORDINATES CITED WERE ESTABLISHED FROM THE STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, TEXAS SOUTH CENTRAL ZONE.



SCALE: 1"=500'

0 500 1000

O.P.R.C.C.T.	OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS
P.O.B.	POINT OF BEGINNIG
R.O.W.	RIGHT OF WAY

STATE OF TEXAS
REGISTERED
STEPHANIE L. JAMES
5950
PROFESSIONAL
LAND SURVEYOR

EXHIBIT OF
IMPERVIOUS COVER AREA

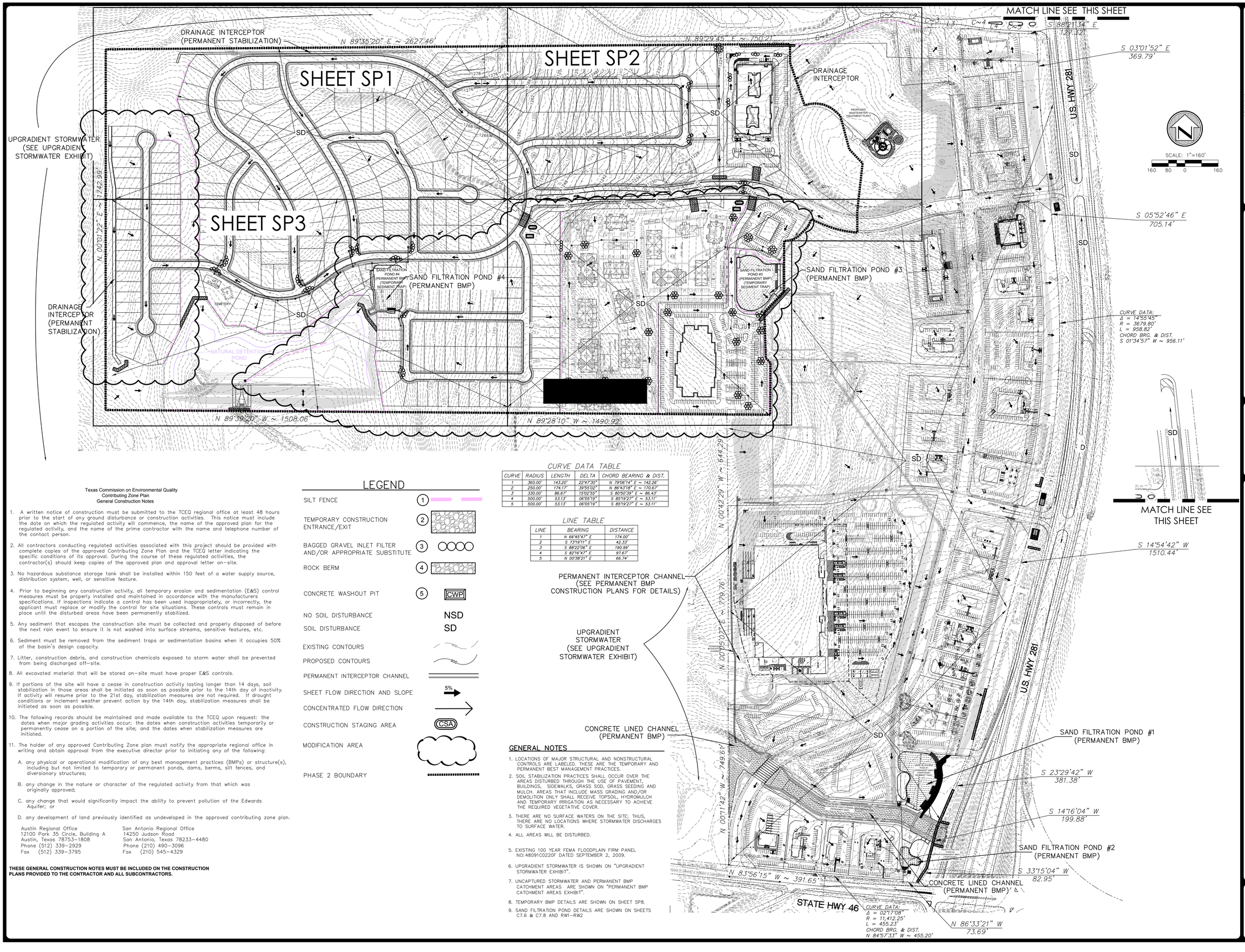
BEING AN 18.25 ACRE (794,946.06 SQUARE FEET) TRACT OF LAND OUT OF THE JOHANN MOEGELIN SURVEY NUMBER 575, ABSTRACT NUMBER 423, COMAL COUNTY, TEXAS, BEING A PORTION OF A 238.528 ACRE TRACT AS CONVEYED TO SH–DJL DEVELOPMENT, LLC, A TEXAS LIMITED LIABILITY COMPANY, AS RECORDED IN DOCUMENT NO. 201206038145 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

DATE: JUNE 16, 2020 JOB NO. 18084

MTR
· Engineers
· Surveyors
· Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS ENGINEERING F–5297/SURVEYING NO. 10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698–5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698–5085

V:\18084 Singing Hills Unit 5\drawings\18084-IMPERVIOUS COVER AREA.dwg 2020/06/22 8:45am sjames

Attachment C:
Current Site Plan of the Approved Project



Texas Commission on Environmental Quality
Contributing Zone Plan
General Construction Notes

1. A written notice of construction must be submitted to the TCEQ regional office at least 48 hours prior to the start of any ground disturbance or construction activities. This notice 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 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 hazardous substance storage tank shall be installed within 150 feet of a water supply source, distribution system, well, or sensitive feature.
4. Prior to beginning any construction activity, all temporary erosion and sedimentation (E&S) control measures must be properly installed and maintained in accordance with the manufacturers specifications. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. These controls must remain in place until the disturbed areas have been permanently stabilized.
5. Any sediment that escapes the construction site must be collected and properly disposed of before the next rain event to ensure it is not washed into surface streams, sensitive features, etc.
6. Sediment must be removed from the sediment traps or sedimentation basins when it occupies 50% of the basin's design capacity.
7. Litter, construction debris, and construction chemicals exposed to storm water shall be prevented from being discharged off-site.
8. All excavated material that will be stored on-site must have proper E&S controls.
9. If portions of the site will have a cease in construction activity lasting longer than 14 days, soil stabilization in those areas shall be initiated as soon as possible prior to the 14th day of inactivity. If activity will resume prior to the 21st day, stabilization measures are not required. If drought conditions or inclement weather prevent action by the 14th day, stabilization measures shall be initiated as soon as possible.
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 (BMPs) 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; or
    D. any development of land previously identified as undeveloped in the approved contributing zone plan.

Austin Regional Office
12100 Park 35 Circle, Building A
Austin, Texas 78753-1808
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

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

LEGEND

SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 (CWP)
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	900
PROPOSED CONTOURS	900
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
PHASE 2 BOUNDARY	

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	360.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 66°45'47" E	174.00'
2	S 73°19'11" E	42.33'
3	S 88°22'06" E	190.99'
4	S 82°16'47" E	97.67'
5	N 00°38'21" E	66.74'

GENERAL NOTES

1. LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY AND PERMANENT BEST MANAGEMENT PRACTICES.
2. SOIL STABILIZATION PRACTICES SHALL OCCUR OVER THE AREAS DISTURBED THROUGH THE USE OF PAVEMENT, BUILDINGS, SIDEWALKS, GRASS SOD, GRASS SEEDING AND MULCH. AREAS THAT INCLUDE MASS GRADING AND/OR DEMOLITION ONLY SHALL RECEIVE TOPSOIL, HYDROMULCH AND TEMPORARY IRRIGATION AS NECESSARY TO ACHIEVE THE REQUIRED VEGETATIVE COVER.
3. THERE ARE NO SURFACE WATERS ON THE SITE; THUS, THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.
4. ALL AREAS WILL BE DISTURBED.
5. EXISTING 100 YEAR FEMA FLOODPLAIN FIRM PANEL NO: 48091C0220F DATED SEPTEMBER 2, 2009.
6. UPGRADIENT STORMWATER IS SHOWN ON "UPGRADIENT STORMWATER EXHIBIT".
7. UNCAPTURED STORMWATER AND PERMANENT BMP CATCHMENT AREAS ARE SHOWN ON "PERMANENT BMP CATCHMENT AREAS EXHIBIT".
8. TEMPORARY BMP DETAILS ARE SHOWN ON SHEET SP8.
9. SAND FILTRATION POND DETAILS ARE SHOWN ON SHEETS C7.6 & C7.8 AND RW1-RW2

REVISIONS							
NO.	DATE	DESCRIPTION	BY				
PROJ. #	DGN. BY:	D.A.M.	DWN. BY:	J.U.	CHKD. BY:	D.A.M.	DATE:
12001							8/21/12

MTR
• Engineers
• Surveyors
• Planners
May Tarin Ramirez Engineers, LLC
FIRM REG. NO. F-2251
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
PH: (210) 698-5051
FAX: (210) 698-5085

4/25/17
STATE OF TEXAS
PAUL LANDA, JR
100182
LICENSED PROFESSIONAL ENGINEER

SINGING HILLS

OVERALL CZP SITE PLAN

SHEET
SP0

III. CONTRIBUTING ZONE PLAN APPLICATION

Contributing Zone Plan Application

Texas Commission on Environmental Quality

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

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

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

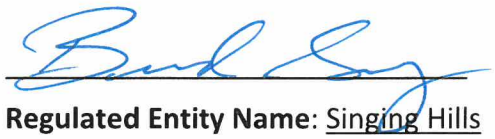
Signature

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

Print Name of Customer/Agent: Brad Seay, PE

Date: 6-15-2020

Signature of Customer/Agent:



Regulated Entity Name: Singing Hills

Project Information

1. County: Comal
2. Stream Basin: Lewis Creek
3. Groundwater Conservation District (if applicable): Comal Trinity GCD
4. Customer (Applicant):

   Contact Person: David Keith
   Entity: SH-DJL Development, LLC
   Mailing Address: 18615 Tuscany Stone, Suite 200
   City, State: San Antonio, Texas Zip: 78258-3502
   Telephone: (210) 614-7051 Fax: (210) 614-8276
   Email Address: DaveK@mcmi-sa.com

5. Agent/Representative (If any):

Contact Person: Brad Seay, P.E.
Entity: Moy Tarin Ramirez Engineers, LLC
Mailing Address: 12770 Cimarron Path, Suite 100
City, State: San Antonio, Texas Zip: 78249-3415
Telephone: (210) 698-5051 Fax: (210) 698-5085
Email Address: bseay@mtrengineers.com

6. Project Location:

☒ The project site is located inside the city limits of Bulverde.
☒ The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of The City of Bulverde.
☐ The project site is not located within any city's limits or ETJ.

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

1,400 feet west of the intersection of U.S. Hwy. 281 and Harmony Hills.

8. ☒ **Attachment A - Road Map**. A road map showing directions to and the location of the project site is attached. The map clearly shows the boundary of the project site.

9. ☒ **Attachment B - USGS Quadrangle Map**. A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') is attached. The map(s) clearly show:

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

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

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

11. Existing project site conditions are noted below:

☒ Existing commercial site
☐ Existing industrial site
☒ Existing residential site

☒ Existing paved and/or unpaved roads
☒ Undeveloped (Cleared)
☐ Undeveloped (Undisturbed/Not cleared)
☐ Other: _____

12. The type of project is:

☒ Residential: # of Lots: 331
☒ Residential: # of Living Unit Equivalents: 350 (Multi-Family)
☒ Commercial
☐ Industrial
☒ Other: Mixed Use Development, Office, Wastewater Treatment Plant

13. Total project area (size of site): 253.8 acres (Project site = 18.25 ac) Acres

    Total disturbed area: 18.25 Acres

14. Estimated projected population: 3,975

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

Table 1 - Impervious Cover

Impervious Cover of Proposed Project	*Sq. Ft.*	*Sq. Ft./Acre*	*Acres*
Structures/Rooftops	188,150	÷ 43,560 =	4.32
Parking	0	÷ 43,560 =	0
Other paved surfaces	70,185	÷ 43,560 =	1.61
Total Impervious Cover	258,335	÷ 43,560 =	5.93

Total Impervious Cover 5.93 **÷ Total Acreage** 18.25 **X 100 =** 32.49**% Impervious Cover**

16. ☒ **Attachment D - Factors Affecting Surface Water Quality**. A detailed description of all factors that could affect surface water quality is attached. If applicable, this includes the location and description of any discharge associated with industrial activity other than construction.

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

For Road Projects Only

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

☒ N/A

18. Type of project:

- ☐ TXDOT road project.
- ☐ County road or roads built to county specifications.
- ☐ City thoroughfare or roads to be dedicated to a municipality.
- ☐ Street or road providing access to private driveways.

19. Type of pavement or road surface to be used:

- ☐ Concrete
- ☐ Asphaltic concrete pavement
- ☐ Other: _____

20. Right of Way (R.O.W.):

Length of R.O.W.: _____ feet.
Width of R.O.W.: _____ feet.
L x W = _____Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

21. Pavement Area:

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.

22. ☐ A rest stop will be included in this project.

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

23. ☐ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

Stormwater to be generated by the Proposed Project

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

Wastewater to be generated by the Proposed Project

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

☐ N/A

26. Wastewater will be disposed of by:

☐ On-Site Sewage Facility (OSSF/Septic Tank):

☐ **Attachment F - Suitability Letter from Authorized Agent**. An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.

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

☒ Sewage Collection System (Sewer Lines):

The sewage collection system will convey the wastewater to the Singing Hills Wastewater (name) Treatment Plant. The treatment facility is:

☒ Existing.
☐ Proposed.

☐ N/A

Permanent Aboveground Storage Tanks(ASTs) ≥ 500 Gallons

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

☒N/A

27. Tanks and substance stored:

Table 2 - Tanks and Substance Storage

AST Number	*Size (Gallons)*	*Substance to be Stored*	*Tank Material*
1			
2			
3			
4			
5			

Total x 1.5 = _____ Gallons

28. ☐ The AST will be placed within a containment structure that is sized to capture one and one-half (1 1/2) times the storage capacity of the system. For facilities with more than

one tank system, the containment structure is sized to capture one and one-half (1 1/2) times the cumulative storage capacity of all systems.

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

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

Table 3 - Secondary Containment

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

Total: _____ Gallons

30. Piping:

☐ All piping, hoses, and dispensers will be located inside the containment structure.
☐ Some of the piping to dispensers or equipment will extend outside the containment structure.
☐ The piping will be aboveground
☐ The piping will be underground

31. ☐ The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of: _____.

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

☐ Interior dimensions (length, width, depth and wall and floor thickness).
☐ Internal drainage to a point convenient for the collection of any spillage.
☐ Tanks clearly labeled
☐ Piping clearly labeled
☐ Dispenser clearly labeled

33. ☐ Any spills must be directed to a point convenient for collection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.

☐ In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.

☐ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

Site Plan Requirements

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

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

    Site Plan Scale: 1" = 60'.

35. 100-year floodplain boundaries:

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

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

    The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s): FEMA Map Number 48091C0220F, dated September 2, 2009.

36. ☒ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

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

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

38. ☒ The drainage patterns and approximate slopes anticipated after major grading activities.

39. ☒ Areas of soil disturbance and areas which will not be disturbed.

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

41. ☒ Locations where soil stabilization practices are expected to occur.

42. ☐ Surface waters (including wetlands).

    ☒ N/A

43. ☐ Locations where stormwater discharges to surface water.

    ☒ There will be no discharges to surface water.

44. ☐ Temporary aboveground storage tank facilities.

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

45. ☐ Permanent aboveground storage tank facilities.

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

46. ☒ Legal boundaries of the site are shown.

Permanent Best Management Practices (BMPs)

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

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

☐ N/A

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

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

☐ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is: _____.

☐ N/A

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

☐ N/A

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

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

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

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

51. The executive director may waive the requirement for other permanent BMPs for 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**. The site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is attached.

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

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

52. ☒ **Attachment J - BMPs for Upgradient Stormwater**.

    ☒ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is attached.

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

    ☐ Permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, and an explanation is attached.

53. ☒ **Attachment K - BMPs for On-site Stormwater**.

    ☒ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is attached.

    ☐ Permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, and an explanation is attached.

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

    ☐ N/A

55. ☒ **Attachment M - Construction Plans**. Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer, and are signed, sealed, and dated. Construction plans for the proposed permanent BMPs and measures are

attached and include: Design calculations, TCEQ Construction Notes, all proposed structural plans and specifications, and appropriate details.

☐ N/A

56. ☒ **Attachment N - Inspection, Maintenance, Repair and Retrofit Plan**. A site and BMP specific plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan fulfills all of the following:

☒ Prepared and certified by the engineer designing the permanent BMPs and measures
☒ Signed by the owner or responsible party
☒ Outlines specific procedures for documenting inspections, maintenance, repairs, and, if necessary, retrofit.
☒ Contains a discussion of record keeping procedures

☐ N/A

57. ☐ **Attachment O - Pilot-Scale Field Testing Plan**. Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.

☒ N/A

58. ☒ **Attachment P - Measures for Minimizing Surface Stream Contamination**. A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that result in water quality degradation.

☐ N/A

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

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

60. ☒ A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development,

or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

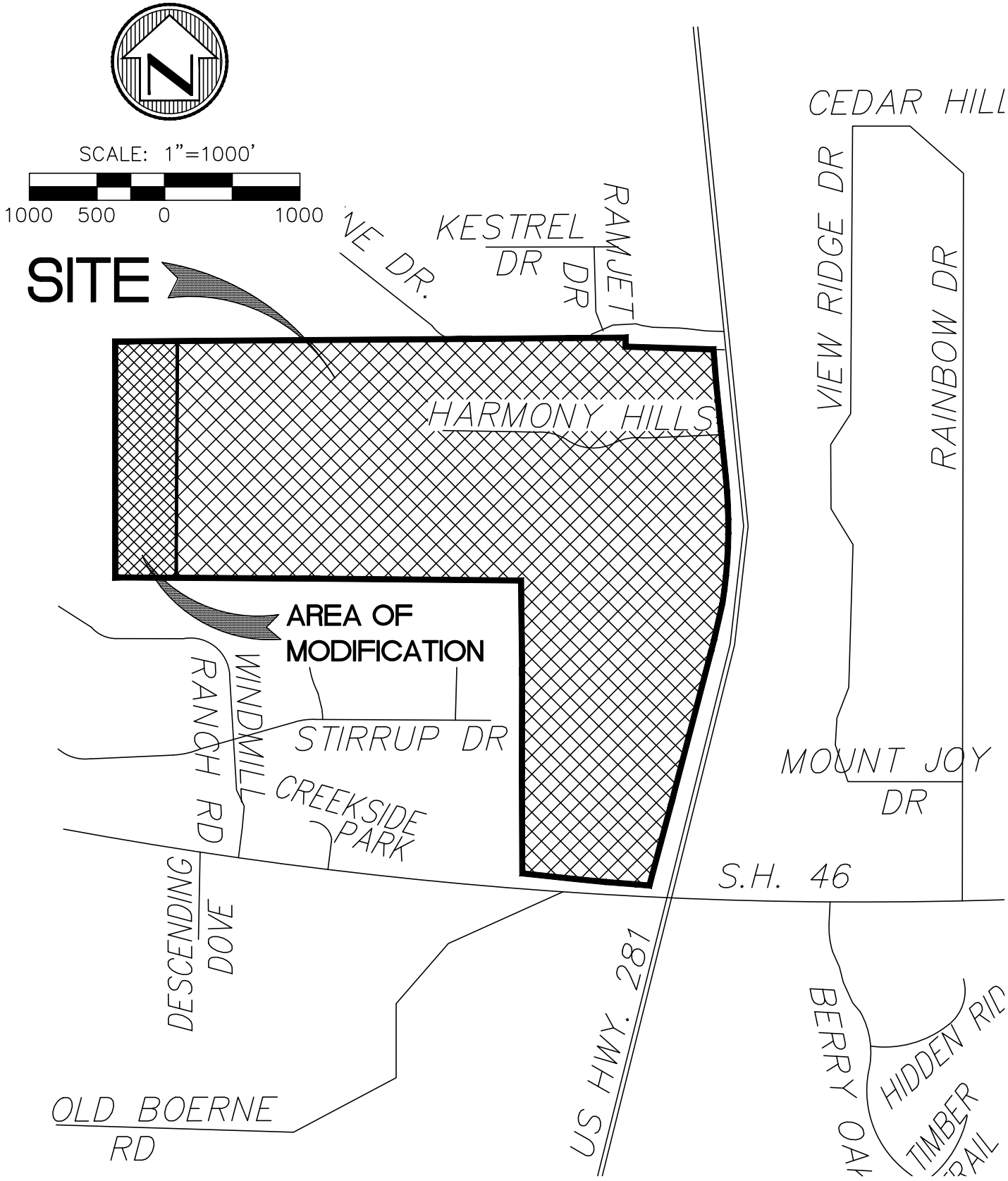
Administrative Information

61. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions.

62. ☒ Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.

63. ☐ The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

☒ The Temporary Stormwater Section (TCEQ-0602) is included with the application.



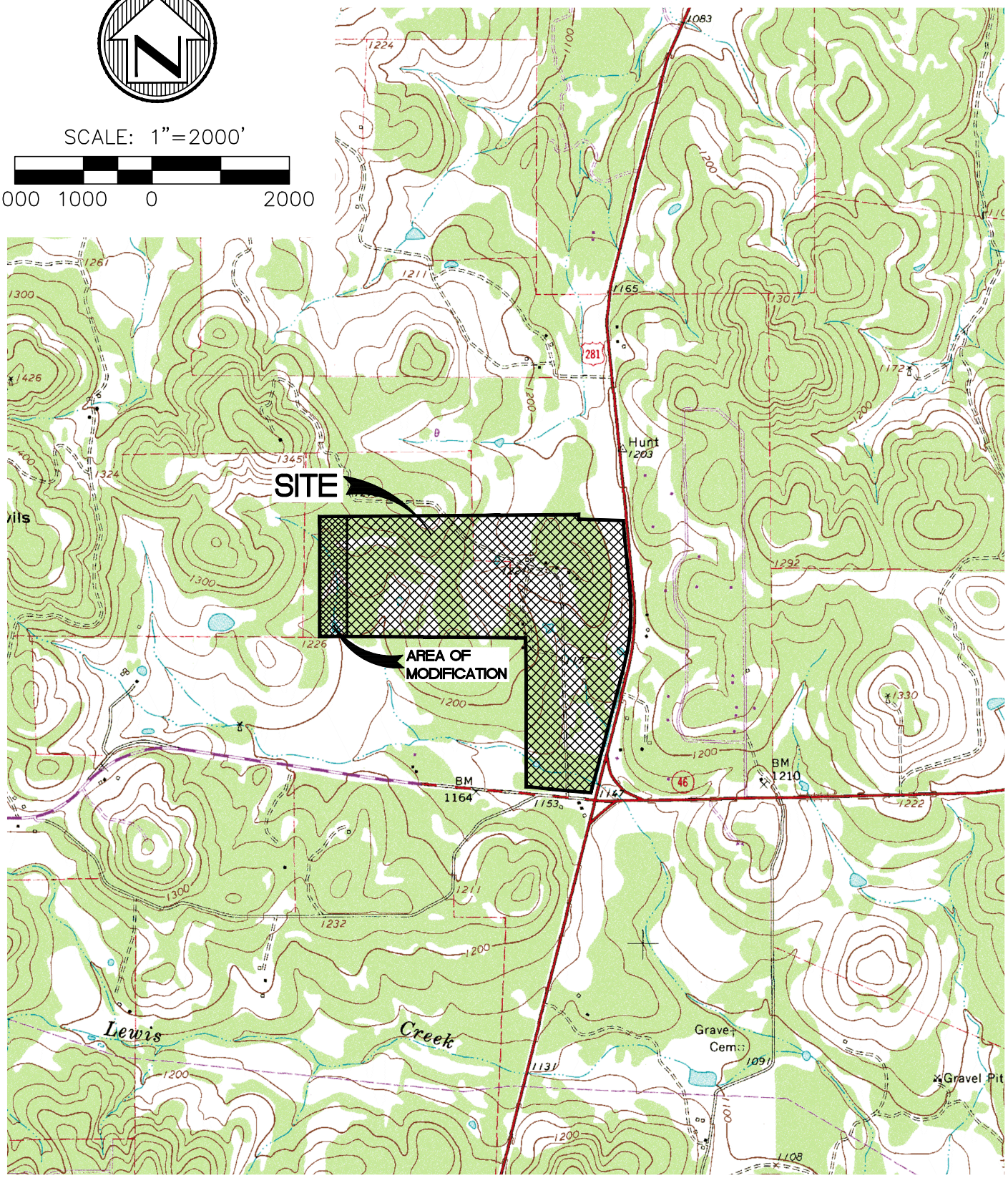
SINGING HILLS
ROAD MAP

ATTACHMENT A

PROJ. #: 18084 **DATE: JUNE 2020**

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS: ENGINEERING F-5297/SURVEYING: F-10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

C:\USERS\BRAD\DESKTOP\TEMP\SINGING HILLS U5\CZP MODIFICATION #3\DWGS\ATTACHMENT A - LOCATION MAP.DWG



SINGING HILLS
USGS QUADRANGLE MAP
(ANHALT QUADRANGLE)

ATTACHMENT B

PROJ. #: 18084 **DATE: JUNE 2020**

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPELS: ENGINEERING F-5297/SURVEYING: F-10131500
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
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ATTACHMENT C

PROJECT NARRATIVE

Singing Hills is an approximate 254 acre mixed use development located on the northwest corner of U.S. Highway 281 and State Highway 46 intersection. The existing site consisted of the remnants of residential homes and related improvements, an abandoned EMS building with parking lot, an abandoned library with parking lot, a detention basin, and undeveloped areas. Approximately 15% of the site is located within the city limits of the City of Bulverde with the remaining 85% being located within Bulverde's Extra Territorial Jurisdiction (ETJ).

The original Contributing Zone Plan (CZP) application for Singing Hills was approved by the Texas Commission on Environmental Quality (TCEQ) on November 2, 2012. That CZP application addressed the onsite and offsite improvements associated with the initial phase of the Singing Hills development which included: approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site; a wastewater treatment plant on the northeast end of the site; a storm water detention pond on the west end of the site; and improvements to U.S. Highway 281 and State Highway 46.

The first CZP Modification was approved January 13, 2015, addressing the construction of two (2) super street U-turns with deceleration lanes on U.S. Highway 281 and the second phase of this development. The second phase of development consisted of 352 single-family residential lots approximately 118 acres, a multi-family development approximately 13 acres and a commercial/office development approximately 5 acres. Permanent water quality treatment for the second phase was to provided by two (2) sand filtration ponds located within the multi-family project site and near the northeast corner of the existing detention basin. The sand filtration ponds were designed in accordance with the TCEQ Technical Guidance Manual to remove at least 80% of the total suspended solids generated by the total increase of impervious cover, including the additional offsite impervious cover.

The second CZP Modification was approved June 30, 2017 and addressed the second phase of the Singing Hills project, which comprises approximately 137 acres. The second phase of the singing Hills development is located within the City of Bulverde's Extraterritorial Jurisdiction (ETJ) and includes approximately 6.5 acres of commercial/office development, 15 acres of a multi-family development, 7 acres of an entertainment/movie theatre development and 108 acres of single-family residential development. The single-family residential development consist of 318 lots in which 211 lots being on 60' lots with 4,000 square feet of impervious cover, 106 lots being on 50' lots with 3,550 square feet of impervious cover and one lot being for the lift station with an approximately 4,000 square feet of impervious cover.

This CZP Modification Application (#3) is in regards to the expansion of Unit 5 north and south by adding 13 residential lots and associated Right-Of-Way improvements. An additional five (5) residential lots will be constructed at the NW end of Unit 5. The associated impervious cover will drain to Basin #4. An additional five (5) residential lots will be constructed at the NE end of Unit 5. The associated impervious cover bypasses treatment, however treatment will be provided at Basin #4 to compensate for the bypassed stormwater. The remaining new three (3) residential lots are at the SW end of Unit 5. Previously, the fifteen (15) residential lots &

associated improvements in this area bypassed treatment and were accounted for via excess treatment in Basin #4. In the proposed layout, eleven (11) of the lots & the Right-Of-Way improvements will drain to the proposed Jellyfish Filter associated with this Modification Application. The remaining seven (7) lots will continue to bypass treatment and be accounted for via excess treatment in Basin #4. For additional information regarding the proposed Jellyfish Filter, see Attachment K – BMPs for On-Site Water in Section III (Contributing Zone Plan Application) of this report. The Project Area associated with this portion of work is 18.25 acres and is delineated on the CZP Site Plan, sheet SP0.

During construction, temporary BMP's will be utilized to control erosion and sediment runoff. Temporary BMP's will consist of silt fences, a rock berm, bagged gravel inlet filters, concrete washout pits and a stabilized construction entrance/exit.

Other notable project characteristics include the following:

- Project Area: **18.25 Acres**
- Offsite and Onsite Bypass Area: **4.912 Acres (previously 5.502 ac.)**
- Total Impervious Cover in Project Area**: 5.93 Acres**
- Impervious Cover in Proposed Jellyfish Catchment Area: **1.47 Acres**
- Impervious Cover in Ex. Basin #4 Catchment Area: **25.56 Acres (previously 24.82 ac.)**
- Net Increase in Impervious Cover: **1.62 acres**
  1.47 ac. + (25.56 ac. – 24.82 ac.) + (5.502 ac. – 4.912 ac.) = 1.62 ac.
- Proposed Site Use: **Mixed Use (Commercial, Entertainment, Multi-family and Single-Family Residential)**
- Site History and Previous Development: **Remnants of residential homes and related improvements, a detention basin and undeveloped areas.**
- Areas to be demolished: **None**

ATTACHMENT D

FACTORS AFFECTING SURFACE WATER QUALITY

The proposed ultimate land use for **Singing Hills, Phase 2** is expected to be approximately 331 single-family residential lots, multi-family development (apartments), entertainment center (movie theatre) and commercial/offices.

Factors impacting surface water quality include: fertilizers, pesticides from landscaping, sediment from soil disturbances, leaf litter from tree removal, small amounts of oil grease from vehicular traffic, and suspended solids from the proposed impervious cover areas. These factors may cause suspended solids to enter into the storm water runoff and subsequently affect the surface water. However, temporary and permanent BMP's consisting of silt fences, rock berms, bagged gravel inlet filters, stabilized construction entrance/exit, and sand filtration ponds have been designed on the basis of the Technical Guidance Manual to treat the required amount of storm water runoff as to not adversely affect water quality entering into any surface water or groundwater.

ATTACHMENT E

VOLUME AND CHARACTER OF STORM WATER

Volume of Storm Water

The proposed detention pond located at the west end of the site is designed to decrease the post development peak runoff rate to a rate that is less than the existing peak runoff rate for the overall development in accordance with Comal County requirements. The detention pond is designed to over detain the runoff from the area draining into the pond to mitigate the increase runoff from the site that discharges at the southeast corner into U.S. 281 right-of-way.

EXISTING CONDITIONS:

Entire Site	**Project Area**
Area: 253.51 ac	Area: 18.25 ac
Runoff Coefficient: 0.50	Runoff Coefficient: 0.50
T_c = 40 min.; I = 4.47 in/hr	T_c = 20 min.; I = 6.39 in/hr
Q_{25} = 566.6 cfs	Q_{25} = 58.3 cfs

PROPOSED CONDITIONS FOR ENTIRE SITE

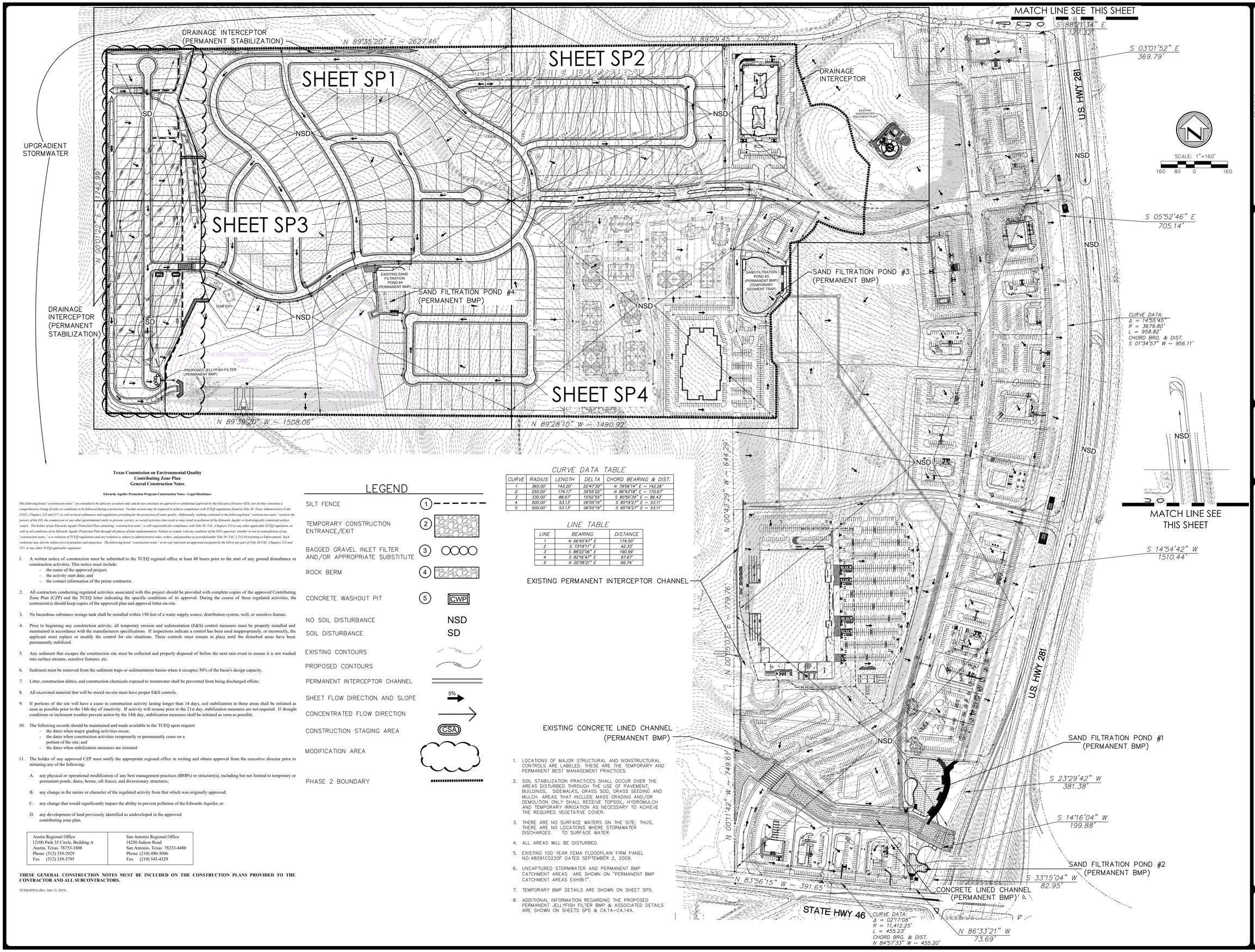
Entire Site	**Project Area**
Area: 253.51 ac	Area: 18.25 ac
Runoff Coefficient: 0.70	Runoff Coefficient: 0.70
T_c = 25 min.; I = 5.70 in/hr	T_c = 18 min.; I = 6.75 in/hr
Q_{25} = 1,011.5 cfs	Q_{25} = 86.2 cfs
Δ = 444.9 cfs	Δ = 27.9 cfs

Character of Storm Water

Storm water runoff generated from the site during construction will be typical of a large scale residential, multi-family and commercial construction projects. The runoff will consist of small amounts of suspended solids created by construction activities which may include sediments from disturbed soils, construction dust, sawdust and hydrocarbons from construction equipment. Temporary BMP's have been designed on the basis of the Technical Guidance Manual to treat the required volume and character of storm water runoff to remove the increased total suspended solids (TSS) due to the proposed construction activities. Permanent stabilization of areas where soil is disturbed by construction activities will be accomplished by installing new vegetation, mulch and impervious cover in those areas as described in the Temporary Storm Water Section.

Storm water runoff generated after construction is complete will be typical of small and large commercial, and single and multi-family developments. The runoff will contain sediments from rooftops, driveways, parking lots, sidewalks, landscape areas, and other miscellaneous impervious areas from the site. The runoff may contain small amounts of oil, grease, suspended solids, fertilizers and pesticides. The post construction runoff for the entire site will be treated through four (4) sand filtration ponds and one (1) Jellyfish Filter designed in accordance with the Technical Guidance Manual to remove 80% of the total increase in TSS caused by the proposed onsite and offsite impervious cover.

CONTRIBUTING ZONE SITE PLAN & DETAILS



Texas Commission on Environmental Quality
Contributing Zone Plan
General Construction Notes

Edwards Aquifer Protection Program Construction Notes - Legal Disclaimer

The following/listed "construction notes" are intended to be advisory in nature only and do not constitute an approval or conditional approval by the Executive Director (ED), nor do they constitute a comprehensive listing of rules or conditions to be followed during construction. Further actions may be required to achieve compliance with TCEQ regulations found in Title 30, Texas Administrative Code (TAC), Chapters 213 and 217, as well as local ordinances and regulations providing for the protection of water quality. Additionally, nothing contained in the following/listed "construction notes" restricts the powers of the ED, the commission or any other governmental entity to prevent, correct, or curtail activities that result or may result in pollution of the Edwards Aquifer or hydrologically connected surface waters. The holder of any Edwards Aquifer Protection Plan containing "construction notes" is still responsible for compliance with Title 30, TAC, Chapters 213 or any other applicable TCEQ regulation, as well as all conditions of an Edwards Aquifer Protection Plan through all phases of plan implementation. Failure to comply with any condition of the ED's approval, whether or not in contradiction of any "construction notes," is a violation of TCEQ regulations and any violation is subject to administrative rules, orders, and penalties as provided under Title 30, TAC § 213.16 (relating to Enforcement). Such violations may also be subject to civil penalties and injunction. The following/listed "construction notes" in no way represent an approved exception by the ED to any part of Title 30 TAC, Chapters 213 and 217, or any other TCEQ applicable regulation

1. A written notice of construction must be submitted to the TCEQ regional office at least 48 hours prior to the start of any ground disturbance or construction activities. This notice must include:
   - the name of the approved project;
   - the activity start date; and
   - the contact information of the prime contractor.
2. All contractors conducting regulated activities associated with this project should be provided with complete copies of the approved Contributing Zone Plan (CZP) 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 hazardous substance storage tank shall be installed within 150 feet of a water supply source, distribution system, well, or sensitive feature.
4. Prior to beginning any construction activity, all temporary erosion and sedimentation (E&S) control measures must be properly installed and maintained in accordance with the manufacturers specifications. If inspections indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations. These controls must remain in place until the disturbed areas have been permanently stabilized.
5. Any sediment that escapes the construction site must be collected and properly disposed of before the next rain event to ensure it is not washed into surface streams, sensitive features, etc.
6. Sediment must be removed from the sediment traps or sedimentation basins when it occupies 50% of the basin's design capacity.
7. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from being discharged offsite.
8. All excavated material that will be stored on-site must have proper E&S controls.
9. If portions of the site will have a cease in construction activity lasting longer than 14 days, soil stabilization in those areas shall be initiated as soon as possible prior to the 14th day of inactivity. If activity will resume prior to the 21st day, stabilization measures are not required. If drought conditions or inclement weather prevent action by the 14th day, stabilization measures shall be initiated as soon as possible.
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 CZP 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 (BMPs) 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; or
    D. any development of land previously identified as undeveloped in the approved contributing zone plan.

Austin Regional Office 12100 Park 35 Circle, Building A Austin, Texas 78753-1808 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

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

TCEQ-0592A (Rev. July 15, 2015)

LEGEND

SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 (CWP)
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	1300
PROPOSED CONTOURS	1200
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
PHASE 2 BOUNDARY	

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	360.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 66°45'47" E	174.00'
2	S 73°19'11" E	42.33'
3	S 88°22'06" E	190.99'
4	S 82°16'47" E	97.67'
5	N 00°38'21" E	66.74'

1. LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY AND PERMANENT BEST MANAGEMENT PRACTICES.
2. SOIL STABILIZATION PRACTICES SHALL OCCUR OVER THE AREAS DISTURBED THROUGH THE USE OF PAVEMENT, BUILDINGS, SIDEWALKS, GRASS SOD, GRASS SEEDING AND MULCH. AREAS THAT INCLUDE MASS GRADING AND/OR DEMOLITION ONLY SHALL RECEIVE TOPSOIL, HYDROMULCH AND TEMPORARY IRRIGATION AS NECESSARY TO ACHIEVE THE REQUIRED VEGETATIVE COVER.
3. THERE ARE NO SURFACE WATERS ON THE SITE; THUS, THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.
4. ALL AREAS WILL BE DISTURBED.
5. EXISTING 100 YEAR FEMA FLOODPLAIN FIRM PANEL NO: 48091C0220F DATED SEPTEMBER 2, 2009.
6. UNCAPTURED STORMWATER AND PERMANENT BMP CATCHMENT AREAS ARE SHOWN ON "PERMANENT BMP CATCHMENT AREAS EXHIBIT".
7. TEMPORARY BMP DETAILS ARE SHOWN ON SHEET SP5.
8. ADDITIONAL INFORMATION REGARDING THE PROPOSED PERMANENT JELLYFISH FILTER BMP & ASSOCIATED DETAILS ARE SHOWN ON SHEETS SP5 & C4.14–C4.14A.

NO.	DATE	DESCRIPTION	BY	PROJ. #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE:
				18084	MBS	GR	MBS	06-2020

REVISIONS

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114549
LICENSED
PROFESSIONAL ENGINEER
6-18-2020

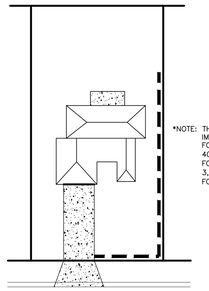
SINGING HILLS

OVERALL CZP SITE PLAN

SHEET
SP0

LEGEND

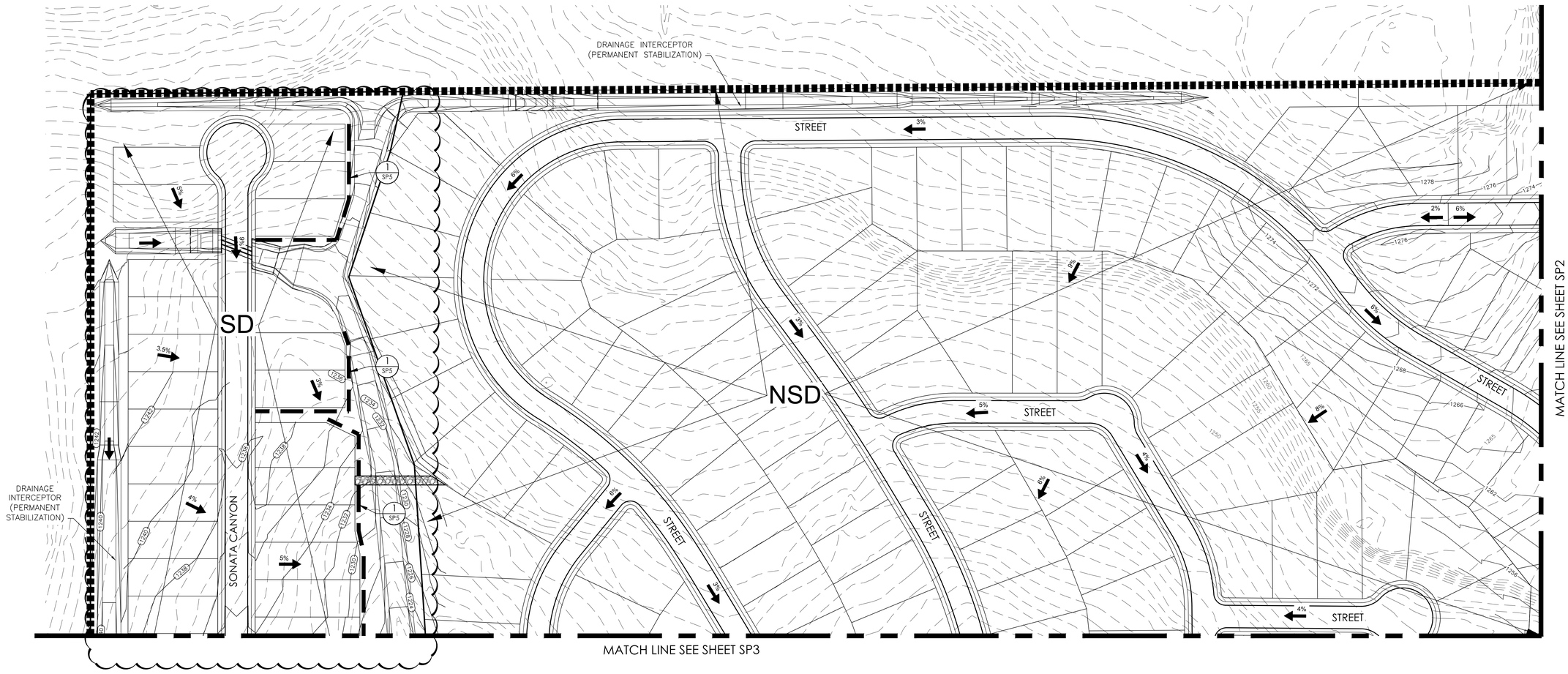
SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 (CWP)
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	900
PROPOSED CONTOURS	900
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
PHASE 2 BOUNDARY	



*NOTE: THE AVERAGE IMPERVIOUS COVER FOR EACH LOT IS 4000 S.F./LOT FOR 60' LOTS. 3,550 S.F./LOT FOR 50' LOTS.

TYPICAL LOT SITE PLAN
N.T.S.

SCALE: 1"=60'
60 30 0 60



REVISIONS

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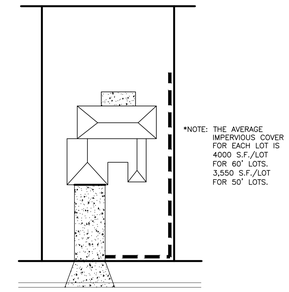
SINGING HILLS

CZP SITE PLAN

SHEET
SP1

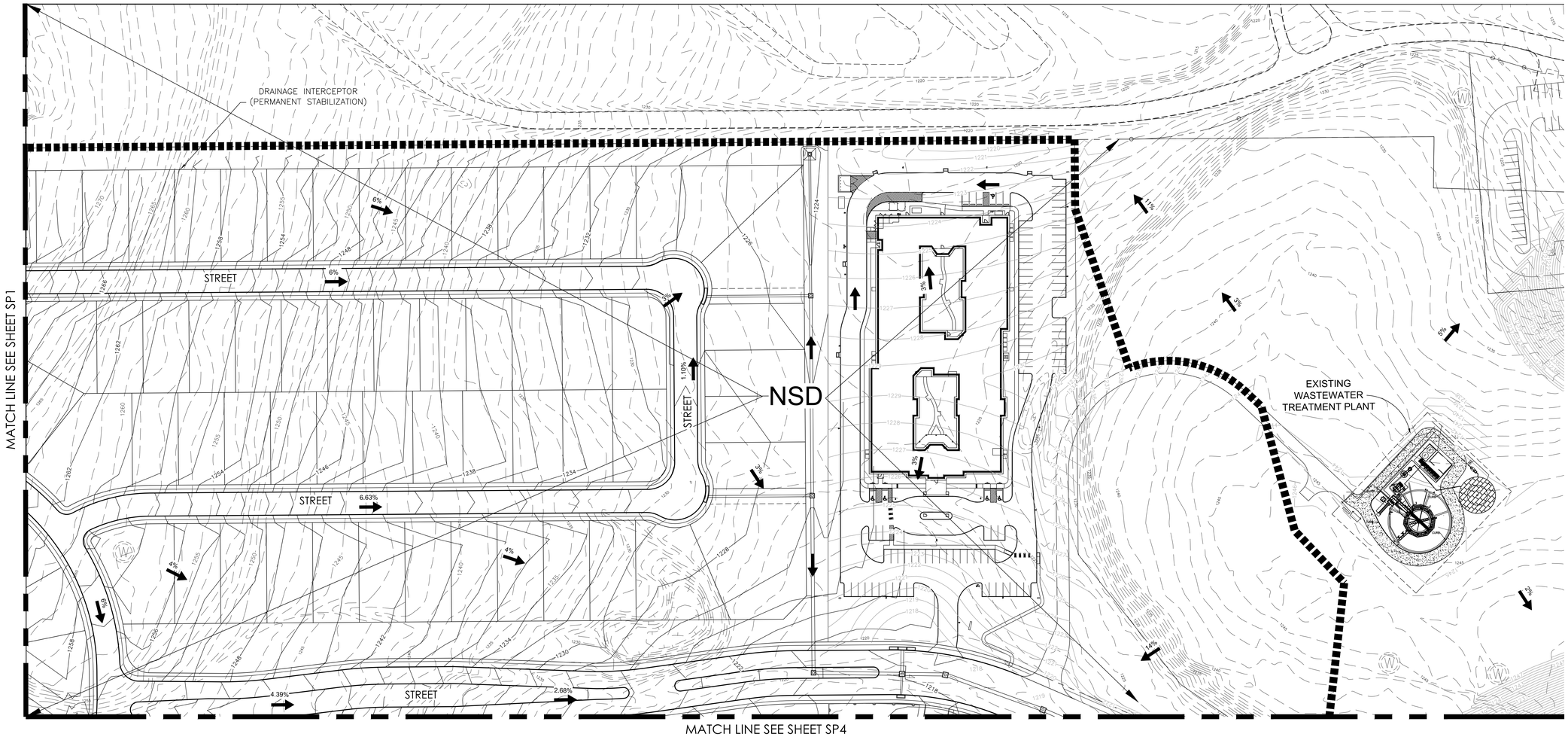


TYPICAL LOT SITE PLAN
N.T.S.

SCALE: 1"=60'
60 30 0 60

LEGEND

SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 (CWP)
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	900
PROPOSED CONTOURS	900
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
PHASE 2 BOUNDARY	



NO.	DATE	DESCRIPTION	BY:

REVISIONS

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18084	M.B.S.	G.R.	M.B.S.	06-2020

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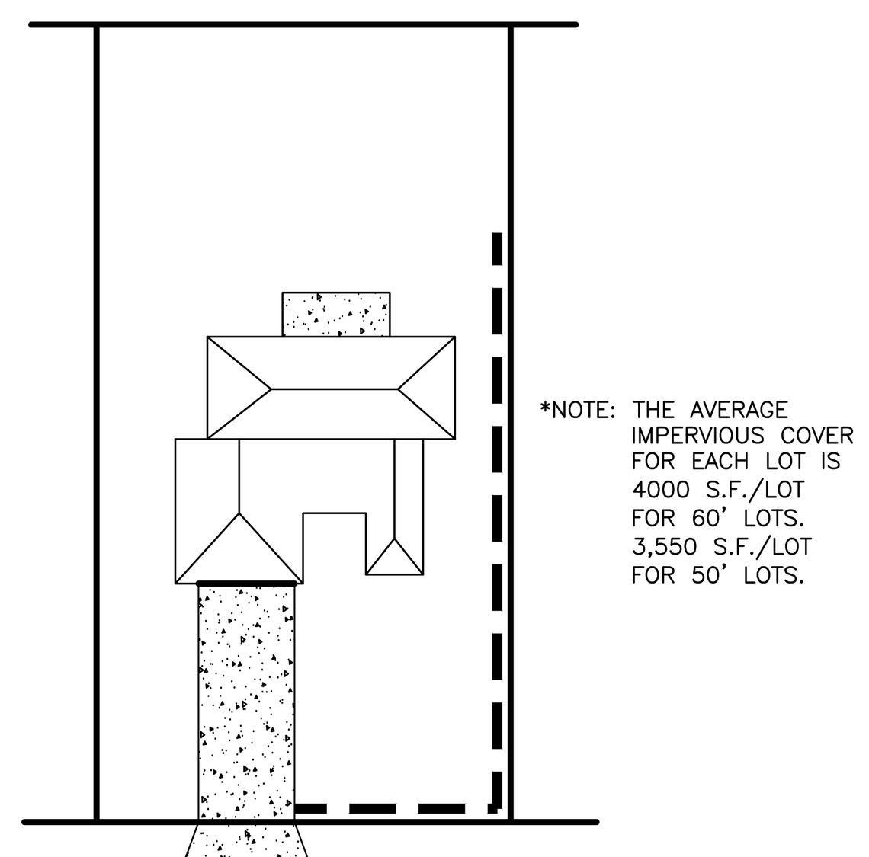
SINGING HILLS

CZP SITE PLAN

SHEET
SP2

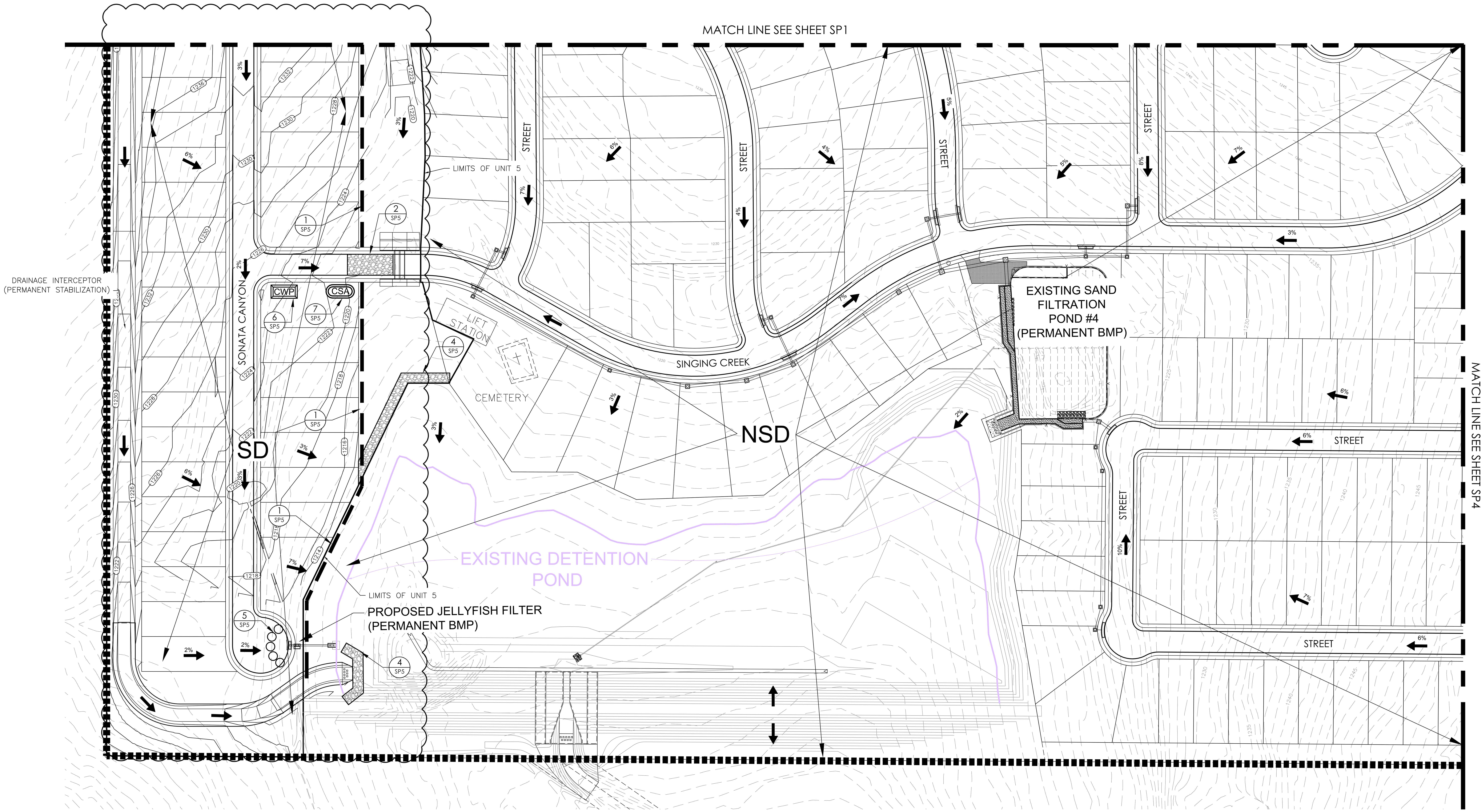


TYPICAL LOT SITE PLAN
N.T.S.

SCALE: 1"=60'
60 30 0 60

LEGEND

SILT FENCE	1	EXISTING CONTOURS	
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2	PROPOSED CONTOURS	
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3	PERMANENT INTERCEPTOR CHANNEL	
ROCK BERM	4	SHEET FLOW DIRECTION AND SLOPE	5%
CONCRETE WASHOUT PIT	5 CWP	CONCENTRATED FLOW DIRECTION	
NO SOIL DISTURBANCE	NSD	CONSTRUCTION STAGING AREA	CSA
SOIL DISTURBANCE	SD	MODIFICATION AREA	
NSD/SD LIMITS		PHASE 2 BOUNDARY	



REVISIONS

NO.	DATE	DESCRIPTION	BY

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18084	M.B.S.	G.R.	M.B.S.	06-2020

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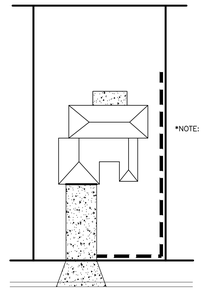
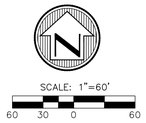
SINGING HILLS
CZP SITE PLAN

SHEET
SP3

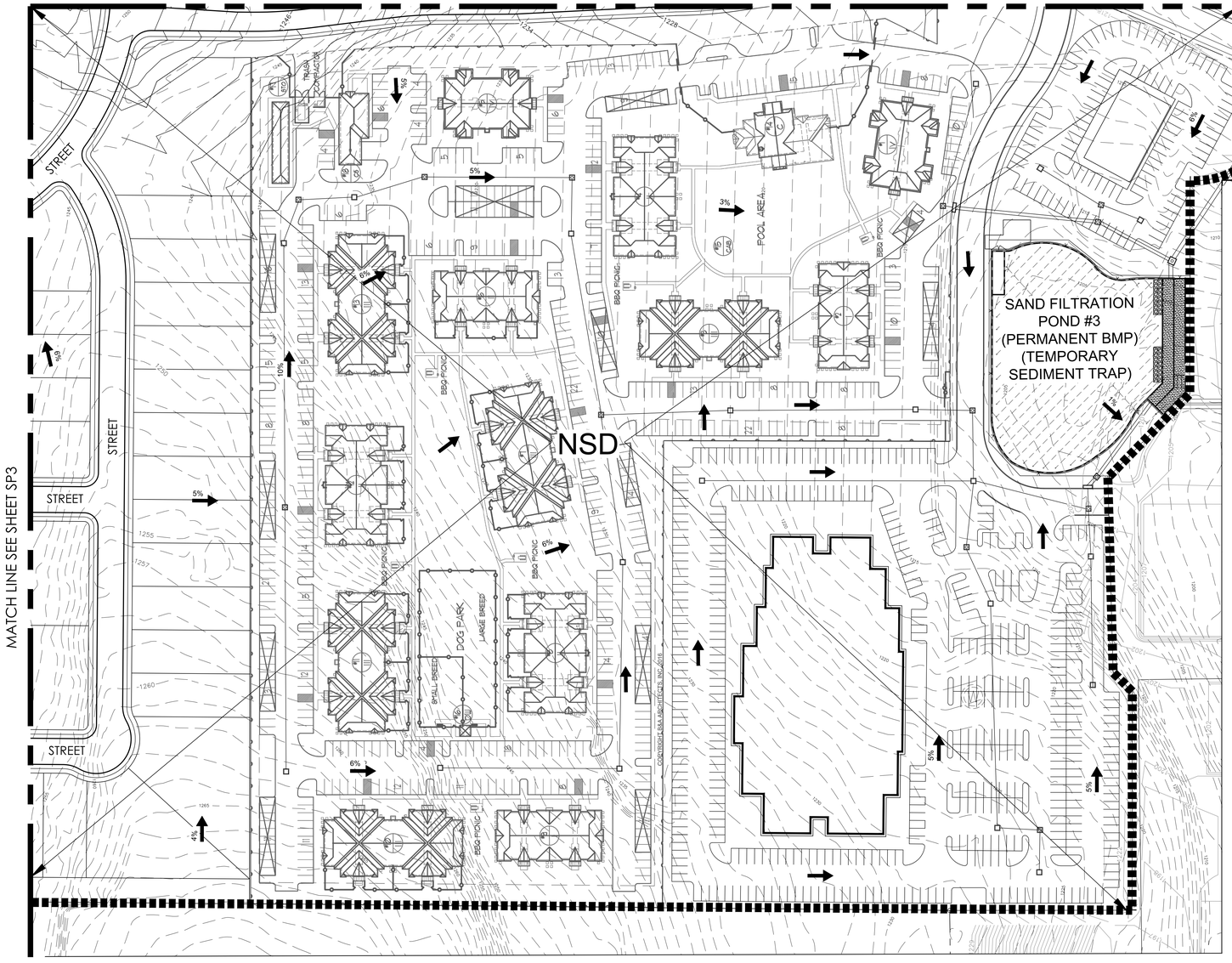


*NOTE: THE AVERAGE IMPERVIOUS COVER FOR EACH LOT IS 4000 S.F./LOT FOR 60' LOTS, 3,550 S.F./LOT FOR 50' LOTS.

TYPICAL LOT SITE PLAN
N.T.S.



MATCH LINE SEE SHEET SP2



LEGEND

SILT FENCE	1
TEMPORARY CONSTRUCTION ENTRANCE/EXIT	2
BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE	3
ROCK BERM	4
CONCRETE WASHOUT PIT	5 (CWP)
NO SOIL DISTURBANCE	NSD
SOIL DISTURBANCE	SD
EXISTING CONTOURS	900
PROPOSED CONTOURS	900
PERMANENT INTERCEPTOR CHANNEL	
SHEET FLOW DIRECTION AND SLOPE	5%
CONCENTRATED FLOW DIRECTION	
CONSTRUCTION STAGING AREA	CSA
MODIFICATION AREA	
PHASE 2 BOUNDARY	

REVISIONS							
NO.	DATE	DESCRIPTION	BY:	CHKD. BY:	M.B.S.	DATE:	06-2020
				DWN. BY:	G.R.		
				DSN. BY:	M.B.S.		
				PROJ. #	18084		

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STATE OF TEXAS
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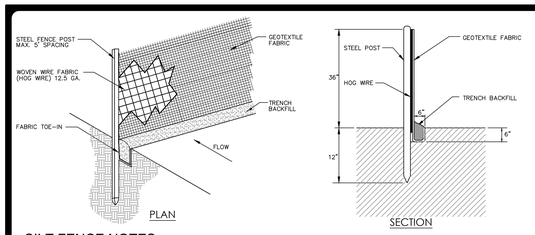
6-18-2020

SINGING HILLS
CZP SITE PLAN

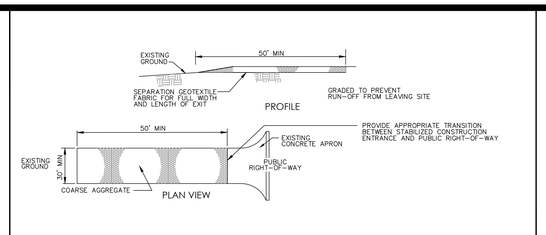
SHEET
SP4



SILT FENCE NOTES

1. SILT FENCE MATERIAL SHOULD BE POLYPROPYLENE, POLYETHYLENE OR POLYAMDE WOVEN OR NONWOVEN FABRIC. THE FABRIC WIDTH SHOULD BE 36 INCHES, WITH A MINIMUM UNIT WEIGHT OF 4.5 OZ/YD, MULLEN BURST STRENGTH EXCEEDING 190 LB/IN 2 , ULTRAVIOLET STABILITY EXCEEDING 70%, AND MINIMUM APPARENT OPENING SIZE OF U.S. SIEVE NO. 30.
2. FENCE POSTS SHOULD BE MADE OF HOT ROLLED STEEL, AT LEAST 4 FEET LONG WITH TEE OR Y-BAR CROSS SECTION, SURFACE PAINTED OR GALVANIZED, MINIMUM NOMINAL WEIGHT 1.25 LB/FT 2 , AND BRINDELL HARDNESS EXCEEDING 140.
3. WOVEN WIRE BACKING TO SUPPORT THE FABRIC SHOULD BE GALVANIZED 2" X 4" WELDED WIRE, 12.5 GAUGE MINIMUM.
4. STEEL POSTS, WHICH SUPPORT THE SILT FENCE, SHOULD BE INSTALLED ON A SLIGHT ANGLE TOWARD THE ANTICIPATED RUNOFF SOURCE. POST MUST BE EMBEDDED A MINIMUM OF 1 FOOT DEEP AND SPACED NOT MORE THAN 5 FEET ON CENTER.
5. LAY OUT FENCING DOWN-SLOPE OF DISTURBED AREA, FOLLOWING THE CONTOUR AS CLOSELY AS POSSIBLE. THE FENCE SHOULD BE SITED SO THAT THE MAXIMUM DRAINAGE AREA IS ¼ ACRE/100 FEET OF FENCE.
6. THE TOE OF THE SILT FENCE SHOULD BE TRENCHED IN WITH A SPADE OR MECHANICAL TRENCHER, SO THAT THE DOWN-SLOPE FACE OF THE TRENCH IS FLAT AND PERPENDICULAR TO THE LINE OF FLOW. WHERE FENCE CANNOT BE TRENCHED IN (E.G., PAVEMENT OR ROCK OUTCROP), WEIGHT FABRIC FLAP WITH 3 INCHES OF PEA GRAVEL ON UPHILL SIDE TO PREVENT FLOW FROM SEEPING UNDER FENCE.
7. 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.
8. SILT FENCE SHOULD BE SECURELY FASTENED TO EACH STEEL SUPPORT POST OR TO WOVEN WIRE, WHICH IS IN TURN ATTACHED TO THE STEEL FENCE POST. THERE SHOULD BE A 3-FOOT OVERLAP, SECURELY FASTENED WHERE ENDS OF FABRIC MEET.
9. SILT FENCE SHOULD BE REMOVED WHEN THE SITE IS COMPLETELY STABILIZED SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
10. REMOVE SEDIMENT WHEN BUILDUP REACHES 6 INCHES, OR INSTALL A SECOND LINE OF FENCING PARALLEL TO THE OLD FENCE.
11. REPLACE ANY TORN FABRIC OR INSTALL A SECOND LINE OF FENCING PARALLEL TO THE TORN SECTION.
12. REPLACE OR REPAIR ANY SECTIONS CRUSHED OR COLLAPSED IN THE COURSE OF CONSTRUCTION ACTIVITY. IF A SECTION OF FENCE IS OBSTRUCTING VEHICULAR ACCESS, CONSIDER RELOCATING IT TO A SPOT WHERE IT WILL PROVIDE EQUAL PROTECTION, BUT WILL NOT OBSTRUCT VEHICLES. A TRIANGULAR FILTER DIKE MAY BE PREFERABLE TO A SILT FENCE AT COMMON VEHICLE ACCESS POINTS.

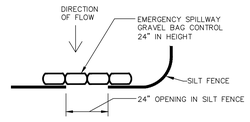
1 — **SILT FENCE DETAIL** — SCALE: NONE



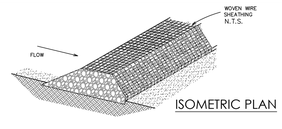
TEMPORARY CONSTRUCTION ENTRANCE/EXIT NOTES

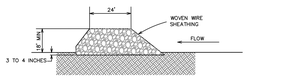
1. THE AGGREGATE SHOULD CONSIST OF 4 TO 8 INCH WASHED STONE OVER A STABLE FOUNDATION.
2. THE AGGREGATE SHOULD BE PLACED WITH A MINIMUM THICKNESS OF 8 INCHES.
3. THE GEOTEXTILE FABRIC SHOULD BE DESIGNED SPECIFICALLY FOR USE AS A SOIL FILTRATION MEDIA WITH AN APPROXIMATE WEIGHT OF 6 OZ/YD 2 , A MULLEN BURST RATING OF 140 LB/IN 2 , AND AN EQUIVALENT OPENING SIZE GREATER THAN A NUMBER 50 SIEVE.
4. AVOID CURVES ON PUBLIC ROADS AND STEEP SLOPES. REMOVE VEGETATION AND OTHER OBJECTIONABLE MATERIAL FROM THE FOUNDATION AREA. GRADE CROWN FOUNDATION FOR POSITIVE DRAINAGE.
5. THE MINIMUM WIDTH OF THE ENTRANCE/EXIT SHOULD BE 12 FEET OR THE FULL WIDTH OF EXIT ROADWAY, WHICHEVER IS GREATER.
6. THE CONSTRUCTION ENTRANCE SHOULD BE AT LEAST 50 FEET LONG.
7. PLACE GEOTEXTILE FABRIC AND GRADE FOUNDATION TO IMPROVE STABILITY, ESPECIALLY WHERE WET CONDITIONS ARE ANTICIPATED.
8. PLACE STONE TO DIMENSIONS AND GRADE SHOWN. LEAVE SURFACE SMOOTH AND SLOPE FOR DRAINAGE.
9. THE ENTRANCE SHOULD BE MAINTAINED IN A CONDITION, WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHTS-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.
10. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ON TO PUBLIC RIGHTS-OF-WAY SHOULD BE REMOVED IMMEDIATELY BY CONTRACTOR.
11. WHEN NECESSARY, WHEELS SHOULD BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.
12. WHEN WASHING IS REQUIRED, IT SHOULD BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.
13. ALL SEDIMENT SHOULD BE PREVENTED FROM ENTERING ANY STORM DRAIN, DITCH OR WATER COURSE.

2 — **STABILIZED CONSTRUCTION ENTRANCE/EXIT** — SCALE: NONE



3 — **PLAN - GRAVEL BAG CONTROL DETAIL** — SCALE: NONE

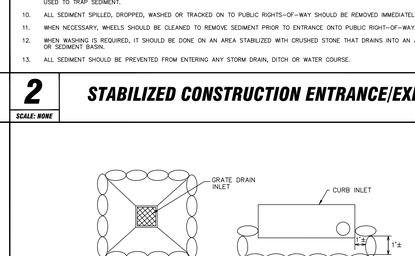




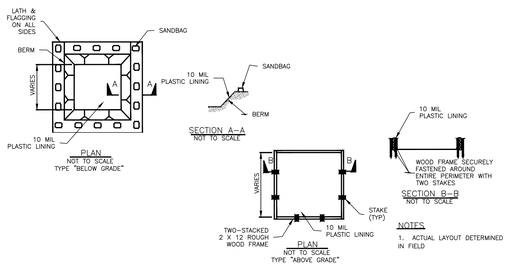
ROCK BERM NOTES

1. THE BERM STRUCTURE SHOULD BE SECURED WITH A WOVEN WIRE SHEATHING HAVING MAXIMUM OPENING OF 1 INCH AND A MINIMUM WIRE DIAMETER OF 20 GAUGE GALVANIZED AND SHOULD BE SECURED WITH SHOAT RINGS.
2. CLEAN, OPEN GRADED 3 TO 5-INCH DIAMETER ROCK SHOULD BE USED, EXCEPT IN AREAS WHERE HIGH VELOCITIES OR LARGE VOLUMES OF FLOW ARE EXPECTED, WHERE 5-TO 8-INCH DIAMETER ROCKS MAY BE USED.
3. LAY OUT THE WOVEN WIRE SHEATHING PERPENDICULAR TO THE FLOW LINE.
4. BERM SHOULD HAVE A TOP WIDTH OF 2 FEET MINIMUM WITH SIDE SLOPES BEING 2:1 (H:V) OR FLATTER.
5. PLACE THE ROCK ALONG THE SHEATHING TO A HEIGHT NOT LESS THAN 18".
6. WRAP THE WIRE SHEATHING AROUND THE ROCK AND SECURE WITH TIE WIRE SO THAT THE ENDS OF THE SHEATHING OVERLAP AT LEAST 2 INCHES, AND THE BERM RETAINS ITS SHAPE WHEN WALKED UPON.
7. BERM SHOULD BE BUILT ALONG THE CONTOUR AT ZERO PERCENT GRADE OR AS NEAR AS POSSIBLE.
8. THE ENDS OF THE BERM SHOULD BE TIED INTO EXISTING UPSLOPE GRADE AND THE BERM SHOULD BE BURIED IN A TRENCH APPROXIMATELY 3 TO 4 INCHES DEEP TO PREVENT FAILURE OF THE CONTROL.
9. INSPECTION SHOULD BE MADE WEEKLY AND AFTER EACH RAINFALL BY THE RESPONSIBLE PARTY. FOR INSTALLATIONS IN STREAMBEDS, ADDITIONAL DAILY INSPECTIONS SHOULD BE MADE. THE BERM SHOULD BE RESHAPED AS NEEDED DURING INSPECTION.
10. REMOVE SEDIMENT AND OTHER DEBRIS WHEN BUILDUP REACHES 6 INCHES AND DISPOSE OF THE ACCUMULATED SILT OF IN AN APPROVED MANNER AND REPAIR ANY LOOSE WIRE SHEATHING.
11. THE BERM SHOULD BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTENDED DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.
12. THE ROCK BERM SHOULD BE LEFT IN PLACE UNTIL ALL UPSTREAM AREAS ARE STABILIZED AND ACCUMULATED SILT REMOVED.

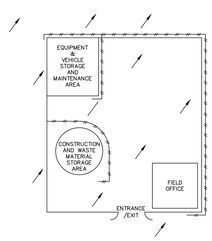
4 — **ROCK BERM** — SCALE: NONE



5 — **BAGGED GRAVEL INLET FILTER** — SCALE: NONE



6 — **CONCRETE TRUCK WASHOUT PIT** — SCALE: NONE



7 — **CONSTRUCTION STAGING AREA** — SCALE: NONE

NO.	DATE	DESCRIPTION	BY:

REVISIONS

PROJ. #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE:
18084	M.B.S.	G.R.	M.B.S.	06-2020

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
TBPE FIRM REG. NO. F-5301
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
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STATE OF TEXAS
BRAD SEAY
114549
LICENSED
PROFESSIONAL ENGINEER
6-18-2020

SINGING HILLS
CZP SITE PLAN

SHEET
SP5

ATTACHMENT J

BMP'S FOR UPGRADIENT STORM WATER

Upgradient storm water enters the Project Area along the north and west boundaries. Proposed permanent interceptor channels will collect the upgradient flow as it enters the site and convey it downstream into an existing detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction across Windmill Ranch Subdivision and eventually converge with an adjacent watershed flowing in the natural low that enters the site along the southwest boundary. Along this southwest boundary, the runoff is intercepted and conveyed across the site in a concrete lined channel. Upgradient flow entering the site will be intercepted and routed around the proposed improvements and therefore no upgradient stormwater will traverse proposed impervious cover.

During construction, temporary BMP's consisting of silt fences, rock berms, bagged gravel inlet filters and stabilized construction entrance/exit will be utilized to alleviate sediment from leaving the site.

ATTACHMENT K

BMP'S FOR ON-SITE STORM WATER

During construction, temporary BMP's consisting of silt fences, rock berms, bagged gravel inlet filters and stabilized construction entrance/exit will be utilized to alleviate sediment from leaving the site.

MTR performed research of the USGS aerial images and in 1995, the site did contain pavement and buildings, and to the best of our knowledge, the aerial image matches the predevelopment impervious cover as indicated in the application. The conditions of the existing improvements appear to have been in place prior to June 1, 1999, effective date of 30 TAC 213 Subchapter B.

The majority of the impervious cover area in **Singing Hills, Phase 2** will flow into two (2) existing sand filtration ponds for permanent water quality treatment. The ponds have been designed to over treat for the impervious cover areas that do not drain into the ponds. A portion of the Phase 2 impervious cover will flow into a proposed Jellyfish Filter system at the south end of Unit 5. The total impervious cover onsite for Phase 2 is 69.082 acres (previously 67.462 acres). Removal of the required TSS pollutants from the runoff generated by the 4.912 acres of onsite impervious cover that bypasses the pond is accomplished through over treatment of the impervious cover draining into Ponds #3 and #4. There is a net increase in impervious cover of 1.62 acres. The required removal of total suspended solids (TSS) for the 69.082 impervious acres is 60,390 lbs. (previously 58,938 lbs).

Pond #3: The parameters for Pond #3 have not changed as part of this Modification Application. The amount of impervious cover draining to Pond #3 is still 37.14 acres from a 58.31 acre drainage area, which generates 32,078 lbs of TSS to be removed (minimum). The Pond was designed/approved to remove 36,525 lbs. of TSS (4,447 lbs. excess). The total required storage volume is 319,174 ft^3. The actual storage volume provided is 329,712 ft^3 (10,538 ft^3 excess). The required sand filter area is 26,596 ft^2 and the actual area being provided is 41,214 ft^2 (14,618 ft^2 excess).

Pond #4: The enlargement of Unit 5 associated with this CZP Modification application expands the parameters of Pond #4. There is additional area draining to the basin, which includes additional impervious cover. Also, there is an increase in the amount of uncaptured impervious cover bypassing treatment. As previously stated, removal of the required TSS pollutants from the runoff generated by impervious cover that bypasses the pond is accomplished through over treatment of the impervious cover draining into Ponds 3 & 4. The amount of impervious cover draining to Pond #4 is 25.56 acres from a 47.57 acre drainage area, which generates 22,584 lbs of TSS to be removed (minimum). The Pond is designed to remove 24,500 lbs. of TSS (1,916 lbs. excess). The total required storage volume is 172,758 ft^3. The actual storage volume provided is 214,992 ft^3 (42,234 ft^3 excess). The required sand filter area is 14,397 ft^2 and the actual area provided is 26,874 ft^2 (12,477 ft^2 excess).

Jellyfish Filter: The southern portion of Unit 5 will be treated for the required TSS pollutant removal by means of a Contech Jellyfish Filter System, specifically a JFPD0806-8-2. The amount of impervious cover draining to the Jellyfish is 1.47 acres from a 2.23 acre drainage area, which

generates 1,319 lbs of TSS to be removed (minimum). The Jellyfish is designed to remove 1,319 lbs. of TSS (no excess). The unit will be placed directly downstream from the 10ft curb inlet located in the low of the cul-de-sac at the southern end of Sonata Canyon Street.

Combining existing Ponds #3 & #4 with the proposed Jellyfish Filter, the total TSS pollutants being removed is 62,344 lbs. which is greater than the total required removal of 60,390 lbs. that attributes to all the Phase 2 proposed onsite and offsite impervious cover. Below is a table summarizing ALL of the BMPs associated with the 253.8 acre tract similar to the table provided in the June 30, 2017 approval letter.

Proposed Modification #3 BMP Summary

Drainage Area	Total On-Site Area (ac)	Proposed IC (ac)	Existing IC (ac)	Req'd. WQV (CF)	Design WQV (CF)	Req'd. Sand Filter Area (SF)	Design Sand Filter Area (SF)	Req'd. TSS Removal (lbs)	Design TSS Removal (lbs)	Excess Capacity (lbs)
Basin 1	68.59	56.49	1.79	282,530	289,408	23,544	35,952	50,212	50,890	678
Basin 2	6.31	5.55	0.0	33,566	35,508	2,797	5,792	4,983	5,115	132
Basin 3	58.31	37.14	1.40	319,174	329,712	26,596	41,214	32,078	36,525	4,447
Basin 4	47.57	25.56	0.40	172,758	214,992	14,397	26,874	22,584	24,500	1,916
Jellyfish 1	2.23	1.47	0.00	--	--	--	--	1,319	1,319	0
Basin Totals	183.01	126.21	3.59	808,028	869,620	67,334	109,832	111,176	118,349	7,173

Phase 1 Uncaptured	--	2.41	--	--	--	--	--	2,163	--	--
Phase 2 Uncaptured	--	4.912	--	--	--	--	--	4,409	--	--
Site Totals	183.01	133.532	3.59	808,028	869,620	67,334	109,832	117,748	118,349	601

Basins 1 & 2 have been oversized to account for 2.410 acres of uncaptured impervious cover within the Phase 1 Development. There are 39.76 undisturbed acres remaining.

Basin 3 includes 0.09 acres of offsite drainage area.

Basins 3 & 4 have been oversized to account for 4.912 acres of uncaptured impervious cover within the Phase 2 Development. There are 17.79 undisturbed acres remaining.

ATTACHMENT L

BMP's FOR SURFACE STREAMS

Surface streams do not exist on the site that would require protective measures. Permanent and temporary BMP's, as shown on the CZP Site Plan, shall be used to minimize pollutants draining to offsite surface streams, both during and after construction.

ATTACHMENT M

TSS CALCULATIONS AND CONSTRUCTION PLANS

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Singing Hills Unit 5
Date Prepared: 6/10/2020

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadshee

1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

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

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased lc
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Comal	
Total project area included in plan * =	253.80	acres
Predevelopment impervious area within the limits of the plan * =	3.59	acres
Total post-development impervious area within the limits of the plan * =	130.35	acres
Total post-development impervious cover fraction * =	**0.51**	
P =	**33**	inches
$L_{M\ TOTAL\ PROJECT}$ =	**113780**	lbs.

* The values entered in these fields should be for the total project area.

Number of drainage basins / outfalls areas leaving the plan area = 5

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

Drainage Basin/Outfall Area No. =	4	
Total drainage basin/outfall area =	47.57	acres
Predevelopment impervious area within drainage basin/outfall area =	0.40	acres
Post-development impervious area within drainage basin/outfall area =	25.56	acres
Post-development impervious fraction within drainage basin/outfall area =	**0.54**	
$L_{M\ THIS\ BASIN}$ =	**22584**	lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP = Sand Filter
Removal efficiency = **89** percent

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

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

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

where:

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C =	47.57	acres
A_I =	25.56	acres
A_P =	**22.01**	acres
L_R =	**26323**	lbs

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

Desired $L_{M\ THIS\ BASIN}$ = 24500 lbs.

F = **0.93**

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 =	**2.20**	inches
Post Development Runoff Coefficient =	**0.38**	
On-site Water Quality Volume =	**143965**	cubic feet

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

Off-site area draining to BMP =	0.00	acres
Off-site Impervious cover draining to BMP =	0.00	acres
Impervious fraction of off-site area =	**0**	
Off-site Runoff Coefficient =	**0.00**	
Off-site Water Quality Volume =	**0**	cubic feet
Storage for Sediment =	**28793**	
Total Capture Volume (required water quality volume(s) x 1.20) =	**172758**	cubic feet

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System Designed as Required in RG-348 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
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 =	**172758**	cubic feet	
Minimum filter basin area =	**7998**	square feet	
Maximum sedimentation basin area =	**71983**	square feet	For minimum water depth of 2 feet
Minimum sedimentation basin area =	**17996**	square feet	For maximum water depth of 8 feet

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	**172758**	cubic feet	
Minimum filter basin area =	**14397**	square feet	
Maximum sedimentation basin area =	**57586**	square feet	For minimum water depth of 2 feet
Minimum sedimentation basin area =	**3599**	square feet	For maximum water depth of 8 feet

Contech Engineered Solutions Calculations for Texas Commission on Environmental Quality
TSS Removal Calculations

Project Name: Singing Hills
Date Prepared: 6/11/2020

1. The Required Load Reduction for the total project:

Calculations from RG-348
Pages 3-27 to 3-30

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

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	**Comal**	
Total project area included in plan * =	**253.80**	acres
Predevelopment impervious area within the limits of the plan * =	**3.59**	acres
Total post-development impervious area within the limits of the plan* =	**134.76**	acres
Total post-development impervious cover fraction * =	**0.53**	
P =	**33**	inches
$L_{M\ TOTAL\ PROJECT}$ =	**117738**	lbs.
Number of drainage basins / outfalls areas leaving the plan area =	**5**	

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

Drainage Basin/Outfall Area No. =	**5**	
Total drainage basin/outfall area =	**2.23**	acres
Predevelopment impervious area within drainage basin/outfall area =	**0.00**	acres
Post-development impervious area within drainage basin/outfall area =	**1.47**	acres
Post-development impervious fraction within drainage basin/outfall area =	**0.66**	
$L_{M\ THIS\ BASIN}$ =	**1319**	lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP =	**JF**	abbreviation
Removal efficiency =	**86**	percent

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

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

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C =	**2.23**	acres
A_I =	**1.47**	acres
A_P =	**0.76**	acres
L_R =	**1455**	lbs.

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

Desired $L_{M\ THIS\ BASIN}$ =	**1319**	lbs.
F =	**0.91**	

6. Calculate Treated Flow required by the BMP Type for this drainage basin / outfall area.

Offsite area draining to BMP =	**0.00**	acres
Offsite impervious cover draining to BMP =	**0.00**	acres

Calculations from RG-348
Pages Section 3.2.22

Rainfall Intensity =	**1.15**	inches per hour
Effective Area =	**1.35**	acres
Cartridge Length =	**54**	inches
Peak Treatment Flow Required =	**1.56**	cubic feet per second

7. Jellyfish
Designed as Required in RG-348
Section 3.2.22

Flow Through Jellyfish Size

Jellyfish Size for Flow-Based Configuration =	**JFPD0806-8-2**	
Jellyfish Treatment Flow Rate =	**1.60**	cfs

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Singing Hills Unit 5
Date Prepared: 6/10/2020

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
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Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased lc
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

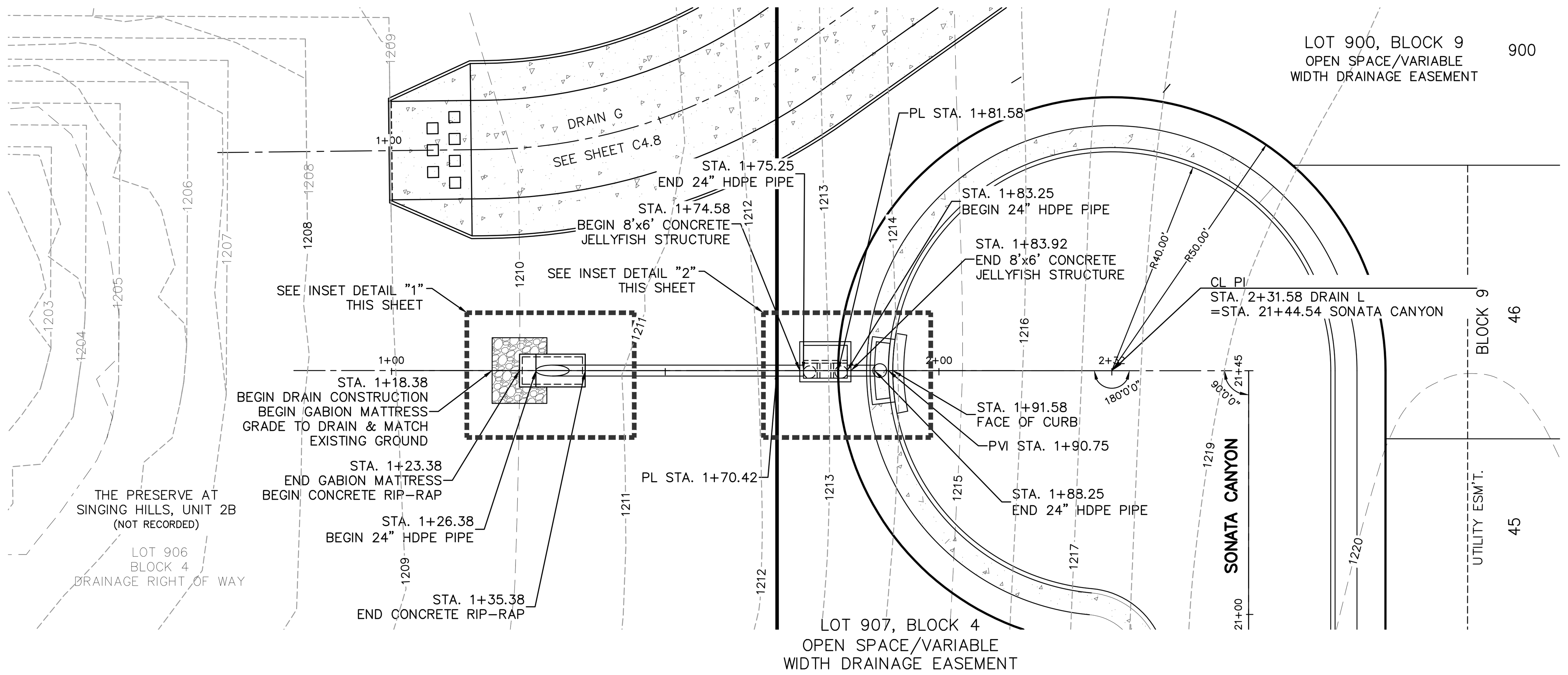
Site Data: Determine Required Load Removal Based on the Entire Project

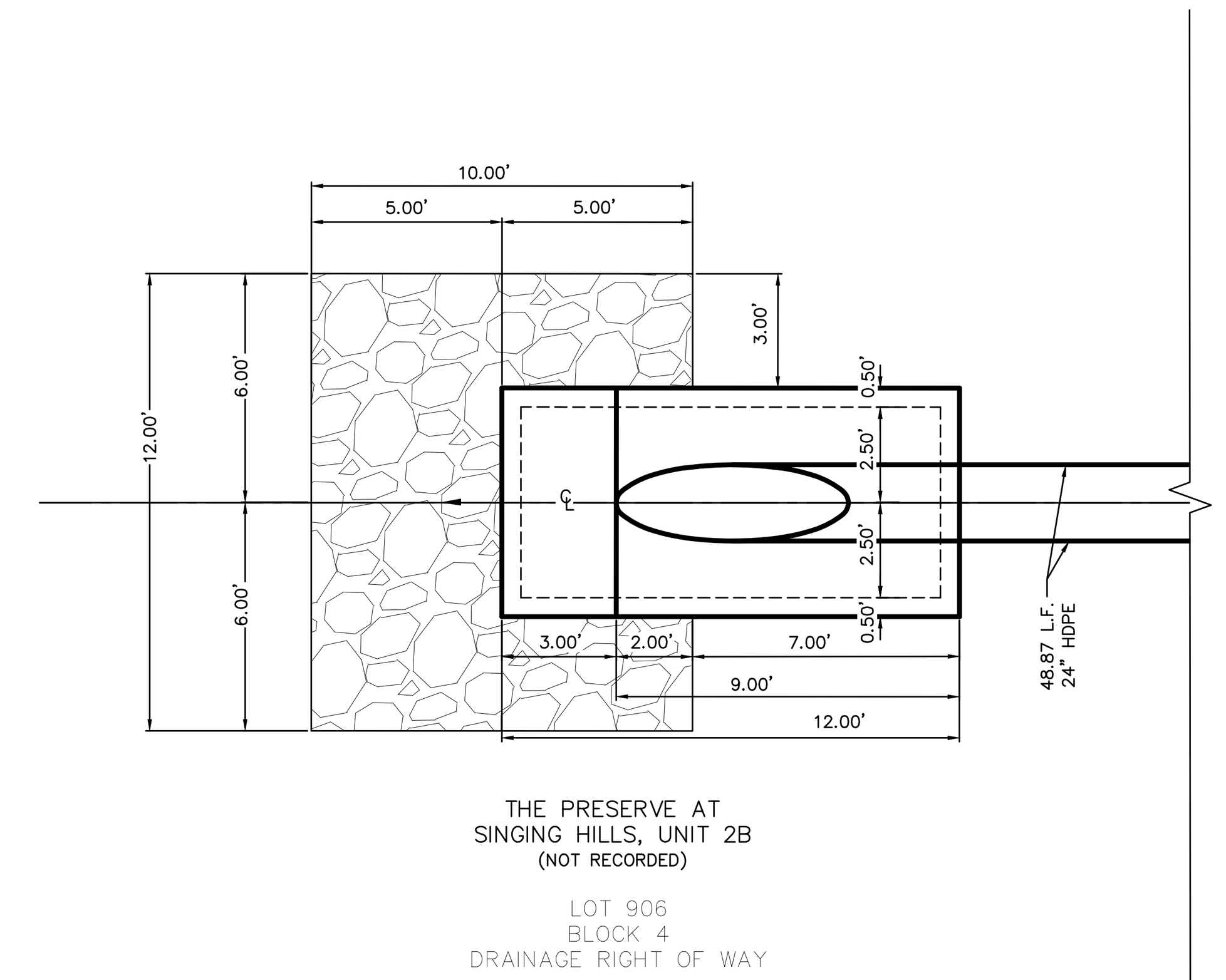
County =	Comal	
Total project area included in plan * =	4.91	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan * =	4.91	acres
Total post-development impervious cover fraction * =	**1.00**	
P =	**33**	inches

$L_{M\ TOTAL\ PROJECT}$ = **4409** lbs.

STATE OF TEXAS
BRAD SEAY
114549
LICENSED
PROFESSIONAL ENGINEER

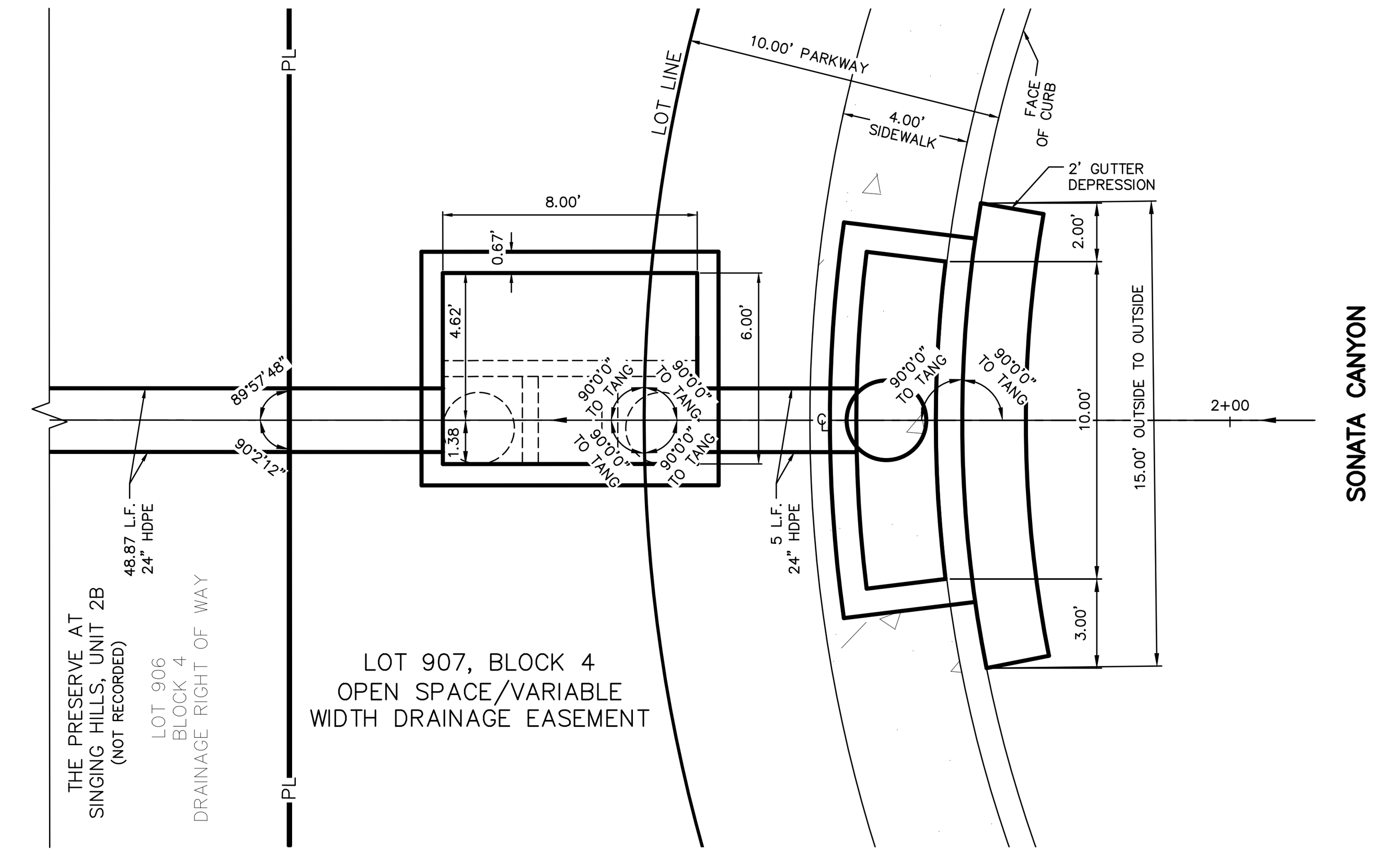
6-15-2020





INSET DETAIL "1"

NOT TO SCALE

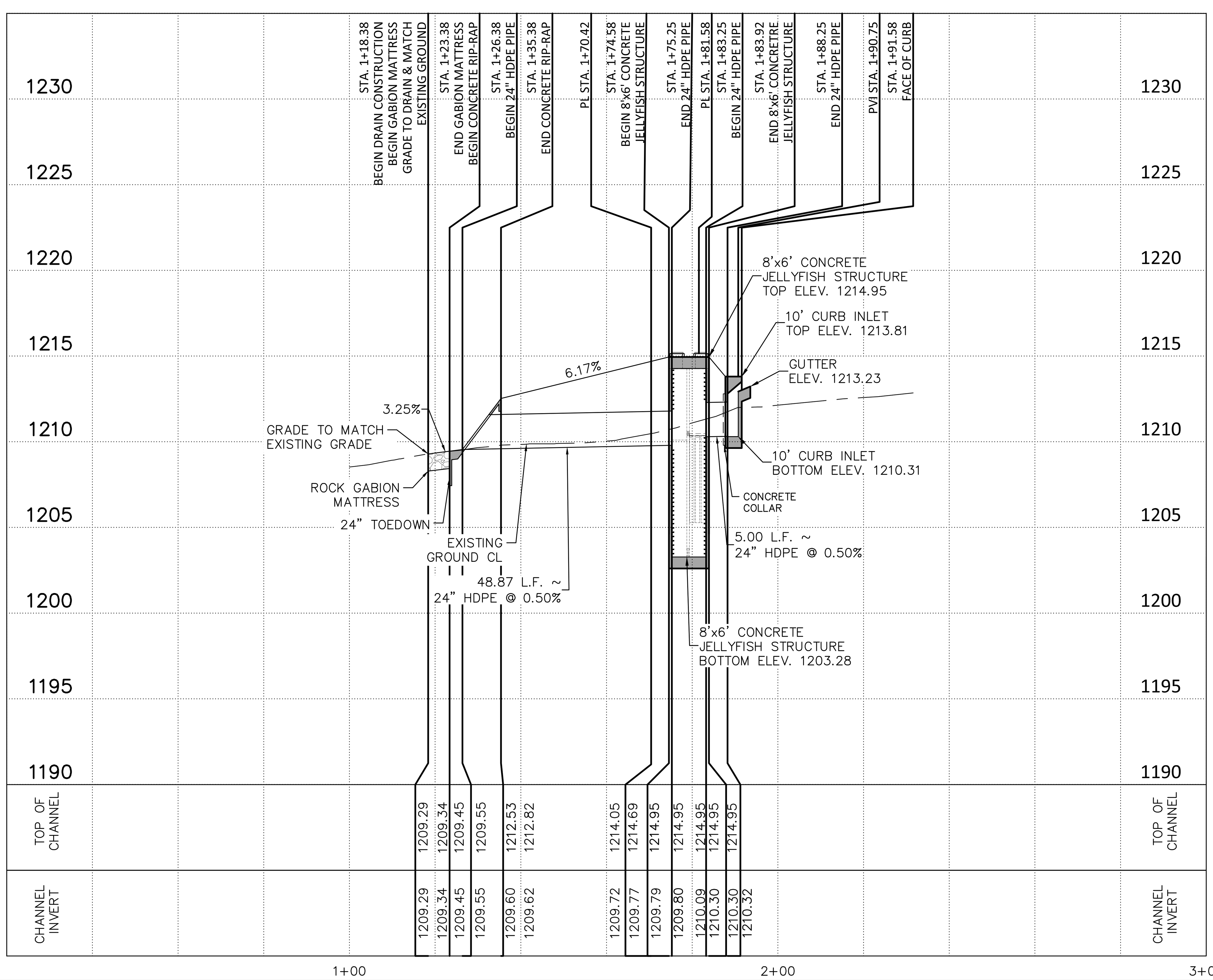


INSET DETAIL "2"

NOT TO SCALE

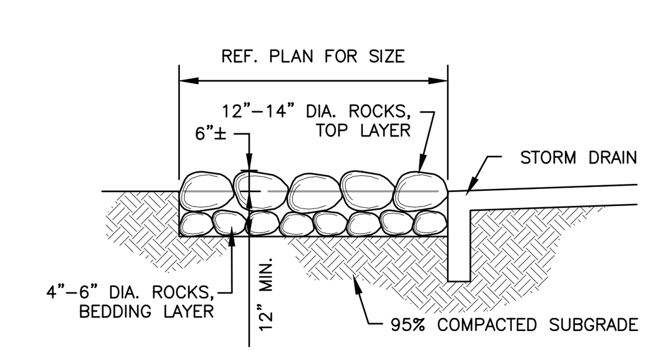
DRAIN "L"

HORIZONTAL SCALE: 1" = 20'
VERTICAL SCALE: 1" = 5'



N O T E S :

1. COVER FOR REINFORCING STEEL IS 2" UNLESS OTHERWISE NOTED.
2. SEE GENERAL NOTES ON SHEET C4.0 FOR MATERIAL SPECIFICATIONS.
3. MINIMUM BAR DEVELOPMENT LENGTH FOR SPLICE AND BENDS AT WALL AND FLOOR CONNECTIONS SHALL BE 30 INCHES.
4. ALL CONCRETE SHALL RESIST A MINIMUM 3000 PSI 28 DAY BREAK, UNLESS OTHERWISE NOTED.
5. PROVIDE CONCRETE APRONS ON ALL INLETS, REFERENCE DETAILS FOR CONSTRUCTION REQUIREMENTS.
6. 3/4" CHAMFER ON ALL EXPOSED CONCRETE EDGES.
7. ALL STORM PIPE MATERIAL IS CONCRETE REINFORCEMENT PIPE, UNLESS NOTED OTHERWISE.
8. IMPROVED EARTHEN CHANNELS WILL BE VEGETATED BY SEEDING OR SODDING. EIGHTY-FIVE PERCENT OF THE CHANNEL SUBGRADE AREA MUST HAVE ESTABLISHED VEGETATION BEFORE THE CITY OF SEGUIN NO EXTRA PAY ITEM.
9. APPROACH SLOPE FOR PEDESTRIAN SIDEWALKS WHICH TIE INTO SIDEWALK BRIDGE OVER THE DRAINAGE FLUME SHALL NOT EXCEED 1:20. SAFETY RAIL SHALL EXTEND 12 INCHES BEYOND LIMITS OF SIDEWALK BRIDGE
10. ALL EARTHEN CHANNELS SHALL HAVE CURLEX OR APPROVED EQUAL.
11. CURLEX AREA TO BE SEEDED AS PER CITY OF SEGUIN REQUIREMENTS. NO EXTRA PAY ITEM.



ROCK EROSION CONTROL
MATTRESS DETAIL

(N.T.S.)

TRENCH EXCAVATION SAFETY PROTECTION

Contractor and/or Contractor's independently retained employee or structural design/geotechnical/safety/equipment consultant, if any, shall review these plans and available geotechnical information and the anticipated installation site(s) within the project work area in order to implement Contractor's trench excavation safety protection systems, programs and/or procedures for the project described in the contract documents. The Contractor's implementation of these systems, programs and/or procedures shall provide for adequate trench excavation safety protection that comply with as a minimum, OSHA standards for trench excavations. Specifically, Contractor and/or Contractor's independently retained employee or safety consultant shall implement a trench safety program in accordance with OSHA standards governing the presence and activities of individuals working in and around trench excavation.

REVISIONS
NO. DATE DESCRIPTION BY
PROJ. # 18083 DGN. BY: PL DWN. BY: MCA CHKD. BY: PL DATE: JULY 2018

Moy Tarin Ramirez Engineers, LLC
· Engineers · Surveyors · Planners
FIRM TBPE NO. F-5297 & TBPLS NO. 10131500
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

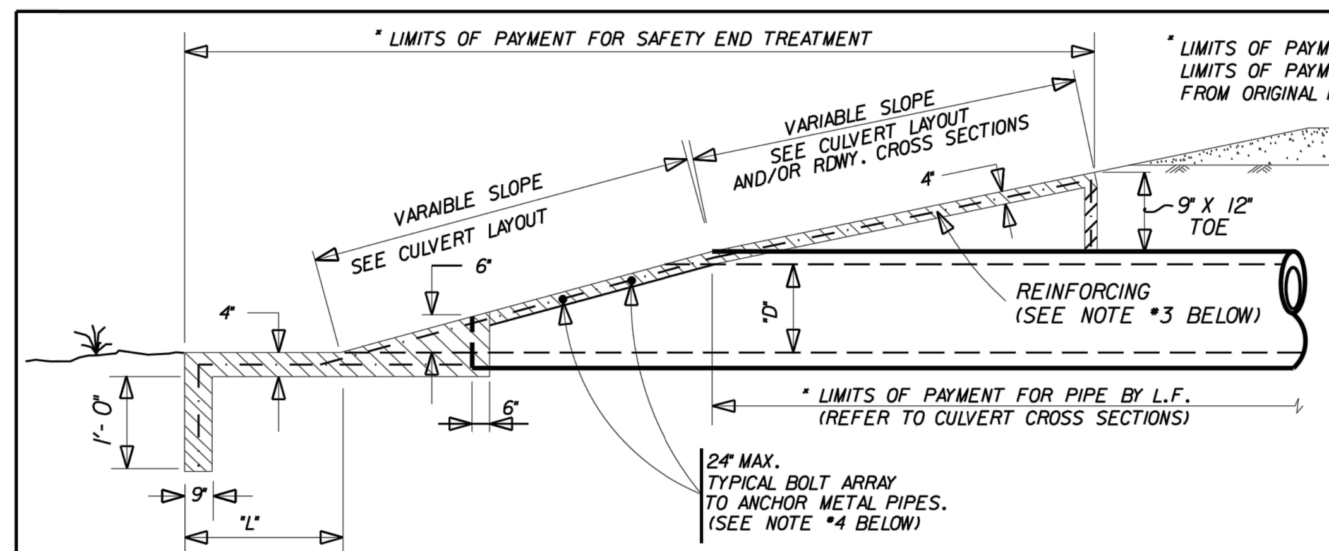
STATE OF TEXAS
BRAD SEAY
114549
LICENSED
PROFESSIONAL ENGINEER
6-18-2020

THE PRESERVE AT SINGING HILLS SUBDIVISION, UNIT 5

DRAINAGE PLAN & PROFILE

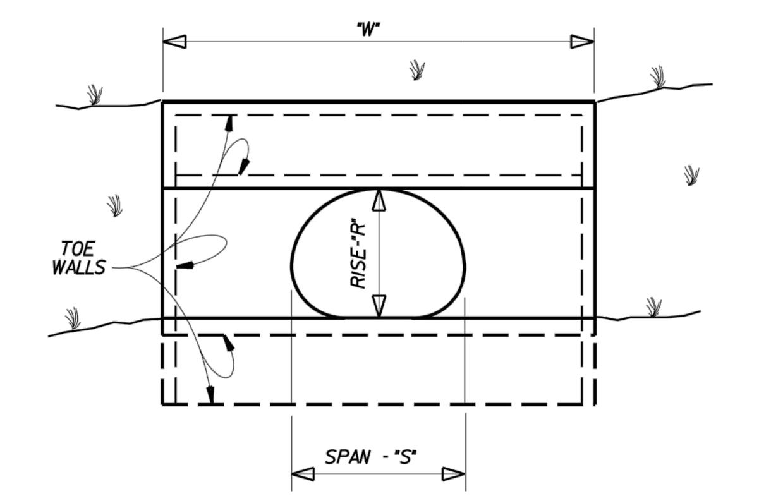
DRAIN L

SHEET
C4.14

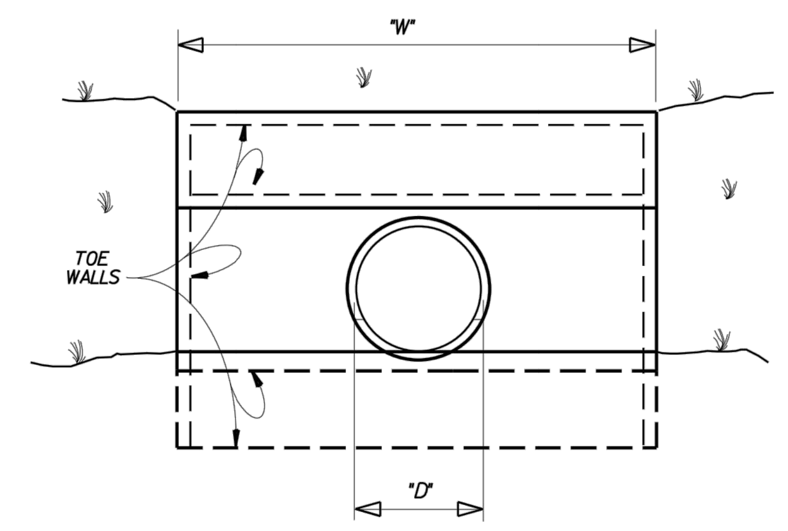


* LIMITS OF PAYMENT FOR SAFETY END TREATMENT AND LIMITS OF PAYMENT FOR PIPE BY LF HAVE BEEN MODIFIED FROM ORIGINAL RH 15 STANDARD

LONGITUDINAL SECTION FOR CIRCULAR & ARCH PIPES



SINGLE C.M.P. ARCH PIPE CULVERT



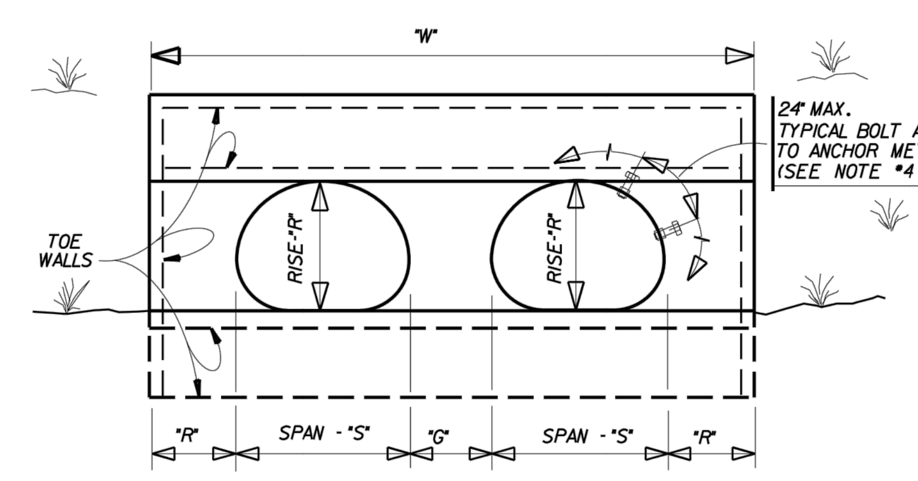
SINGLE CIRCULAR PIPE CULVERT

(CMP or RCP)

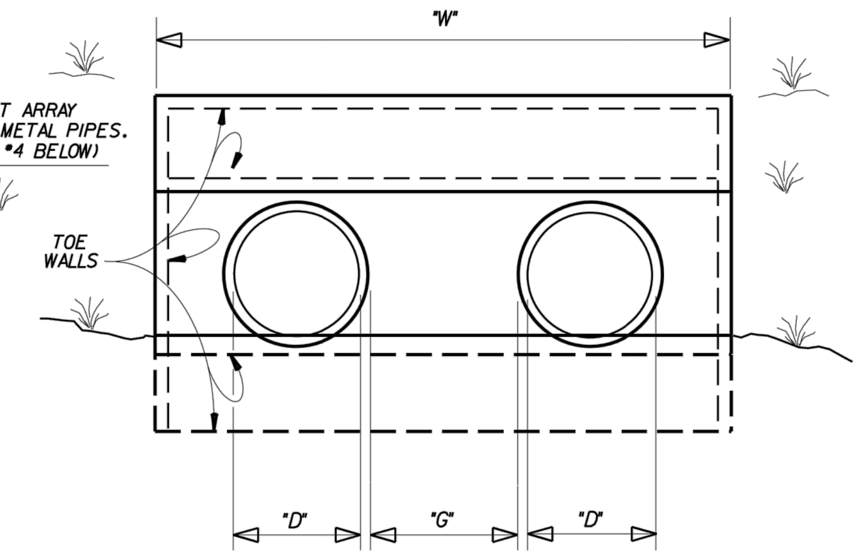
DIMENSIONS FOR CIRCULAR (CMP and RCP) PIPE CULVERTS

"D" INSIDE DIA. of PIPE	"L"	"G"		SINGLE	DOUBLE	TRIPLE	QUADRUPLE
		CGM	RCP	"W"			
18"	2'- 0"	1'- 2"	0'- 9"	4'- 6"	7'- 2"	9'- 10"	12'- 6"
21"	2'- 6"	1'- 3"	0'- 10"	5'- 3"	8'- 4"	11'- 4"	13'- 4"
24"	3'- 0"	1'- 5"	0'- 11"	6'- 0"	9'- 5"	12'- 10"	16'- 3"
30"	4'- 0"	1'- 8"	1'- 1"	7'- 6"	11'- 8"	15'- 10"	20'- 0"
36"	5'- 0"	1'- 11"	1'- 3"	9'- 0"	13'-11"	18'- 10"	23'- 9"
42"	6'- 0"	2'- 2"	1'- 5"	10'- 6"	16'- 2"	21'- 10"	27'- 6"
48"	7'- 0"	2'- 5"	1'- 7"	12'- 0"	18'- 5"	24'- 10"	31'- 3"
54"	8'- 0"	2'- 10"	1'- 11"	13'-6"	20'- 10"	28'- 2"	35'- 6"
60"	9'- 0"	3'- 2"	2'- 0"	15'- 0"	23'- 2"	31'- 4"	39'- 6"

"G" IS MEASURED BETWEEN THE OUTER SURFACES OF THE PIPES.



MULTIPLE C.M.P. ARCH PIPE CULVERT



MULTIPLE CIRCULAR PIPE CULVERT

(CMP or RCP)

DIMENSIONS FOR C.M.P. ARCH PIPE CULVERTS

DESIGN SIZE	APPROX. ARCH DIM.		"L"	"G"	SINGLE	DOUBLE	TRIPLE	QUADRUPLE
	SPAN "S"	RISE "R"			"W"			
2	21"	15"	2'- 0"	1'- 2"	4'- 3"	7'- 2"	10'- 1"	13'- 0"
3	28"	20"	3'- 0"	1'- 5"	5'- 8"	9"- 5"	13'- 2"	16'- 11"
4	35"	24"	4'- 0"	1'- 8"	6'- 11"	11'- 6"	16'- 1"	20'- 8"
5	42"	29"	5'- 0"	1'- 11"	8'- 4"	13'- 9"	19'- 2"	24'- 7"
6	49"	33"	6'- 0"	2'- 2"	9'- 7"	15'- 10"	22'- 1"	28'- 4"
7	57"	38"	7'- 0"	2'- 5"	11'- 1"	18'- 3"	25'- 5"	32'- 7"
8	64"	43"	8'- 0"	2'- 10"	12'- 5"	20'- 8"	28'- 10"	37'- 0"
9	71"	47"	9'- 0"	3'- 2"	13'- 9"	22'- 10"	31'- 11"	41'- 0"

BASED ON 2-2/3" X 1/2" CORRUGATION
"G" IS MEASURED BETWEEN THE OUTER SURFACES OF THE PIPES.

STRUCTURE DESIGN
/BRIDGE/STDS/rhl5hdwl.dgn

NOTES:

1.) REFER TO TxDOT SPECIFICATION ITEM 432 FOR ADDITIONAL CONCRETE RIPRAP REQUIREMENTS.

2.) FOR RIPRAP SLOPES, SEE CULVERT LAYOUT SHEET. CONCRETE SHALL BE CLASS B UNLESS OTHERWISE SHOWN IN THE PLANS.

3.) REINFORCE CONCRETE RIPRAP WITH 6 X 6 - W2.9 X W2.9 WELDED WIRE FABRIC OR WITH No. 3 OR No. 4 REINFORCING BARS SPACED AT A MAXIMUM OF 18 IN. IN EACH DIRECTION.

4.) ALL METAL PIPES (CIRCULAR AND/OR ARCH) SHALL HAVE 5/8" X 6" GALVANIZED BOLTS WITH 2 HEX NUTS AT 24" CENTERS TO ANCHOR THE PIPE TO THE CONCRETE. THIS WORK WILL BE SUBSIDIARY TO THE RIPRAP HEADWALL.

5.) FOR CONCRETE ARCH PIPES, THE CMP ARCH PIPE CULVERT DIMENSIONS WILL HAVE TO BE ADJUSTED FOR THE PIPE WALL THICKNESS.

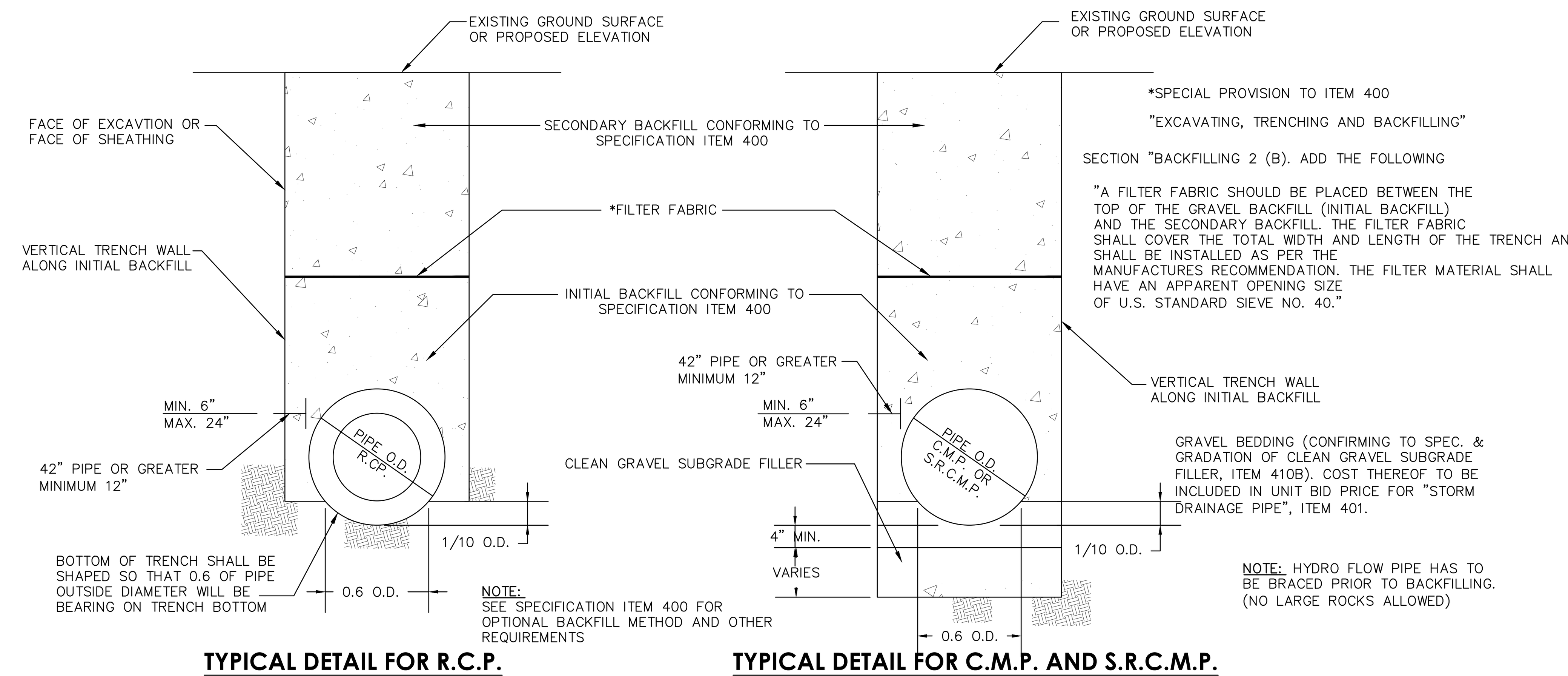
6.) FOR PIPES LARGER THAN SHOWN, USE THE CLEAR DISTANCE BETWEEN PIPES SHOWN IN ITEMS 460 AND/OR 464.

7.) IF THE SIDES OF THE HEADWALL IS ADJACENT TO A RIPRAP SLOPE AND IF THE TOP OF THE HEADWALL IS ADJACENT TO THE ROADWAY FOUNDATION OR RIPRAP SLOPE, THE SIDE AND TOP TOE WALLS MAY BE ELIMINATED IF APPROVED BY THE ENGINEER.

SAN ANTONIO DISTRICT STANDARD
RIPRAP HEADWALL (MOD)

FED.RD. DIV.NO.	PROJECT NO.			SHEET NO.
6	CSR 851-1-19			92
STATE	STATE DISTRICT	COUNTY		
TEXAS	SA	GUADALUPE		
CONT.	SECT.	JOB	HIGHWAY NO.	
0851	01	019	FM 467	

10/95



*SPECIAL PROVISION TO ITEM 400

"EXCAVATING, TRENCHING AND BACKFILLING"

SECTION "BACKFILLING 2 (B). ADD THE FOLLOWING

"A FILTER FABRIC SHOULD BE PLACED BETWEEN THE TOP OF THE GRAVEL BACKFILL (INITIAL BACKFILL) AND THE SECONDARY BACKFILL. THE FILTER FABRIC SHALL COVER THE TOTAL WIDTH AND LENGTH OF THE TRENCH AND SHALL BE INSTALLED AS PER THE MANUFACTURES RECOMMENDATION. THE FILTER MATERIAL SHALL HAVE AN APPARENT OPENING SIZE OF U.S. STANDARD SIEVE NO. 40."

NOTE: SEE SPECIFICATION ITEM 400 FOR OPTIONAL BACKFILL METHOD AND OTHER REQUIREMENTS

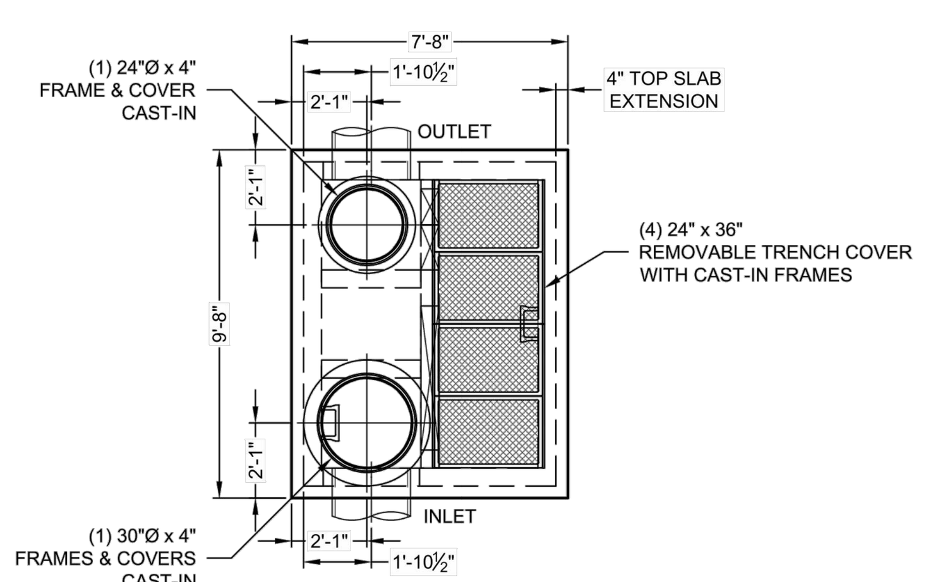
NOTE: HYDRO FLOW PIPE HAS TO BE BRACED PRIOR TO BACKFILLING. (NO LARGE ROCKS ALLOWED)

TYPICAL DETAIL FOR R.C.P.

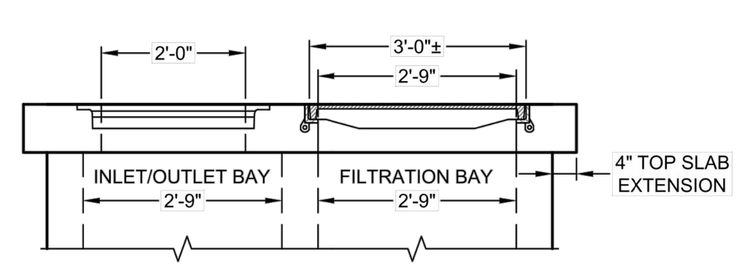
TYPICAL DETAIL FOR C.M.P. AND S.R.C.M.P.

PIPE BEDDING AND BACKFILL DETAILS

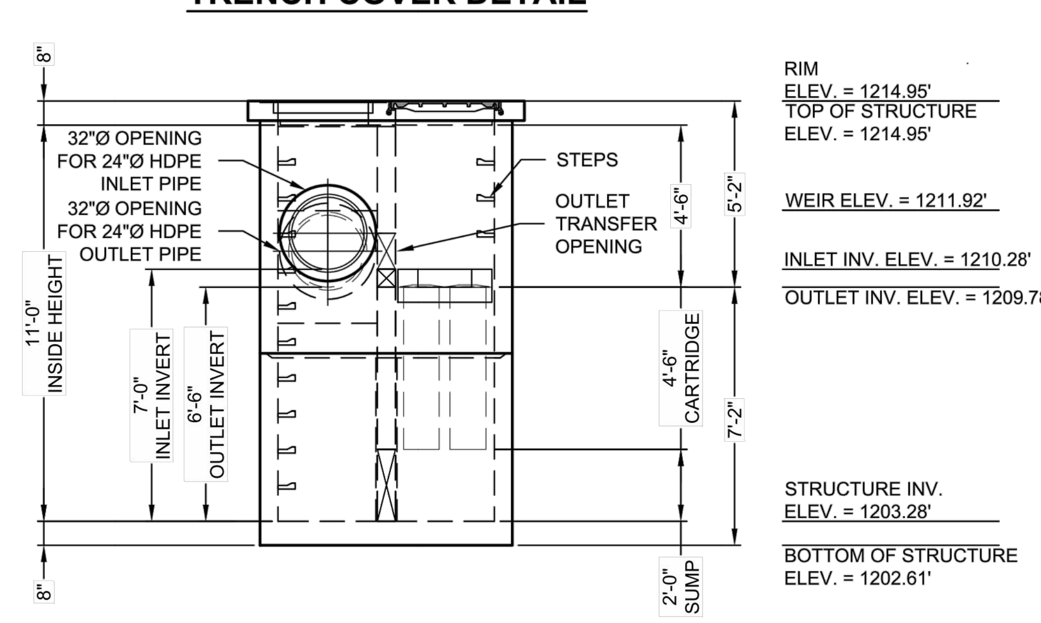
NOT TO SCALE



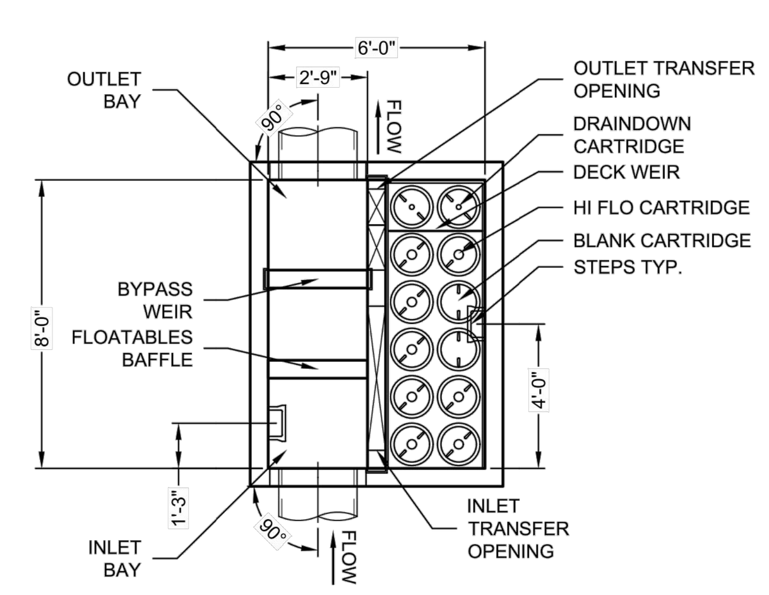
PLAN VIEW



TRENCH COVER DETAIL



ELEVATION VIEW



PLAN VIEW
(TOP SLAB NOT SHOWN FOR CLARITY)

MATERIAL LIST - PROVIDED BY CONTECH

COUNT	DESCRIPTION	INSTALLED BY
8	54" HI-FLO CARTRIDGE (70 mm ORIFICE)	CONTECH
2	54" DRAINDOWN CARTRIDGE (35 mm ORIFICE)	CONTECH
2	CARTRIDGE BLANK (NO ORIFICE)	CONTECH
1	JELLYFISH VAULT 12-CARTRIDGE DECK, STANDARD	CONTECH
1	JOINT SEALANT (BY PRECASTER)	CONTRACTOR
1	30"Ø X 4" FRAME & COVER, EJ #41600484	CONTRACTOR
1	24"Ø X 4" FRAME & COVER, EJ #41600389	CONTRACTOR
4	24" X 36" TRENCH COVER, EJ #47511031	CONTRACTOR
4 PCS	2.5" X 48" TRENCH FRAME, EJ #47300311	CONTECH
13	STEPS	CONTECH

WATER QUALITY FLOW RATE	1.6 CFS
PEAK FLOW RATE	15.86 CFS
RETURN PERIOD OF PEAK FLOW	25 YRS

GENERAL NOTES:
1. CONTECH TO PROVIDE ALL MATERIALS UNLESS NOTED OTHERWISE.
2. FOR FABRICATION DRAWINGS WITH DETAILED STRUCTURE DIMENSIONS AND WEIGHT, PLEASE CONTACT YOUR CONTECH ENGINEERED SOLUTIONS REPRESENTATIVE. WWW.ContechES.COM
3. JELLYFISH WATER QUALITY STRUCTURE SHALL BE IN ACCORDANCE WITH ALL DESIGN DATA AND INFORMATION CONTAINED IN THIS DRAWING. CONTRACTOR TO CONFIRM STRUCTURE MEETS REQUIREMENTS OF PROJECT.
4. STRUCTURE SHALL MEET AASHTO HS-20, ASSUMING EARTH COVER OF 0' - 0', AND GROUNDWATER ELEVATION AT, OR BELOW, THE OUTLET PIPE INVERT ELEVATION. ENGINEER OF RECORD TO CONFIRM ACTUAL GROUNDWATER ELEVATION. CASTINGS SHALL MEET AASHTO M306 LOAD RATING AND BE CAST WITH THE CONTECH LOGO.
5. STRUCTURE SHALL BE PRECAST CONCRETE CONFORMING TO ASTM C-478 AND AASHTO LOAD FACTOR DESIGN METHOD.

INSTALLATION NOTES
A. ANY SUB-BASE, BACKFILL DEPTH, AND/OR ANTI-FLOTATION PROVISIONS ARE SITE-SPECIFIC DESIGN CONSIDERATIONS AND SHALL BE SPECIFIED BY ENGINEER OF RECORD.
B. CONTRACTOR TO PROVIDE EQUIPMENT WITH SUFFICIENT LIFTING AND REACH CAPACITY TO LIFT AND SET THE STRUCTURE (LIFTING CLUTCHES PROVIDED)
C. CONTRACTOR WILL INSTALL AND LEVEL THE STRUCTURE, SEALING THE JOINTS, LINE ENTRY AND EXIT POINTS (NON-SHRINK GROUT WITH APPROVED WATERSTOP OR FLEXIBLE BOOT)
D. WHEN ACTIVATED PRIOR TO SITE STABILIZATION, CONTRACTOR TO PROTECT CARTRIDGES FROM CONSTRUCTION-RELATED EROSION RUNOFF.
E. CARTRIDGE INSTALLATION, BY CONTECH, SHALL OCCUR ACCORDING TO THE PROVISIONS IN THE ACTIVATION CHECKLIST AND THE QUOTED SCOPE OF WORK. CONTACT CONTECH TO COORDINATE CARTRIDGE INSTALLATION WITH SITE STABILIZATION AT (800) 338-1122.

STRUCTURE WEIGHT
APPROXIMATE HEAVIEST PICK OF (3) PIECES = 21,500 LBS.

CONTECH
PROPOSAL
DRAWING

RNKSLY
LAYOUT 7
CLASS 600

8' X 6' JELLYFISH - 639354-020
SINGING HILLS UNIT 5
SAN ANTONIO
SITE DESIGNATION:

CONTECH ENGINEERED SOLUTIONS LLC
www.ContechES.com
Jellyfish® Filter

MARK	DATE	REVISION DESCRIPTION	BY

DATE:	6/16/2020
DESIGNED: NJC	DRAWN: SLL
CHECKED: NJC	APPROVED: NJC
PROJECT No.: 639354	SEQUENCE No.: 020
SHEET: 1 OF 1	

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJ. #	DGN. BY:	DWN. BY:	CHKD. BY:	DATE:
18083	PL	MCA	PL	JULY 2018

Moy Tarin Ramirez Engineers, LLC
· Engineers · Surveyors · Planners
FIRM TBPE NO. F-5297 & TBPLS NO. 10131500
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
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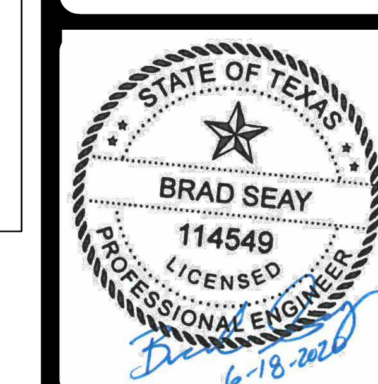
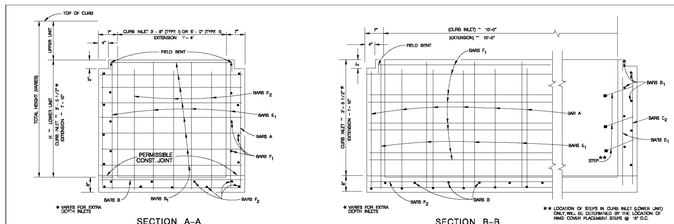


THE PRESERVE AT SINGING HILLS SUBDIVISION, UNIT 5

DRAINAGE STANDARD DETAILS

DRAIN L

SHEET
C4.14A



SECTION A-A

SECTION B-B

REINFORCING STEEL

LOWER UNIT 10'X 3' - 8" (TYPE I)

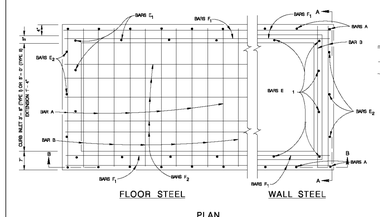
BAR	NO.	SIZE	SPAC.	LENGTH
A	12	#4	12"	VARIES
B	11	#4	12"	4'-0"
B_1	VARIES	#4	12"	4'-0"
C_1	20	#4	VAR'S	VARIES
C_2	8	#4	VAR'S	VARIES
F_1	VARIES	#4	VAR'S	10'-10"
F_2	9	#4	—	10'-10"

LOWER UNIT 10'X 5' - 0" (TYPE II)

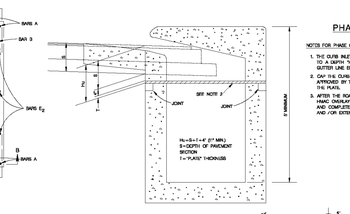
BAR	NO.	SIZE	SPAC.	LENGTH
A	12	#4	12"	VARIES
B	11	#4	12"	5'-10"
B_1	VARIES	#4	12"	5'-10"
C_1	22	#4	VAR'S	VARIES
C_2	6	#4	VAR'S	VARIES
F_1	VARIES	#4	VAR'S	10'-10"
F_2	11	#4	—	10'-10"

GENERAL NOTES

1. 5" INLETS AND 5" EXTENSIONS MUST BE IN ACCORDANCE WITH THE LATEST TXDOT CURB INLET TYPE "C" AND EXTENSION TYPE E (5-5).
2. TYPE C II INLET TO BE USED ONLY WHEN STORM DRAIN PIPE IS IN-LINE WITH CURB INLET AND APPROVED BY THE ENGINEER.
3. QUANTITIES SHOWN ARE FOR CONTRACTORS INFORMATION ONLY.
4. CONCRETE FOR STRUCTURES SHALL BE CLASS "A", 3000 PSI IN 28 DAYS.
5. ALL DIMENSIONS RELATING TO REINFORCING STEEL ARE TO CENTER OF BARS.
6. ALL REINFORCING STEEL SHALL HAVE A MINIMUM COVER OF 1 1/2".
7. ALL REINFORCING STEEL SHALL CONFORM TO ASTM A-615- GRADE 60 REQUIREMENTS.
8. ALL EXPOSED CORNERS SHALL BE CHAMFERED 3 /4".
9. DEPRESSION SLAB SHALL RECEIVE A WOOD FLOAT FINISH.
10. FACE OF INLET TO CONFORM TO FACE OF CURB LINE.
11. ALL BARS INTERSECTING MANHOLE RING & COVER SHALL BE CUT OR BENT.
12. PAYMENT FOR ALL EXCAVATION EACH FILLING, CONCRETE, REINFORCING STEEL, RING AND COVER, CURB ARMOR AND STEPS SHALL BE INCLUDED IN THE UNIT COST OF ITEM 468 "STORM SEWER JUNCTION BOXES AND INLETS".
13. CAST IRON MANHOLE RING AND COVER TO BE PLACED NOD TO OUTLET PIPE, EXCEPT FOR VERTICAL OUTLET PIPE IN WHICH CASE MANHOLE RING AND COVER WILL BE OFFSET.
14. GALVANIZED BOLTS, NUTS, WASHERS, PLATES AND GASKETS ARE SUBSIDIARY TO INLETS.
15. THE CONTRACTOR SHALL PROVIDE AN ADEQUATE MYANS TO LIFT AND PLACE THE INLETS WHEN USING PRECAST UNITS.
16. ALL BARS AT PIPE BLOCKOUT LOCATIONS SHALL BE CUT OR BENT.
17. ALL LOWER UNITS SHALL RECEIVE NEOPRENE WATER MORTAR SWAYING.
18. PIPE BLOCKOUTS IN INLET WALLS SHOULD NOT EXCEED 3" BEYOND THE OUTER SHELL OF THE PIPE, TAKING INTO ACCOUNT THE SKEW OF THE PIPE AS NECESSARY. CONSTRUCTION JOINT MAY BE PAIRED A MAXIMUM OF 8".



FLOOR STEEL



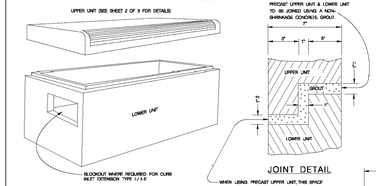
WALL STEEL

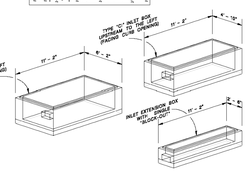
PLAN

PHASE CONSTRUCTION

NOTES FOR PHASE CONSTRUCTION, WHEN DIRECTED BY THE ENGINEER:

1. THE CURB INLET AND EXTENSION SHALL BE CONSTRUCTED TO A DEPTH 1/2" BELOW THE INLET AND EXTENSION FINISHED GRADE ELEVATION.
2. CAST IN THE CURB INLET AND EXTENSION WITH A STEEL PLATE, APPROVED BY THE ENGINEER AND CONSTRUCT THE ROADWAY OVER THE INLETS.
3. AFTER THE ROADWAY IS COMPLETED BUT PRIOR TO THE FINAL HMAC OVERLAY, SAW CUT THE PAVEMENT REMOVE THE PLATE AND COMPLETE THE UPPER PORTION OF THE CURB INLET AND /OR EXTENSION.





CONCRETE INLET BOX CONFIGURATIONS (LOWER UNITS)

MAY 2009

CITY OF SAN ANTONIO

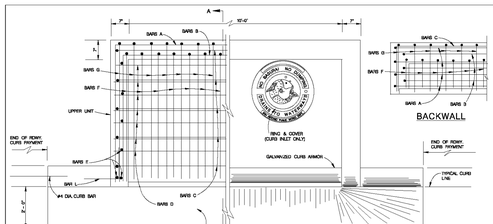
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT

TYPE "C" INLET (TYPE I & II) & INLET EXTENSION STANDARDS

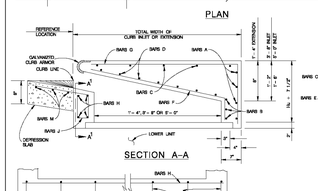
SHEET 1 OF 3

N. SUBMITTAL	PROJECT NO.:	DATE:

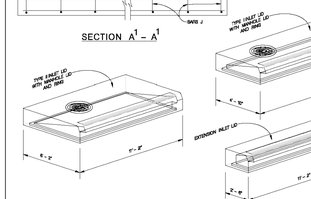
DRWN. BY: L. VASQUEZ DSGN. BY: E. MALTOS, P.E. CHKD. BY: B.S. HOSSEINI, P.E. SHEET NO.: OF



PLAN

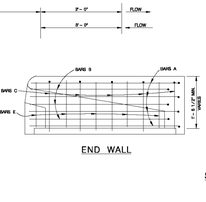


SECTION A-A

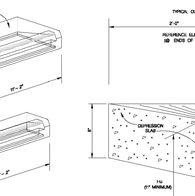


CONCRETE INLET LID CONFIGURATIONS (UPPER UNITS)

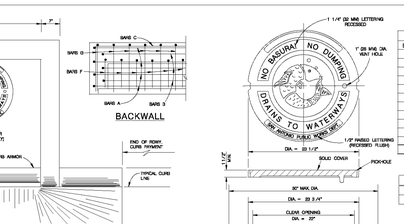
BACKWALL



END WALL



INLET OPENING DETAIL



MANHOLE LID & RING DETAIL (ITEM 409)

NOTES FOR MANHOLE LID AND RING

1. FOR LID DESIGN, OUTSIDE OF CITY OF SAN ANTONIO, DELETE "SAN ANTONIO PUBLIC WORKS DEPT."
2. CASTING NUMBER AND MANUFACTURER'S I.D. ON LID AND RING.
3. LOAD BEARING CAPABILITY OF 115-20 MINIMUM.
4. THE LOAD BEARING SURFACES SHALL BE MACHINE GROUND.
5. THE COMBINED WEIGHT OF THE MANHOLE RING AND COVER MUST BE AT LEAST 280 LBS.

SEE SHEET 1 OF 3 FOR GENERAL NOTES.

REINFORCING STEEL (FOR Hu = 11")

UPPER UNIT 10'X 3'-8" (TYPE I)

BAR	NO.	SIZE	SPAC.	LENGTH	WEIGHT
A	4	#4	—	10'-10"	55
B	3	#4	—	9'-10"	38
C	5	#4	—	11'-2"	44
D	7	#4	6"	10'-10"	51
E	12	#4	12"	7'-0"	5
F	21	#6	6"	4'-9"	147
G	22	#6	6"	5'-8"	187
H	4	#4	—	10'-10"	29
J	12	#4	12"	3'-8"	28
L	4	#4	—	3'-0"	5
M	3	#4	—	14'-8"	29
TOTAL WEIGHT					620 LBS.

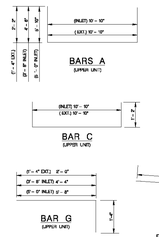
UPPER UNIT 10'X 5'-0" (TYPE II)

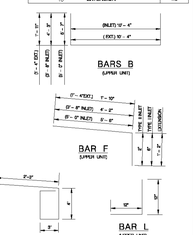
BAR	NO.	SIZE	SPAC.	LENGTH	WEIGHT
A	4	#4	—	22'-8"	85
B	3	#4	—	21'-8"	63
C	5	#4	—	11'-2"	65
D	11	#4	6"	10'-10"	80
E	18	#4	12"	7'-0"	13
F	21	#6	6"	4'-9"	147
G	22	#6	6"	7'-7"	228
H	4	#4	—	10'-10"	29
J	12	#4	12"	5'-8"	76
L	4	#4	—	2'-0"	5
M	3	#4	—	14'-8"	29
TOTAL WEIGHT					759 LBS.

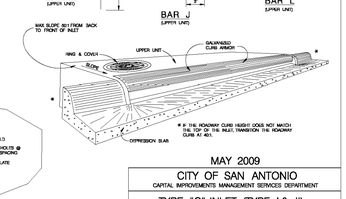
CLASS "A" CONCRETE QUANTITIES (FOR Hu = 11")

DEPRESSION SLAB	C.Y.
10' INLET	0.7
10' EXTENSION	0.7

UPPER UNIT (ONLY)	C.Y.
10'X 3'-8" CURB INLET	1.9
10'X 5'-0" CURB INLET	2.7
10' EXTENSION	1.0







MAY 2009

CITY OF SAN ANTONIO

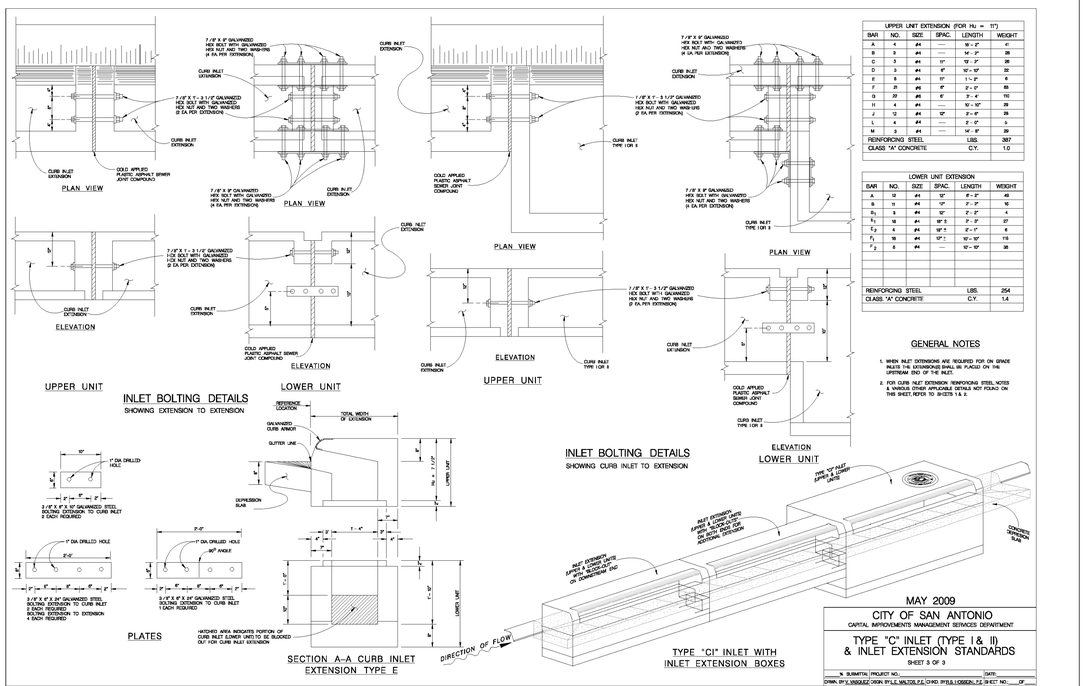
CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT

TYPE "C" INLET (TYPE I & II) & INLET EXTENSION STANDARDS

SHEET 2 OF 3

N. SUBMITTAL	PROJECT NO.:	DATE:

DRWN. BY: L. VASQUEZ DSGN. BY: E. MALTOS, P.E. CHKD. BY: B.S. HOSSEINI, P.E. SHEET NO.: OF



UPPER UNIT EXTENSION (FOR Hu = 11")					
BAR	NO.	SIZE	SPAC.	LENGTH	WEIGHT
A	4	#4	—	10'-2"	41
B	3	#4	—	14'-2"	35
C	3	#4	11"	10'-2"	26
D	3	#4	6"	10'-10"	22
E	6	#4	11"	1'-2"	6
F	21	#6	6"	2'-0"	65
G	22	#6	6"	2'-4"	110
H	4	#4	—	10'-10"	29
J	12	#4	12"	3'-8"	28
L	4	#4	—	2'-0"	5
M	3	#4	—	14'-8"	29
REINFORCING STEEL				LBS.	387
CLASS "A" CONCRETE				C.Y.	1.0

LOWER UNIT EXTENSION					
BAR	NO.	SIZE	SPAC.	LENGTH	WEIGHT
A	9	#4	12"	6'-2"	48
B	11	#4	12"	2'-2"	16
B_1	3	#4	12"	2'-2"	4
I_1	18	#4	12" 1	2'-2"	27
I_2	4	#4	12" 1	2'-1"	6
I_3	18	#4	12" 1	10'-10"	118
I_4	8	#4	—	10'-10"	36
REINFORCING STEEL				LBS.	254
CLASS "A" CONCRETE				C.Y.	1.4

GENERAL NOTES

1. WHEN INLET EXTENSIONS ARE REQUIRED FOR ON GRADE INLETS THE EXTENSIONS SHALL BE PLACED ON THE UPSTREAM END OF THE INLET.
2. FOR CURB INLET EXTENSION REINFORCING STEEL, NOTES & VARIOUS OTHER APPLICABLE DETAILS NOT FOUND ON THIS SHEET, REFER TO SHEETS 1 & 2.

MAY 2009

CITY OF SAN ANTONIO

CAPITAL IMPROVEMENTS MANAGEMENT SERVICES DEPARTMENT

TYPE "C" INLET (TYPE I & II) & INLET EXTENSION STANDARDS

SHEET 3 OF 3

N. SUBMITTAL	PROJECT NO.:	DATE:

DRWN. BY: L. VASQUEZ DSGN. BY: E. MALTOS, P.E. CHKD. BY: B.S. HOSSEINI, P.E. SHEET NO.: OF

NO.	DATE	REVISIONS DESCRIPTION	BY:

PROJ. #	DSN. BY:	DWN. BY:	CHKD. BY:	DATE:
15083	PL	MCA	PL	JULY 2018

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
FIRM TBPE NO. F-5291 & TBPLS NO. 10015500
12770 CIMARRON PATH, SUITE 100 TEXAS 78249-5051
SAN ANTONIO, TEXAS 78249 FAX (210) 698-0385

STATE OF TEXAS
BRAD SEAY
114549
LICENSED
PROFESSIONAL ENGINEER
6-18-2018

THE PRESERVE AT SINGING HILLS SUBDIVISION, UNIT 5

DRAINAGE STANDARD DETAILS

DRAIN L

SHEET

C4.14B

ATTACHMENT N

INSPECTION, MAINTENANCE, REPAIR, & RETROFIT PLAN

JELLYFISH® FILTER

Jellyfish cartridges are passively backwashed automatically after each storm event, which removes accumulated sediment from the membranes and significantly extends the service life of the cartridges and the maintenance interval. If required, the cartridges can be easily manually backwashed without removing the cartridges. Additionally, the lightweight cartridges can be removed by hand and externally rinsed, and rinsed cartridges then re-installed. These simple maintenance options allow for cartridge regeneration, thereby minimizing cartridge replacement costs and life-cycle treatment costs while ensuring long-term treatment performance.

Regular inspection and maintenance are proven, cost-effective ways to maximize water resource protection for all stormwater pollution control practices, and are required to insure proper functioning of the Jellyfish® Filter. Inspection of the Jellyfish® Filter is performed from the surface, while proper maintenance requires a combination of procedures conducted from the surface and with worker entry into the structure. Please refer to the following information and guidelines before conducting inspection and maintenance activities:

When is inspection needed?

- Post-construction inspection is required prior to putting the Jellyfish Filter into service.
- Routine inspections are recommended quarterly during the first year of operation to accurately assess the sediment and floatable pollutant accumulation, and to ensure that the automatic backwash feature is functioning properly.
- Inspection frequency in subsequent years is based on the maintenance plan developed in the first year, but must occur annually at a minimum.
- Inspections should also be performed immediately after oil, fuel or other chemical spill.

When is maintenance service needed?

- The unit must be cleaned annually. This cleaning includes removal and appropriate disposal of all water, sediment, oil and grease, and debris that has accumulated within the unit. The Jellyfish Filter is inspected and maintained by professional vacuum cleaning service providers with experience in the maintenance of underground tanks, sewers and catch basins. Since some of the maintenance procedures require manned entry into the Jellyfish structure, only professional maintenance service providers trained in confined space entry procedures should enter the vessel. Service provider companies typically have personnel who are trained and certified in confined space entry procedures according to local, state, and federal standards.
- Filter cartridges should be tested for adequate flow rate, every 12 months and cleaned and re-commissioned, or replaced if necessary. A manual backflush must be performed on a single draindown cartridge using a Jellyfish Cartridge Backflush Pipe (described in the Jellyfish® Filter Owner's Manual). If the time required to drain 14 gallons of backflush water from the Backflush Pipe (from top of pipe to the top of the open flapper

valve) exceeds 15 seconds, it is recommended to perform a manual backflush on each of the cartridges. After the manual backflush, the draindown test should be repeated on a single cartridge to determine if the cartridge can drain 14 gallons of water in 15 seconds. If the cartridge still does not achieve the design flow rate, it must be replaced.

- The unit should be cleaned out immediately after an oil, fuel or chemical spill.

External Rinsing

- This cartridge cleaning procedure is performed by removing the cartridge from the cartridge deck and externally rinsing the filtration tentacles using a low-pressure water sprayer, as described in the Jellyfish® Filter Owner's Manual. If this procedure is performed within the structure, the cartridge or individual filtration tentacles should be rinsed while safely suspended over the maintenance access wall opening in the cartridge deck, such that rinsate flows into the lower chamber of the Jellyfish® Filter. If the rinsing procedure is performed outside the structure, the cartridge or individual filtration tentacles should be rinsed in a suitable basin such as a plastic barrel or tub, and rinsate subsequently poured into the maintenance access wall opening in the cartridge deck. Sediment is subsequently removed from the lower chamber by standard vacuum service.

RECORD KEEPING

Maintenance and inspection records should be kept on file by the Owner of the permanent BMPs for a period of at least three (3) years. Repair and retrofit records should be kept on file by the Owner of the permanent BMPs for a period of at least five (5) years. The attached Operation and Maintenance Checklist shall be completed for each inspection performed.

David Keith, Vice President – SH-DJL Development, LLC
Print Name of Applicant/Owner

Applicant's Signature

6-1-20
Date

ATTACHMENT P

MEASURES FOR MINIMIZING SURFACE STREAM CONTAMINATION

Both permanent and temporary BMP's, as shown on the CZP Site Plan, shall be used to minimize contamination to offsite surface streams, both during and after construction. During construction, temporary BMP's will consist of silt fences, rock berms, bagged gravel inlet filters and stabilized construction entrance/exit. After construction, the permanent BMP's will consist of four (4) existing sand filtration ponds and one (1) new Jellyfish Filter. There is NO change to the manner in which storm water enters or discharges from the existing ponds. The discharge from the proposed Jellyfish Filter will enter the existing detention pond, thus minimizing the potential for contamination to offsite surface streams.

IV. TEMPORARY STORM WATER SECTION

Temporary Stormwater Section

Texas Commission on Environmental Quality

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

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

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

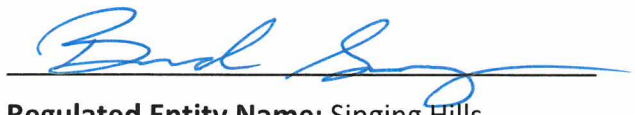
Signature

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

Print Name of Customer/Agent: Brad Seay, P.E.

Date: 6-15-2020

Signature of Customer/Agent:



Regulated Entity Name: Singing Hills

Project Information

Potential Sources of Contamination

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

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

   ☐ The following fuels and/or hazardous substances will be stored on the site: _____

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

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

☐ Aboveground storage tanks with a cumulative storage capacity between 250 gallons and 499 gallons will be stored on the site for less than one (1) year.

☐ Aboveground storage tanks with a cumulative storage capacity of 500 gallons or more will be stored on the site. An Aboveground Storage Tank Facility Plan application must be submitted to the appropriate regional office of the TCEQ prior to moving the tanks onto the project.

☒ Fuels and hazardous substances will not be stored on the site.

2. ☒ **Attachment A - Spill Response Actions**. A site specific description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is attached.

3. ☒ Temporary aboveground storage tank systems of 250 gallons or more cumulative storage capacity must be located a minimum horizontal distance of 150 feet from any domestic, industrial, irrigation, or public water supply well, or other sensitive feature.

4. ☒ **Attachment B - Potential Sources of Contamination**. A description of any activities or processes which may be a potential source of contamination affecting surface water quality is attached.

Sequence of Construction

5. ☒ **Attachment C - Sequence of Major Activities**. A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is attached.

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

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

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

Temporary Best Management Practices (TBMPs)

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

7. ☒ **Attachment D – Temporary Best Management Practices and Measures**. TBMPs and measures will prevent pollution of surface water, groundwater, and stormwater. The construction-phase BMPs for erosion and sediment controls have been designed to retain sediment on site to the extent practicable. The following information is attached:

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

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

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

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

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

☐ **Attachment E - Request to Temporarily Seal a Feature**. A request to temporarily seal a feature is attached. The request includes justification as to why no reasonable and practicable alternative exists for each feature.

☒ There will be no temporary sealing of naturally-occurring sensitive features on the site.

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

10. ☒ **Attachment G - Drainage Area Map**. A drainage area map supporting the following requirements is attached:

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

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

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

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

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

11. ☐ **Attachment H - Temporary Sediment Pond(s) Plans and Calculations**. Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are attached.

☒ N/A

12. ☒ **Attachment I - Inspection and Maintenance for BMPs.** A plan for the inspection of each temporary BMP(s) and measure(s) and for their timely maintenance, repairs, and, if necessary, retrofit is attached. A description of the documentation procedures, recordkeeping practices, and inspection frequency are included in the plan and are specific to the site and/or BMP.

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

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

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

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

Soil Stabilization Practices

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

17. ☒ **Attachment J - Schedule of Interim and Permanent Soil Stabilization Practices**. A schedule of the interim and permanent soil stabilization practices for the site is attached.

18. ☒ Records must be kept at the site of the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.

19. ☒ Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

Administrative Information

20. ☒ All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.

21. ☒ If any geologic or manmade features, such as caves, faults, sinkholes, etc., are discovered, all regulated activities near the feature will be immediately suspended. The appropriate TCEQ Regional Office shall be immediately notified. Regulated activities must cease and not continue until the TCEQ has reviewed and approved the methods proposed to protect the aquifer from any adverse impacts.

22. ☒ Silt fences, diversion berms, and other temporary erosion and sediment controls will be constructed and maintained as appropriate to prevent pollutants from entering sensitive features discovered during construction.

ATTACHMENT A

SPILL RESPONSE ACTIONS

1. Housekeeping

   A. Minimize materials: An effort will be made to store only enough materials required to do the job.

   B. Storage: All materials stored on site will be stored in a neat, orderly manner in their appropriate containers in a covered area. If storage in a covered area is not feasible, then the materials will be covered with polyethylene or polypropylene sheeting to protect them from the elements.

   C. Labeling: Products will be kept in their original containers with the original manufacturer's label affixed to each container.

   D. Mixing: Substances will not be mixed with one another unless this is recommended by the manufacturer.

   E. Disposal: Whenever possible, all of a product will be used prior to disposal of the container. Manufacturer's recommendations will be followed for proper use and disposal of materials on site.

   F. Inspections: The site superintendent will inspect the site daily to ensure proper use and disposal of materials on site.

   G. Spoil Materials: Any excavated earth that will not be used for fill material and all demolished pavement will be hauled off site immediately and will be disposed of properly, in accordance with all applicable state/local regulations.

2. Product Specific Practices

   A. Petroleum Products: All on site vehicles will be monitored for leaks and will receive regular preventive maintenance to reduce the chance of leakage. If petroleum products will be present at the site, then they will be stored in tightly sealed containers which are clearly labeled. Any asphalt substances used on site will be applied according to the manufacturer's recommendations.

   B. Concrete Trucks: Ready/Transit Mix Trucks will not be allowed to wash out or discharge surplus concrete or drum wash water except in the designated location on site as shown on the SWPPP site plan.

   C. Paints: All containers will be tightly sealed and stored when not required for use. Excess paint will not be poured into storm sewer system or drainage channels, but will be properly disposed of according to manufacturers' instructions or state/local regulations.

D. Fertilizers: Fertilizers will be applied only in the minimum amounts recommended by the manufacturer. Once applied, fertilizer will be worked into the soil to limit exposure to storm water. The fertilizer will be stored in a covered area, and any partially used bags will be transferred to a sealable plastic bin to avoid spills.

3. Spill Control and Response Measures

A spill prevention and response team will be designated by the site superintendent. In addition, the following practices will be followed for spill cleanup:

A. Information: Manufacturers' recommended methods for spill cleanup will be clearly posted, and site personnel will be made aware of the procedures and location of the information and cleanup supplies.

B. Equipment: Materials and equipment necessary for spill cleanup will be present on the site at all times. Equipment and materials will include, but not be limited to brooms, shovels, rags, gloves, goggles, absorbent materials (sand, sawdust, etc.) and plastic or metal trash containers specifically designed for this purpose. The materials and equipment necessary for spill cleanup will be dependent upon the nature and quantity of the material stored on site.

C. Response: All spills will be cleaned up immediately upon discovery.

<u>Cleanup</u>

(1) Clean up leaks and spills immediately
(2) Use a rag for small spills on paved surfaces, a damp mop for general cleanup, and absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be disposed of as hazardous waste.
(3) Never hose down or bury dry material spills. Clean up as much of the material as possible and dispose of properly. See the waste management BMPs in TCEQ Technical Guidance Manual RG-348 for specific information.

<u>Minor Spills</u>

(1) Minor spills typically involve small quantities of oil, gasoline, paint, etc. which can be controlled by the first responder at the discovery of the spill.
(2) Use absorbent materials on small spills rather than hosing down or burying the spill.
(3) Absorbent materials should be promptly removed and disposed of properly.
(4) Follow the practice below for a minor spill:
(5) Contain the spread of the spill.
(6) Recover spilled materials.
(7) Clean the contaminated area and properly dispose of contaminated materials.

<u>Semi-Significant Spills</u>

Semi-significant spills still can be controlled by the first responder along with the aid of other personnel such as laborers and the foreman, etc. This response may require the cessation of all other activities.

Spills should be cleaned up immediately:

(1) Contain spread of the spill.

(2) Notify the project foreman immediately.
(3) If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (absorbent materials, cat litter and/or rags). Contain the spill by encircling with absorbent materials and do not let the spill spread widely.
(4) If the spill occurs in dirt areas, immediately contain the spill by constructing an earthen dike. Dig up and properly dispose of contaminated soil.
(5) If the spill occurs during rain, cover the spill with tarps or other material to prevent contaminating runoff.

Significant/Hazardous Spills

For significant or hazardous spills that are in reportable quantities:

(1) Notify the TCEQ by telephone as soon as possible and within 24 hours at 512-339-2929 (Austin) or 210-490-3096 (San Antonio) between 8 AM and 5 PM. After hours, contact the Environmental Release Hotline at 1-800-832-8224. It is the contractor's responsibility to have all emergency phone numbers at the construction site.
(2) For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110, 119, and 302, the contractor should notify the National Response Center at 1-800-424-8802.
(3) Notification should first be made by telephone and followed up with a written report.
(4) The services of a spills contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
(5) Other agencies which may need to be consulted include, but are not limited to, the City Police Department, County Sheriff Office, Fire Departments, etc.

D. Vehicle and Equipment Maintenance
(1) If maintenance must occur onsite, use a designated area and a secondary containment, located away from drainage courses, to prevent the run-on of storm water and the runoff of spills.
(2) Regularly inspect onsite vehicles and equipment for leaks and repair immediately.
(3) Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
(4) Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
(5) Place drip pans or absorbent materials under paving equipment when not in use.
(6) Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.
(7) Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around.
(8) Oil filters disposed of in trash cans or dumpsters can leak oil and pollute storm water. Place the oil filter in a funnel over a waste oil-recycling drum to drain excess oil before disposal. Oil filters can be recycled. Ask the oil supplier or recycler about recycling oil filters.
(9) Store cracked batteries in a non-leaking secondary container. Do this with all cracked batteries even if you think all the acid has drained out. If you drop a battery, treat it as if it is cracked. Put it into the containment area until you are sure it is not leaking.

E. Vehicle and Equipment Fueling
   (1) If fueling must occur onsite, use designated areas, located away from drainage courses, to prevent the run-on of storm water and the runoff of spills.
   (2) Discourage "topping off" of fuel tanks.
   (3) Always use secondary containment, such as a drain pan, when fueling to catch spills/leaks.

F. Safety: The spill area will be kept well ventilated, and personnel will wear appropriate protective clothing to prevent injury from contact with hazardous substances.

G. Reporting: Spills of toxic or hazardous material (if present on site) will be reported to the appropriate state or local government agency, regardless of the spill's size.

H. Record Keeping: The spill prevention plan will be modified to include measures to prevent this type of spill from recurring as well as improved methods for cleaning up any future spills. A description of each spill, what caused it, and the cleanup measures used will be kept with this plan.

ATTACHMENT B

POTENTIAL SOURCES OF CONTAMINATION

Potential Source Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle drippings.

Preventive Measure Vehicle maintenance when possible will be performed within a construction staging area specified by the General Contractor.

Potential Source Miscellaneous trash and litter from construction workers and material wrappings.

Preventive Measure Trash containers will be placed throughout the site to encourage proper trash disposal.

Potential Source Construction and demolition debris.

Preventive Measure Construction and demolition debris will be monitored daily by contractor. Debris will be collected weekly and placed in disposal bins. Situations requiring immediate attention will be addressed on a case by case basis.

Potential Source Storm water contamination from excess application of fertilizers, herbicides and pesticides.

Preventive Measure Fertilizers, herbicides and pesticides will be applied only when necessary and in accordance with manufacturers directions.

Potential Source Soil and mud from construction vehicle tires as they leave the site.

Preventive Measure A stabilized construction exit/entrance shall be utilized as vehicles leave the site. Any soil, mud, etc. carried from the project onto public roads shall be cleaned up within 24 hours.

Potential Source Sediment from soil, sand, gravel and excavated materials stockpiled on site.

Preventive Measure Silt fence shall be installed on the downgradient side of all stockpiled materials. Reinforced rock berms shall be installed at all downstream discharge locations.

Potential Source Portable toilet spillage.

Preventive Measure Portable toilets will be set within an area specified by the General Contractor. Spillage will be contained to prevent the spill from spreading and cleaned up immediately by the General Contractor. Disposal of spillage will be performed in accordance with governing regulations. Portable toilets will not be connected to existing sewer lines.

ATTACHMENT C

SEQUENCE OF MAJOR ACTIVITIES

Construction Sequencing

A. Installation of Temporary BMP's as shown on the CZP Site Plan. Silt fence will be placed along the down gradient boundary and as shown on the CZP site Plan. Rock berms will be utilized to reduce concentrated sediment transport. (1 acre disturbed)

B. Clearing & Grading (13.5 acres disturbed)

C. Construction of drainage structures and underground utilities. These areas will have been disturbed by the clearing and grading of the site.

D. Construction of Permanent BMP's. These areas will have been disturbed by the clearing and grading of the site.

E. Construction of asphalt pavement and underground utilities under the pavement. These areas will have been disturbed by the clearing and grading of the site.

F. Construction of concrete sidewalks, power poles and miscellaneous site work. These areas will have been disturbed by the clearing and grading of the site.

G. Installation of topsoil and permanent vegetation for stabilization. (6 acres)

H. Construction of subsequent site work by homebuilders (10 Acres)

I. Removal of temporary BMP's and Site clean-up.

ATTACHMENT D

TEMPORARY BEST MANAGEMENT PRACTICES AND MEASURES

Description of Temporary Best Management Practices:

1. Silt Fence (Item 1) – A barrier consisting of geotextile fabric supported by metal posts to prevent soil and sediment loss from a site. Silt fences shall be installed on the downgradient side of the proposed areas to be disturbed that have a drainage area of 2 or less acres.

2. Temporary Construction Entrance/Exit (Item 2) – A stabilized pad of crushed stone located at any point where traffic will be entering or leaving the construction site from a public R.O.W., street, alley, sidewalk or parking area. It shall be a minimum of 50 feet long, 12 feet wide and 8 inches thick. The rock shall be 4" to 8" in size.

3. Bagged Gravel Inlet Filter (Item 3) – A sediment trap consisting of ¾" gravel wrapped in polypropylene, polyethylene, polyamide or cotton burlap woven fabric. The bag length should be 24 inches, width should be 18 inches and thickness should be 6 inches. The gravel bags should be stacked to form a continuous barrier around the inlets. The bags should be tightly abutted against each other to prevent runoff from flowing between the bags.

4. Rock Berm (Item 4) – A sediment trap consisting of 3" to 5" diameter rock wrapped in woven wire sheathing. The berm shall have a minimum height of 18" and a minimum top width of 2 feet. A rock berm shall be placed at locations of concentrated flows where the drainage area is between 2 and 5 acres.

5. Temporary Seeding – Temporary seeding of disturbed areas shall be performed if disturbed areas are expected to have no construction activity for a period of at least 21 days.

6. Concrete Washout Pits and Equipment Staging Areas (Items 5 concrete washout pit) – These areas have been identified on the CZP Site Plan (construction sheet SP0-SP4). Reference TCEQ Technical Guidance Manual June 2005 sections 1.4.16 and 1.4.18 for descriptions.

Sequence of installation during construction process for each phase of construction:

1. The Temporary Construction Entrance/Exit (Item 2) shall be installed prior to disturbing any soil except at the location of the Temporary Construction Entrance/Exit. It shall stay in place and be maintained until the onsite pavement is in place.

2. Silt Fence (Item 1) shall be installed along the down gradient sides of the site as indicated on the CZP Site Plan prior to any disturbance of the site.

3. Rock Berms (Item 4) shall be installed at concentrated storm water discharge locations as indicated on the CZP Site Plan prior to any disturbance of the site.

4. Bagged Gravel Inlet Filters (Item 3) shall be installed immediately after installation at each drainage inlet that they are intended to protect.

5. Concrete washout pits (Item 5) shall be installed prior to installation of any concrete. Equipment staging areas shall be identified and established prior to beginning construction.

Up gradient storm water flowing across the site:

Upgradient storm water enters the Project Area along the north and west boundaries. Proposed permanent interceptor channels will collect the upgradient flow as it enters the site and convey it downstream into an existing detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction across Windmill Ranch Subdivision and eventually converge with an adjacent watershed flowing in the natural low that enters the site along the southwest boundary. Along this southwest boundary, the runoff is intercepted and conveyed across the site in a concrete lined channel. Upgradient flow entering the site will be intercepted and routed around the proposed improvements and therefore no upgradient stormwater will traverse proposed impervious cover.

During construction, temporary BMP's consisting of silt fences, rock berms, bagged gravel inlet filters and stabilized construction entrance/exit will be utilized to alleviate sediment from leaving the site. During construction, the upgradient water will not flow into the Sand Filtration Pond catchment areas. After construction, only some of the upgradient flow will enter the Sand Filtration Pond; see the CZP drainage area map to see the upgradient areas that will enter into the Sand Filtration Ponds.

Onsite storm water flowing across and off the site:

The storm water originating onsite and flowing off the site will be treated through temporary BMPs. Rock berms will be installed at the concentrated discharge locations to create sediment traps and help prevent sediment, silt, and, and debris from leaving the site. Silt fences will be installed at all locations where non-concentrated storm water exits the site. Theses temporary BMPs will filter the storm water prior to it leaving the site.

Prevention of pollutants from entering surface streams, sensitive features and the aquifer:

The storm water originating onsite and flowing off the site will be treated using temporary BMPs prior to it entering surface streams, sensitive features and the aquifer. Silt fences will be installed at all locations where non-concentrated storm water may leave the site. These silt fences should filter the storm water prior to it leaving the site.

Maintaining flow to naturally-occurring sensitive features:

The storm water originating onsite and flowing off the site will continue to flow into the down gradient receiving waters. Any sensitive features downstream will continue to receive flow originating on the site. Prior to the flow leaving the site, it will be treated through temporary BMPs. These temporary BMPs should remove sediment, pollutants and debris if installed and maintained properly.

ATTACHMENT F

STRUCTURAL PRACTICES

Runoff discharge of pollutants from exposed areas of the site will be limited through the utilization of temporary BMPs. Prior to leaving the site, flows containing pollutant discharges will be treated by silt fence, stabilized construction entrance/exit, gravel filter bags and rock berms which will limit the amount of pollutants leaving the site. Concrete washout pits and staging areas for construction equipment have been identified to help control/minimize the amount of pollutants leaving the site.

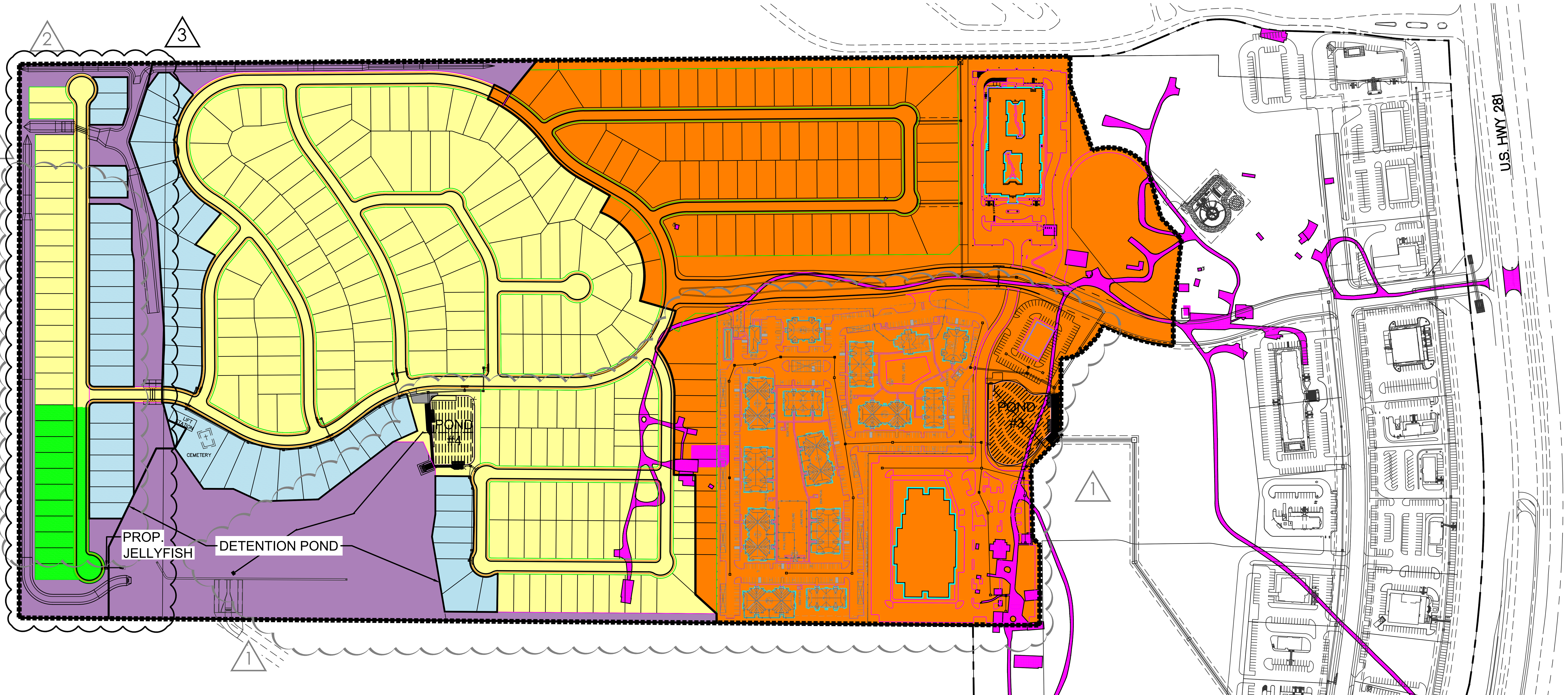
These structural measures will be installed prior to the initiation of site preparation and earth moving activities. All temporary BMPs shall be installed and maintained in accordance with TCEQ RG-348 July 2005.

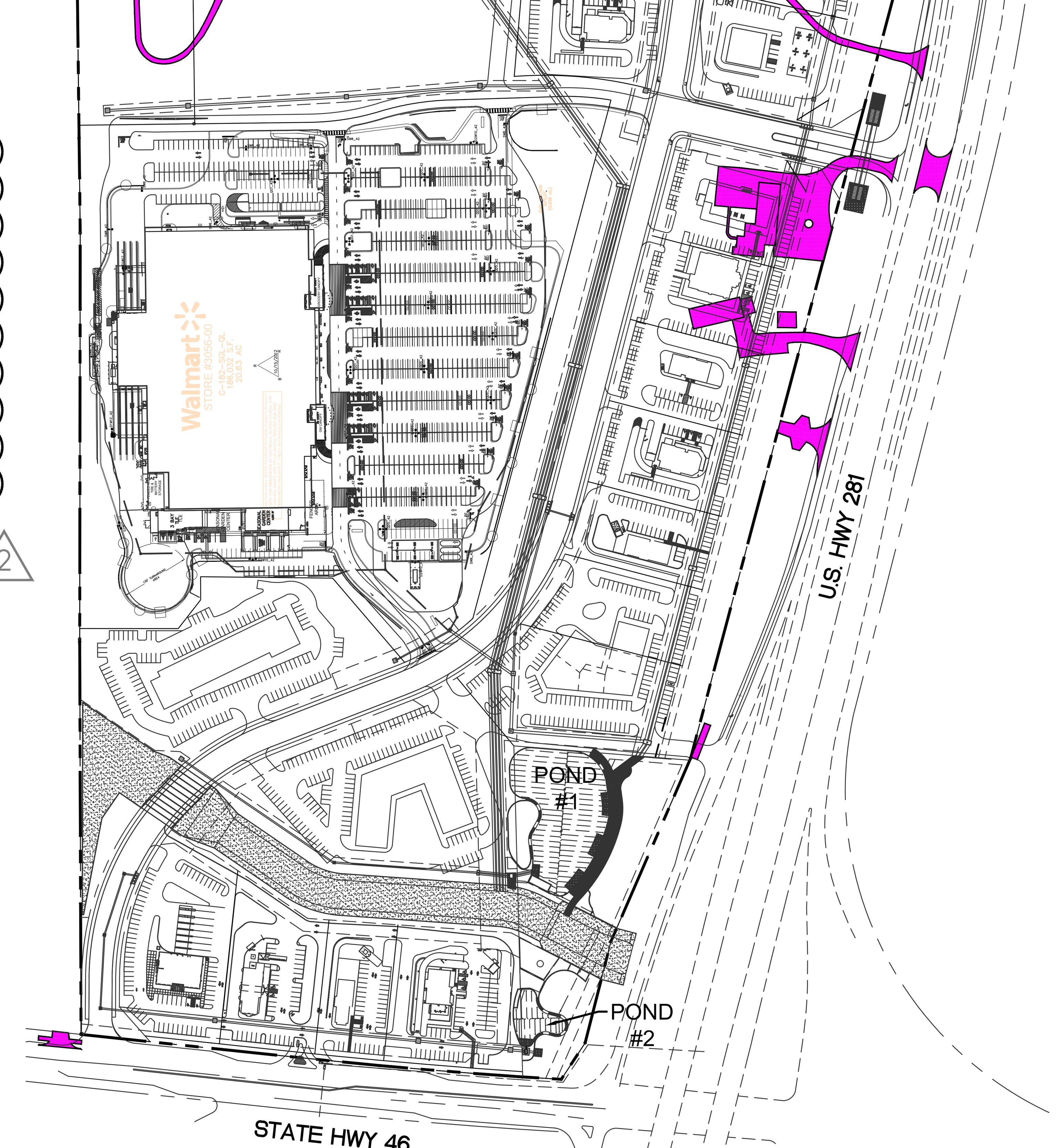
Location of the BMP's are shown on the CZP Site Plan.

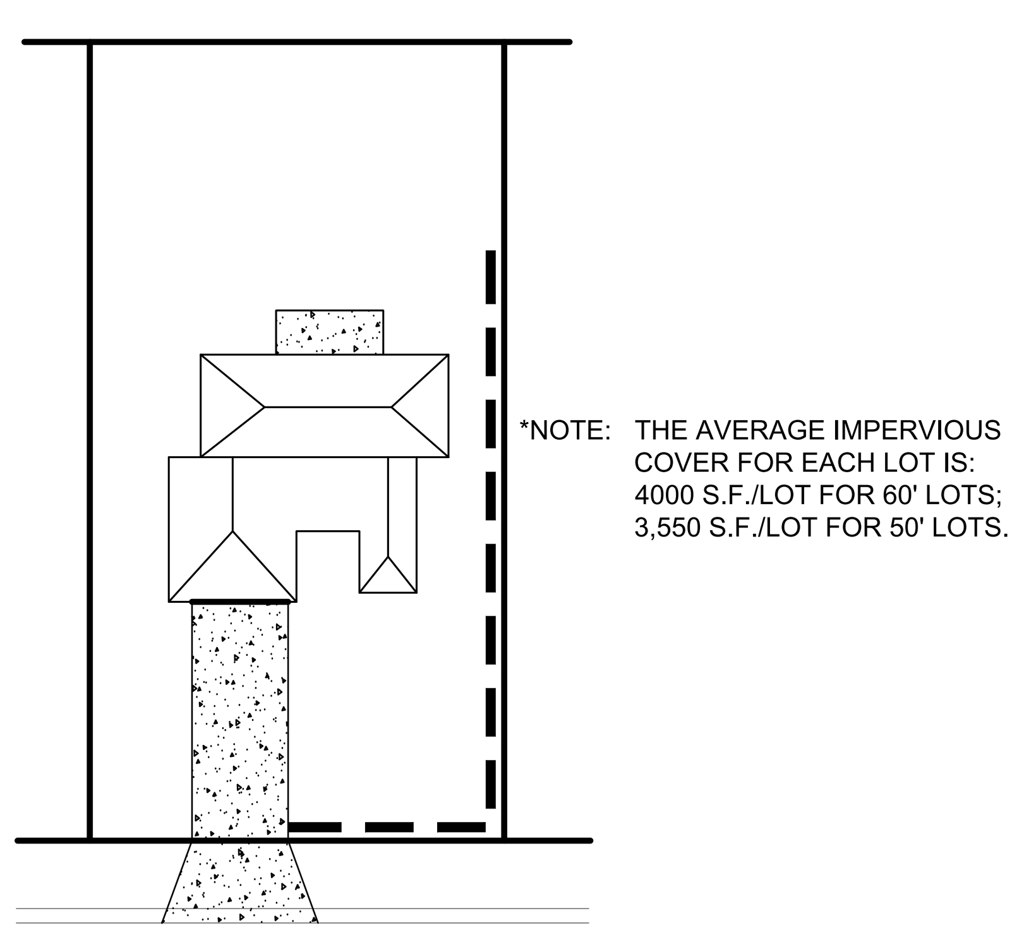
ATTACHMENT G

DRAINAGE AREA MAP

There are NO areas greater and 10 acres with a common drainage area that will be disturbed at one time. See the WPAP Site Plan (SP0) for locations of temporary sediment and erosion controls. See the Permanent BMP Catchment Areas exhibt for delineation of the on-site drainage areas.







TYPICAL LOT SITE PLAN

N.T.S.

DESCRIPTION	DRAINAGE AREA (AC.)	OFFSITE DRAINAGE AREA (AC.)	PROPOSED IMPERVIOUS COVER (AC.)	EXISTING IMPERVIOUS COVER (AC.)
POND 3	58.31	0.09	37.14	1.40
POND 4	47.57	0	25.56	0.40
JELLYFISH 1	2.23	0	1.47	0
PHASE 2: ONSITE BYPASS IMPERVIOUS COVER	10.912	0	4.912	0
PHASE 2: ONSITE BYPASS PERVIOUS COVER	17.710	0	0	0
TOTAL	136.732	0.09	69.082	1.80

SCALE: 1"=200'

200 100 0 200

LEGEND

- CZP MODIFICATION AREA
- PHASE 2 BOUNDARY
- ONSITE DRAINAGE AREA TO POND 3
- ONSITE DRAINAGE AREA TO POND 4
- ONSITE DRAINAGE AREA TO JELLYFISH 1
- PHASE 2: ONSITE IMPERVIOUS COVER BYPASSING PONDS
- PHASE 2: ONSITE PERVIOUS COVER BYPASSING PONDS
- EXISTING IMPERVIOUS COVER

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	4/18/17	UPDATED TABLE OF IMPERVIOUS COVER FOR PHASE 2	
2	6/14/17	ADDED TO TABLE PERVIOUS COVER FOR PHASE 2	
3	6/10/20	ADDED U5 BMP	

PROJ. #	DGN. BY:	DWN. BY:	CHKD. BY:	DATE:
18084	A.M.M.	G.R.	B.S.	02/11/20

MTR
· Engineers · Surveyors · Planners
Moy Tarin Ramirez Engineers, LLC
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STATE OF TEXAS
BRAD SEAY
114549
LICENSED
PROFESSIONAL ENGINEER
6-22-2020

SINGING HILLS

PERMANENT BMP CATCHMENT AREAS

1 OF 1

ATTACHMENT I

INSPECTION AND MAINTENANCE FOR BMPS

Silt Fence

1. Inspect all fencing weekly, and after any rainfall.
2. Remove sediment when buildup reaches 6 inches, or install a second line of fencing parallel to the old fence.
3. Replace any torn fabric or install a second line of fencing parallel to the torn section.
4. Replace or repair any sections crushed or collapsed in the course of construction activity.

Rock Berm

1. Inspections should be made weekly and after each rainfall by the responsible party.
2. Remove sediment and other debris when buildup reaches 6 inches and dispose of the accumulated silt in an approved manner.
3. Repair any loose wire sheathing.
4. The berm should be reshaped as needed during inspection.
5. The berm should be replaced when the structure ceases to function as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
6. The rock berm should be left in place until all upstream areas are stabilized and accumulated silt removed.

Temporary Construction Entrance and Exits

1. The entrance should be maintained in a condition, which will prevent tracking or following of sediment onto public rights-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.
2. All sediment spilled, dropped, washed or tracked on to public rights-of-ways should be removed immediately by contractor.
3. When necessary, wheels should be cleaned to remove sediment prior to entrance onto public right-of-way.
4. When washing is required, it should be done on an area stabilized with crushed stone that drains into an approved sediment trap or sediment basin.
5. All sediment should be prevented from entering any storm drain, ditch, or water course by using approved methods.

Bagged Gravel Inlet Filter

1. Inspections should be made weekly and after each rainfall. Repair or replacement should be made promptly as needed by contractor.
2. Remove sediment when buildup reaches a depth of 3 inches. Removed sediment should be deposited in a suitable area and in such a manner that it will not erode.
3. Check placement of device to prevent gaps between device and curb.
4. Inspect filter fabric and patch or replace if torn or missing.
5. Structures should be removed and the area stabilized only after the remaining drainage area has been properly stabilized.

Singing Hills, Unit 5

Inspection Report

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fence	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berm	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			
Temporary Sediment Trap	Inspections			
	Remove sediment and Debris			
	Mow vegetation			
	Repair any erosion			

Inspector's Name

Inspector's Signature

Name of Owner/Operator

Date

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

ATTACHMENT J

SCHEDULE OF INTERIM AND PERMANENT SOIL STABILIZATION PRACTICES

Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporarily or permanently ceases is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site. In areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.

Temporary stabilization shall consist of temporary seeding of disturbed areas that are denuded beyond 14 days without construction restart within 21 days.

As pad sites (buildings, sidewalks and pavement) are completed, permanent landscaping and sod shall be planted and irrigated. Overland and underground drainage systems will direct runoff into the permanent water quality basin.

Temporary vegetation stabilization techniques shall be in accordance with the TCEQ Technical Guidance Manual RG-248 (*Complying with the Edwards Aquifer Rules – Technical Guidance on Best Management Practices*), Chapter 1 Temporary Best Management Practices, Section 1.3.8 Temporary Vegetation, as follows:

Temporary Vegetation
Vegetation is used as a temporary or permanent stabilization technique for areas disturbed by construction, but not covered by pavement, buildings, or other structures. As a temporary control, vegetation can be used to stabilize stockpiles and barren areas that are inactive for long periods of time.

Vegetative techniques can and should apply to every construction project with few exceptions. Vegetation effectively reduces erosion in swales, stockpiles, berms, mild to medium slopes, and along roadways.

Other techniques may be required to assist in the establishment of vegetation. These other techniques include erosion control matting, mulches, surface roughening, swales and dikes to direct runoff around newly seeded areas, and proper grading to limit runoff velocities during construction. (NCTCOG, 1993b)

Materials:
The type of temporary vegetation used on a site is a function of the season and the availability of water for irrigation. For areas that are not irrigated, the year can be divided into two temporary planting seasons and one season for planting of permanent warm weather

groundcovers. These periods are shown in Figure 1-19 for Bexar, Comal, Kinney, Medina, and Uvalde Counties. Appropriate temporary vegetation for these areas are shown in Table 1-4.

Other vegetation may perform as well as the recommended varieties, especially where irrigation is available. County agricultural extension agents are a good source for suggestions for other types of temporary vegetation. All seed should be high quality, U.S. Dept. of Agriculture certified seed.

Installation:
(1) Interim or final grading must be completed prior to seeding, minimizing all steep slopes. In addition, all necessary erosion structures such as dikes, swales, and diversions, should also be installed.

(2) Seedbed should be well pulverized, loose, and uniform.

(3) Fertilizer should be applied at the rate of 40 pounds of nitrogen and 40 pounds of phosphorus per acre, which is equivalent to about 1.0 pounds of nitrogen and phosphorus per 1000 square feet. Compost can be used instead of fertilizer and applied at the same time as the seed.

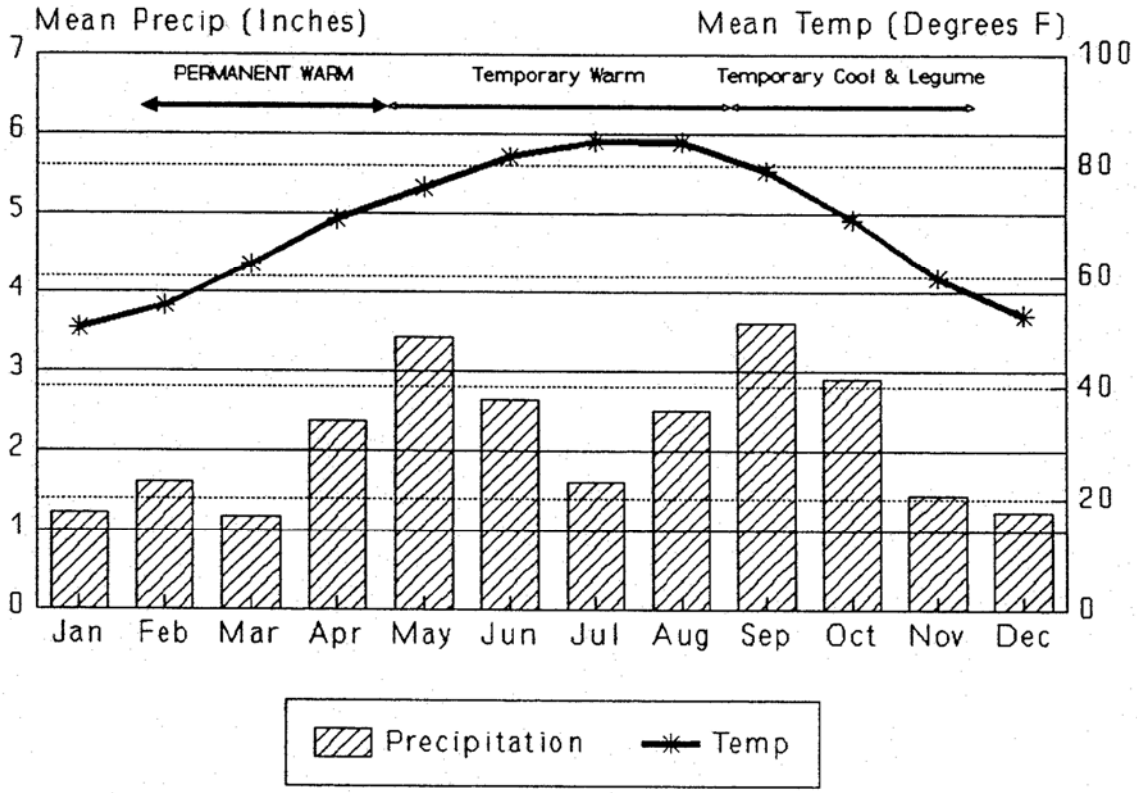


Figure 1-19 Planting Dates for Bexar, Comal, Kinney, Medina, and Uvalde Counties (Northcutt, 1993)

Table 1-4 Temporary Seeding for Bexar, Comal, Kinney, Medina, and Uvalde Counties (Northcutt, 1993)

Dates	Climate	Species (lb/ac)	
Sept 1 to Nov 30	Temporary Cool Season	Tall Fescue	4.0
		Oats	21.0
		Wheat (Red, Winter)	30.0
		Total	**55.0**
Sept 1 to Nov 30	Cool Season Legume	Hairy Vetch	8.0
May 1 to Aug 31	Temporary Warm Season	Foxtail Millet	30.0

(4) Seeding rates should be as shown in Table 1-4 or as recommended by the county agricultural extension agent.

(5) The seed should be applied uniformly with a cyclone seeder, drill, cultipacker seeder or hydroseeder (slurry includes seed, fertilizer and binder).

(6) Slopes that are steeper than 3:1 should be covered with appropriate soil stabilization matting as described in the following section to prevent loss of soil and seed.

Irrigation

Temporary irrigation should be provided according to the schedule described below, or to replace moisture loss to evapotranspiration (ET), whichever is greater. Significant rainfall (on-site rainfall of ½" or greater) may allow watering to be postponed until the next scheduled irrigation.

Time Period	Irrigation Amount and Frequency
Within 2 hours of installation	Irrigate entire root depth, or to germinate seed
During the next 10 business days	Irrigate entire root depth every Monday, Wednesday, and Friday
During the next 30 business days or until Substantial Completion	Irrigate entire root depth a minimum of once per week, or as necessary to ensure vigorous growth
During the next 4 months or until Final Acceptance of the Project	Irrigate entire root depth once every two weeks, or as necessary to ensure vigorous growth

If cool weather induces plant dormancy, water only as necessary to maintain plant health. Irrigate in a manner that will not erode the topsoil but will sufficiently soak the entire depth of roots.

Inspection and Maintenance Guidelines:

(1) Temporary vegetation should be inspected weekly and after each rain event to locate and repair any erosion.

(2) Erosion from storms or other damage should be repaired as soon as practical by regrading the area and applying new seed.

(3) If the vegetated cover is less than 80%, the area should be reseeded.

V. TPDES TXR 150000 GENERAL PERMIT

Texas Commission on Environmental Quality

P.O. Box 13087, Austin, Texas 78711-3087

GENERAL PERMIT TO DISCHARGE UNDER THE

TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR150000, issued March 5, 2008

Construction sites that discharge stormwater associated with construction activity

located in the state of Texas

may discharge to surface water in the state

only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission 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 stormwater and certain non-stormwater discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general 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 general permit and the authorization contained herein shall expire at midnight, five years from the permit effective date.

EFFECTIVE DATE: March 5, 2013

ISSUED DATE: FEB 19 2013

Bryan W. Shaw

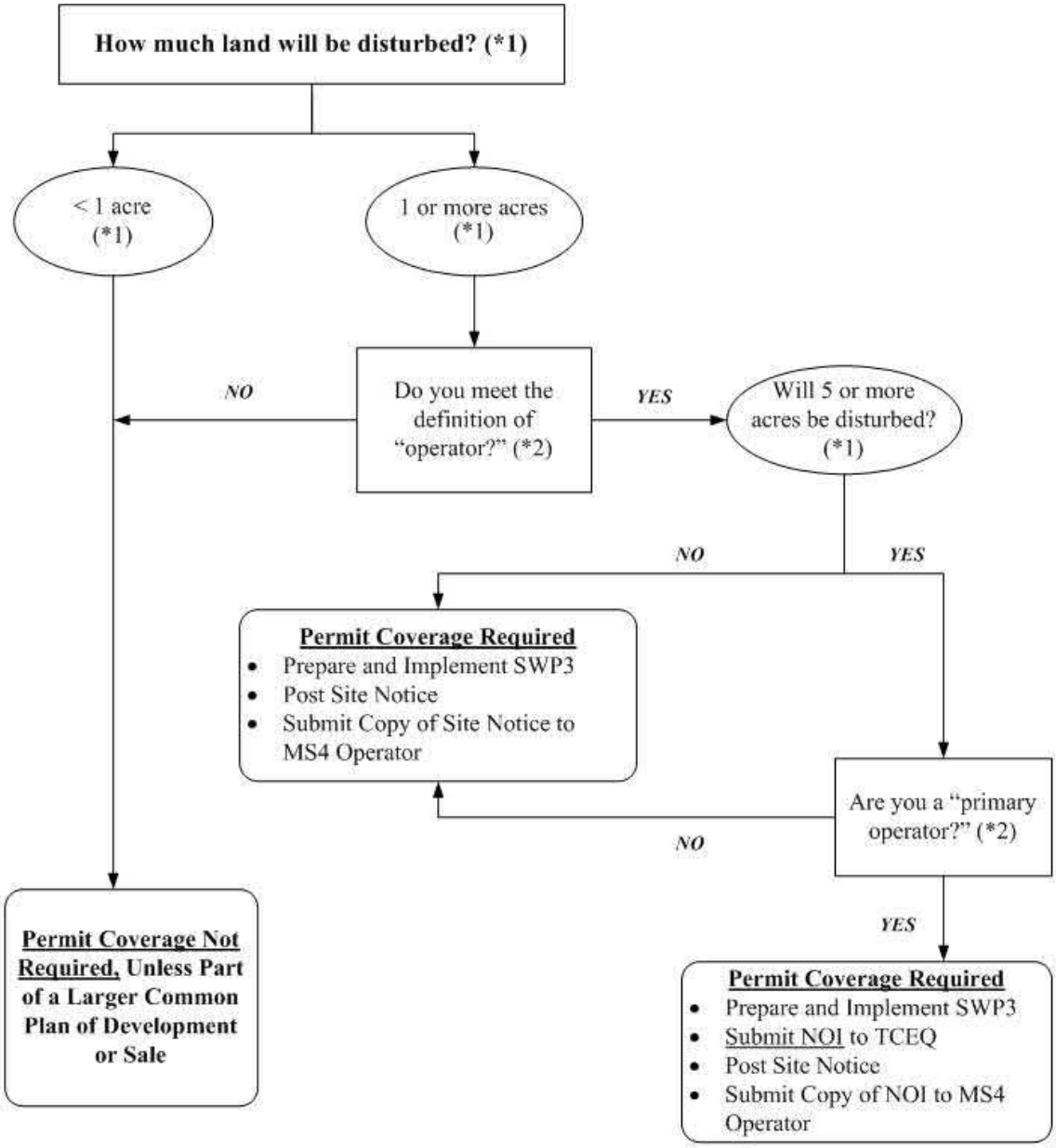
For the Commission

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

Table of Contents

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 "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.

Construction Activity - Includes soil disturbance activities, including clearing, grading, and excavating; and 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). Regulated construction activity is defined in terms of small and large construction activity.

Dewatering – The act of draining rainwater or groundwater from building foundations, vaults, and trenches.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater 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 wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Drought-Stricken Area – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

Edwards Aquifer - As defined under Texas Administrative Code (TAC) § 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 (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at http://www.tceq.texas.gov/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 No. 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 No. 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 No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at http://www.tceq.texas.gov/compliance/field_ops/eapp/mapdisclaimer.html.

Effluent Limitations Guideline (ELG) – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

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 (for example, 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 (that is, 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 BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization.

Fullfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

C. For construction activities on land used for agricultural purposes (such as 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 (for example, 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% of the native background 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.

Impaired Water - A surface water body that is identified on the latest approved CWA §303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Linear Project – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Minimize - To reduce or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

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, stormwater, 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 on-site 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 (for example, 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 or entity, often the property owner, whose operational control is limited to:

(a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or

(b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site where they have control over the plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Outfall - For the purpose of this permit, a point source at the point where stormwater 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 stormwater runoff and certain non-stormwater 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 stormwater 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 (TWC) §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).

Receiving Water - A “Water of the United States” as defined in 40 CFR §122.2 into which the regulated stormwater discharges.

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 stormwater; 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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Steep Slopes – Where a state, Tribe, local government, or industry technical manual (e.g. stormwater BMP manual) has defined what is to be considered a “steep slope”, this permit’s definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

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

Stormwater Associated with Construction Activity - Stormwater 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 reduce or prevent pollution in stormwater

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.

Total Maximum Daily Load (TMDL) - The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Turbidity – A condition of water quality characterized by the presence of suspended solids and/or organic material.

Waters of the United States - (from 40 CFR §122.2) 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 U.S. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the U.S. (such as

disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. 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 CWA, the final authority regarding CWA jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

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

2. Discharges of Stormwater 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. Construction support activities authorized under this general permit are not commercial operations, and do not serve multiple unrelated construction projects. Discharges of stormwater 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) an SWP3 is developed for the permitted construction site according to the provisions of this general permit, and includes appropriate controls and measures to reduce erosion and discharge of pollutants in stormwater 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, at the time that they do, are authorized under separate Texas Pollutant Discharge Elimination System (TPDES) authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit (MSGP), TXR050000 (related to stormwater 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-Stormwater Discharges

The following non-stormwater 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, or 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, 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, but 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 National Pollutant Discharge Elimination System (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 wash out of concrete trucks at regulated construction sites must be performed 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) or removal of the appropriate site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of stormwater 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, have the reasonable potential to 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 if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment 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. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

New sources or new discharges of the pollutants 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 CWA §303(d) List. Pollutants of concern are those for which the water body is listed as impaired.

Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

Discharges cannot be authorized by this general permit where prohibited by 30 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 (EAPP) 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 (CZ), 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 (WPAP) under the Edwards Aquifer Rule is in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater 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 stormwater runoff are in addition to the requirements in this general permit for this pollutant.

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

Stormwater 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 stormwater require authorization under federal NPDES

regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production

Stormwater 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 stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

10. Stormwater Discharges from Agricultural Activities

Stormwater discharges from agricultural activities that are not point source discharges of stormwater 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 stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

12. 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 (effective on March 5, 2008), must submit an NOI to renew authorization or a NOT to terminate coverage 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 an SWP3 or submit an 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 TCEQ construction site notice, 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 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 stormwater runoff or other non-stormwater discharges under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where stormwater and non-stormwater is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and

(h) any non-stormwater 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 TCEQ small construction site notice, 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 prior to commencement of construction activities.

Operators of small construction activities as defined in Part I.B 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 an 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 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);

(d) prior to commencing construction activities, all primary operators must (1) provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and (2) list in the SWP3 the names and addresses of all MS4 operators receiving a copy;

(e) 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 a primary operator 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; and

(f) all secondary operators must provide a copy of the signed and certified Secondary Operator construction site notice to the operator of any MS4 receiving the discharge prior to commencement of construction activities.

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 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 in accordance with this general permit, that it will be implemented prior to construction, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;

(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 an 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 location (latitude/longitude) of the construction project or site; and

(e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant 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 an 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 stormwater 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-stormwater discharges. The operator must insure that any non-stormwater 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 R factor is less than five (5); and

(c) the waiver certification form is postmarked for delivery to the TCEQ at least seven (7) days before construction activity begins or, if electronic filing is available, then any time following the receipt of written confirmation from TCEQ that a complete electronic application was submitted and acknowledged.

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 seven (7) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, if electronic form submittals are available.

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 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. 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 §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 authorization.

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 §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 TMDL or TMDL I-Plan on the receiving water;

(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 Chapter 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. Alternative Discharge Authorization

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 effective 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. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2. and II.E.3. of this general permit that will reach Waters of the U.S., including discharges to MS4s and privately owned separate storm sewer systems that drain to Waters of the U.S., 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 stormwater associated with construction activity and non-stormwater 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.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

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 shall:

(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 that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMP s 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 number(s) for operators 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 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 stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.
2. A primary operator of a large construction activity must post the TCEQ site notice 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 TCEQ site notice required in Part II.E.1., 2., or 3. of this general permit in order to obtain authorization. If the construction project is a linear construction project, such as a 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 and must comply with the construction and development effluent guidelines in Part III, Section G of the general permit.

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, including estimated start dates and duration of activities;
   (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 controls and buffers, 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 or chemical storage areas;
      (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicating those that are impaired waters;
      (vii) locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;
      (viii) vehicle wash areas; and
      (ix) designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

      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;
   (k) the 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;
   (l) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site; and

(m) locations of all pollutant-generating activities, such as paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.

2. A description of the 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, compliant with the requirements of Part III.G.1 and G.2 of this general permit, 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 immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding 14 calendar days. Stabilization measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures:

(A) Where the immediate initiation of stabilization measures 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) In arid areas, semi-arid areas, or drought-stricken areas where the immediate initiation of stabilization measures 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 immediately install, and within 14 calendar days of a temporary or permanent cessation of work in any portion of the site complete, non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (C) below.

(C) 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.

(D) If the initiation or completion of vegetative stabilization is affected by circumstances beyond the control of the permittee, vegetative stabilization must be initiated or completed as soon as conditions or circumstances allow it on the site. The requirement to initiate stabilization is triggered as soon as it is known with reasonable certainty that work will be stopped for 14 or more additional calendar days.

(iv) Final stabilization must be achieved prior to termination of permit coverage.

(v) TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater 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.

(4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.

(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 stormwater 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.

(C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part III.G.6 of this general permit.

3. Description of Permanent Stormwater Controls

A description of any measures that will be installed during the construction process to control pollutants in stormwater 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 stormwater 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 stormwater 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.

(f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part III.G of this general permit.

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 stormwater 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 stormwater 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 WPAP 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 stormwater 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 shall 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 shall 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, semi-arid, or drought-stricken 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. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of winter or drought conditions resulting in monthly frequency of inspections.

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 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.7.(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 or greater, 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.7.(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 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-stormwater 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.
10. The SWP3 must include pollution prevention procedures that comply with Part III.G.4 of this general permit.

Section G. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT).

1. Erosion and sediment controls. Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

   (a) Control stormwater volume and velocity within the site to minimize soil erosion;

   (b) If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;

   (c) Minimize the amount of soil exposed during construction activity;

   (d) Minimize the disturbance of steep slopes;

   (e) Minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;

   (f) If earth disturbance activities are located in close proximity to a surface water, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are not feasible, and shall implement additional erosion and sediment controls to reduce sediment load;

   (g) Preserve native topsoil at the site, unless infeasible; and

   (h) Minimize soil compaction in post-construction pervious areas. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:

      (1) restrict vehicle and equipment use to avoid soil compaction; or

      (2) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible;

   (i) TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute “surface waters” for the purposes of triggering the buffer requirement in Part III.G.(f) above.

2. Soil stabilization. Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. In the context of this requirement, “immediately” means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary

stabilization must be completed no more than 14 calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements.

3. Dewatering. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls.
4. Pollution prevention measures. Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
   (a) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
   (b) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
   (c) Minimize the discharge of pollutants from spills and leaks, and implement chemical spill and leak prevention and response procedures.
5. Prohibited discharges. The following discharges are prohibited:
   (a) Wastewater from wash out of concrete trucks, unless managed by an appropriate control (see Part V of the general permit);
   (b) Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
   (c) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
   (d) Soaps or solvents used in vehicle and equipment washing.
6. Surface outlets. When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.

Part IV. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater 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 stormwater 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 shall sample the stormwater 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:

Table 1. Benchmark Parameters

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 stormwater 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 stormwater 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 stormwater 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 stormwater runon to the permitted facility, by laboratory analyses of samples of stormwater 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 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 stormwater 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 stormwater 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 stormwater and that have a potential to

affect the quality of stormwater 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 stormwater and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.

(d) Sampling Data - A summary of existing stormwater 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 stormwater. 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 stormwater. 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 stormwater 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 stormwater 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 stormwater 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 stormwater 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 stormwater 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 §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 wash out 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. Any other direct discharge of concrete production waste water 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 wash out as the result of rainfall or stormwater runoff.
4. The discharge of wash out water must 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 site 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, revoking, or denying 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 TWC Chapters 26-28, Texas Health and Safety Code §§361.032-361.033 and 361.037, and 40 CFR §122.41(i). The statement in TWC §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 TWC Chapter 7 for violations including but not limited to the following:
   (a) negligently or knowingly violating the federal 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; and
   (c) knowingly violating §303 of the federal CWA, and placing another person in imminent danger of death or serious bodily injury.
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.
8. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.
9. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
10. The permittee shall comply with the reporting requirements in 40 CFR §122.41(l), as applicable.

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 an 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 for this general permit. 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

Deaf Smith: Nov. 15 - Apr. 30

Dickens: 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

Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14

Jones: 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

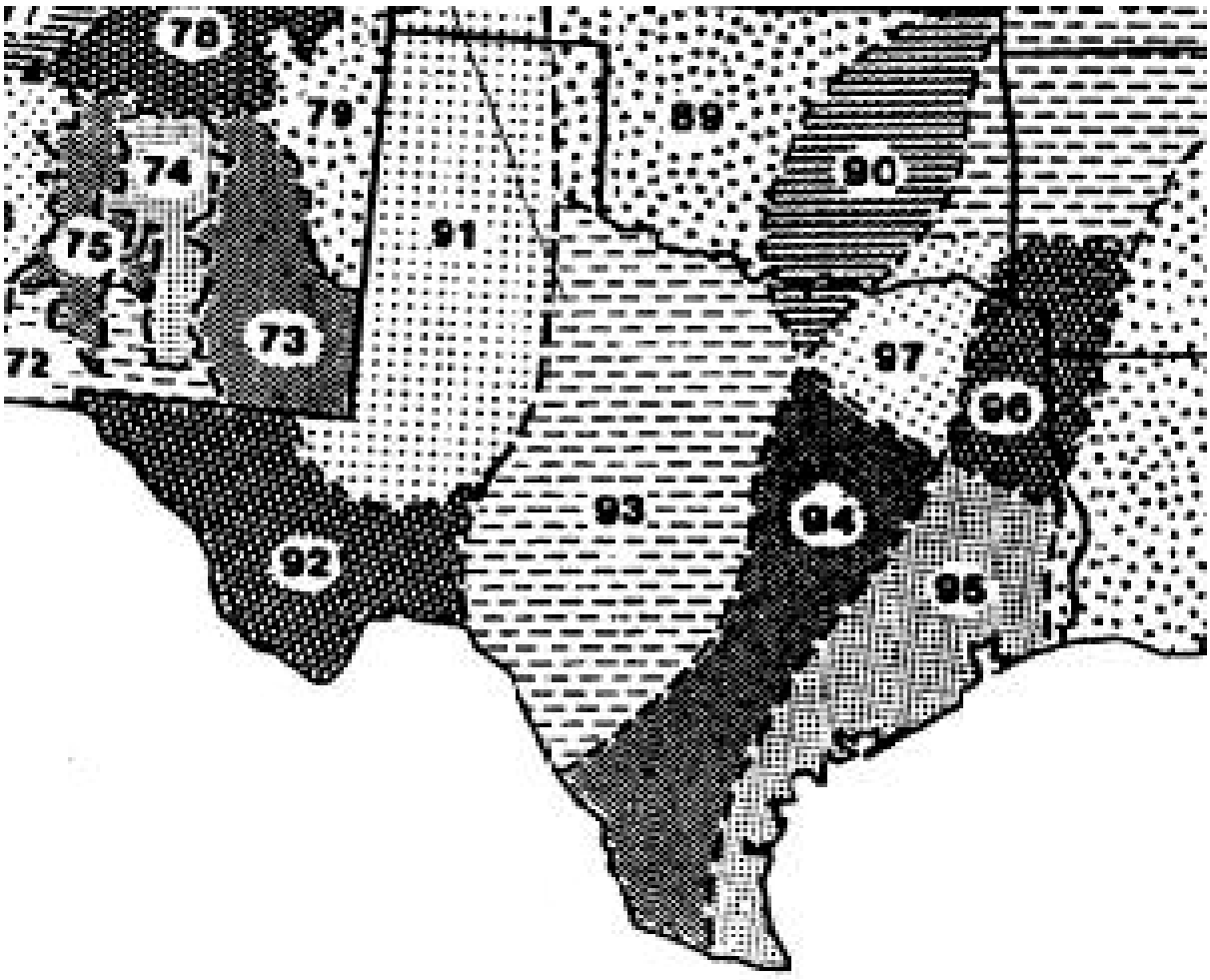
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Young: Dec. 15 - Feb. 14

Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

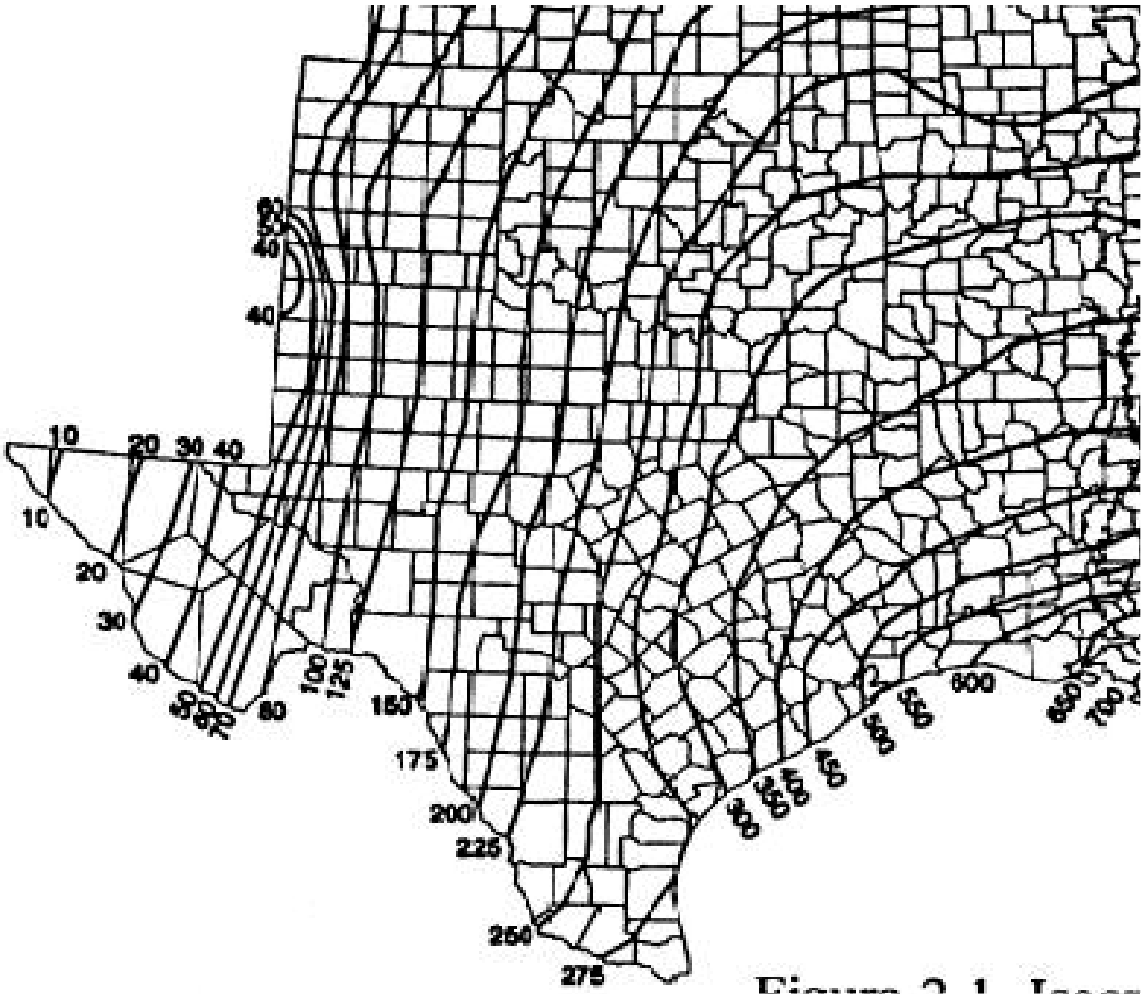
Zavala: Dec. 15 - Feb. 14

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	1/16	1/31	2/15	3/1	3/16	3/31	4/15	4/30	5/15	5/30	6/14	6/29	7/14	7/29	8/13	8/28	9/12	9/27	10/12	10/27	11/11	11/26	12/11	12/31
89	0	1	1	2	3	4	7	2	8	27	38	48	55	62	69	76	83	90	94	97	98	99	100	100	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	100
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	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	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	100
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	100
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	100
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	100
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	100
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	100

* 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 11 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

VI. NOTICE OF INTENT (NOI)

TCEQ Office Use Only
Permit No.:
RN:
CN:
Region:

RESET FORM

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

IMPORTANT:

- Use the INSTRUCTIONS to fill out each question in this form.
- Use the CHECKLIST to make certain you filled out all required information. Incomplete applications **WILL** delay approval or result in denial.
- Once processed your permit can be viewed at: http://www.tceq.texas.gov/goto/wq-dpa

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

APPLICATION FEE:

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

☐ Mailed Check/Money Order Number: _____
Name Printed on Check: _____
Copy of check enclosed? ☐ Yes

☐ EPAY Voucher Number: _____
Is the Payment Voucher copy attached? ☐ Yes

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

☐ Yes The Permit number is: TXR15_____
(If a permit number is not provided, a new number will be assigned.)

☐ No

1) OPERATOR (Applicant)

a) If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity? You may search for your CN at: http://www.tceq.texas.gov/goto/cr-customer

CN_____

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

_____

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

c) What is the contact information for the Operator (Responsible Authority)? The mailing address must be recognized by the US Postal Service (USPS). You may verify the address at: https://tools.usps.com/go/ZipLookupAction!input.action

Prefix (Mr. Ms. Miss):_____
First/Last Name:_____ Suffix:_____
Title:_____Credential:_____
Phone Number:_____Ext:_____Fax Number:_____
E-mail:_____
Mailing Address:_____
Internal Routing (Mail Code, Etc.):_____
City:_____State:_____ZIP Code:_____
If outside USA:
Territory:_____Country Code:_____ Postal Code:_____

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

☐ Individual	☐ Limited Partnership	☐ Sole Proprietorship-DBA
☐ Joint Venture	☐ General Partnership	☐ Corporation
☐ Trust	☐ Estate	☐ Federal Government
☐ State Government	☐ County Government	☐ City Government
☐ Other Government		

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

☐ Yes ☐ No

f) Number of Employees:

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

g) Customer Business Tax and Filing Numbers:
(REQUIRED for Corporations and Limited Partnerships. Not Required for Individuals, Government, or Sole Proprietors)

State Franchise Tax ID Number:_____
Federal Tax ID:_____
Texas Secretary of State Charter (filing) Number:_____
DUNS Number (if known):_____

2) APPLICATION CONTACT

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

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

☐ Yes, go to Section 3).

☐ No, complete section below

Prefix (Mr. Ms. Miss):_____
First/Last Name: _____ Suffix: _____
Title:_____Credential:_____
Organization Name:_____
Phone Number:_____ Ext:_____ Fax Number:_____
E-mail:_____
Mailing Address:_____
Internal Routing (Mail Code, Etc.):_____
City:_____ State:_____ ZIP Code:_____
Mailing Information if outside USA:
Territory:_____Country Code:_____Postal Code:_____

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

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

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

a) TCEQ issued RE Reference Number (RN): RN_____

b) Name of project or site (the name known by the community where located):

_____

c) In your own words, briefly describe the primary business of the Regulated Entity: (Do not repeat the SIC and NAICS code):

d) County (or counties if > 1)

e) Latitude:_____Longitude: _____

f) Does the site have a physical address?

☐ Yes, complete Section A for a physical address.

☐ No, complete section B for site location information.

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

Physical Address of Project or Site:
Street Number: _____ Street Name: _____
City:_____ State:Texas ZIP Code:_____

Section B: Enter the site location information.

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

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

State: Texas ZIP Code where the site is located:

4) GENERAL CHARACTERISTICS

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

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

☐ No

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

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

☐ No

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

Primary SIC Code:

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

e) What is the total number of acres disturbed?

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

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

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

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

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

i) Is the discharge into an MS4?

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

_____

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

☐ No

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

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

_____

☐ No

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

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

☐ No

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

☐ Yes

5) CERTIFICATION

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

a) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000). ☐ Yes

b) I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas. ☐ Yes

c) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed. ☐ Yes

d) I certify that a Stormwater Pollution Prevention Plan has been developed, will be implemented prior to construction and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000. Note: For multiple operators who operate under a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator. ☐ Yes

Operator Certification:

I,_____ _____
Typed or printed name Title

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

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

Signature: _____ Date:_____
(Use blue ink)

NOTICE OF INTENT CHECKLIST (TXR150000)

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

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

Application Fee:

If paying by Check:

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

If using ePay:

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

PERMIT NUMBER:

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

OPERATOR INFORMATION - Confirm each item is complete:

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

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

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

GENERAL CHARACTERISTICS - Confirm each item is complete:

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

CERTIFICATION

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

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

General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Stormwater Processing Center (MC-228)
P.O. Box 13087
Austin, Texas 78711-3087

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Stormwater Processing Center (MC-228)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact List:

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

Notice of Intent Process:

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

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

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

3) **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.
   -or-
   Denial of Coverage: If the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

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

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

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

General Permit Forms

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

Change in Operator

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

TCEQ Central Registry Core Data Form

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

You can find the information on the Central Registry web site at http://www15.tceq.texas.gov/crpub/. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Program ID". Capitalize all letters in the permit number.

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

Fees associated with a General Permit

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

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

Mailed Payments:

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

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

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

ePAY Electronic Payment: http://www.tceq.texas.gov/epay
When making the payment you must select Water Quality, and then select the fee category "General Permit Construction Storm Water Discharge NOI Application". You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

INSTRUCTIONS FOR FILLING OUT THE NOI FORM

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

1. Operator (Applicant)

a) Enter assigned Customer Number (CN)

TCEQ's Central Registry will assign each customer a number that begins with CN, followed by nine digits. **This is not a permit number, registration number, or license number**.
If this customer has not been assigned a CN, leave the space for the CN blank.
If this customer has already been assigned this number, enter the permittee's CN.

b) Legal Name

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

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

Provide the first and last name, and the title of the person signing the Certification section of the application. This person must be an individual having signatory authority in accordance with 30 TAC Chapter §305.44. This person is also referred to as the Responsible Authority.

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

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

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

d) Type of Customer (Entity Type)

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

Sole Proprietorship – DBA

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

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

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

Individual

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

Partnership

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

Corporation

A customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.
- The corporation's 'legal name' as filed with the Texas Secretary of State must be provided as applicant. An 'assumed' name of a corporation is not recognized as the 'legal name' of the entity.

Government

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

The customer is either an agency of one of these levels of government or the governmental body itself. The government agency's 'legal name' must be provided as the

applicant. A department name or other description of the organization should not be included as a part of the 'legal name' as applicant.

Trust or Estate

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

Other Government

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

e) Independent Entity

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

f) Number of Employees

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

g) Customer Business Tax and Filing Numbers

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

State Franchise Tax ID Number

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

Federal Tax ID

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

TX SOS Charter (filing) Number

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

DUNS Number

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

2. APPLICATION CONTACT

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

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

a) Regulated Entity Reference Number (RN)

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

If the site of your business is part of a larger business site, a Regulated Entity Number (RN) may already be assigned for the larger site. Use the RN assigned for the larger site. Search TCEQ's Central Registry to see if the larger site may already be registered as a regulated site at: http://www.tceq.texas.gov/goto/cr-searchrn

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

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

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

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

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

e) Latitude and Longitude
Enter the latitude and longitude of the site in degrees, minutes, and seconds or decimal form. For help obtaining the latitude and longitude, go to:
http://www.tceq.texas.gov/gis/sqmaview.html or http://nationalmap.gov/ustopo

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

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

4. GENERAL CHARACTERISTICS

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

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

If your activity is associated with oil and gas exploration, development, or production, you may be under jurisdiction of the Railroad Commission of Texas and may need to obtain authorization from EPA Region 6. For more information, see: http://texreg.sos.state.tx.us/public/readtac$ext.TacPage?sl=R&app=9&p_dir=&p_rloc=&p_tloc=&p_ploc=&pg=1&p_tac=&ti=16&pt=1&ch=3&rl=30

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

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

c) Primary Standard Industrial Classification (SIC) Code

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

Common SIC Codes related to construction activities include:

- 1521 - Construction of Single Family Homes
- 1522 - Construction of Residential Bldgs. Other than Single Family Homes
- 1541 - Construction of Industrial Bldgs. and Warehouses

- 1542 - Construction of Non-residential Bldgs, other than Industrial Bldgs. and Warehouses
- 1611 - Highway and Street Construction, except Highway Construction
- 1622 - Bridge, Tunnel, and Elevated Highway Construction
- 1623 - Water, Sewer, Pipeline and Communications, and Power Line Construction

For help with SIC Codes, go to:
http://www.osha.gov/pls/imis/sicsearch.html

d) Secondary SIC Code
Secondary SIC Code(s) may be provided. Leave blank if not applicable. For help with SIC Codes, go to: http://www.osha.gov/pls/imis/sicsearch.html

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

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

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

For more information on "What is a common plan of development?" go to:
www.tceq.texas.gov/permitting/stormwater/common_plan_of_development_steps.html

For further information, go to the TCEQ stormwater construction webpage at:
www.tceq.texas.gov/goto/construction and search for "Additional Guidance and Quick Links". If you have any further questions about this item, please call the stormwater technical staff at (512)239-4671.

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

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

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

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

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

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

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

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

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

NOTE: Do not use any "draft" documents.

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

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

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

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

5. CERTIFICATIONS

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

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

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

b) Certification of Legal Name

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

c) Understanding of Notice of Termination

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

d) Certification of Stormwater Pollution Prevention Plan

The SWP3 identifies the areas and activities that could produce contaminated runoff at your site and then tells how you will ensure that this contamination is mitigated. For example, in describing your mitigation measures, your site's plan might identify the devices that collect and filter stormwater, tell how those devices are to be maintained, and tell how frequently that maintenance is to be carried out. You must develop this plan in accordance with the TCEQ general permit requirements. This plan must be developed and implemented before you complete this NOI. The SWP3 must be available for a TCEQ investigator to review on request.

Operator Certification:

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

IF YOU ARE A CORPORATION:

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

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

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

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

30 Texas Administrative Code

§305.44. Signatories to Applications

(a) All applications shall be signed as follows.

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

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

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

Texas Commission on Environmental Quality
General Permit Payment Submittal Form

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

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

Mail this form and your check to:

BY REGULAR U.S. MAIL

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

BY OVERNIGHT/EXPRESS MAIL

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

Fee Code: GPA General Permit: TXR150000

1. Check / Money Order Number:
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

VII. AGENT AUTHORIZATION FORMS

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

I David Keith,
Print Name

Vice President,
Title - Owner/President/Other

of SH-DJL Development, LLC,
Corporation/Partnership/Entity Name

have authorized Moy Tarin Ramirez Engineers, LLC
Print Name of Agent/Engineer

of Moy Tarin Ramirez Engineers, LLC
Print Name of Firm

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

I also understand that:

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

2. For those submitting an application who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.

3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.

4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.

5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

Applicant's Signature

6-1-2020
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared David Keith 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 1st day of June, 2020.

DIANE L BEAVERS
Notary ID #5169480
My Commission Expires
November 2, 2023

Diane L Beavers
NOTARY PUBLIC

Diane L. Beavers
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 11-2-2023

VIII. APPLICATION FEE FORM

Application Fee Form

Texas Commission on Environmental Quality
Name of Proposed Regulated Entity: Singing Hills
Regulated Entity Location: Northwest corner of U.S. Hwy. 281 and State Hwy. 46
Name of Customer: SH-DJL Development, LLC
Contact Person: David Keith Phone: (210) 614-7051
Customer Reference Number (if issued):CN 604065060
Regulated Entity Reference Number (if issued):RN 106090962

Austin Regional Office (3373)

☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362)

☐ Bexar ☐ Medina ☐ Uvalde
☒ Comal ☐ Kinney

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

☐ Austin Regional Office
☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☒ San Antonio Regional Office
☐ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☐ Recharge Zone ☒ Contributing Zone ☐ Transition Zone

Type of Plan	***Size***	***Fee Due***
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	18.25 Acres	$ 6,500.00
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: _____

Date: 6-1-2020

Application Fee Schedule

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

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

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

Organized Sewage Collection Systems and Modifications

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

Underground and Aboveground Storage Tank System Facility Plans and Modifications

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

Exception Requests

Project	*Fee*
Exception Request	$500

Extension of Time Requests

Project	*Fee*
Extension of Time Request	$150

IX. TCEQ CORE DATA FORM

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 **Modification to approved CZP**

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number *(if issued)*
CN **604065060**		RN **106090962**

SECTION II: Customer Information

4. General Customer Information	5. Effective Date for Customer Information Updates (mm/dd/yyyy)	4/25/2017

☐ New Customer ☒ Update to Customer Information ☐ Change in Regulated Entity Ownership

☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).

6. Customer Legal Name *(If an individual, print last name first: eg: Doe, John)*	*If new Customer, enter previous Customer below:*
SH-DJL Development, LLC	

7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number *(if applicable)*

11. Type of Customer:	☐ Corporation	☐ Individual	Partnership: ☐ General ☐ Limited
Government: ☐ City ☐ County ☐ Federal ☐ State ☐ Other		☐ Sole Proprietorship	☐ Other:

12. Number of Employees	13. Independently Owned and Operated?
☐ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher	☐ Yes ☐ No

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

☒ Owner ☐ Operator ☐ Owner & Operator

☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other:

15. Mailing Address:	18615 Tuscany Stone, Suite 200						
	City	San Antonio	State	TX	ZIP	78258	ZIP + 4	3502

16. Country Mailing Information *(if outside USA)*	17. E-Mail Address *(if applicable)*
	DaveK@mcmi-sa.com

18. Telephone Number	19. Extension or Code	20. Fax Number *(if applicable)*
(210) 614-7051		(210) 614-8276

SECTION III: Regulated Entity Information

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

☐ New Regulated Entity ☐ Update to Regulated Entity Name ☒ Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).

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

Singing Hills

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

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	Approximately 0.96 miles northwest of the intersection of US Hwy 281 & Hwy 46				
26. Nearest City			**State**	**Nearest ZIP Code**	
Bulverde			TX	78070	
27. Latitude (N) In Decimal:	29.8063		**28. Longitude (W) In Decimal:**	98.4320	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
29	48	23	98	25	55

29. Primary SIC Code (4 digits)	**30. Secondary SIC Code** (4 digits)	**31. Primary NAICS Code** (5 or 6 digits)	**32. Secondary NAICS Code** (5 or 6 digits)
1521	7832	237210	452990

33. What is the Primary Business of this entity? *(Do not repeat the SIC or NAICS description.)*

General retail, dining & land development (single & multi-family development)

34. Mailing Address:	**18615 Tuscany Stone, Suite 200**						
	City	**San Antonio**	**State**	**TX**	**ZIP**	**78258**	**ZIP + 4**	**3502**
35. E-Mail Address:	**DaveK@mcmi-sa.com**						

36. Telephone Number	**37. Extension or Code**	**38. Fax Number** *(if applicable)*
(210) 614-7051		**(210) 614-8276**

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

☐ Dam Safety	☐ Districts	☒ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
		13000394		
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☐ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

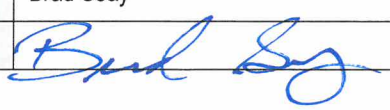
SECTION IV: Preparer Information

40. Name:	Brad Seay, PE	**41. Title:**	Project Manager

42. Telephone Number	**43. Ext./Code**	**44. Fax Number**	**45. E-Mail Address**
(210) 698-5051	203	(210) 698-5085	bseay@mtrengineers.com

SECTION V: Authorized Signature

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

Company:	Moy Tarin Ramirez Engineers, LLC	**Job Title:**	Project Manager
Name *(In Print):*	Brad Seay	**Phone:**	(210) 698- **5051**
Signature:		**Date:**	6-18-2020

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 30, 2015

RECEIVED

JAN 06 2016

COUNTY ENGINEER

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills Development (Jiffy Lube); Located on the northwest corner of U.S. Highway 281 and State Highway 46; City of Bulverde, Texas

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

Investigation No. 1289574; Regulated Entity No. RN10609062; Additional ID No. 13000001

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by CEI Engineering Associates, Inc. on behalf of SH-DJL Development, LLC on October 20, 2015. Final review of the CZP was completed after additional material was received on December 14, 2015, and December 22, 2015 As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately

90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain undisturbed. Two sedimentation/filtration basins were constructed to provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

The first modification, approved on January 13, 2015, proposed to construct a mixed use, phased development on a 253.80 acres site. The phase 1 impervious cover was slightly reduced from 66.1 acres to 65.68 acres. Approved Phase 2 activities included the construction of 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, the construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover was approved to be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements was also approved. Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

PROJECT DESCRIPTION

The proposed commercial project will have an area of approximately 253.8 acres. It will include a Jiffy Lube retail store with nine proposed above ground storage tanks with a total volume of 3,900 gallons. The impervious cover will be 130.45 acres (51 percent). Project wastewater will be disposed of by conveyance to the existing Singing Hills Water Recycling Center owned by the SH-DJL Development, LLC (TCEQ ID No. WQ0015038001). The proposed aboveground storage tanks include the items listed in the table below.

AST Number	Gallons	Tank Material	Contents of Tank
1	280	Steel	Automotive Oil
2	280	Steel	Automotive Oil
3	280	Steel	Automotive Oil
4	280	Steel	Automotive Oil
5	280	Steel	Automotive Oil
6	500	Steel	Automotive Oil
7	500	Steel	Automotive Oil
8	500	Steel	Automotive Oil
9	1,000	Steel	Used Automotive Oil
Total	3,900		

Five UL 142 steel tanks, containing 280 gallons each, and three UL 142 steel tanks, containing 500 gallons each, and one UL 142 steel tank will be placed within the containment area with inside dimensions of 34 feet in length by 43 feet in width by 5 feet in depth. Total containment capacity of the proposed tanks will be greater than 150 percent of the total storage capacity of the tank system. Any spillage will be directed to a convenient point within the containment structure

for collection and recovery. A Floropoxy System 4700 Epoxy Primer will be used to seal the containment area.

All piping, hoses and dispensers will be located inside the containment structure. Piping will be aboveground. Spill and overfill control for each tank and piping structures will be provided by the secondary containment area.

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, four (4) existing sedimentation filtration basins, 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 112,857 pounds of TSS generated from the 130.45 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of four existing partial sedimentation/filtration basins. All four basins will be concrete lined with a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

Basin #1 will be designed with a water quality volume of 289,408 cubic feet (282,530 cubic feet required), and a sand filter area of 35,952 square feet (23,544 square feet required). This basin is designed to remove 50,890 pounds of TSS (50,212 pounds required).

Basin #2 will be designed with a water quality volume of 35,508 cubic feet (33,566 cubic feet required), and a sand filter area of 5,792 square feet (2,797 square feet required). This basin is designed to remove 5,115 pounds of TSS (4,983 pounds required).

Basin #3 will be designed with a water quality volume of 309,104 cubic feet (289,672 cubic feet required), and a sand filter area of 41,214 square feet (24,071 square feet required). This basin is designed to remove 33,525 pounds of TSS (29,083 pounds required).

Basin #4 will be designed with a water quality volume of 214,992 cubic feet (197,320 cubic feet required), and a sand filter area of 26,874 square feet (16,392 square feet required). This basin is designed to remove 24,200 pounds of TSS (21,749 pounds required).

*Basins 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover (2,163 pounds of TSS) within the phase 1 development.

*Basins 3 and 4 have been oversized to account for 5.199 acres of uncaptured impervious cover (4,667 pounds of TSS) within the phase 2 development

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012 and January 13, 2015.

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

IV. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

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

During Construction:

8. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant

shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.

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

<u>After Completion of Construction:</u>

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

regulated activity by the executive director is required prior to commencement of the new regulated activity.

17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4012.

Sincerely,

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

LB/MR/eg

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

cc: Mr. Andrew D. Slyter, P.E., CEI Engineering Associates, Inc.
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

TCEQ
Protecting Texas by Reducing and Preventing Pollution

RECEIVED
JAN 04 2016
COUNTY ENGINEER

F A X T R A N S M I T T A L

DATE: **December 18, 2015**

NUMBER OF PAGES *(including this cover sheet):* **2**

TO: Name **Mr. David Keith**
Organization **SH-DJL Development, LLC**
FAX Number **210-614-8276**

TO: Name **Mr. Andrew D. Slyter, P.E., CPESC**
Organization **CEI Engineering Associates, Inc.**
FAX Number **479-273-0844**

FROM: TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Name **Monica Reyes**
Division/Region **EAPP/San Antonio**
Telephone Number **210-403-4012**
FAX Number **210-545-4329**

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills Development (Jiffy Lube); Located on the northwest corner of US Highway 281 and State Highway 46; Bulverde, Texas

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

Request for a Modification of an Approved Contributing Zone Plan (CZP); 30 Texas Administration Code (TAC) Chapter 213 Edwards Aquifer

Investigation No.1289574; Regulated Entity No. RN10609062; Additional ID No. 13000001

Dear Mr. Keith:

We are in receipt of the additional information you have submitted on the above-referenced project for the CZP application and are in the process of technically reviewing the additional information. Before we can proceed with our review, the following comments relating to the application must be addressed.

1. Documentation provided indicates the Oil Base DRYLOK Masonry Waterproofer Paint proposed for this application is not resistant to oil. TCEQ Regulation 30 TAC 213.5(e) (1) requires that the controlled drainage area must be constructed of, and in a material impervious to, the substance(s) being stored. Please choose

a suitable coating that can withstand sustained immersion in oil, possesses long-term resistance to hydrocarbons, abrasions and impacts and which meets the design standards of 30 TAC 213.5(e)(1).

We ask that you submit **one original and four copies** of the amended materials to supplement the CZP application to this office by no later than **14 days from the date of this fax** to avoid denial of the plan. If the response to this notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, a second notice will be sent to you requiring a response within 14 days from the notice date. If the response to the second is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application will be denied unless you provide written notification that the application is being withdrawn. Please note that the application fee will be forfeited if the plan is not withdrawn. If you have any questions or require additional information, please contact Monica Reyes of the Edwards Aquifer Protection Program of the San Antonio Regional Office at the number listed above.

Floropoxy System 4700
Epoxy Primer

Product Description: Floropoxy System 4700 epoxy is 100% solids, fast curing and self-leveling. This coating is designed to penetrate and seal concrete floors. It cures to form a glossy, tough, smooth surface.

Typical Uses, Applications: Ideally suited for priming or midcoat use in commercial, industrial and institutional applications, such as:
- Hospitals
- Detention facilities
- Warehouses
- Manufacturing plants
- Washrooms

Product Advantages:
- Excellent durability and resilience
- Self Leveling Epoxy system restores worn, pitted or deteriorated concrete to a smooth, highly dense and lustrous surface
- A variety of colors can be achieved with the addition of Florock 100% Solids Colorants

Packaging:
4 Gal OverPack
20 Gal Pail Set
220 Gal Drum Set

Storage: All containers should be stored at 40° F to 95° F and be kept tightly sealed and out of direct sunlight.

Coverage:
Properly prepared floors will typically consume 10 to 16 mils of primer depending on the porosity of the surface. The spread ratio will be 100 SF/gal. for 16 mils. The spread ratio will be 160 SF/gal. for 10 mils..

Cured Physical Properties		
Property	**Test Method**	**Results**
Compressive Strength	ASTM D695	13,500 PSI
Tensile Strength	ASTM D2370	8,000 PSI
Hardness, Shore D	ASTM D2240	85 @ 0 sec. 80 @ 15 sec.
Fluxural Strength	ASTM D790	12,000 PSI
Tensile Elongation	ASTM 2370	5%
Abrasion Resistance, Taber Abrader CS 17 Wheel, 1000 gm load, 1000 cycles	ASTM D4060	88 mg loss
Water Absorption	ASTM C413	0.2%
Bond Strength	ASTM D454	>400 PSI
Impact Resistance	ASTM D2794	160 lbs.

Surface Preparation: New concrete must have a 28 day cure, and preferably a broom swept finish, prior to coating. In the case of older concrete flooring, remove all surface oils, paint, dust and debris. Prior to coating, make sure the surface is clean, passes the MVT test and the water drop test and that all surface defects have been repaired. Refer to the Florock "Preparation of Concrete" datasheet for more information on preparation and MVT before proceeding.

Note: Floropoxy should not be applied when floor temperature is above 90° F or below 55° F, or when within 5° F of the dew point.

Primer Application: In a clean, dry container, blend 3 parts by volume of Resin Part A with 1 part by volume of Activator Part B. Mix thoroughly for 3-5 minutes, using a low speed mechanical mixer. Transfer the mixture from the batch container to a transport container. Remix and pour entire mix from the transport container onto floor immediately. Retaining mixture in the bucket will shorten the pot life. Using a flat or 1/8" notched squeegee, apply at desired thickness. Backroll with a 3/8" nap roller.

Note: The cure time will vary with conditions. Allow a minimum of 4 hours and a maximum of 24 hours before next step.

Self Leveler Application:
When the surface is not as smooth as desired after priming and a high performance topcoat will be the final step, a second application of Floropoxy as a self-leveler shall be applied at a sufficient thickness to restore the profile. Mix the same as with primer step. For 16 mils, apply at 100 SF/gal.

Instructions for Use over Existing Coatings:
Examine the existing coating to ensure that it is well bonded to the concrete Any loose coating must be completely removed.

Edges should be sanded to a feathered edge. Clean the entire floor thoroughly with detergent cleaner. The surface must be free of all dirt, oils, or other contaminants.
After the floor has completely dried, sand the existing coating until a powdery residue is evident and all gloss is removed. Sweep or vacuum clean, and wipe with Florobase Thinner to ensure good adhesion of the new System.

Note: When coating over existing coatings, a test patch is recommended to evaluate compatibility.

Chemical Resistance	
Reagent	**Spot Test Results**
Water	1
Isopropyl Alcohol	4
Acetone	4
Sulfuric Acid 10%	1
Nitric Acid	1
Hydrochloric Acid 10%	2
Phosphoric Acid 50%	1
Citric Acid 10%	1
Brake Fluid	1
Salt 20%	1
Acetic Acid 10%	4
Sugar Solution 10%	1
MEK	4
JP 4 Jet Chloride	1
Methylene Chloride	D
Xylene	4
Toluene	4
Mineral Spirits	1
Skydrol	1
Tincture of Iodine	4,S
Lactic Acid 10%	4
Sulfuric Acid 25%	3

Rating Scale: Spot Test, ASTM D1308
Pencil Hardness Test, ASTM D3363
1 – No change in pencil hardness
2 – 1 Unit change in pencil hardness
3 – 2 Units change in pencil hardness
4 – 3 Units change in pencil hardness
D – Destroyed
S - Stains

Floropoxy System 4700
Epoxy Primer

Please read material safety data before using product.

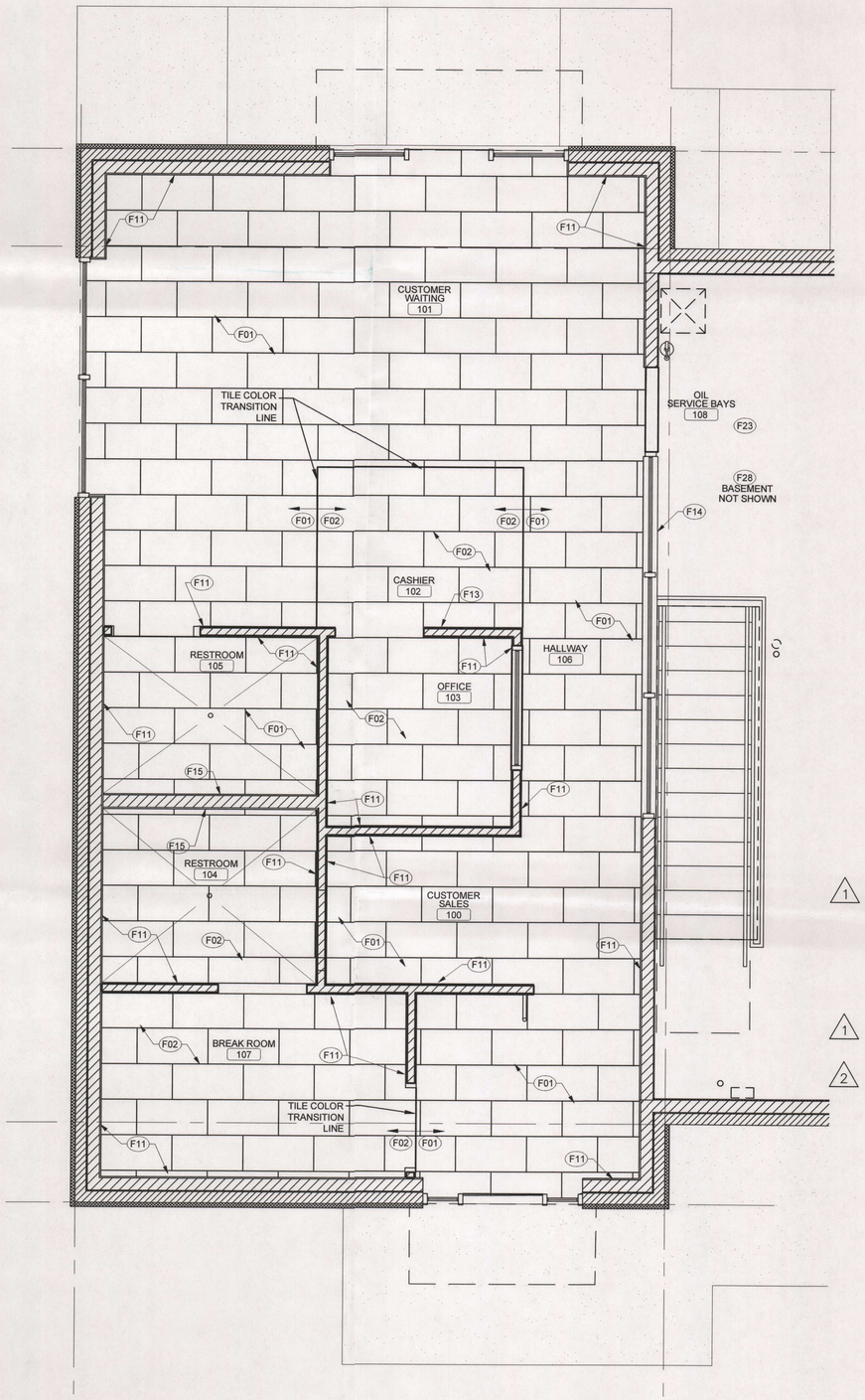
DISCLAIMER:
All statements and recommendations above are based on experience we believe to be reliable. The use or application of these products being beyond the control of the Seller or Manufacturer, neither Seller nor Manufacturer make any warranty, expressed of implied, as to results or hazard from its use. The suitability, risk and liability whatsoever of a product for an intended use shall be solely up to the User.

Liquid Physical Properties			
Property	**Test Method**	**M0-076 Component A**	**U0-144 Component B**
Viscosity	ASTM D2196	1000 cps	75 cps
Flash Point	ASTM D3278	>200 F	>200 F
Weight Per Gallon	ASTM D1475	9.13 lbs	8.10 lbs
N.V.W.	ASTM D2369	100%	100%
N.V.V.	ASTM D1259	100%	100%
VOC	ASTM D3960	0	0

Blended Components	
Blended Ratio	3:1 by volume
Curing Time, 70° F @ 50% RH	
Set to Touch	4 hours
Minimum Recoat (Foot Traffic)	6 hours
Maximum Recoat	24 hours
Pot Life (4 Gal. Volume)*	18 minutes @70° F
Minimum Recommended Spread Time	160 SF/gal.
Weight Per Gallon, ASTM D1475	8.62 lbs.
N.V.W., ASTM D2369	100%
N.V.V., ASTM D1259	100%
Blended Viscosity, ASTM D2196	500 – 800 cps
Recommended Clean Up Solvent	S 41Florobase Thinner
VOC, ASTM D3960	0

*Pot Life will be less with warmer slab and material temperatures.

4165 S. Emerald • Chicago, IL 60609 • (800) 356-7625 • www.florock.net



GENERAL NOTES

1) SERVICE PLATFORMS & RAILS TO BE PRE-FINISHED GALVANIZED BY DEVON
2) APPLY CLEAR COAT (F24) OVER CARMINE (F23) ON EXTERIOR APPLICATIONS.
4) FRP BY CRANE COMPOSITES "STONE", WWW.CRANECOMPOSITES.COM, PH-800.435.0080

INTERIOR FINISH SCHEDULE

LEGEND:

● MATERIAL AND FINISH APPLY TO ALL SURFACES

◒ MATERIAL FINISH APPLIED ON SURFACE BY QUADRANT SHADED. QUADRANT ORIENTATION SAME AS FLOOR PLAN

RM. NO.	ROOM NAME	FLOOR					BASE		WALL							CEILING		
		SMOOTH FINISHED CONC. W/ CLEAR SEALER	PORCELAIN TILE - F01	PORCELAIN TILE - F02	NOT USED	FIELD APPLIED SHAKE COLOR - F23	RUBBER - F03	NONE	PLYWOOD PAINTED (WAINSCOT) - F06	PLYWOOD PAINTED (ABOVE WAINSCOT) - F07	FRP (WAINSCOT) - F14	GYPSUM BOARD PAINTED (ABOVE WAINSCOT) - F07	GYPSUM BOARD PAINTED - F11	GYPSUM BOARD PAINTED - F12	GYPSUM BOARD PAINTED - F13	TILE - F15	NONE	GYP BOARD - F11	EXPOSED STRUCTURE PAINTED - F16	EXPOSED STRUCTURE NO PAINT	ACOUSTICAL LAY-IN TILE - F22
B01	LOWER BAY	●						●									●			●	
100	CUSTOMER SALES		●				●						●								●
101	CUSTOMER WAITING		●				●						◒								●
102	CASHIER			●			●								◒						●
103	OFFICE			●			●						●					●			
104	RESTROOM			●			●						◒			◒		●			
105	RESTROOM		●				●						◒			◒		●			
106	HALL		●				●						●								●
107	BREAK ROOM			●			●						●					●			
108	OIL SERVICE BAYS					●	●		◒	◒	◒	◒							●		
109	AUTO SERVICE BAYS					●	●		◒	◒	◒	◒							●		

FINISHES: INTERIOR/ EXTERIOR

MARK	TYPE	MATERIAL/ SIZE	MFR	MFR #	COLOR
F01	FLOORING	PORCELAIN (12" X 24") STYLE: DISTRICT	TIT CALLAHAN*	JLI-TDCTZO1224	OLIVE
F02	FLOORING	PORCELAIN (12" X 24") STYLE: DISTRICT	TIT CALLAHAN*	JLI-TDCTZC1224	CARBON
F03	BASE	RUBBERMYTE (4" COVED)	BURKE INDUSTRIES*	523	BLACK BROWN
F04	NOT USED				
F05	FLOORING	RUBBER TILE (36" X 36")	AUTOFLOORS*	--	BLACK SCULPTURE
F06	WAINSCOT SIGN POLES / FENCES / EXT. DOORS AND TRIM / OVERHEAD DOOR JAMB & HEAD	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW2827	COLONIAL REVIVAL STONE
F07	EIFS CORNICE/ GYP BOARD CEILINGS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW7005	PURE WHITE
F08	OPT. 1: PERSONNEL DOORS / FRAMES / TRIM (SHOP SIDE ONLY)	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW2841	WEATHERED SHINGLE
F09	OPT. 2: PERSONNEL DOORS / FRAMES / TRIM (SHOP SIDE ONLY)	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW6152	SUPERIOR BRONZE
F10	PIT GUARDS	PAINT (SEMI-GLOSS: INDUSTRIAL ENAMEL)	SHERWIN WILLIAMS	B54 SERIES	SAFETY YELLOW
F11	WALLS/ GYP BOARD CEILINGS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW7022	ALPACA
F12	WALLS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW7020	BLACK FOX
F13	WALLS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW6314	LUXURIOUS RED
F14	WAINSCOT (BELOW WINDOW - SERVICE BAY SIDE ONLY)	FRP PANELS	CRANE COMPOSITES	--	MATCH SW2827
F15	WALLS	LVT (12" X 18")	MANNINGTON COMMERCIAL*	AROALA21	LINEAR METALLIC STEEL
F16	CEILING	PAINT (MATTE)	SHERWIN WILLIAMS	SW6258	TRICORN BLACK
F17	CEILING	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW7005	PURE WHITE
F18	EXT. WALLS: REAR FASCIA / HANDRAILS / GUARD RAILS / TRAFFIC BOLLARDS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW2905	CARMINE
F19	EXT. WALLS: APPLY OVER CARMINE COLOR ABOVE	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	CLEAR COAT	SHER-CLEAR
F20	EXT. WALLS: MAINFIELD VENEER	CONCRETE BLOCK - 4"H X 12"L X 4"D	ACME OR EQUIV.	--	RIVERSIDE MED. OR EQUIV.
F21	EXT. WALLS: ROWLOCK AND SOLDIER COURSE VENEER(S)	CONCRETE BLOCK - 4"H X 12"L X 4"D (SOLDIER COURSE) 4"H X 4"W X 4"D (ROWLOCK)	ACME OR EQUIV.	--	DOVE GRAY OR EQUIV.
F22	CEILING	ACOUSTIC CEILING TILE: ANGLED TEGULAR (2'X2')	ARMSTRONG	1774	DUNE
F23	FLOOR (STAIR PANS & BASEMENT NOT COLORED)	DRY SHAKE COLORED CONCRETE HARDENER W/ COLOR CURE SEALER CONCRETE (ROUGH TROWEL FINISH) ***PROVIDE MOCK-UP FOR OWNER APPROVAL***	SCOFIELD	A-21	DARK CHARCOAL
F24	LIMESTONE VENEER	SISTERDALE 8X RANDOM LENGTHS 12" THRU 24" - SAWN			BROWN
F25	CONC. BELT COURSE				
F26	EXT. WALLS: WAINSCOT VENEER	CONCRETE BLOCK - 4"H X 12"L X 4"D	ACME OR EQUIV.	--	DOVE GRAY OR EQUIV.
F27	DUMPSTER SCREEN WALL CMU	CONCRETE MASONRY UNIT- 8"H X 16"L X 8"D	TBD COLOR TO MATCH/COMPLIMENT F20		
F28	BASEMENT FLOOR & 36" UP EXTERIOR CONC. WALL	EPOXY PRIMER SYSTEM	FLOROCK	4700 EPOXY	GRAY

* SUPPLY THROUGH NATIONAL ACCOUNT VENDOR, AUTOFLOORS. PH: 281-354-1505, TOLL FREE: 866-365-7432, CONTACT: DAN O'MALLEY, EMAIL: dan@autofloors.com

VERIFY EXTERIOR COLORS PRIOR TO ORDERING COLORS TO MATCH HILL COUNTRY COLOR THEME-SPEC TO BE OWNER PROVIDED.

1

1

2

VERIFY EXTERIOR COLORS PRIOR TO ORDERING COLORS TO MATCH HILL COUNTRY COLOR THEME-SPEC TO BE OWNER PROVIDED.

FINISH SCHEDULE

design west | architects
255 SOUTH 300 WEST LOGAN UT 84321
795 NORTH 400 WEST SALT LAKE CITY UT 84103

jiffy lube®
1X5 STANDARD BRAKES AND SERVICES
PROTOTYPE V2014
TRACT 18 SINGING HILLS HWY 281
BULVERDE, TX

REVISIONS

REV 1 11/23/2015 EXTERIOR CHANGES
REV 2 12/21/2015 TCEQ REVISION

ISSUED DATES

PROGRESS SET:
PERMIT REVIEW:
BID:
CONSTRUCTION:

REGISTERED ARCHITECT SCOTT OLSON 25080 STATE OF TEXAS

PROFESSIONAL OF RECORD

DRAWN BY LASTNAME
CHECKED BY
STORE NUMBER XXXXXX
DESIGN WEST PROJECT NO. 415183
ISSUE DATE
SCALE
SHEET NUMBER A-12

12/21/15 S:\415183 - Jiffy Lube - Bulverde, TX_Working\Sheets\A-12 FINISH SCHEDULE.dwg

ENGINEERS ■ SURVEYORS ■ PLANNERS
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844

www.ceieng.com

December 9, 2015

Monica Reyes
TCEQ EAPP / San Antonio
14250 Judson Road
San Antonio, Texas 78233
(210) 403-4012

RE: Jiffy Lube Contributing Zone Plan Modification
Singing Hills Development - Bulverde, Texas
Investigation No. 1289574

Dear Ms. Reyes:

In response to your comments dated December 4, 2015 for the above referenced project and CZP Modification, we provide the following responses.

Edwards Aquifer Application Cover Page (TCEQ-20705) Comments:

1. Please provide form.
   Response: Completed form is included with this resubmittal.

Contributing Zone Plan Application (TCEQ-10257) Comments:

2. Attachment B: USGS map, please provide scale.
   Response: Scale has been added to the USGS map.

3. Provide coating material impervious to the oil that will cover the 1.5 times the volume of the storage tanks of the containment area.
   Response: Coating material has been added, please see revised Architecture documents.

4. Please discuss the piping material, and if piping is single or double walled.
   Response: Please see responses from Architect and revised documents.

5. Please provide the drainage area, impervious cover, required and designed TSS removal for the sand filter basin #1 including the proposed Jiffy Lube site.
   Response: Please see CZP Modification Attachment K. Drainage area including amount of impervious cover and TSS removal for sand filter basin #1 are provided for the overall entire Singing Hills Development, including the Jiffy Lube site. The original calculations for the Singing Hills Development are included as supporting documentation with this resubmittal.

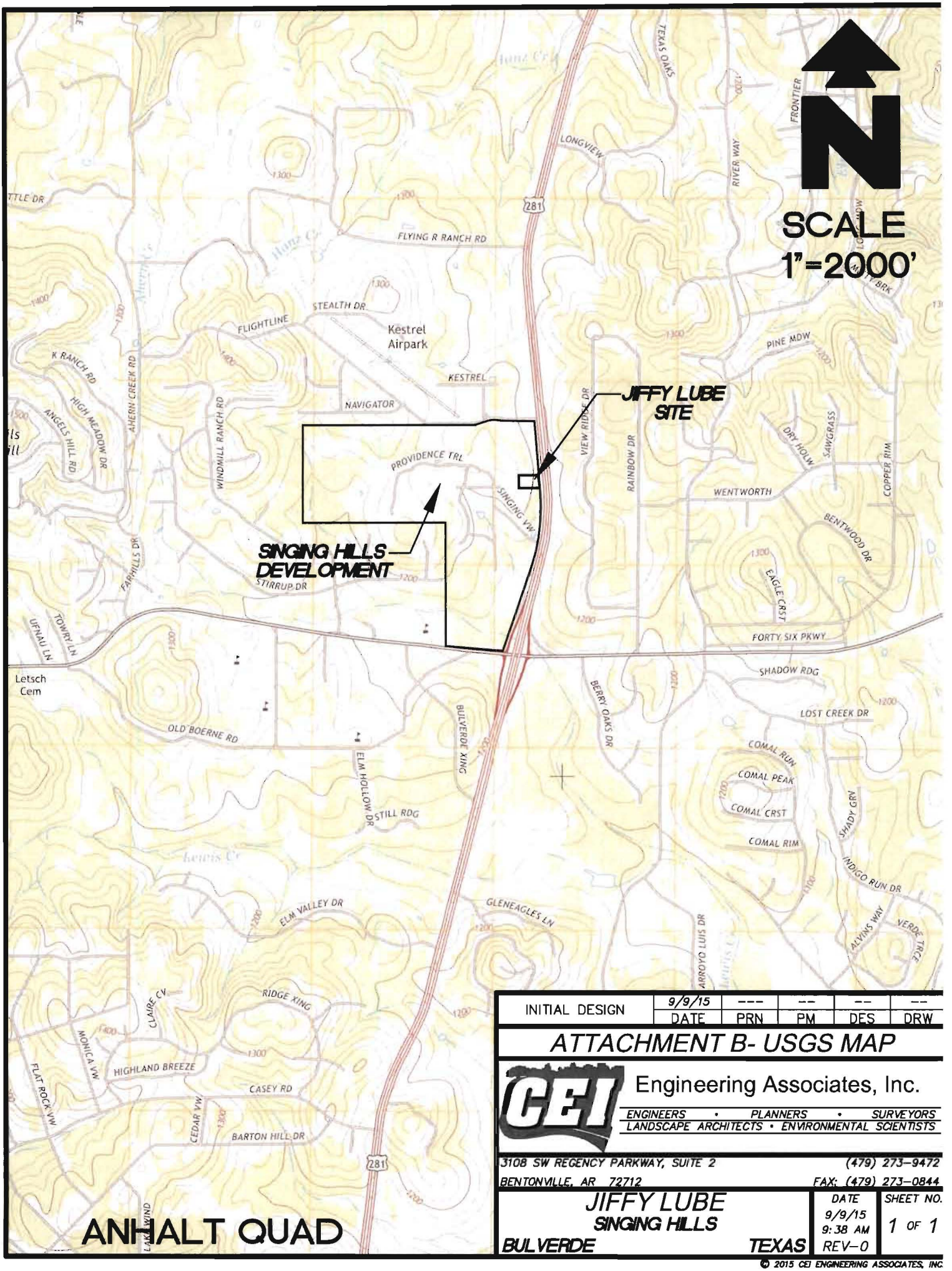
Sheets and Exhibits Comments:

6. Please outline location of Jiffy Lube site on sheet SP0.
   Response: The location of the Jiffy Lube site is now indicated on sheet SP0.

Please do not hesitate to contact us should you have any questions or need any additional information.

Sincerely,

Andrew D. Slyter, PE, CPESC
CEI Engineering Associates, Inc.



INITIAL DESIGN	9/9/15	---	--	--	--
	DATE	PRN	PM	DES	DRW

ATTACHMENT B- USGS MAP

Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
3108 SW REGENCY PARKWAY, SUITE 2
BENTONVILLE, AR 72712
(479) 273-9472
FAX: (479) 273-0844

JIFFY LUBE SINGING HILLS BULVERDE TEXAS	DATE 9/9/15 9:38 AM REV-0	SHEET NO. 1 OF 1

JOB # ####.DRAWING: USGS and Road Map.dwg LAST SAVED BY: ASLYTER

Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

Our Review of Your Application

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

Administrative Review

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

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

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.

3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.

4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

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

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.

6. If the geologic assessment was completed before October 1, 2004 and the site contains "possibly sensitive" features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

Technical Review

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

2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or if not withdrawn the application will be denied and the application fee will be forfeited.

4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

Mid-Review Modifications

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

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

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

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

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

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

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

1. Regulated Entity Name: Singing Hills					**2. Regulated Entity No.: 10609062**			
3. Customer Name: SH-DJL Development, LLC					**4. Customer No.: 604065060**			
5. Project Type: (Please circle/check one)	New	Modification			Extension		Exception	
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Residential	Non-residential			**8. Site (acres):**			253.8
9. Application Fee:	$3,000	**10. Permanent BMP(s):**			4 Water Quality Basins			
11. SCS (Linear Ft.):	N/A	**12. AST/UST (No. Tanks):**			9 AST			
13. County:	Comal	**14. Watershed:**			Lewis Creek			

Application Distribution

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

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

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

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

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

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

Andrew Slyter

Print Name of Customer/Authorized Agent

Signature of Customer/Authorized Agent — Date: 12/8/15

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

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Singing Hills - Pond #1 Revised
Date Prepared: 10/16/2014

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

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

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Comal	
Total project area included in plan * =	253.80	acres
Predevelopment impervious area within the limits of the plan * =	4.72	acres
Total post-development impervious area within the limits of the plan* =	130.45	acres
Total post-development impervious cover fraction * =	0.51	
P =	33	inches
$L_{M\ TOTAL\ PROJECT}$ =	112855	lbs.

* The values entered in these fields should be for the total project area.

Number of drainage basins / outfalls areas leaving the plan area = 4

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

Drainage Basin/Outfall Area No. = 1

Total drainage basin/outfall area =	68.59	acres
Predevelopment impervious area within drainage basin/outfall area =	1.79	acres
Post-development impervious area within drainage basin/outfall area =	57.73	acres
Post-development impervious fraction within drainage basin/outfall area =	0.84	
$L_{M\ THIS\ BASIN}$ =	50212	lbs.

Duane A. Moy, PE
10/16/14

3. Indicate the proposed BMP Code for this basin.

Proposed BMP = Sand Filter
Removal efficiency = 89 percent

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

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

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

where:

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C = 68.59 acres
A_I = 57.73 acres
A_P = 10.86 acres
L_R = 58838 lbs

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

Desired $L_{M\ THIS\ BASIN}$ = 50890 lbs.

F = 0.86

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 = 1.38 inches

Post Development Runoff Coefficient =	0.69	
On-site Water Quality Volume =	235441	cubic feet

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

Off-site area draining to BMP =	0.00	acres
Off-site Impervious cover draining to BMP =	0.00	acres
Impervious fraction of off-site area =	0	
Off-site Runoff Coefficient =	0.00	
Off-site Water Quality Volume =	0	cubic feet
Storage for Sediment =	47088	
Total Capture Volume (required water quality volume(s) x 1.20) =	282530	cubic feet

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System Designed as Required in RG-348 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 =	282530	cubic feet	
Minimum filter basin area =	13080	square feet	
Maximum sedimentation basin area =	117721	square feet	For minimum water depth of 2 feet
Minimum sedimentation basin area =	29430	square feet	For maximum water depth of 8 feet

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	282530	cubic feet	
Minimum filter basin area =	23544	square feet	
Maximum sedimentation basin area =	94177	square feet	For minimum water depth of 2 feet
Minimum sedimentation basin area =	5886	square feet	For maximum water depth of 8 feet

10. Bioretention System — Designed as Required in RG-348 — Pages 3-63 to 3-65

Required Water Quality Volume for Bioretention Basin =	NA	cubic feet

11. Wet Basins — Designed as Required in RG-348 — Pages 3-66 to 3-71

Required capacity of Permanent Pool =	NA	cubic feet	Permanent Pool Capacity is 1.20 times the WQV
Required capacity at WQV Elevation =	NA	cubic feet	Total Capacity should be the Permanent Pool Capacity plus a second WQV.

12. Constructed Wetlands — Designed as Required in RG-348 — Pages 3-71 to 3-73

Required Water Quality Volume for Constructed Wetlands =	NA	cubic feet

13. AquaLogic™ Cartridge System — Designed as Required in RG-348 — Pages 3-74 to 3-78

** 2005 Technical Guidance Manual (RG-348) does not exempt the required 20% increase with maintenance contract with AquaLogic™.

Required Sedimentation chamber capacity =	NA	cubic feet
Filter canisters (FCs) to treat WQV =	NA	cartridges
Filter basin area (RIA_F) =	NA	square feet

14. Stormwater Management StormFilter® by CONTECH

Required Water Quality Volume for Contech StormFilter System =	NA	cubic feet

THE SIZING REQUIREMENTS FOR THE FOLLOWING BMPs / LOAD REMOVALS ARE BASED UPON FLOW RATES - NOT CALCULATED WATER QUALITY VOLUMES

15. Grassy Swales — Designed as Required in RG-348 — Pages 3-51 to 3-54

Design parameters for the swale:

Drainage Area to be Treated by the Swale = A =	8.00 acres

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Singing Hills, Phase 2
Date Prepared: 10/8/2014

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
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1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

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

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	**Comal**	
Total project area included in plan * =	**253.80**	acres
Predevelopment impervious area within the limits of the plan * =	**4.72**	acres
Total post-development impervious area within the limits of the plan* =	**130.45**	acres
Total post-development impervious cover fraction * =	**0.51**	
P =	**33**	inches
$L_{M\ TOTAL\ PROJECT}$ =	**112855**	lbs.

* **The values entered in these fields should be for the total project area.**

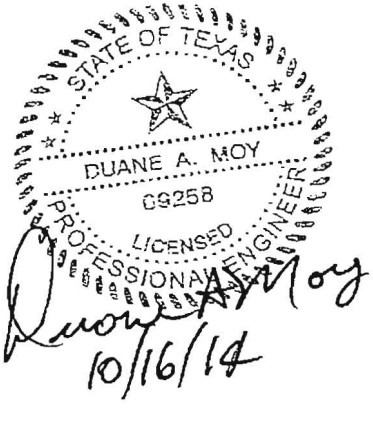
Number of drainage basins / outfalls areas leaving the plan area = **4**

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

Drainage Basin/Outfall Area No. = 3

Total drainage basin/outfall area =	**58.68**	acres
Predevelopment impervious area within drainage basin/outfall area =	**1.40**	acres
Post-development impervious area within drainage basin/outfall area =	**33.80**	acres
Post-development impervious fraction within drainage basin/outfall area =	**0.58**	
$L_{M\ THIS\ BASIN}$ =	**29083**	lbs.

3. Indicate the proposed BMP Code for this basin.



Proposed BMP = **Sand Filter**
Removal efficiency = **89** percent

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

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

RG-348 Page 3-33 Equation 3.7: L_R = (BMP efficiency) x P x (A_I x 34.6 + A_P x 0.54)

where:

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C = **58.68** acres
A_I = **33.80** acres
A_P = **24.88** acres
L_R = **34743** lbs

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

Desired $L_{M\ THIS\ BASIN}$ = **33525** lbs.

F = **0.96**

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 = **2.80** inches
Post Development Runoff Coefficient = **0.40**
On-site Water Quality Volume = **240713** cubic feet

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

Off-site area draining to BMP =	1.79	acres	
Off-site Impervious cover draining to BMP =	0.03	acres	
Impervious fraction of off-site area =	0.01		
Off-site Runoff Coefficient =	0.04		
Off-site Water Quality Volume =	680	cubic feet	
Storage for Sediment =	48279		
Total Capture Volume (required water quality volume(s) x 1.20) =	289672	cubic feet	

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System Designed as Required in RG-348 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 =	289672	cubic feet	
Minimum filter basin area =	13373	square feet	
Maximum sedimentation basin area =	120356	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	30089	square feet	**For maximum water depth of 8 feet**

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	289672	cubic feet	
Minimum filter basin area =	24071	square feet	
Maximum sedimentation basin area =	96285	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	6018	square feet	**For maximum water depth of 8 feet**

10. Bioretention System — Designed as Required in RG-348 — Pages 3-63 to 3-65

Required Water Quality Volume for Bioretention Basin = **NA** cubic feet

11. Wet Basins — Designed as Required in RG-348 — Pages 3-66 to 3-71

Required capacity of Permanent Pool = **NA** cubic feet **Permanent Pool Capacity is 1.20 times the WQV**
Required capacity at WQV Elevation = **NA** cubic feet **Total Capacity should be the Permanent Pool Capacity plus a second WQV.**

12. Constructed Wetlands — Designed as Required in RG-348 — Pages 3-71 to 3-73

Required Water Quality Volume for Constructed Wetlands = **NA** cubic feet

13. AquaLogic™ Cartridge System — Designed as Required in RG-348 — Pages 3-74 to 3-78

**** 2005 Technical Guidance Manual (RG-348) does not exempt the required 20% increase with maintenance contract with AquaLogic™.**

Required Sedimentation chamber capacity = **NA** cubic feet
Filter canisters (FCs) to treat WQV = **NA** cartridges
Filter basin area (RIA_F) = **NA** square feet

14. Stormwater Management StormFilter® by CONTECH

Required Water Quality Volume for Contech StormFilter System = **NA** cubic feet

THE SIZING REQUIREMENTS FOR THE FOLLOWING BMPs / LOAD REMOVALS ARE BASED UPON FLOW RATES - NOT CALCULATED WATER QUALITY VOLUMES

15. Grassy Swales — Designed as Required in RG-348 — Pages 3-51 to 3-54

Design parameters for the swale:

Drainage Area to be Treated by the Swale = A = 8.00 acres
Impervious Cover in Drainage Area = 4.00 acres
Rainfall intensity = i = 1.1 in/hr
Swale Slope = 0.01 ft/ft
Side Slope (z) = 3
Design Water Depth = y = 0.33 ft
Weighted Runoff Coefficient = C = 0.54

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Singing Hills, Phase 2
Date Prepared: 10/8/2014

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

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

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Comal	
Total project area included in plan * =	253.80	acres
Predevelopment impervious area within the limits of the plan * =	4.72	acres
Total post-development impervious area within the limits of the plan* =	130.45	acres
Total post-development impervious cover fraction * =	0.51	
P =	33	inches
$L_{M\ TOTAL\ PROJECT}$ =	112855	lbs.

*** The values entered in these fields should be for the total project area.**

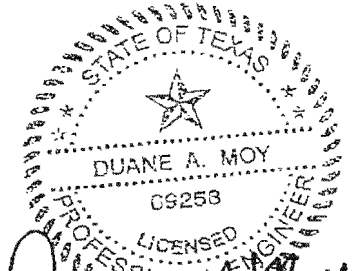
Number of drainage basins / outfalls areas leaving the plan area = 4

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

Drainage Basin/Outfall Area No. = 4

Total drainage basin/outfall area =	45.78	acres
Predevelopment impervious area within drainage basin/outfall area =	0.40	acres
Post-development impervious area within drainage basin/outfall area =	24.63	acres
Post-development impervious fraction within drainage basin/outfall area =	0.54	
$L_{M\ THIS\ BASIN}$ =	21749	lbs.

3. Indicate the proposed BMP Code for this basin.



Duane A. Moy, P.E.
10/16/14

Proposed BMP = Sand Filter
Removal efficiency = 89 percent

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

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

RG-348 Page 3-33 Equation 3.7: L_R = (BMP efficiency) x P x (A_I x 34.6 + A_P x 0.54)

where:

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C = 45.78 acres
A_I = 24.63 acres
A_P = 21.15 acres
L_R = 25364 lbs

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

Desired $L_{M\ THIS\ BASIN}$ = 24200 lbs.

F = 0.95

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 = 2.60 inches
Post Development Runoff Coefficient = 0.38
On-site Water Quality Volume = 163918 cubic feet

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

Off-site area draining to BMP =	**0.67**	acres	
Off-site Impervious cover draining to BMP =	**0.04**	acres	
Impervious fraction of off-site area =	**0.05**		
Off-site Runoff Coefficient =	**0.08**		
Off-site Water Quality Volume =	**515**	cubic feet	
Storage for Sediment =	**32887**		
Total Capture Volume (required water quality volume(s) x 1.20) =	**197320**	cubic feet	

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System — Designed as Required in RG-348 — 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 =	**197320**	cubic feet	
Minimum filter basin area =	**9107**	square feet	
Maximum sedimentation basin area =	**81959**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**20490**	square feet	**For maximum water depth of 8 feet**

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	**197320**	cubic feet	
Minimum filter basin area =	**16392**	square feet	
Maximum sedimentation basin area =	**65567**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**4098**	square feet	**For maximum water depth of 8 feet**

10. Bioretention System — Designed as Required in RG-348 — Pages 3-63 to 3-65

Required Water Quality Volume for Bioretention Basin = **NA** cubic feet

11. Wet Basins — Designed as Required in RG-348 — Pages 3-66 to 3-71

Required capacity of Permanent Pool = **NA** cubic feet **Permanent Pool Capacity is 1.20 times the WQV**
Required capacity at WQV Elevation = **NA** cubic feet **Total Capacity should be the Permanent Pool Capacity plus a second WQV.**

12. Constructed Wetlands — Designed as Required in RG-348 — Pages 3-71 to 3-73

Required Water Quality Volume for Constructed Wetlands = **NA** cubic feet

13. AquaLogic™ Cartridge System — Designed as Required in RG-348 — Pages 3-74 to 3-78

**** 2005 Technical Guidance Manual (RG-348) does not exempt the required 20% increase with maintenance contract with AquaLogic™.**

Required Sedimentation chamber capacity = **NA** cubic feet
Filter canisters (FCs) to treat WQV = **NA** cartridges
Filter basin area (RIA_F) = **NA** square feet

14. Stormwater Management StormFilter® by CONTECH

Required Water Quality Volume for Contech StormFilter System = **NA** cubic feet

THE SIZING REQUIREMENTS FOR THE FOLLOWING BMPs / LOAD REMOVALS ARE BASED UPON FLOW RATES - NOT CALCULATED WATER QUALITY VOLUMES

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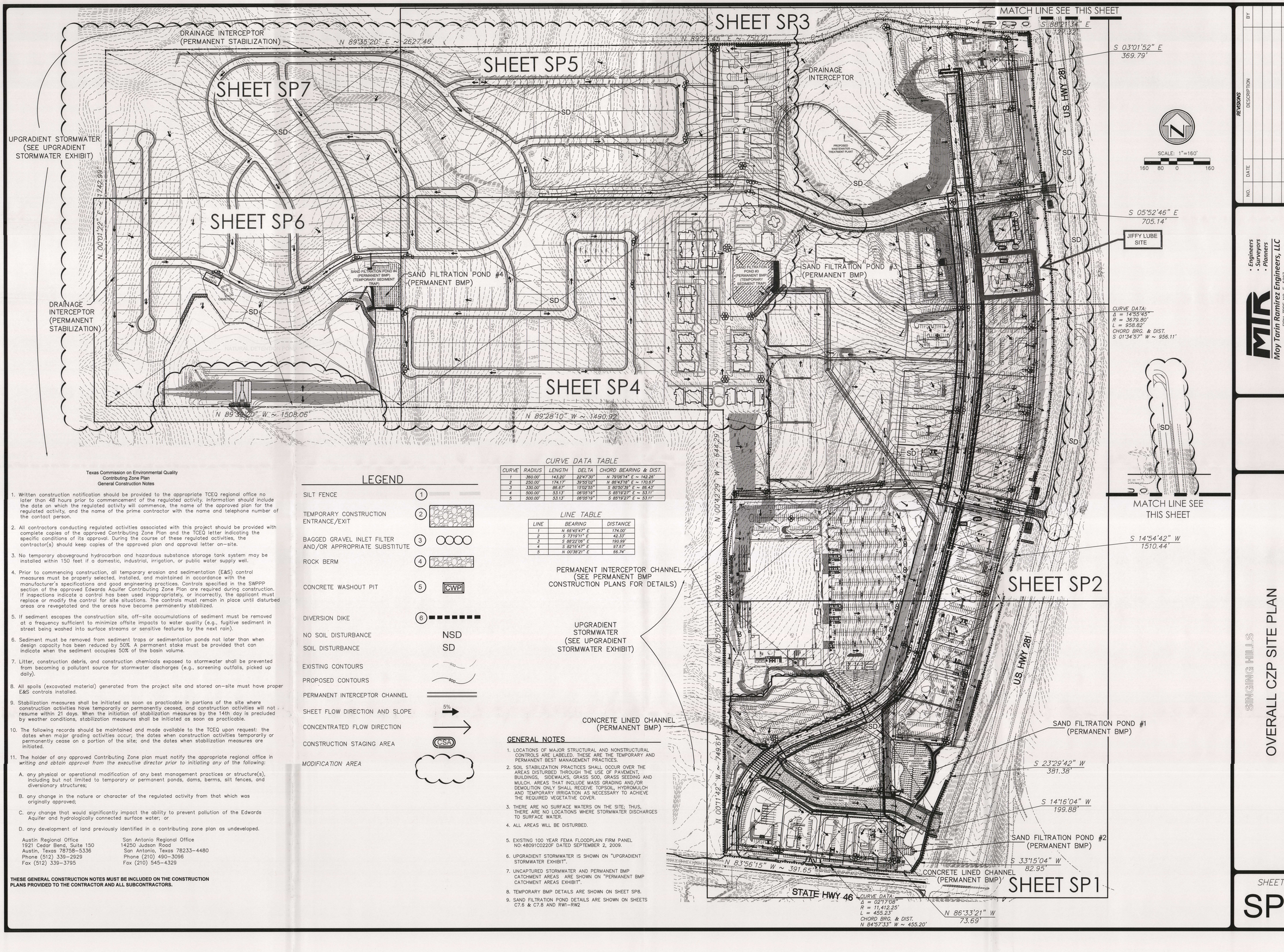
Impervious Cover in Drainage Area = 4.00 acres
Rainfall intensity = i = 1.1 in/hr
Swale Slope = 0.01 ft/ft
Side Slope (z) = 3
Design Water Depth = y = 0.33 ft
Weighted Runoff Coefficient = C = 0.54



CURVE DATA TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	350.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'16"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

LINE TABLE

LINE	BEARING	DISTANCE
1	N 56°45'47" E	174.00'
2	S 73°19'11" E	42.33'
3	S 88°22'08" E	190.99'
4	S 82°16'47" E	97.87'
5	N 00°38'21" E	66.74'

LEGEND

- SILT FILTER (1)
- TEMPORARY CONSTRUCTION ENTRANCE/EXIT (2)
- BAGGED GRAVEL INLET FILTER AND/OR APPROPRIATE SUBSTITUTE (3)
- ROCK BERM (4)
- CONCRETE WASHOUT PIT (5) CWP
- DIVERSION DIKE (6)
- NO SOIL DISTURBANCE — NSD
- SOIL DISTURBANCE — SD
- EXISTING CONTOURS
- PROPOSED CONTOURS
- PERMANENT INTERCEPTOR CHANNEL
- SHEET FLOW DIRECTION AND SLOPE — 5%
- CONCENTRATED FLOW DIRECTION
- CONSTRUCTION STAGING AREA — CSA
- MODIFICATION AREA

GENERAL NOTES

1. LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY AND PERMANENT BEST MANAGEMENT PRACTICES.
2. SOIL STABILIZATION PRACTICES SHALL OCCUR OVER THE AREAS DISTURBED THROUGH THE USE OF PAVEMENT, BUILDINGS, SIDEWALKS, GRASS SOD, GRASS SEEDING AND MULCH. AREAS THAT INCLUDE MASS GRADING AND/OR DEMOLITION ONLY SHALL RECEIVE TOPSOIL, HYDROMULCH AND TEMPORARY IRRIGATION AS NECESSARY TO ACHIEVE THE REQUIRED VEGETATIVE COVER.
3. THERE ARE NO SURFACE WATERS ON THE SITE; THUS, THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.
4. ALL AREAS WILL BE DISTURBED.
5. EXISTING 100 YEAR FEMA FLOODPLAIN FIRM PANEL NO: 48091C0220F DATED SEPTEMBER 2, 2009.
6. UPGRADIENT STORMWATER IS SHOWN ON "UPGRADIENT STORMWATER EXHIBIT".
7. UNCAPTURED STORMWATER AND PERMANENT BMP CATCHMENT AREAS ARE SHOWN ON "PERMANENT BMP CATCHMENT AREAS EXHIBIT".
8. TEMPORARY BMP DETAILS ARE SHOWN ON SHEET SP8.
9. SAND FILTRATION POND DETAILS ARE SHOWN ON SHEETS C7.6 & C7.8 AND RW1–RW2

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.

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

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

NO.	DATE	REVISIONS DESCRIPTION	BY

PROJ. #	DGN. BY:	DWN. BY:	CHKD. BY:	DATE:
12001	D.A.M.	J.U.	D.A.M.	8/21/12

MTR
Moy Tarin Ramirez Engineers, LLC
• Engineers
• Surveyors
• Planners
FIRM 18FE NO. F-5297
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 908–5061
FAX: (210) 998–3085

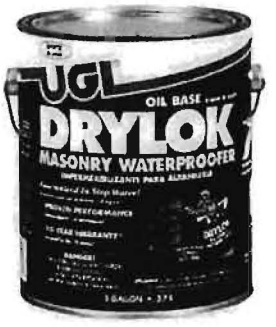
SINGING HILLS

OVERALL CZP SITE PLAN

SHEET
SP0

Oil Base DRYLOK® Masonry Waterproofer

MANUFACTURER
UNITED GILSONITE LABORATORIES
MAILING: P.O. Box 70, Scranton, Pennsylvania, 18501
SHIPPING: 1396 Jefferson Avenue, Dunmore, Pennsylvania, 18509
TOLL FREE: 1-800-UGL-LABS (845-5227)
PHONE: 1-570-344-1202 • **FAX:** 1-570-969-7634
www.ugl.com



PRODUCT DESCRIPTION

Oil Base DRYLOK Masonry Waterproofer is the manageable way to solve water seepage problems. Reduces radon gas penetration by reducing vapor transfer.

- Guaranteed to stop water
- No pre-mixing or pre-wetting
- Resists 10 psi, equivalent to a wall of water 22 ft. high
- Fully transferable 10 year warranty
- White is tintable

BASIC USES

Formulated for waterproofing all interior, exterior, above or below grade masonry walls, cinder and concrete blocks, stucco and brick, retaining walls, fish ponds, birdbaths, basement walls and foundations.

TECHNICAL DATA

COMPOSITION:
Oil base

SHEEN:
Flat

% WEIGHT SOLIDS:
75-77%

% VOLUME SOLIDS:
48-50%

DENSITY (LBS./US GAL.):
13 ± 0.25

VISCOSITY:
100-104 KU @77°F

COLORS:
- White – ready mixed formula
- 2 ready mixed colors

DRY TIME:
- 12-24 hours
- To recoat: 12 hours

Note: Maximum cure and dry time will be prolonged when slightly humid and/or damp, cool conditions prevail.

CLEAN UP:
Paint thinner

Dispose of contaminated absorbent, container and unused contents in accordance with local, state and federal regulations.

COVERAGE (SQ. FT./US GAL.):
- Smooth surfaces: 100 sq. ft./gal. for first coat and 100-125 sq. ft./gal. for succeeding coats
- Rough surfaces: 75 sq. ft./gal. for first coat and 125 sq. ft./gal. for succeeding coats

Note: Actual coverage will vary depending upon application method, surface texture and porosity.

RECOMMENDED FILM THICKNESS/COAT:
13-21 Wet mils/coat

FLASH POINT:
104°F

SHELF LIFE:
N/A

FREEZE/THAW:
Stable, store indoors

CONTAINER SIZES:
One gallon (US) and five gallon (US) containers

VOC

Does not exceed 400 g/L

TINTING

Tint to light shades with alkali-proof universal tinting colors. Do not use more than 2 fl. oz. of colorant per gallon.

SURFACE PREPARATION

Masonry surfaces must be clean and free from dirt, dust, grease, oil, form release compound, frost and paint. Patch all holes or cracks with DRYLOK FAST PLUG®, a fast setting hydraulic cement, and smooth the patch evenly with the surface around it. Check the joint where the floor and wall meet and fill any breaks with DRYLOK FAST PLUG®.

EFFLORESCENCE, a white, powdery, crystal-like deposit visible on the masonry surface must be removed.

DRYLOK ETCH or muriatic acid, used according to manufacturer's directions, are effective efflorescence removal agents. All masonry surfaces are subject to occurrences of efflorescence.

DRYLOK may be applied on slightly damp surfaces but best results are obtained when applied on dry surfaces. Not warranted when used over previously painted or horizontal surfaces.

WARNING

If you scrape, sand, or remove old paint, you may release lead dust. LEAD IS TOXIC. EXPOSURE TO LEAD DUST CAN CAUSE SERIOUS ILLNESS, SUCH AS BRAIN DAMAGE, ESPECIALLY IN CHILDREN. PREGNANT WOMEN SHOULD ALSO AVOID EXPOSURE. Wear a NIOSH-approved respirator to control lead exposure. Clean up carefully with a HEPA vacuum and a wet mop. Before you start, find out how to protect yourself and your family by contacting the National Lead Information Hotline at 1-800-424-LEAD or log on to www.epa.gov/lead.

APPLICATION

STIR THOROUGHLY BEFORE AND DURING APPLICATION. DO NOT THIN.

DRY TIME:
12-24 hours
Recoat 12 Hours

CLEAN-UP:
Paint Thinner

COVERAGE:
2 Coats Minimum

SPREAD RATE:
100 Sq. Ft./Gallon

OVER

Paint only when air and surface temperatures are 50°F or higher. For best waterproofing results, wait for a dry (rain-free) period before application. Apply DRYLOK Masonry Waterproofer directly on bare masonry. Apply first coat with a DRYLOK BRUSH or good quality nylon bristle or fiber brush, working the Waterproofer into the pores of the masonry (see COVERAGE). APPLY TWO COATS. Allow 12 hours drying time between coats. The second coat may be applied by brush, roller or spray. For information on spray application, write UGL and ask for Spray Specification Sheet D-30 or visit www.ugl.com.

IMPORTANT

If leaking is still present after two coats, it indicates that pores or pin holes are still open. Paint these areas again. When painting the inside of concrete fish ponds and non-potable water tanks, allow Oil Base DRYLOK Masonry Waterproofer to dry at least one week, fill with water, then drain and refill to control alkalinity content before putting into service.

VENTILATION

Use an exhaust fan with an explosion-proof motor and non-sparking tips to provide adequate air flow and ventilation.

Keep flow of fresh air until all vapors (odors) are gone. Ensure fresh air entry during application and drying. If you experience eye watering, headache or dizziness or if air monitoring demonstrates vapor/mist levels are above applicable limits, wear an appropriate, properly fitted respirator (NIOSH approved) during and after application. Follow respirator manufacturer's direction for respirator use. If cross ventilation is not possible, use Latex Base DRYLOK Masonry Waterproofer, DRYLOK Extreme Waterproofer or DRYLOK Powdered Masonry Waterproofer.

CAUTION

CONTAINS: PORTLAND CEMENT, CRYSTALLINE SILICA AND PETROLEUM DISTILLATES.

Vapor harmful. Close container after each use. May affect the brain or nervous system causing dizziness, headache or nausea. Causes eye, skin and throat irritation. Overexposure may cause lung and kidney damage. NOTICE: Reports have associated repeated and prolonged occupational overexposure to solvents with permanent brain and nervous system damage. Intentional misuse by deliberately concentrating and inhaling the contents may be harmful or fatal. Keep away from heat and flame. Prevent build-up of vapors by opening all windows and doors to achieve cross-ventilation. Contains Crystalline Silica which can cause cancer. (Risk of cancer depends on duration and level of exposure.)

This product contains a chemical(s) known to the State of California to cause cancer and birth defects or other reproductive harm.

Use only with adequate ventilation. Do not breathe dust, vapors or spray mist. Ensure fresh air entry during application and drying. If you experience eye watering, headache or dizziness or if air monitoring demonstrates vapor/mist levels are above applicable limits, wear an appropriate, properly fitted respirator (NIOSH approved) during and after application. Follow respirator manufacturer's directions for respirator use. Avoid contact with eyes, skin and clothing. Wash thoroughly after handling.

KEEP OUT OF REACH OF CHILDREN. DO NOT TAKE INTERNALLY.

FIRST AID

EYES: Flush immediately with large amounts of water for at least 15 minutes. Consult a physician.
SKIN: Wash affected areas with soap and water. Remove contaminated clothing. Consult a physician if irritation persists.
INGESTION: Drink 1 or 2 glasses of water to dilute. Do not induce vomiting. Consult a physician or poison control center immediately. Treat symptomatically.
INHALATION: Remove to fresh air, restore breathing. Treat symptomatically. Consult a physician.

For additional health and safety information please refer to the "Materials Safety Data Sheet".

WARRANTY

Oil Base DRYLOK Masonry Waterproofer, when applied according to directions on a properly prepared bare masonry surface, is warranted to provide a waterproof coating for ten (10) years from date of sale, warranty includes subsequent owners. Excludes leaks due to cracking of the surface, recurring efflorescence and application over surfaces previously coated with a paint other than DRYLOK Masonry Waterproofer.

LIMITED WARRANTY

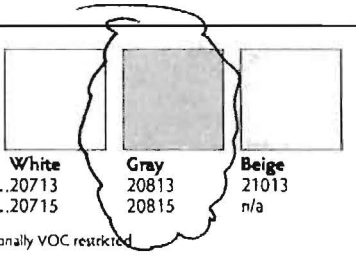
United Gilsonite Laboratories ("UGL") warrants, subject to the limitations set forth herein, that this product, under normal use and proper storage, will be free from defects in material or workmanship and merchantable for a period of ten (10) years from the original date of purchase. This limited warranty extends to the original consumer purchaser of the product only and is non-transferable. If this product is found to be defective by UGL within the warranty period, you will receive a replacement of the product or, at UGL's option, a full refund of the purchase price upon presentation of proof of purchase (original sales receipt). This limited warranty excludes failure to apply the product to a properly prepared bare surface in accordance with UGL's instructions provided with this product. UGL MAKES NO FURTHER EXPRESS WARRANTIES. THIS LIMITED WARRANTY EXCLUDES (1) LABOR AND ALL OTHER COSTS ASSOCIATED WITH THE APPLICATION OR REMOVAL OF THE PRODUCT OR ANY REPLACEMENT PRODUCT, AND (2) ANY INDIRECT, SPECIAL, EXEMPLARY, INCIDENTAL OR CONSEQUENTIAL DAMAGES. Some states do not allow the limitation or exclusion of incidental or consequential damages, so the above limitation or exclusion may not apply to you. This limited warranty gives you specific legal rights and you may also have other legal rights which vary from state to state. To make a warranty claim please contact (with proof of purchase) the store where you purchased the product or contact UGL directly at 1-800-848-7253 (Consumer Hotline) or by mail at UGL Consumer Inquiry Department, P.O. Box 70, Scranton PA 18501-0070.

SPECIFICATION

TT-C-555B Meets New York Local Law 49; Phila. and PA. Reg. V.

Meets performance of Federal Specification TT-P-1411A, Paint, Copolymer Resin, Cementitious (for waterproofing concrete and masonry walls). Section 4.4.7, Resistance to wind-driven rain of Federal Specification

Oil Base DRYLOK has been tested to ASTM D-7088 Resistance to Hydrostatic Pressure and ASTM D-6904 Resistance to Wind Driven Rain.

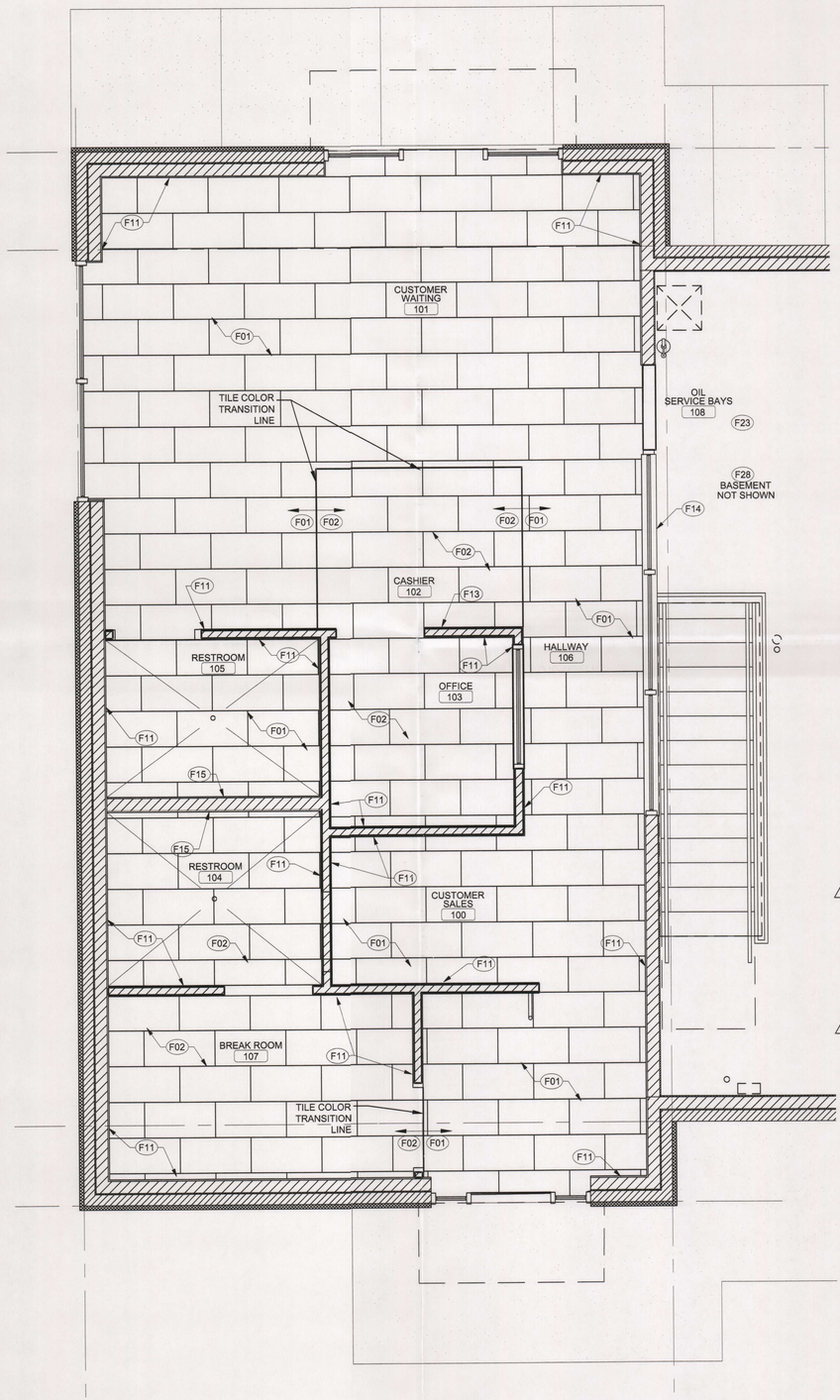


Oil Base Waterproofer Ready Mixed Colors*	White	Gray	Beige
1 GAL.+ 2/Case	20713	20813	21013
5 GAL.+ 1/Case	20715	20815	n/a

* Not available in California + Regionally VOC restricted

DISCLAIMER: This information is furnished without warranty, representation, inducement or license of any kind, except that it is accurate to the best of UGL's knowledge, or obtained from sources believed by UGL to be accurate, and UGL does not assume any legal responsibility for use or reliance upon same. Before using any product, read the label.

NOTE: COLOR SWATCHES ARE REPRESENTATIONAL ONLY. LR413



GENERAL NOTES

1) SERVICE PLATFORMS & RAILS TO BE PRE-FINISHED GALVANIZED BY DEVON
2) APPLY CLEAR COAT (F24) OVER CARMINE (F23) ON EXTERIOR APPLICATIONS.
4) FRP BY CRANE COMPOSITES "STONE", WWW.CRANECOMPOSITES.COM, PH-800.435.0080

INTERIOR FINISH SCHEDULE

LEGEND:
- ● MATERIAL AND FINISH APPLY TO ALL SURFACES
- ◔ MATERIAL FINISH APPLIED ON SURFACE BY QUADRANT SHADED. QUADRANT ORIENTATION SAME AS FLOOR PLAN

RM. NO.	ROOM NAME	FLOOR					BASE		WALL								CEILING			
		SMOOTH FINISHED CONC. W/ CLEAR SEALER	PORCELAIN TILE - F01	PORCELAIN TILE - F02	NOT USED	FIELD APPLIED SHAKE COLOR - F23	RUBBER - F03	NONE	PLYWOOD PAINTED (WAINSCOT) - F06	PLYWOOD PAINTED (ABOVE WAINSCOT) - F07	FRP (WAINSCOT) - F14	GYPSUM BOARD PAINTED (ABOVE WAINSCOT) - F07	GYPSUM BOARD PAINTED - F11	GYPSUM BOARD PAINTED - F12	GYPSUM BOARD PAINTED - F13	TILE - F15	NONE	GYP BOARD - F11	EXPOSED STRUCTURE PAINTED - F16	EXPOSED STRUCTURE NO PAINT	ACOUSTICAL LAY-IN TILE - F22
B01	LOWER BAY	●						●									●				
100	CUSTOMER SALES		●				●						●								●
101	CUSTOMER WAITING		●				●						◔								●
102	CASHIER			●			●								⊘						●
103	OFFICE			●			●						●					●			
104	RESTROOM			●			●						◔			⊘		●			
105	RESTROOM		●				●						◔			⊘		●			
106	HALL		●				●						●								●
107	BREAK ROOM			●			●						●					●			
108	OIL SERVICE BAYS					●	●		◔	◔	⊘	⊘							●		
109	AUTO SERVICE BAYS					●	●		◔	◔	⊘	⊘							●		

FINISHES: INTERIOR/ EXTERIOR

MARK	TYPE	MATERIAL/ SIZE	MFR	MFR #	COLOR
F01	FLOORING	PORCELAIN (12" X 24") STYLE: DISTRICT	TIT CALLAHAN*	JLI-TDCTZC1224	OLIVE
F02	FLOORING	PORCELAIN (12" X 24") STYLE: DISTRICT	TIT CALLAHAN*	JLI-TDCTZC1224	CARBON
F03	BASE	RUBBERMYTE (4" COVED)	BURKE INDUSTRIES*	523	BLACK BROWN
F04	NOT USED				
F05	FLOORING	RUBBER TILE (36" X 36")	AUTOFLOORS*	--	BLACK SCULPTURE
F06	WAINSCOT SIGN POLES / FENCES / EXT. DOORS AND TRIM / OVERHEAD DOOR JAMB & HEAD	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW2827	COLONIAL REVIVAL STONE
F07	EIFS CORNICE/ GYP BOARD CEILINGS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW7005	PURE WHITE
F08	OPT. 1: PERSONNEL DOORS / FRAMES / TRIM (SHOP SIDE ONLY)	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW2841	WEATHERED SHINGLE
F09	OPT. 2: PERSONNEL DOORS / FRAMES / TRIM (SHOP SIDE ONLY)	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW6152	SUPERIOR BRONZE
F10	PIT GUARDS	PAINT (SEMI-GLOSS: INDUSTRIAL ENAMEL)	SHERWIN WILLIAMS	B54 SERIES	SAFETY YELLOW
F11	WALLS/ GYP BOARD CEILINGS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW7022	ALPACA
F12	WALLS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW7020	BLACK FOX
F13	WALLS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW6314	LUXURIOUS RED
F14	WAINSCOT (BELOW WINDOW - SERVICE BAY SIDE ONLY)	FRP PANELS	CRANE COMPOSITES	--	MATCH SW2827
F15	WALLS	LVT (12" X 18")	MANNINGTON COMMERCIAL*	AROALA21	LINEAR METALLIC STEEL
F16	CEILING	PAINT (MATTE)	SHERWIN WILLIAMS	SW6258	TRICORN BLACK
F17	CEILING	PAINT (SATIN / SEMI-GLOSS)	SHERWIN WILLIAMS	SW7005	PURE WHITE
F18	EXT. WALLS: REAR FASCIA / HANDRAILS / GUARD RAILS / TRAFFIC BOLLARDS	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	SW2905	CARMINE
F19	EXT. WALLS: APPLY OVER CARMINE COLOR ABOVE	PAINT (SEMI-GLOSS)	SHERWIN WILLIAMS	CLEAR COAT	SHER-CLEAR
F20	EXT. WALLS: MAINFIELD VENEER	CONCRETE BLOCK - 4"H X 12"L X 4"D	ACME OR EQUIV.	--	RIVERSIDE MED. OR EQUIV.
F21	EXT. WALLS: ROWLOCK AND SOLDIER COURSE VENEER(S)	CONCRETE BLOCK - 4"H X 12"L X 4"D (SOLDIER COURSE) 4"H X 4"W X 4"D (ROWLOCK)	ACME OR EQUIV.	--	DOVE GRAY OR EQUIV.
F22	CEILING	ACOUSTIC CEILING TILE: ANGLED TEGULAR (2'X2')	ARMSTRONG	1774	DUNE
F23	FLOOR (STAIR PANS & BASEMENT NOT COLORED)	DRY SHAKE COLORED CONCRETE HARDENER W/ COLOR CURE SEALER CONCRETE (ROUGH TROWEL FINISH) ***PROVIDE MOCK-UP FOR OWNER APPROVAL***	SCOFIELD	A-21	DARK CHARCOAL
F24	LIMESTONE VENEER	SISTERDALE 8X RANDOM LENGTHS 12" THRU 24" - SAWN			BROWN
F25	CONC. BELT COURSE				
F26	EXT. WALLS: WAINSCOT VENEER	CONCRETE BLOCK - 4"H X 12"L X 4"D	ACME OR EQUIV.	--	DOVE GRAY OR EQUIV.
F27	DUMPSTER SCREEN WALL CMU	CONCRETE MASONRY UNIT- 8"H X 16"L X 8"D	TBD COLOR TO MATCH/COMPLIMENT F20		
F28	BASEMENT FLOOR & 36" UP EXTERIOR CONC. WALL	MASONRY WATERPROOFING, OIL BASE PAINT	UGL	DRYLOK	GRAY

* SUPPLY THROUGH NATIONAL ACCOUNT VENDOR, AUTOFLOORS. PH: 281-354-1505, TOLL FREE: 866-365-7432, CONTACT: DAN O'MALLEY, EMAIL: dan@autofloors.com

VERIFY EXTERIOR COLORS PRIOR TO ORDERING COLORS TO MATCH HILL COUNTRY COLOR THEME-SPEC TO BE OWNER PROVIDED.

VERIFY EXTERIOR COLORS PRIOR TO ORDERING COLORS TO MATCH HILL COUNTRY COLOR THEME-SPEC TO BE OWNER PROVIDED.

FINISH SCHEDULE

design west | architects
255 SOUTH 300 WEST LOGAN UT 84321
795 NORTH 400 WEST SALT LAKE CITY UT 84103

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1X5 STANDARD BRAKES AND SERVICES
PROTOTYPE V2014
TRACT 18 SINGING HILLS HWY 281
BULVERDE, TX

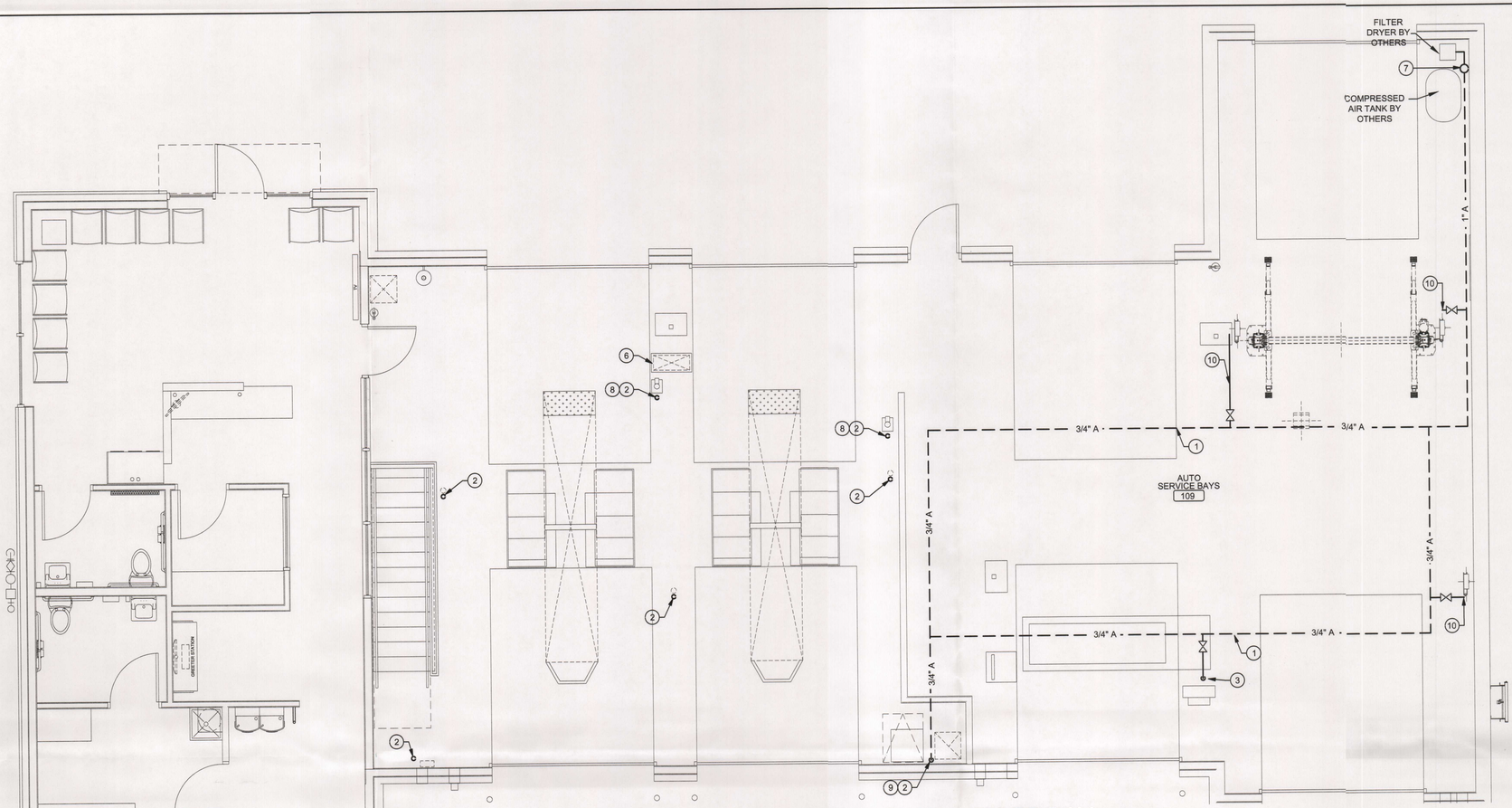
REVISIONS
REV 1 11/23/2015 EXTERIOR CHANGES

ISSUED DATES
PROGRESS SET:
PERMIT REVIEW:
BID:
CONSTRUCTION:

REGISTERED ARCHITECT SCOTT OLCOTT #34083 STATE OF TEXAS 2011
PROFESSIONAL OF RECORD

DRAWN BY LASTNAME
CHECKED BY
STORE NUMBER XXXXXX
DESIGN WEST PROJECT NO. 415183
ISSUE DATE
SCALE
SHEET NUMBER A-12

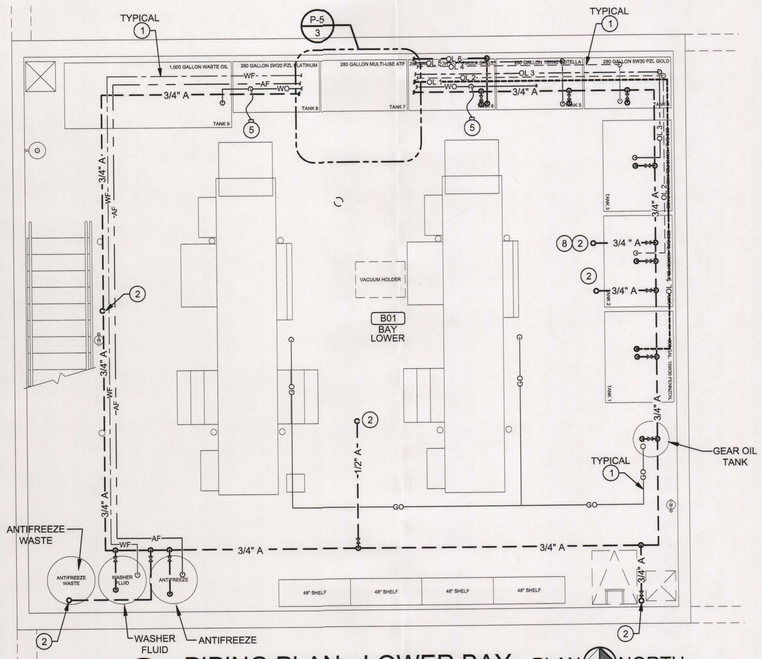
12/10/15 S:\415183 - Jiffy Lube - Bulverde, TX_Working\Sheets\A-12 FINISH SCHEDULE.dwg



1 P-5 PIPING PLAN - UPPER BAY

SCALE: 1/4" = 1'-0"

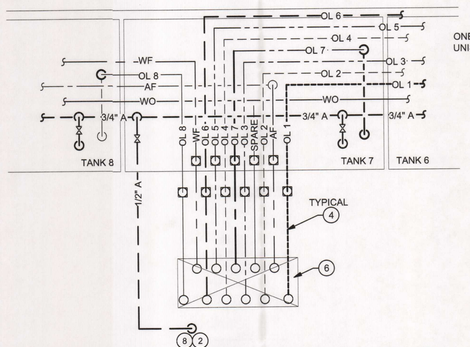
PLAN NORTH



2 P-5 PIPING PLAN - LOWER BAY PLAN NORTH

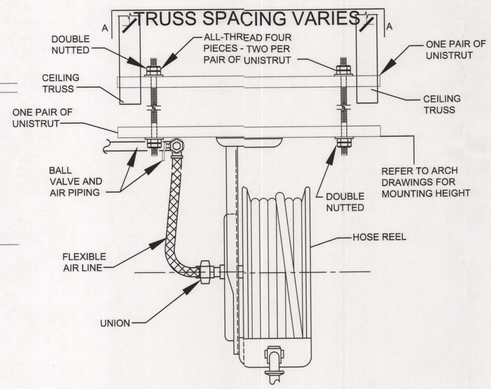
SCALE: 1/4" = 1'-0"

NOTE:
1. ALL PIPING SHOWN ON THIS PLAN SHALL BE PRESSURE TESTED.
2. CONTRACTOR SHALL CONFIRM WITH ALL LOCAL CODES TO VERIFY PIPING REQUIREMENTS PRIOR TO INSTALLATION.
3. ALL FLOOR PENETRATIONS FOR AIR AND OIL PIPING AND ROUTING OF AIR AND OIL PIPING TO BE COORDINATED AND VERIFIED WITH THE EQUIPMENT SUPPLIER.
4. ALL AIR, OIL, WASTE OIL, ANTI-FREEZE, AND WASHER FLUID PIPING INSTALLED BY OWNER'S EQUIPMENT PROVIDER.



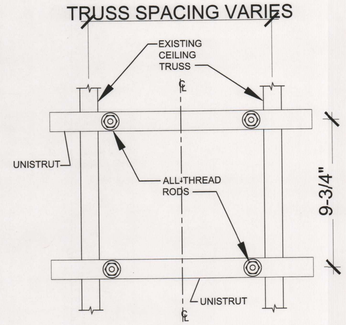
3 P5.0 ENLARGED PIPING LAYOUT

SCALE: 3/4" = 1'-0"



4 P-5 AIR HOSE REEL DETAIL

SCALE: 1/8" = 1'-0"



SECTION A-A

PLUMBING KEYED NOTES

1. CONTRACTOR SHALL ROUTE ALL PIPING TIGHT TO STRUCTURE AS POSSIBLE. FIELD COORDINATE ROUTING OF ALL PIPING WITH ALL OTHER DISCIPLINES PRIOR TO FABRICATION AND INSTALLATION.
2. CONTRACTOR SHALL COORDINATE ALL PIPE PENETRATIONS THRU STRUCTURAL SLAB WITH STRUCTURAL DRAWING.
3. DROP 1/2" AIR PIPING DOWN TO 6'-0" AFF FOR DYNAMOMETER CONTROL PANEL BELOW. COORDINATE ROUTE OF AIR LINE WITH PANEL LOCATION AND PROVIDE PROPER CONNECTION PER MANUFACTURER'S INSTALLATION INSTRUCTIONS.
4. PROVIDE FLEXIBLE OIL PIPING WHIP FROM VALVE TO FLOOR PENETRATIONS BELOW PIPING CONSOLE ABOVE. FIELD VERIFY PROVIDED LENGTH.
5. WASTE OIL DRAIN HOSE WITH CAMLOCK FITTINGS. COORDINATE LOCATION AND CONNECTION REQUIREMENTS WITH MANUFACTURER.
6. STRUCTURAL SLAB OPENING FOR PIPE ROUTING TO PIPING CONSOLE ABOVE. FIELD COORDINATE PIPE PLACEMENT WITH CONSOLE REQUIREMENTS PRIOR TO INSTALLATION.
7. AIR PIPING IN-LINE AIR FILTER. COORDINATE LOCATION OF FILTERS WITH MANUFACTURER REQUIREMENTS PRIOR TO INSTALLATION.
8. AIR PIPING UP THRU STRUCTURAL SLAB TO LIFT CONTROL PEDESTAL ABOVE.
9. AIR PIPING UP THRU STRUCTURAL SLAB FROM BASEMENT. ROUTE AIR LINES UP TIGHT TO STRUCTURE ABOVE AND ROUTE AS REQUIRED EQUIPMENT AS SHOWN.
10. 1/2" PIPE TO OVERHEAD AIR HOSE REEL. SEE DETAIL ON THIS SHEET FOR MOUNTING. COORDINATE EXACT LOCATION WITH FIXTURE PLAN.

PIPING MATERIAL LIST

AIR PIPING: (SEE PLAN FOR SIZES)
SCHEDULE 40 - 3/4" OD GALVANIZED
TYPE "L" OR "M" COPPER PIPE
STAINLESS STEEL - 0.35 WALL THICKNESS

NEW OIL PRODUCT:
STAINLESS STEEL - 5/8" OD, 0.035 WALL THICKNESS

USED OIL PRODUCT:
STAINLESS STEEL - 1", 0.035 WALL THICKNESS
GALVANIZED - 1"

GEAR OIL:
BLACK IRON - 5/8"
STAINLESS STEEL - 5/8" OD, 0.035 WALL THICKNESS

CHASSIS GREASE:
BLACK IRON - 5/8"
STAINLESS STEEL - 5/8" OD, 0.065 WALL THICKNESS

ANTI-FREEZE:
TYPE "L" COPPER PIPE - 5/8"
GALVANIZED - 5/8"

WASHER FLUID:
TYPE "L" COPPER PIPE - 5/8"
STAINLESS STEEL - 5/8" OD, 0.035 WALL THICKNESS

PIPING LEGEND

A	COMPRESSED AIR PIPING
AF	ANTI-FREEZE PIPING
GO	GEAR OIL PIPING
GR	CHASSIS GREASE PIPING
OL 1	OIL PIPING TANK 1
OL 2	OIL PIPING TANK 2
OL 3	OIL PIPING TANK 3
OL 4	OIL PIPING TANK 4
OL 5	OIL PIPING TANK 5
OL 6	OIL PIPING TANK 6
OL 7	OIL PIPING TANK 7
OL 8	OIL PIPING TANK 8
WF	WASHER FLUID PIPING
WO	WASTE OIL PIPING

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TRACT 18 SINGING HILLS HWY 281
BULVERDE, TX

REVISIONS

ISSUED DATES
PROGRESS SET:
PERMIT REVIEW:
BID:
CONSTRUCTION:

11/09/2015
STATE OF TEXAS
Michael E. Dallon
112109
LICENSED
PROFESSIONAL ENGINEER
BRUNNER & DALLON ENGINEERING
F-15889
PROFESSIONAL OF RECORD
PHONE: 801-685-8081

DRAWN BY	MED
CHECKED BY	ECD
STORE NUMBER	XXXXXX
DESIGN WEST PROJECT NO.	415183
ISSUE DATE	
SCALE	1/4" = 1'-0"
SHEET NUMBER	P-5

AIR & OIL PIPING PLAN

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 20, 2015

RECEIVED

OCT 23 2015

COUNTY ENGINEER

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: Singing Hills Development (Jiffy Lube), located on the northwest corner of US Highway 281 and State Highway 46, Bulverde, Texas

PLAN TYPE: Application for Contributing Zone Water Pollution Abatement Plan (CZP)
30 Texas Administration Code (TAC) Chapter 213; Edwards Aquifer Protection Program

Dear Mr. Hornseth:

The referenced application is being forwarded to you pursuant to the Edwards Aquifer Rules. The Texas Commission on Environmental Quality (TCEQ) is required by 30 TAC Chapter 213 to provide copies of all applications to affected incorporated cities and underground water conservation districts for their comments prior to TCEQ approval. More information regarding this project may be obtained from the TCEQ Central Registry website at http://www.tceq.state.tx.us/permitting/central_registry/.

Please forward your comments to this office by November 20, 2015.

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

Todd Jones

Todd Jones
Water Section Work Leader
San Antonio Regional Office

TJ/eg

CONTRIBUTING ZONE PLAN MODIFICATION

FOR THE PROPOSED JIFFY LUBE
at
Lot 18 SINGING HILLS

Singing Oaks Road
Bulverde, Comal County, Texas 78163

Prepared for:
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, TX 78258

Rev-0
October 15, 2015

Presented By:

CEI Engineering Associates, Inc.

CEI Engineering Associates, Inc.
3108 S.W. Regency Parkway, Suite 2
Bentonville, AR 72712
Ph: (479) 273 - 9472 / Fax: (479) 273 – 0844

CEI Project No. 28913.0

Distribution
TCEQ / Client
CAA/File

CONTRIBUTING ZONE PLAN MODIFICATION

FOR THE PROPOSED JIFFY LUBE
at
Lot 18 SINGING HILLS

Singing Oaks Road
Bulverde, Comal County, Texas 78163

Prepared for:
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
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Distribution
TCEQ / Client
CAA/File

TABLE OF CONTENTS

CONTRIBUTING ZONE PLAN MODIFICATION
FOR THE PROPOSED JIFFY LUBE, LOT 18 SINGING HILLS

Singing Oaks Road
Bulverde, Comal County, Texas 78163

I. MODIFICATION OF A PREVIOUSLY APPROVED CONTRIBUTING ZONE PLAN

Modification of a Previously Approved Contributing Zone Plan

Texas Commission on Environmental Quality

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

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

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

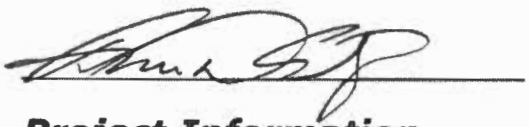
Signature

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

Print Name of Customer/Agent: CEI Engineering Associates, Inc.

Date: 10/15/15

Signature of Customer/Agent:



Project Information

1. Current Regulated Entity Name: Singing Hills
   Original Regulated Entity Name: Singing Hills
   Assigned Regulated Entity Number(s) (RN): RN106090962
   Edwards Aquifer Protection Program ID Number(s): 2969.01
   ☒ The applicant has not changed and the Customer Number (CN) is: CN604065060
   ☐ The applicant or Regulated Entity has changed. A new Core Data Form has been provided.

2. ☒ **Attachment A: Original Approval Letter and Approved Modification Letters**. A copy of the original approval letter and copies of any modification approval letters are attached.

3. A modification of a previously approved plan is requested for (check all that apply):

☐ Any physical or operational modification of any best management practices or structure(s), including but not limited to temporary or permanent ponds, dams, berms, silt fences, and diversionary structures;

☒ Any change in the nature or character of the regulated activity from that which was originally approved;

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

☐ Any development of land previously identified in a contributing zone plan as undeveloped.

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

CZP Modification Summary	***Approved Project***	***Proposed Modification***
Acres	253.8	253.8
Type of Development	Mixed Use	Mixed Use
Number of Residential Lots	352	352
Impervious Cover (acres)	130.45	130.45
Impervious Cover (%)	51%	51%
Permanent BMPs	4 Water Quality Basins	4 Water Quality Basins
Other	____	____
AST Modification Summary	***Approved Project***	***Proposed Modification***
Number of ASTs	0	9
Other	____	____
UST Modification Summary	***Approved Project***	***Proposed Modification***
Number of USTs	____	____
Other	____	____

5. ☒ **Attachment B: Narrative of Proposed Modification**. A detailed narrative description of the nature of the proposed modification is attached. It discusses what was approved,

including previous modifications, and how this proposed modification will change the approved plan.

6. ☒ **Attachment C: Current Site Plan of the Approved Project**. A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is attached. A site plan detailing the changes proposed in the submitted modification is required elsewhere.
   - ☐ The approved construction has not commenced. The original approval letter and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.
   - ☐ The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.
   - ☐ The approved construction has commenced and has been completed. Attachment C illustrates that the site was **not** constructed as approved.
   - ☒ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was constructed as approved.
   - ☐ The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was **not** constructed as approved.

7. ☒ Acreage has not been added to or removed from the approved plan.
   ☐ Acreage has been added to or removed from the approved plan and is discussed in *Attachment B: Narrative of Proposed Modification*.

8. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

ATTACHMENT A
ORIGINAL CZP APPROVAL LETTER

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2015

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located on the northwest corner of U.S. Highway 281 and SH 46; Bulverde, Texas

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

Regulated Entity No.: RN106090962; Investigation No.: 1203582; Additional ID No.: 13-14101601

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineers, LLC on behalf of SH-DJL Development, LLC on October 16, 2014. Final review of the CZP was completed after additional material was received on December 12, 2014 and December 22, 2014, and January 12, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately 90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain

undisturbed. Two sedimentation/filtration basins were constructed to provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

PROJECT DESCRIPTION

The proposed mixed use, phased development will have an area of approximately 253.8 acres. The phase 1 impervious cover will be slightly reduced from 66.1 acres to 65.68 acres. Phase 2 activities will include 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover will be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements will also occur. Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two sedimentation/sand filtration basins, 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. Two existing sedimentation/sand filtration basins will continue to provide treatment for the phase 1 development. The required total suspended solids (TSS) treatment for this project is 112,857 pounds of TSS generated from the 130.45 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of two new partial sedimentation/filtration basins and two existing partial sedimentation/filtration basins. All four basins will be concrete lined with a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

Basin #1 will be designed with a water quality volume of 289,408 cubic feet (282,530 cubic feet required), and a sand filter area of 35,952 square feet (23,544 square feet required). This basin is designed to remove 50,890 pounds of TSS (50,212 pounds required).

Basin #2 will be designed with a water quality volume of 35,508 cubic feet (33,566 cubic feet required), and a sand filter area of 5,792 square feet (2,797 square feet required). This basin is designed to remove 5,115 pounds of TSS (4,983 pounds required).

Basin #3 will be designed with a water quality volume of 309,104 cubic feet (289,672 cubic feet required), and a sand filter area of 41,214 square feet (24,071 square feet required). This basin is designed to remove 33,525 pounds of TSS (29,083 pounds required).

Basin #4 will be designed with a water quality volume of 214,992 cubic feet (197,320 cubic feet required), and a sand filter area of 26,874 square feet (16,392 square feet required). This basin is designed to remove 24,200 pounds of TSS (21,749 pounds required).

*Basins 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover (2,163 pounds of TSS) within the phase 1 development.

*Basins 3 and 4 have been oversized to account for 5.199 acres of uncaptured impervious cover (4,667 pounds of TSS) within the phase 2 development

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012.

III. All permanent pollution abatement measures shall be operational prior to first occupancy of any structure within each drainage area.

IV. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

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

control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

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

After Completion of Construction:

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

submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.

17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4035.

Sincerely,

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

LB/AG/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2012

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

Re: Edwards Aquifer, Comal County

Name of Plan: Singing Hills; Located at northwest corner of the intersection of Highway 281 and State Highway 46; Bulverde, Texas

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

Edwards Aquifer Protection Program ID No. 2969.01; Investigation No. 1030114; Regulated Entity No. RN106090962

Dear Mr. Keith:

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 Moy Tarin Ramirez Engineers, LLC on behalf of DJL Ventures, Inc. and SH-DJL Development, LLC on August 27, 2012. Final review the CZP was completed after additional material was received on October 18, 2012. 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 legal boundary of the site where proposed regulated activities will occur is 253.8 acres. The site is located over the Edwards Aquifer Contributing Zone. The proposed mixed use development project will include:

- approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site
- a wastewater treatment plant will be constructed on the northeast portion of the site
- approximately 86 acres of mass grading activities following with the permanent stabilization measures
- 4.4 acres of demolition activities
- approximately 78 acres will remain uncleared and undisturbed
- offsite improvements consisting of pavement widening along Highway 281 and State Highway 46.

The impervious cover will be 64.2 acres of on-site impervious cover and 1.9 acres offsite impervious cover. The total impervious cover for the project is 66.1 acres (26 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Water Recycling Center owned by SH-DJL Development, LLC (TCEQ ID No. WQ0015038001).

Upgradient stormwater entering the site along the north and west boundaries will flow onto the site and into a proposed detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction and eventually reenter the site along the southern west boundary. This runoff will be intercepted by a permanent vegetative swale into a concrete lined channel and conveyed across the site.

Permanent Pollution Abatement Measures

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two (2) sedimentation filtration basins, 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 55,379 pounds of TSS generated from the 61.7 acres of impervious cover (66.1 acres proposed minus 4.4 acres of preexisting impervious cover). The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures are described below:

BMP Summary

Watershed Area	Total Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. WQV (ft3)	Design WQV (ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Sedimentation/Filtration Basin 1									
Pond 1	68.59	56.49	1.79	282,956	289,408	23,580	35,952	49,097	50,395
Sedimentation/Filtration Basin 2									
Pond 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115

Uncaptured Areas*						
Onsite**	177	2.2	2.4		-230	—
Offsite	1:9	1.9	0.2		1,530	—
Total project	253.8	66.1	4.4		55,379	55,510

*The basin is oversized to account for the uncaptured area.
**Includes 86 acres of mass grading area, 78 acres of undisturbed/uncleared area and 13 acres within the 90 acre commercial development area. Those 13 acres will be intercepted by an underground storm drain system and discharged into the permanent concrete lined channel.

Water quality ponds 1 and 2 will utilize a concrete liner and sand filtration system consisting of 18 inch thick, ASTM C-33 sand beds and underdrain piping system covered with a minimum two inch gravel layer.

The mass grading is for future development. At this time, plans for this development have not been developed. Once those plans are finalized a modification to this CZP will be required. The mass grading will have no impervious cover and generate no wastewater. Temporary erosion and sedimentation controls will remain in place until completion of the mass grading. If the mass grading is completed before the future commercial development is presented and approved, the following permanent stabilization measures will be provided:

- The topsoil will be placed over the disturbed areas which have not already exhibited sufficient re-establishment of vegetation.
- The topsoil areas will be hydraulically mulched with grass seed to establish vegetation.
- Irrigation will be provided until sufficient vegetation has been established.

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.

IV. For any future modifications to this CZP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

V. This CZP approval letter does not include the installation of the above ground storage tank facility at any commercial developments within the site. Prior to construction of the AST

Facility, a modification to this CZP must be submitted and received approval from the executive director.

VI. The proposed project will include a construction of a no-discharge wastewater treatment facility. This approval letter is being issued for regulated activities (as defined in Chapter 213) and for best management practices presented in the application. This approval does not constitute a wastewater permit or authorization from the TCEQ Wastewater Program. If wastewater is to be discharges in the contributing zone, requirements under 30 TAC 213. 6(c) (relating to Wastewater Treatment and Disposal Systems) must be satisfied.

VII. Since the project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.24(5).

Standard Conditions

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

Prior to Commencement of Construction:

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

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

During Construction:

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

After Completion of Construction:

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

through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

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

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Yuliya Dunaway of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-490-3096.

Sincerely,

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

LB/YD/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Tom Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

ATTACHMENT B
NARRATIVE OF PROPOSED MODIFICATION

ATTACHMENT B
NARRATIVE OF PROPOSED MODIFICATON

BACKGROUND

The Singing Hills Development is an approximately 254 acre mixed use development located on the northwest corner of the intersection of U.S. Highway 281 and State Highway 46.

Original Contributing Zone Plan (CZP)

The original CZP for Singing Hills was completed in August 2012 by Moy Tarin Ramirez Engineers, LLC and approved by TCEQ on November 2, 2012. The CZP was approved for the construction of approximately 90 acres of commercial development and related infrastructure on the south and east portions of the site. In addition, the CZP was approved for construction of a wastewater treatment plant on the northeast side of the site, storm water detention pond to the west of the site, and approximately 86 acres of mass grading. In addition, approximately 4.4 acres of demolition and improvements to U.S. Highway 281 and State Highway 46 was also included. The original CZP application included approximately 64.2 acres of onsite impervious cover and approximately 1.89 acres of offsite impervious cover. In addition, the application included approximately 4.2 acres of existing onsite impervious cover to be removed, as well as approximately 0.2 acres of existing offsite impervious cover to be removed. This resulted in a net increase in impervious cover of approximately 61.7 acres or 24.3%. Construction has commenced for the first phase of the project and consists of clearing, mass grading, drainage channels, streets and utilities. Current construction activity associated with the first phase appears to be consistent with the approved CZP.

Contributing Zone Plan (CZP) Modification #1

A modification to the original CZP for Singing Hills was completed in October 2014 by Moy Tarin Ramirez Engineers, LLC and approved by TCEQ on January 13, 2015. The modification was submitted for development of areas that were previously indicated as undisturbed and an additional area added to a lot which increased the impervious cover for that lot. The new areas of development included two (2) street U-turns with deceleration lanes on U.S. Highway 281 and added the second phase of the development to be located north and west of the site. The second phase of development proposed 352 single family residential lots, a multi-family development and commercial / office development. The second phase proposed to add two (2) additional water quality basins to mitigate the increase of impervious cover. According to the modification, with completion of the first and second phase improvements; including additional offsite impervious cover for the street U-turns and deceleration lanes, removal of originally proposed driveways and deceleration lanes along U.S. Highway 281, the removal of additional existing impervious cover along US Highway 281 and State Highway 46, and the addition of impervious cover proposed for a lot size increase, the net overall impervious cover for the entire site is approximately 130.45 acres or 51% of the overall area.

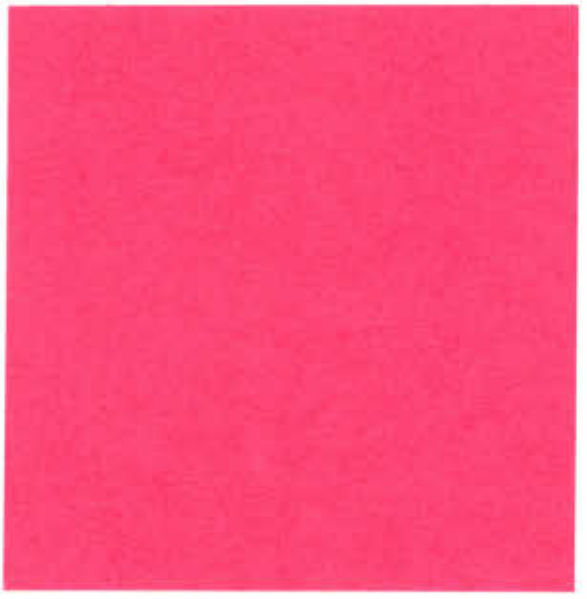
MODIFICATION

This modification is being submitted for a change in nature or character of the regulated activity from that which was originally approved. Specifically, for development of a Jiffy Lube auto care facility proposed to be located on Lot 18 of Singing Hills and to include nine (9) Storage Tanks with a total volume of 3,900 gallons.

Lot 18 is south of the Harmony Hills drive access to the site from U.S. Highway 281 and was included in the previously approved CZP, and specifically is allowed 90% impervious cover for the specific lot as defined by the original CZP. The Jiffy Lube development proposes an impervious cover of approximately 60%.

Storm water runoff from the Jiffy Lube site (Lot 18) drains to the storm drainage system along the east side of the site, travels south and enters the storm water management and sand filtration pond located at the south end of the Singing Hills near the intersection of U.S. Highway 281 and State Highway 46. The pond is referred to as "Sand Filtration Pond No. 1" per the construction plans for Singing Hills. According to documents for the Singing Hills, the pond has sufficient capture volume and sand area to treat the impervious cover from Lot 18.

ATTACHMENT C
LATEST APPROVED SITE PLAN OF SIGNING HILLS DEVELOPMENT



II. CONTRIBUTING ZONE PLAN APPLICATION

Contributing Zone Plan Application

Texas Commission on Environmental Quality

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

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

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

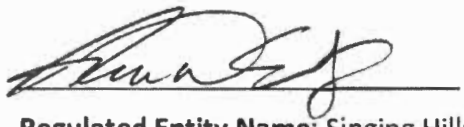
Signature

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

Print Name of Customer/Agent: CEI Engineering Associates, Inc.

Date: 10/15/15

Signature of Customer/Agent:



Regulated Entity Name: Singing Hills

Project Information

1. County: Comal
2. Stream Basin: Lewis Creek
3. Groundwater Conservation District (if applicable): _____
4. Customer (Applicant):

   Contact Person: David Keith
   Entity: SH-DJL Development, LLC
   Mailing Address: 18615 Tuscany Stone, Suite 200
   City, State: San Antonio, Texas Zip: 78258
   Telephone: (210) 614-7051 Fax: (210) 614-8276
   Email Address: _____

5. Agent/Representative (If any):

Contact Person: Andrew D. Slyter, PE, CPESC
Entity: CEI Engineering Associates, Inc.
Mailing Address: 3108 SW Regency Parkway, Suite 2
City, State: Bentonville, Arkansas Zip: 72712
Telephone: (479) 273-9472 Fax: (479) 273-0844
Email Address: aslyter@ceieng.com

6. Project Location:

☒ The project site is located inside the city limits of Bulverde.
☒ The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of The City of Bulverde.
☐ The project site is not located within any city's limits or ETJ.

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

Northwest Corner of U.S. Highway 281 and State Highway 46

8. ☒ **Attachment A - Road Map**. A road map showing directions to and the location of the project site is attached. The map clearly shows the boundary of the project site.

9. ☒ **Attachment B - USGS Quadrangle Map**. A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') is attached. The map(s) clearly show:

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

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

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

11. Existing project site conditions are noted below:

☐ Existing commercial site
☐ Existing industrial site
☐ Existing residential site

☐ Existing paved and/or unpaved roads
☒ Undeveloped (Cleared)
☐ Undeveloped (Undisturbed/Not cleared)
☐ Other: ____

12. The type of project is:

☐ Residential: # of Lots: _____
☐ Residential: # of Living Unit Equivalents: _____
☒ Commercial
☐ Industrial
☐ Other: _____

13. Total project area (size of site): 0.93 Acres

Total disturbed area: 0.93 Acres

14. Estimated projected population: Non-residential

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

Table 1 - Impervious Cover

Impervious Cover of Proposed Project	*Sq. Ft.*	*Sq. Ft./Acre*	*Acres*
Structures/Rooftops	3280	÷ 43,560 =	0.08
Parking	20680	÷ 43,560 =	0.47
Other paved surfaces		÷ 43,560 =	
Total Impervious Cover	23960	÷ 43,560 =	0.55

Total Impervious Cover 0.55 **÷ Total Acreage** 0.93 **X 100 =** 59**% Impervious Cover**

16. ☒ **Attachment D - Factors Affecting Surface Water Quality**. A detailed description of all factors that could affect surface water quality is attached. If applicable, this includes the location and description of any discharge associated with industrial activity other than construction.

17. ☐ Only inert materials as defined by 30 TAC 330.2 will be used as fill material.

For Road Projects Only

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

☐ N/A

18. Type of project:

- ☐ TXDOT road project.
- ☐ County road or roads built to county specifications.
- ☐ City thoroughfare or roads to be dedicated to a municipality.
- ☐ Street or road providing access to private driveways.

19. Type of pavement or road surface to be used:

- ☐ Concrete
- ☐ Asphaltic concrete pavement
- ☐ Other: _____

20. Right of Way (R.O.W.):

Length of R.O.W.: _____ feet.
Width of R.O.W.: _____ feet.
L x W = _____Ft^2 ÷ 43,560 Ft^2/Acre = _____ acres.

21. Pavement Area:

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.

22. ☐ A rest stop will be included in this project.

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

23. ☐ Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

Stormwater to be generated by the Proposed Project

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

Wastewater to be generated by the Proposed Project

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

☐ N/A

26. Wastewater will be disposed of by:

☐ On-Site Sewage Facility (OSSF/Septic Tank):

☐ **Attachment F - Suitability Letter from Authorized Agent.** An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.

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

☒ Sewage Collection System (Sewer Lines):
The sewage collection system will convey the wastewater to the Singing Hills Wastewater (name) Treatment Plant. The treatment facility is:

☒ Existing.
☐ Proposed.

☐ N/A

Permanent Aboveground Storage Tanks(ASTs) ≥ 500 Gallons

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

☐ N/A

27. Tanks and substance stored:

Table 2 - Tanks and Substance Storage

AST Number	*Size (Gallons)*	*Substance to be Stored*	*Tank Material*
1	5 x 280	Automotive Oil	Steel
2	3 x 500	Automotive Oil	Steel
3	1000	Used Automotive Oil	Steel
4			
5			

Total x 1.5 = 3900 Gallons

28. ☒ The AST will be placed within a containment structure that is sized to capture one and one-half (1 1/2) times the storage capacity of the system. For facilities with more than

one tank system, the containment structure is sized to capture one and one-half (1 1/2) times the cumulative storage capacity of all systems.

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

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

Table 3 - Secondary Containment

Length (L)(Ft.)	*Width(W)(Ft.)*	*Height (H)(Ft.)*	*L x W x H = (Ft3)*	*Gallons*
35	43	5	7525	56,000

Total: 56,000 **Gallons**

30. Piping:

☒ All piping, hoses, and dispensers will be located inside the containment structure.
☐ Some of the piping to dispensers or equipment will extend outside the containment structure.
☐ The piping will be aboveground
☐ The piping will be underground

31. ☒ The containment area must be constructed of and in a material impervious to the substance(s) being stored. The proposed containment structure will be constructed of: Reinforced concrete.

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

☒ Interior dimensions (length, width, depth and wall and floor thickness).
☐ Internal drainage to a point convenient for the collection of any spillage.
☒ Tanks clearly labeled
☐ Piping clearly labeled
☐ Dispenser clearly labeled

33. ☒ Any spills must be directed to a point convenient for collection and recovery. Spills from storage tank facilities must be removed from the controlled drainage area for disposal within 24 hours of the spill.

☒ In the event of a spill, any spillage will be removed from the containment structure within 24 hours of the spill and disposed of properly.

☐ In the event of a spill, any spillage will be drained from the containment structure through a drain and valve within 24 hours of the spill and disposed of properly. The drain and valve system are shown in detail on the scaled drawing.

Site Plan Requirements

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

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

    Site Plan Scale: 1" = 20'.

35. 100-year floodplain boundaries:

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

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

    The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s): FEMA Flood Insurance Rate Map (FIRM), Community Panel Number 480910220F, Dated September 2, 2009.

36. ☒ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.

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

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

38. ☒ The drainage patterns and approximate slopes anticipated after major grading activities.

39. ☒ Areas of soil disturbance and areas which will not be disturbed.

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

41. ☒ Locations where soil stabilization practices are expected to occur.

42. ☐ Surface waters (including wetlands).

    ☒ N/A

43. ☐ Locations where stormwater discharges to surface water.

    ☒ There will be no discharges to surface water.

44. ☐ Temporary aboveground storage tank facilities.

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

45. ☒ Permanent aboveground storage tank facilities.

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

46. ☒ Legal boundaries of the site are shown.

Permanent Best Management Practices (BMPs)

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

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

☐ N/A

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

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

☐ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is: _____.

☐ N/A

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

☐ N/A

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

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

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

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

51. The executive director may waive the requirement for other permanent BMPs for 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**. The site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is attached.

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

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

52. ☒ **Attachment J - BMPs for Upgradient Stormwater**.

☒ A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is attached.

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

☐ Permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, and an explanation is attached.

53. ☒ **Attachment K - BMPs for On-site Stormwater**.

☒ A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is attached.

☐ Permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, and an explanation is attached.

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

☐ N/A

55. ☒ **Attachment M - Construction Plans**. Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer, and are signed, sealed, and dated. Construction plans for the proposed permanent BMPs and measures are

attached and include: Design calculations, TCEQ Construction Notes, all proposed structural plans and specifications, and appropriate details.

☐ N/A

56. ☐ **Attachment N - Inspection, Maintenance, Repair and Retrofit Plan**. A site and BMP specific plan for the inspection, maintenance, repair, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan fulfills all of the following:

    ☐ Prepared and certified by the engineer designing the permanent BMPs and measures
    ☐ Signed by the owner or responsible party
    ☐ Outlines specific procedures for documenting inspections, maintenance, repairs, and, if necessary, retrofit.
    ☐ Contains a discussion of record keeping procedures

    ☒ N/A **No Permanent BMPs revised or added with this Modification**

57. ☐ **Attachment O - Pilot-Scale Field Testing Plan**. Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.

    ☒ N/A

58. ☒ **Attachment P - Measures for Minimizing Surface Stream Contamination**. A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that result in water quality degradation.

    ☐ N/A

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

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

60. ☒ A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development,

or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

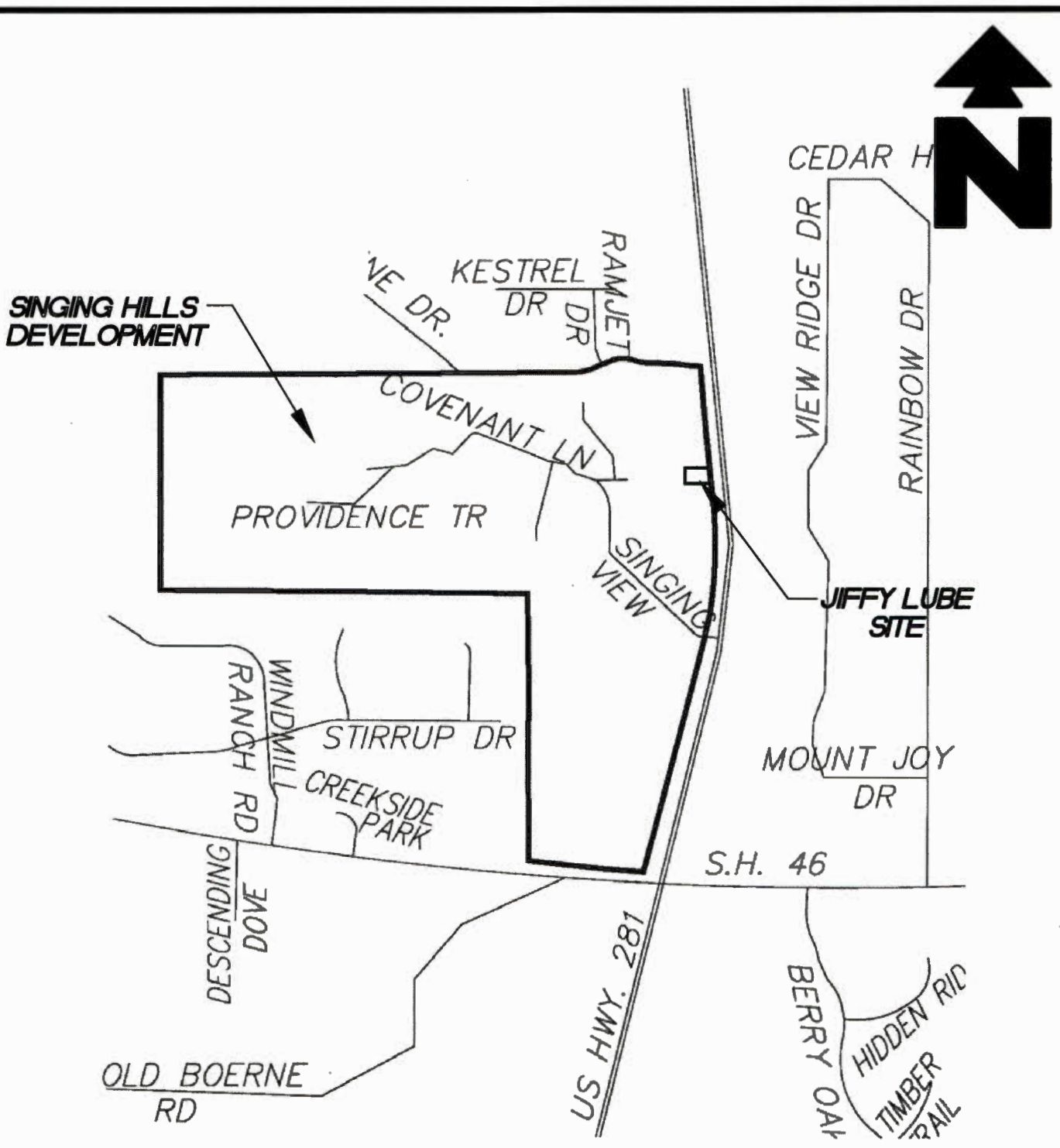
Administrative Information

61. ☒ Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions.

62. ☒ Any modification of this Contributing Zone Plan may require TCEQ review and Executive Director approval prior to construction, and may require submission of a revised application, with appropriate fees.

63. ☒ The site description, controls, maintenance, and inspection requirements for the storm water pollution prevention plan (SWPPP) developed under the EPA NPDES general permits for stormwater discharges have been submitted to fulfill paragraphs 30 TAC §213.24(1-5) of the technical report. All requirements of 30 TAC §213.24(1-5) have been met by the SWPPP document.

☐ The Temporary Stormwater Section (TCEQ-0602) is included with the application.



INITIAL DESIGN	9/9/15 DATE	--- PRN	-- PM	-- DES	-- DRW

ATTACHMENT A - ROAD MAP

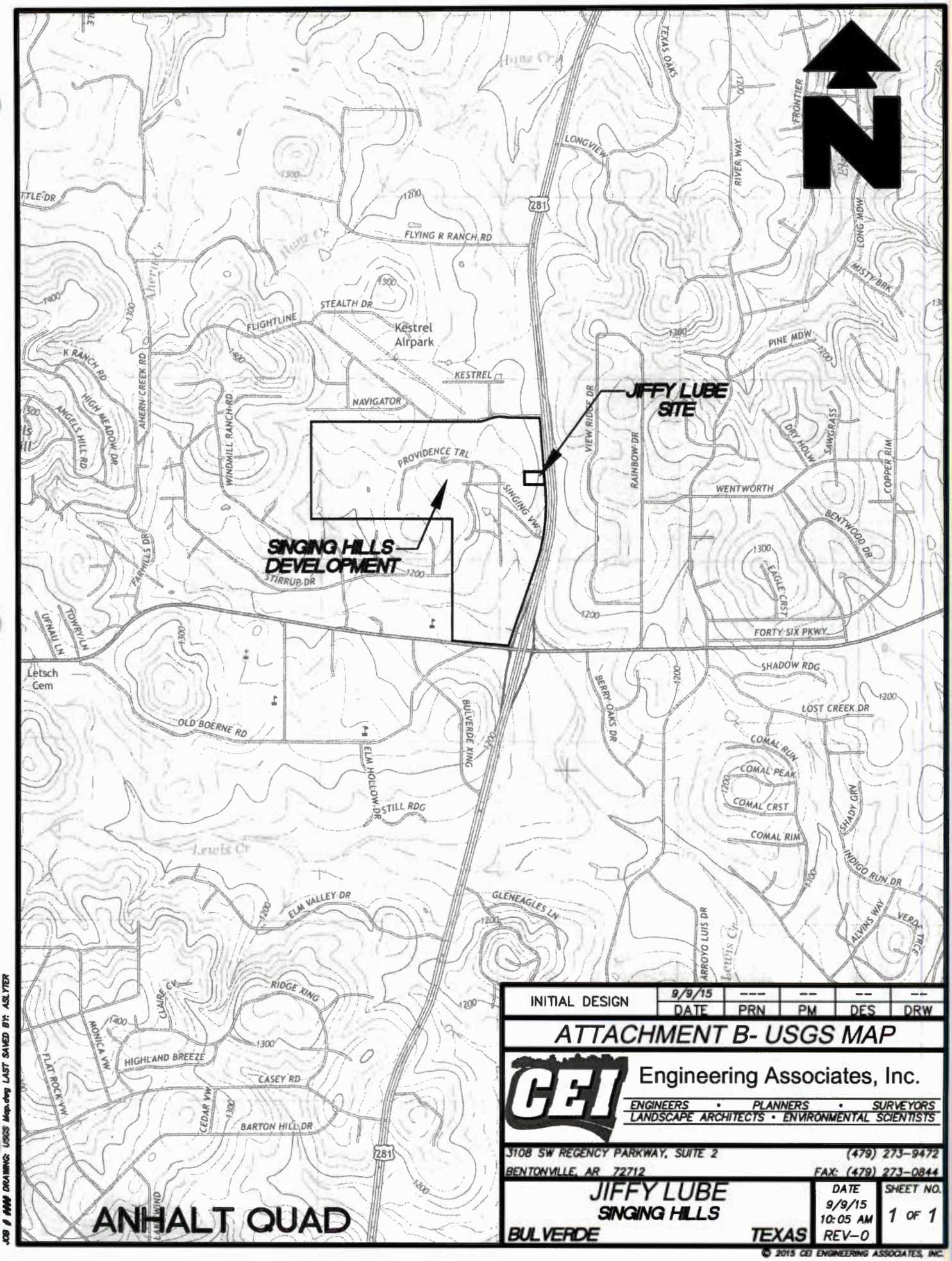
Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
3108 SW REGENCY PARKWAY, SUITE 2
BENTONVILLE, AR 72712
(479) 273-9472
FAX: (479) 273-0844

JIFFY LUBE
SINGING HILLS
BULVERDE TEXAS

DATE 9/9/15 10:12 AM REV-0

SHEET NO. 1 OF 1

JOB # ### DRAWING: USGS Map.dwg LAST SAVED BY: ASLYTER



INITIAL DESIGN	9/9/15	---	--	--	--
	DATE	PRN	PM	DES	DRW

ATTACHMENT B- USGS MAP

Engineering Associates, Inc.
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS • ENVIRONMENTAL SCIENTISTS
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JIFFY LUBE
SINGING HILLS
BULVERDE TEXAS

DATE 9/9/15 10:05 AM REV-0

SHEET NO. 1 OF 1

JOB # ### DRAWING: USGS Map.dwg LAST SAVED BY: ASLYTER

ATTACHMENT C
PROJECT NARRATIVE

The Singing Hills Development is an approximately 254 acre mixed use development located on the northwest corner of the intersection of U.S. Highway 281 and State Highway 46.

The original CZP for Singing Hills was completed in August 2012 by Moy Tarin Ramirez Engineers, LLC and approved by TCEQ on November 2, 2012. The CZP was approved for the construction of approximately 90 acres of commercial development and related infrastructure on the south and east portions of the site. In addition, the CZP was approved for construction of a wastewater treatment plant on the northeast side of the site, storm water detention pond to the west of the site, and approximately 86 acres of mass grading. In addition, approximately 4.4 acres of demolition and improvements to U.S. Highway 281 and State Highway 46 was also included. The original CZP application included approximately 64.2 acres of onsite impervious cover and approximately 1.89 acres of offsite impervious cover. In addition, the application included approximately 4.2 acres of existing onsite impervious cover to be removed, as well as approximately 0.2 acres of existing offsite impervious cover to be removed. This resulted in a net increase in impervious cover of approximately 61.7 acres or 24.3%. Construction has commenced for the first phase of the project and consists of clearing, mass grading, drainage channels, streets and utilities.

A modification to the original CZP for Singing Hills was completed in October 2014 by Moy Tarin Ramirez Engineers, LLC and approved by TCEQ on January 13, 2015. The modification was submitted for development of areas that were previously indicated as undisturbed and an additional area added to a lot which increased the impervious cover for that lot. The new areas of development included two (2) street U-turns with deceleration lanes on U.S. Highway 281 and added the second phase of the development to be located north and west of the site. The second phase of development proposed 352 single family residential lots, a multi-family development and commercial / office development. The second phase proposed to add two (2) additional water quality basins to mitigate the increase of impervious cover. According to the modification, with completion of the first and second phase improvements; including additional offsite impervious cover for the street U-turns and deceleration lanes, removal of originally proposed driveways and deceleration lanes along U.S. Highway 281, the removal of additional existing impervious cover along US Highway 281 and State Highway 46, and the addition of impervious cover proposed for a lot size increase, the net overall impervious cover for the entire site is approximately 130.45 acres or 51% of the overall area.

This CZP application is being submitted specifically for development of a Jiffy Lube auto care facility proposed to be located on Lot 18 of Singing Hills of approximately 0.93 acres. The Jiffy Lube proposes nine (9) storage tanks with a total volume of 3,900 gallons. The nine (9) tanks are steel construction and consist of; three (3) 500 gallon fresh oil storage tanks, five (5) 280 gallon fresh oil storage tanks, and one (1) 1,000 gallon used oil storage tank. The storage tanks will be located underneath the building in a concrete basement. The concrete basement will operate as a secondary containment system for the storage tanks as it does not contain drains or any other wall or floor

penetration openings. The concrete basement is approximately 35 feet wide by 43 feet long and approximately 5 feet deep, providing a secondary containment volume of approximately 60,000 gallons.

Lot 18 is south of the Harmony Hills drive access to the site from U.S. Highway 281 and was included in the previously approved CZP, and specifically is allowed 90% impervious cover for the specific lot as defined by the original CZP. Impervious cover for the Jiffy Lube project will be from the building structure, sidewalks, driveways and the parking lot and is proposed to be approximately 60%. Permanent water quality treatment for the Jiffy Lube is provided by the existing storm water management and sand filtration pond located at the south end of the Singing Hills development near the intersection of U.S. Highway 281 and State Highway 46. Storm water runoff from the Jiffy Lube site (Lot 18) drains to the storm drainage system along the east side of the site, travels south and enters the storm water management pond. The pond is referred to as "Sand Filtration Pond No. 1" per the construction plans for Singing Hills. According to documents for the Singing Hills, the pond has sufficient capture volume and sand area to treat the impervious cover from Lot 18 and was designed in accordance with the TCEQ Technical Guidance Manual to remove at least 80% of the total suspended solids generated by the impervious cover.

During construction, temporary construction Best Management Practices (BMPs) will be employed to control sediment runoff and minimize erosion. Temporary BMPs will consist of a stabilized construction exit, silt / sediment fence, silt / sediment dikes and media tubes, inlet filters, concrete wash out pit and stabilized construction staging and laydown area.

ATTACHMENT D
FACTORS AFFECTING SURFACE WATER QUALITY

The Singing Hills Development Phase 1 consists of construction of asphalt and concrete pavement, concrete sidewalks, buildings, a wastewater treatment plant, a detention pond, two (2) sand filtration ponds and landscaped areas.

The Singing Hills Development Phase 2 consists of construction of approximately 352 single family residential lots, apartments and office space and includes construction of asphalt and concrete pavement for driveways and streets, concrete sidewalks, parking lots, residential homes and apartment buildings, office buildings, a sanitary sewer lift station, two (2) sand filtration ponds and landscape areas.

The Jiffy Lube auto car facility proposed to be located on Lot 18 of approximately 0.93 acres, consists of construction of asphalt and concrete pavement for driveways, concrete sidewalks, the Jiffy Lube building, underground utilities and landscaped areas.

Factors affecting surface water quality include; fertilizers, pesticides from landscape, sediment from soil disturbance, leaf litter from trees, small amounts of oil and grease from vehicular traffic and suspended solids from impervious cover areas. These factors may cause suspended solids to enter the storm water runoff and subsequently impact surface water. Temporary construction Best Management Practices (BMPs) will be utilized during construction to control sediment runoff from soil disturbance and minimize soil erosion. Temporary BMPs will consists of silt / sediment fences, rock berms, inlet filters, stabilized construction exits, diversion dikes, silt dikes and media tubes and stabilized construction staging and laydown areas. Permanent water quality and storm water management ponds are also proposed as part of the Singing Hills Development and consist of numerous sand filtration ponds designed on the Technical Guidance Manual to treat the storm water runoff and minimize the effect of the development on surface water.

ATTACHMENT E
VOLUME AND CHARACTER OF STORM WATER

VOLUME OF STORM WATER

According to construction documents associated with the Singing Hills development, the proposed detention pond located at the west end of the site is designed to decrease the post development peak runoff rate from the Singing Hills development to a rate that is less than the existing peak runoff rate from the development area, according to Comal County requirements. The detention pond is designed to over detain the runoff from the area entering the pond to mitigate the increase in runoff from the area located in the southeast corner of the Singing Hills development, which discharges storm water runoff into the U.S. Highway 281 right of way.

Existing Conditions (Singing Hills)
Area: 253.51
Runoff Coefficient: 0.50
Tc = 40 min
I = 4.44 in/hr
Q25 = 563 cfs

Proposed Conditions (Singing Hills)
Area: 253.51
Runoff Coefficient: 0.70
Tc = 25 min
I = 5.89 in/hr
Q25 = 1,045 cfs

Existing Conditions (Jiffy Lube)
Area: 0.93
Runoff Coefficient: 0.50
Tc = 10 min
I25 = 9.3 in/hr, I100 = 11.5 in/hr
Q25 = 4.3 cfs, Q100 = 5.3 cfs

Proposed Conditions (Jiffy Lube)
Area: 0.93
Runoff Coefficient: 0.77
Tc = 10 min
I25 = 9.3 in/hr, I100 = 11.5 in/hr
Q25 = 6.7 cfs, Q100 = 8.2 cfs

CHARACTER OF STORM WATER

According to the original CZP and CZP modification, storm water runoff generated from the Singing Hills development during construction will be typical of a large scale residential, multi-family and commercial construction project. The runoff may contain small amounts of suspended solids created by construction activities which may include sediments from disturbed soils and hydrocarbons from construction equipment. Permanent stabilization of areas where soil is disturbed by construction activities will be accomplished by installing new vegetation, mulch and impervious cover.

According to the original CZP and CZP modification, storm water runoff generated after construction of the Singing Hills development will be typical of small and large commercial and single and multi-family developments. The runoff will contain sediments from building roofs, driveways, parking lots, sidewalks, landscape areas and other miscellaneous impervious areas from the site. The runoff may contain small amounts of oil, grease, suspended solids, fertilizers and pesticides. The post construction runoff will be treated through four (4) sand filtration ponds designed in accordance with the Technical Guidance Manual to remove 80% of the total increase in TSS caused by the impervious cover.

Storm water runoff generated from the Jiffy Lube development during construction will be typical of a small scale commercial development construction project. Runoff may contain small amounts of suspended solids created by construction activities, which may include sediments from disturbed soils. Permanent stabilization of areas where soil is disturbed by construction activities will be accomplished by installing new vegetation, mulch and impervious cover as described in the Storm Water Pollution Prevention Plan (SWPPP).

Storm water runoff generated from the Jiffy Lube, after construction, will be typical of a small scale development. Runoff generated may contain sediments and small amounts of oil, grease, fertilizers and pesticides from building roofs, driveways, parking lots, sidewalks, landscape areas and other miscellaneous impervious areas. Post construction runoff from the Jiffy Lube will be treated in the existing storm water management and sand filtration pond located at the south end of the Singing Hills development near the intersection of U.S. Highway 281 and State Highway 46. According to documents for the Singing Hills, the pond has sufficient capture volume and sand area to treat the impervious cover from Lot 18 and was designed in accordance with the TCEQ Technical Guidance Manual to remove at least 80% of the total suspended solids generated by the impervious cover.

ATTACHMENT G
ALTERNATIVE SECONDARY CONTAINMENT METHODS

This CZP application is being submitted specifically for development of a Jiffy Lube auto care facility proposed to be located on Lot 18 of Singing Hills of approximately 0.93 acres. The Jiffy Lube proposes nine (9) storage tanks with a total volume of 3,900 gallons. The nine (9) tanks are steel construction and consist of; three (3) 500 gallon fresh oil storage tanks, five (5) 280 gallon fresh oil storage tanks, and one (1) 1,000 gallon used oil storage tank. The tanks are proposed to be single wall steel. As an alternative to double walled tanks, an alternate secondary containment system is proposed. Specifically, the storage tanks will be located underneath the building in a concrete basement. The concrete basement will operate as a secondary containment system for the storage tanks as it does not contain drains or any other wall or floor penetration openings. The concrete basement is approximately 35 feet wide by 43 feet long and approximately 5 feet deep, providing a secondary containment volume of approximately 60,000 gallons. As required, secondary containment system must have 1.5 times the volume of the storage tanks. The Jiffy Lube tanks have a total of 3,900 gallons, therefore the secondary containment system shall provide at least 5,850 gallons. The secondary system proposed provides more volume than required.

ATTACHMENT H

AST CONTAINMENT STRUCTURE DRAWINGS

Stanwade Metal Products

RECTANGULAR
U/L-142 SPECIFICATIONS
SINGLEWALL & DOUBLE WALL
ABOVEGROUND TANKS FOR FLAMMABLE AND COMBUSTIBLE LIQUIDS

1.0 Tank Description:

1.1 Stawade Tanks are designed, constructed, and tested in accordance with Underwriters Laboratories, Inc. Standard 142. " **UL 142** " pertains to Steel Aboveground Tanks for Flammable and Combustible Liquids. Stanwade Tanks shall, with this listing, meet the requirements for atmospheric tanks of The National Fire Protection Association (NFPA) Sections 30, 30A, and 31 as well as The Uniform Fire Code (UFC) Article 79.

1.2 Stanwade Tanks are designed and listed as atmospheric tanks with a **maximum** working pressure of 1 Pound Per Square Inch (PSI).

1.3 Stanwade Tanks shall have passed a proof of design hydrostatic pressure test of 25 PSI for the primary and secondary containment tanks.

1.4 Each primary tank shall have one emergency vent fitting as required by UL and four additional fittings for the mounting and installation of equipment.

1.5 Each secondary tank (double wall design) shall have one emergency vent fitting as required by UL and one additional fitting for interstitial monitoring and venting.

1.6 Each tank shall be equipped with lifting lugs.

1.7 Stanwade Tanks include a Twelve Month Warranty from date of purchase.

2.0 Single Wall Tanks (Primary Storage Tank)

2.1 Each primary tank will be of rectangular design.

2.2 Each Single Wall tank shall be constructed of ASTM A-569 or A-36 Carbon steel, ASTM A-240 type 304 or 316 stainless steel as required regarding product compatibility.

2.3 Each Single Wall tank shall be factory pressure tested per UL 142 specification at 3 to 5 PSI.

2.4 Each Single Wall tank exterior shall have one coat of red oxide primer.

3.0 Double Wall Tanks (Secondary Containment Tanks)

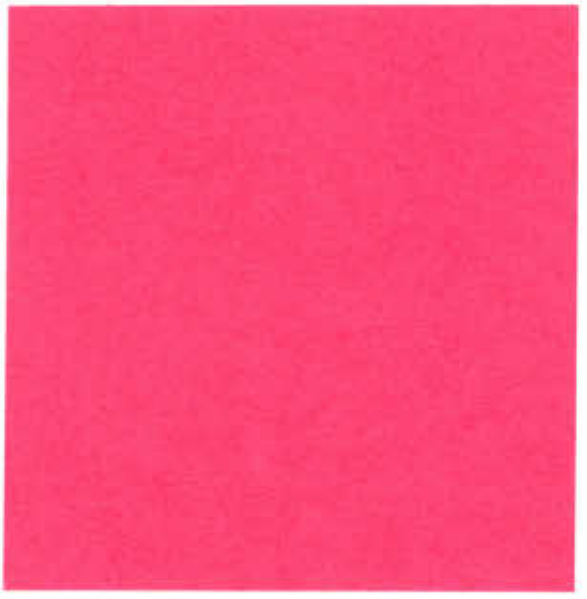
3.1 Each secondary containment tank will be of rectangular design.

3.2 Each secondary containment tank shall be listed by Underwriters Laboratories as a secondary containment tank.

3.3 Each secondary containment tank shall be constructed of ASTM A-569 or ASTM A-240 type steel.

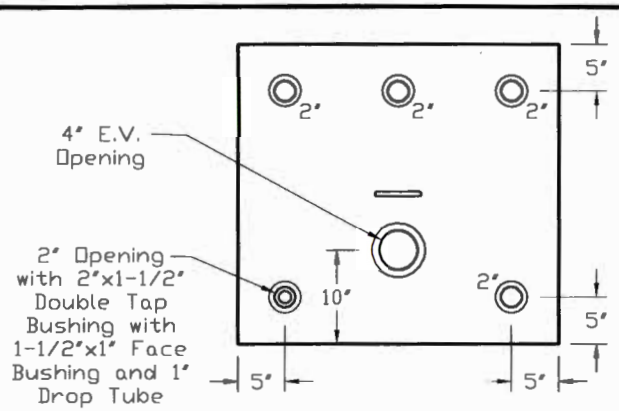
3.4 Each secondary containment tank shall be factory pressure tested per UL 142 specification at 3 PSI.

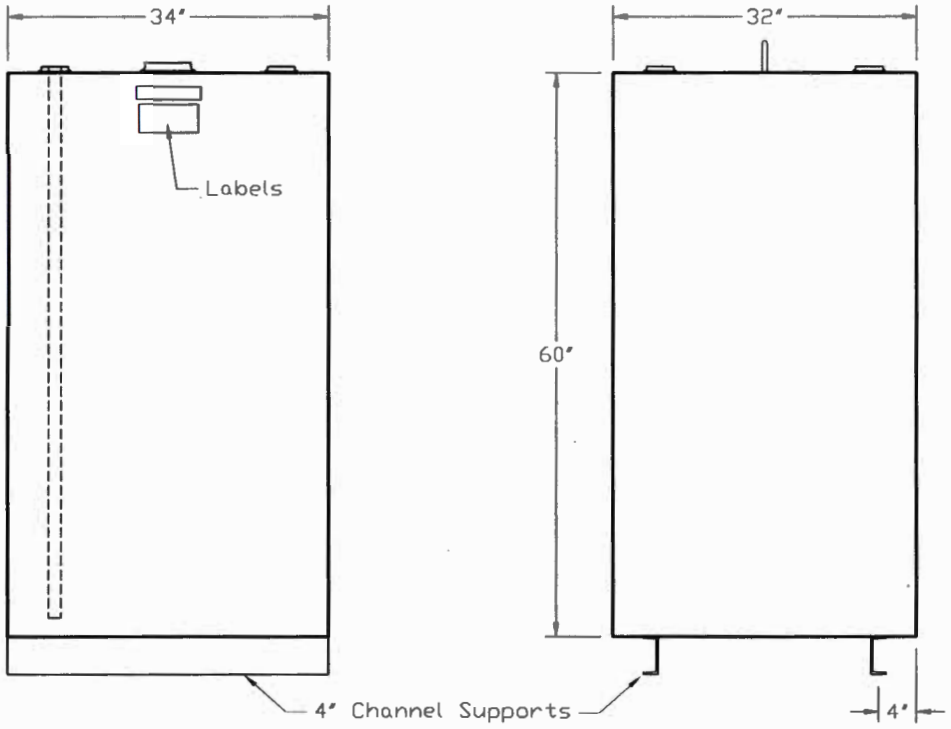
3.5 Each secondary containment tank exterior shall have one coat of red oxide primer.



STANWADE METAL PRODUCTS, INC.
6868 State Route 305, P.O. Box 10
Hartford, Ohio 44424
Phone: 800-826-5243 Fax. 1-330-772-3307
www.tankstore.com

STANWADE
METAL PRODUCTS INC





Capacity:	280 Gallons
Design:	Single Wall Rect.
Code:	UL 142
Test Pressure:	3 P.S.I. Max.
Primary Heads:	10 Ga. - 7 Ga. Top
Primary Shell:	10 Ga.
Paint Exterior:	Red Enamel over Primer
Paint Interior:	
Weight Empty:	500 Lbs.

Notes:

1. Tank For Stationary Use Only.
2. Dimensions Shown Are Interior.
3. All Openings Are Female Threaded Unless Noted Otherwise.
4. Dope and Plug All Openings.

Customer: Devon / Jiffy Lube

Drawing Date: 7-24-15

Drawing #: DEV001.7-24-15.2

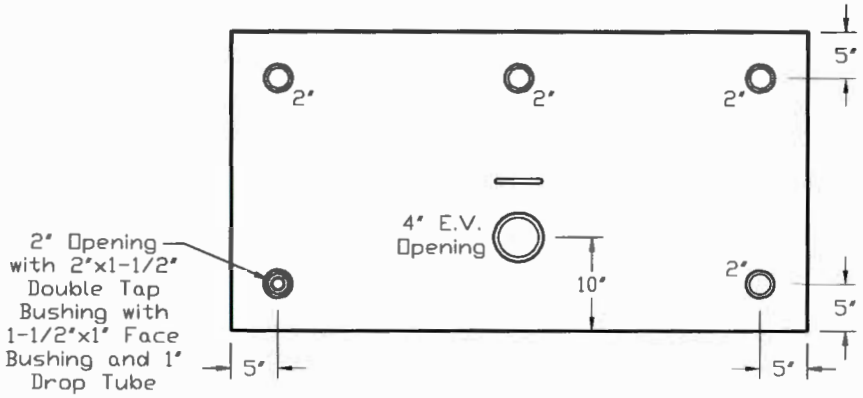
Quote #: _____

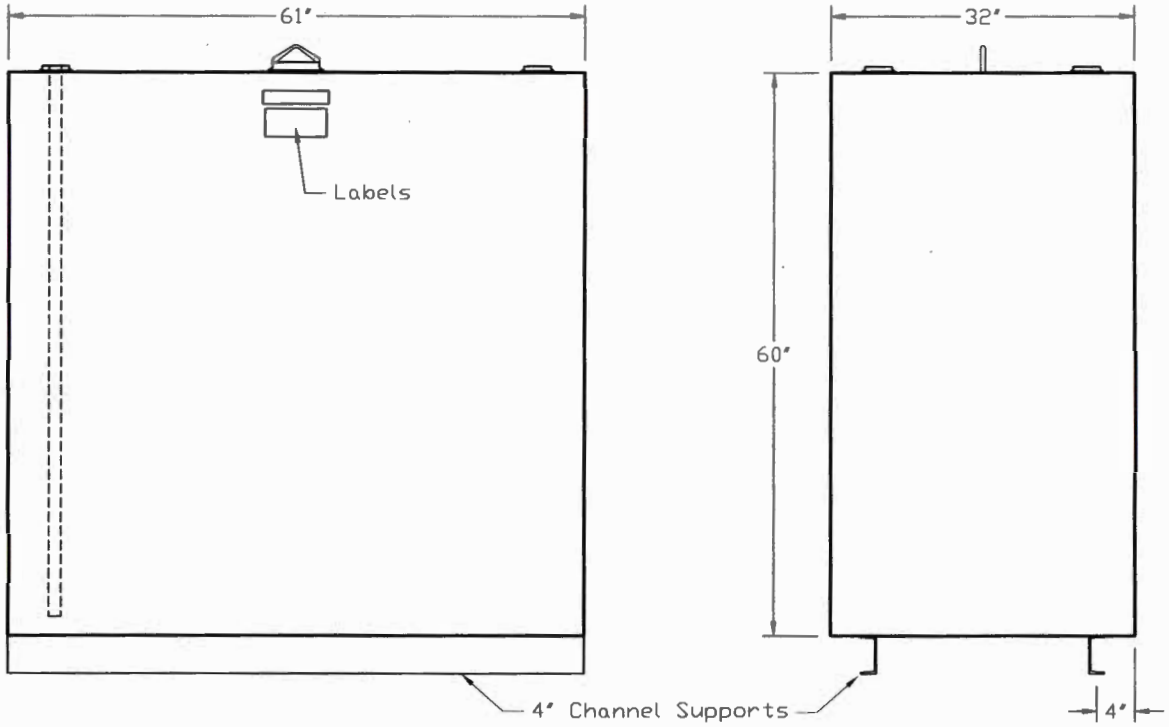
Quoted Lead Times Begin Upon Receipt of Signed Approved Drawing, Which Must be Returned Before Production Can Begin.

Drawing Approved By: _____

STANWADE METAL PRODUCTS, INC.
6868 State Route 305, P.O. Box 10
Hartford, Ohio 44424
Phone: 800-826-5243 Fax. 1-330-772-3307
www.tankstore.com

STANWADE
METAL PRODUCTS INC





Capacity:	500 Gallons
Design:	Single Wall Rect.
Code:	UL 142
Test Pressure:	3 P.S.I. Max.
Primary Heads:	10 Ga. - 7 Ga. Top
Primary Shell:	10 Ga.
Paint Exterior:	Red Enamel over Primer
Paint Interior:	
Weight Empty:	700 Lbs.

Notes:

1. Tank For Stationary Use Only.
2. Dimensions Shown Are Interior.
3. All Openings Are Female Threaded Unless Noted Otherwise.
4. Dope and Plug All Openings.

Customer: Devon / Jiffy Lube

Drawing Date: 7-24-15

Drawing #: DEV001.7-24-15.3

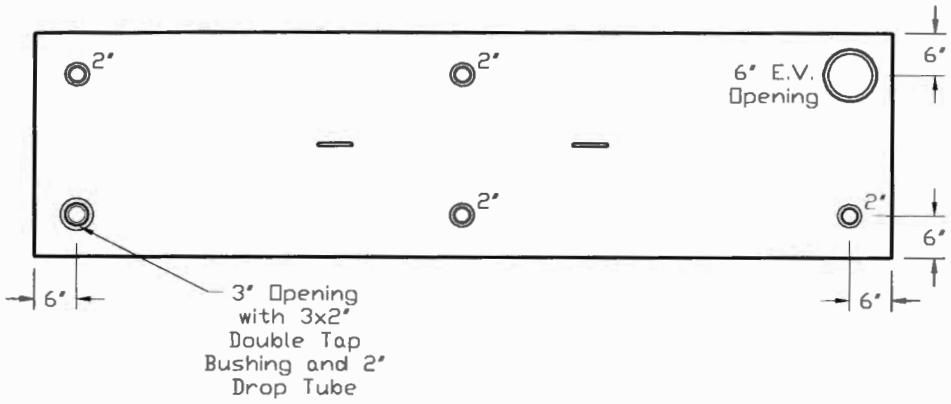
Quote #: _____

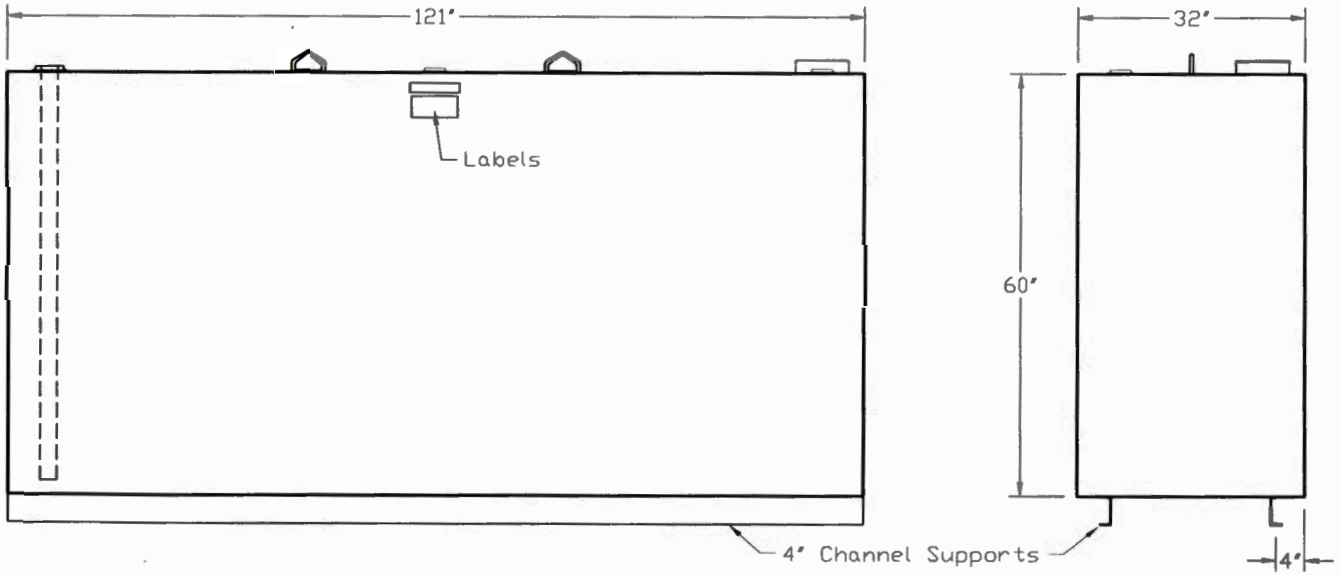
Quoted Lead Times Begin Upon Receipt of Signed Approved Drawing, Which Must be Returned Before Production Can Begin.

Drawing Approved By: _____

STANWADE METAL PRODUCTS, INC.
6868 State Route 305, P.O. Box 10
Hartford, Ohio 44424
Phone: 800-826-5243 Fax. 1-330-772-3307
www.tankstore.com

STANWADE
METAL PRODUCTS INC





Capacity:	1,000 Gallons
Design:	Single Wall Rect.
Code:	UL 142
Test Pressure:	3 P.S.I. Max.
Primary Heads:	10 Ga. - 7 Ga. Top
Primary Shell:	10 Ga.
Paint Exterior:	Red Enamel over Primer
Paint Interior:	
Weight Empty:	1,550 Lbs.

Notes:

1. Tank For Stationary Use Only.
2. Dimensions Shown Are Interior.
3. All Openings Are Female Threaded Unless Noted Otherwise.
4. Dope and Plug All Openings.

Customer: Devon / Jiffy Lube

Drawing Date: 7-24-15

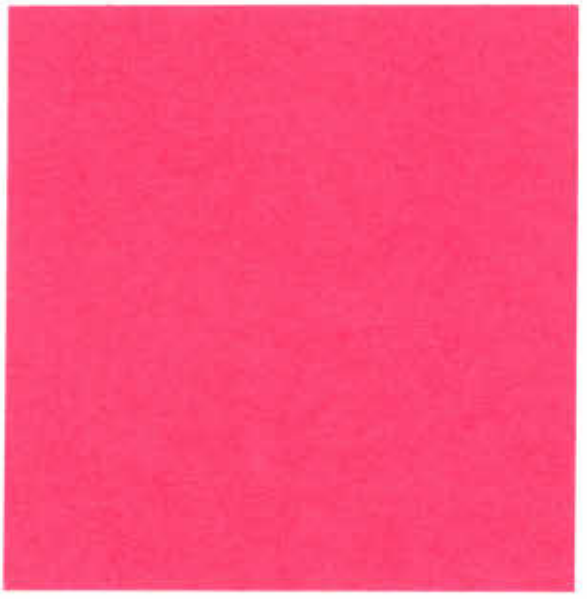
Drawirg #: DEV001.7-24-15.1

Quote #: _____

Quoted Lead Times Begin Upon Receipt of signed Approved Drawing, Which Must be Returned Before Production Can Begin.

Drawing Approved By: _____

JIFFY LUBE SITE PLAN



ATTACHMENT J

BMPs FOR UPGRADIENT STORM WATER

According to the original CZP and CZP modification, for the overall Singing Hills development, upgradient storm water enters the project site along the north, west and south boundaries of the overall development. A proposed interceptor channel will collect the upgradient flow on the northern boundary and convey it downstream to a proposed earthen channel. The storm water runoff entering the site along the western portion of the north boundary and the northern portion of the west boundary, in addition to the aforementioned proposed interceptor channel, will continue to flow onto the site and into the proposed earthen channel that will ultimately discharge into an existing detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction across Windmill Ranch Subdivision and eventually converge with an adjacent watershed flowing in the natural low that enters the site along the southwest boundary. Along this south west boundary, the runoff is intercepted and conveyed across the site in a concrete lined channel.

The upgradient flow entering the site near the far west boundary will be intercepted by a permanent interceptor channel and flow into the existing detention pond. The upgradient flow entering the site from the south and a small portion on the north will flow onto the property and will eventually enter water quality ponds #3 and #4.

The upgradient flow entering the site near the middle of the southwestern boundary will be intercepted by a permanent interceptor channel and routed south to the concrete lined channel that conveys water across the southern portion of the site. During construction, this runoff will be temporarily diverted with a diversion dike to the natural low that crosses the southern portion of the Singing Hills project site.

During the overall Singing Hills project construction, temporary BMPs consisting of silt fences, rock berms, inlet filters, diversion dikes, and stabilized construction exits will be utilized to alleviate sediment from leaving the site. During construction, the upgradient water will not flow into the sand filtration pond catchment areas. After construction, only some of the upgradient flow will enter the sand filtration pond.

In regard to the specific Jiffy Lube project site, there are no upgradient areas that contribute storm water runoff onto the Jiffy Lube site. Therefore, no additional BMPs are proposed for upgradient storm water runoff as it relates to the specific Jiffy Lube project.

ATTACHMENT K

BMPS FOR ONSITE STORM WATER

According to the original CZP and CZP modification, for the overall Singing Hills Development Phases 1 and 2, during construction temporary BMPs consisting of silt fences, rock berms, bagged gravel inlet filters, diversion dikes and stabilized construction entrance/exit will be utilized to alleviate sediment from leaving the overall Singing Hills development site.

After construction of Phase 1, storm water runoff will flow into two (2) sand filtration ponds provided for permanent storm water quality treatment. According to the original and modified CZP, the ponds have been designed to treat the total impervious cover for the entire Phase 1 development and out of approximately 66.1 acres of impervious cover, approximately 62 acres will drain into the sand filtration ponds.

According to the original and modified CZP, the impervious cover required to be treated is 61.697 acres which calculates to a required removal of 55,379 pounds of total suspended solids (TSS). The amount of impervious cover draining to Pond #1 is 56.492 acres and to Pond #2 is 5.551 acres.

Pond #1 (per original and modified CZP): Total required storage volume to remove 50,212 pounds of TSS is 282,530 cubic feet. The actual storage volume being provided is 289,408 cubic feet. The required sand filter area is 23,544 square feet and the actual area being provided is 35,952 square feet.

Pond #2 (per original and modified CZP): Total required storage volume to remove 5,115 pounds of TSS is 33,566 cubic feet. The actual storage volume being provided is 35,508 cubic feet. The required sand filter area is 2,797 square feet and the actual area being provided is 5,792 square feet.

The majority of the impervious cover area in the Phase 2 will flow into two (2) sand filtration ponds for permanent water quality treatment. The total impervious cover for Phase 2 is approximately 63.6 acres, of which approximately 58.4 acres of impervious cover will drain into the sand filtration ponds. The amount of impervious cover draining to Pond #3 is 33.8 acres and to Pond #4 is 24.6 acres.

Pond #3 (per original and modified CZP): Total required storage volume to remove 33,525 pounds of TSS is 289,672 cubic feet. The actual storage volume being provided is 309,104 cubic feet. The required sand filter area is 24,071 square feet and the actual area being provided is 41,214 square feet.

Pond #4 (per original and modified CZP): Total required storage volume to remove 24,200 pounds of TSS is 197,320 cubic feet. The actual storage volume being provided is 214,992 cubic feet. The required sand filter area is 16,392 square feet and the actual area being provided is 26,874 square feet.

In regard to the specific proposed Jiffy Lube project site or approximately 0.93 acres, approximately 60% is proposed to be impervious cover, or approximately 0.56 acres.

Permanent water quality treatment for the Jiffy Lube is provided by the existing storm water management and sand filtration pond located at the south end of the Singing Hills development near the intersection of U.S. Highway 281 and State Highway 46. Storm water runoff from the Jiffy Lube site (Lot 18) drains to the storm drainage system along the east side of the site, travels south and enters the storm water management pond. The pond is referred to as "Sand Filtration Pond No. 1" per the construction plans for Singing Hills. According to documents for the Singing Hills, the pond has sufficient capture volume and sand area to treat the impervious cover from Lot 18 and was designed in accordance with the TCEQ Technical Guidance Manual to remove at least 80% of the total suspended solids generated by the impervious cover.

Per TCEQ TSS Removal Caculations Spreadsheet, the impervious area for the Jiffy Lube generates 521 pounds of TSS and requires a volume of 7,099 cubic feet and a sand filter area of 329 square feet.

As stated, the Jiffy Lube site is included in the volume and filter area of the Sand Filtration Pond No. 1, which provides 289,408 cubic feet of volume and 35,952 square feet of filter area.

ATTACHMENT L

BMPS FOR SURFACE STREAMS

According to the original and modified CZP, surface streams do not exist on the Singing Hills development project site that would require protective measures. Permanent and temporary BMPs, shall be used to minimize pollutants draining to offsite surface streams, both during and after construction.

In regard to the specific Jiffy Lube project site, Lot 18 of the Singing Hills, there are no surface streams that would require protective measures.

ATTACHMENT M

POND CALCULATIONS AND CONSTRUCTION PLANS

There are no proposed revisions to the pond calculations and construction plans that were previously approved by TCEQ for the Signing Hills project.

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Jiffy Lube - Singing Hills Lot 18
Date Prepared: 9/9/2015

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

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

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

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

County =	Comal	
Total project area included in plan * =	0.93	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan * =	0.58	acres
Total post-development impervious cover fraction * =	0.62	
P =	33	inches
$L_{M\ TOTAL\ PROJECT}$ =	521	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

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

Drainage Basin/Outfall Area No. = 1

Total drainage basin/outfall area =	0.93	acres
Predevelopment impervious area within drainage basin/outfall area =	0.00	acres
Post-development impervious area within drainage basin/outfall area =	0.58	acres
Post-development impervious fraction within drainage basin/outfall area =	0.62	
$L_{M\ THIS\ BASIN}$ =	521	lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP = Sand Filter
Removal efficiency = 89 percent

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

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

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

where:

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C = 0.93 acres
A_I = 0.58 acres
A_P = 0.35 acres
L_R = 595 lbs

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

Desired $L_{M\ THIS\ BASIN}$ = 595 lbs.

F = 1.00

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 =	**4.00**	inches
Post Development Runoff Coefficient =	**0.44**	
On-site Water Quality Volume =	**5916**	cubic feet

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

Off-site area draining to BMP =	**0.00**	acres
Off-site Impervious cover draining to BMP =	**0.00**	acres
Impervious fraction of off-site area =	**0**	
Off-site Runoff Coefficient =	**0.00**	
Off-site Water Quality Volume =	**0**	cubic feet
Storage for Sediment =	**1183**	
Total Capture Volume (required water quality volume(s) x 1.20) =	**7099**	cubic feet

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System Designed as Required in RG-348 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	

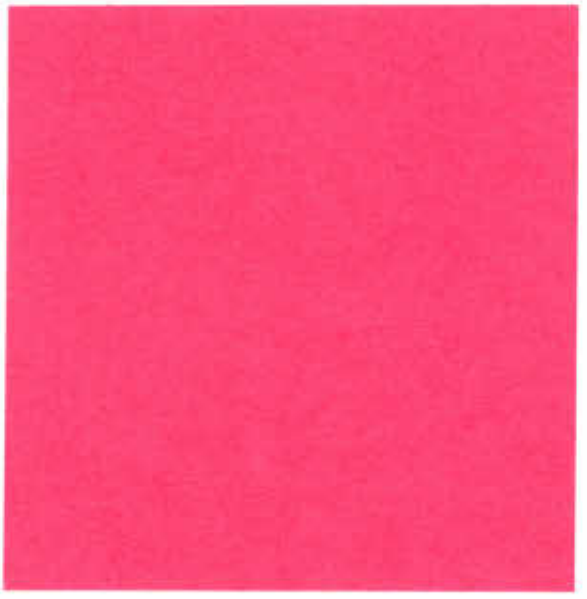
8. Extended Detention Basin System Designed as Required in RG-348 Pages 3-46 to 3-51

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 =	**7099**	cubic feet	
Minimum filter basin area =	**329**	square feet	
Maximum sedimentation basin area =	**2958**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**739**	square feet	**For maximum water depth of 8 feet**



ATTACHMENT N

INSPECTION AND MAINTENANCE FOR BMPS

The original Inspection, Maintenance, Repair and Retrofit Plan that was previously submitted and approved is not being revised with this modification.

ATTACHMENT P

MEASURES FOR MINIMIZING SURFACE STREAM CONTAMINATION

According to the original and modified CZP, surface streams do not exist on the Singing Hills development project site that would require protective measures. Permanent and temporary BMPs, shall be used to minimize pollutants draining to offsite surface streams, both during and after construction.

In regard to the specific Jiffy Lube project site, Lot 18 of the Singing Hills, there are no surface streams that would require protective measures.

According to the original and modified CZP, for the overall Singing Hills development, during construction temporary BMPs will consist of silt fences, rock berms, bagged gravel inlet filters, diversion dikes, and stabilized construction entrance / exit. After construction, the permanent BMPs will consist of four (4) sand filtration ponds.

During construction of the Jiffy Lube project site, temporary construction Best Management Practices (BMPs) will be employed to control sediment runoff and minimize erosion. Temporary BMPs will consist of a stabilized construction exit, silt / sediment fence, silt / sediment dikes and media tubes, inlet filters, concrete wash out pit and stabilized construction staging and laydown area.

III. STORM WATER POLLUTION PREVENTION PLAN

STORM WATER POLLUTION PREVENTION PLAN

FOR THE PROPOSED JIFFY LUBE
at
LOT 18 SINGING HILLS

Singing Oaks Road
Bulverde, Comal County, Texas 78163

CEI Engineering Associates, Inc.

CEI Project No. 28913.0

Rev-0
September 9, 2015

Distribution
Client
CAA/File

Presented By
CEI Engineering Associates, Inc.
3108 S.W. Regency Parkway, Suite 2
Bentonville, AR 72712
Ph: (479) 273 - 9472 / Fax: (479) 273 – 0844

STORM WATER POLLUTION PREVENTION PLAN

FOR

CONSTRUCTION ACTIVITIES

AT

JIFFY LUBE
Singing Oaks Road
Bulverde, Texas

Prepared by:

CEI Engineering Associates Inc.
3108 SW Regency Parkway, Suite 2
Bentonville, AR 72712
Phone: (479) 273-9472
Fax: (479) 273-0844

CEI Project # 28913.0

EROSION AND SEDIMENTATION CONTROL (INCLUDING SWPPP)
TABLE OF CONTENTS

Section **Page**

I. SUMMARY OF PERMIT AND PROGRAM REQUIREMENTS

The Storm Water Pollution Prevention Plan (SWPPP) includes, but is not limited to, Erosion Control Specification, the Erosion and Sedimentation Control Plan included in the Construction Drawings with the Detail Sheet, Permit Authorization, General Permit, Project Completion Report, all records of inspections and activities which are created during the course of the project, and other documents as may be included by reference to this SWPPP. Changes, modifications, revisions, additions, or deletions shall become part of this SWPPP as they occur.

Note: The General Contractor must complete the Contact List included in Appendix A and maintain the list in the SWPPP Binder until the storm water permit is terminated.

The General Contractor and all subcontractors involved with a construction activity that disturbs site soil or who implement a pollutant control measure identified in the SWPPP must comply with the following requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit ("General Permit") and any local governing agency having jurisdiction concerning NPDES, storm water, erosion and sedimentation control:

A. General Permit Information

- Texas Commission on Environmental Quality (TCEQ) and The City of Bulverde Texas are the governing agencies for the storm water discharges from construction activities.
- Coverage will be obtained under TPDES General Permit TXR150000.
- A Notice of Intent (NOI) is not required for this project (total area of disturbance under 5 acre) and coverage under this general permit is automatic. A "Small Construction Site Notice" in Appendix C is requited to be posted 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.
- There is no Notice of Termination (NOT). The contractor is responsible to complete the applicable portion of the site notice (date notice removed) and submit it to local authority within 30 days after final stabilization.
- Provide a copy of the signed and certified construction site notice to the City of Bulverde.
- No permit fee is required.
- A copy of the General Permit is located in Appendix H.

1. Permit Information:

   The General Contractor is not required to obtain <u>separate</u> storm water permit coverage.

   A local storm water or E&S control permit is not required for this project. However, a copy of the "Small Construction Site Notice" must be kept on site at all times

   A project location/vicinity map is located in Appendix B.

2. Co-permittee information:

   Not applicable – The state of Texas does not require a co-permit for a small construction project of this size.

3. Permit transfer information:

   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 and submit a copy of new site notice to local authority prior to the transfer of operational control.

4. Waiting Period:

   Ground-disturbing activities can not begin until Pre-Construction meeting has taken place and BMP's have been implemented.

5. Permit Expiration:

The applicable General Permit expires: 5 years from the effective date of the permit. A copy of the General Permit is located in Appendix H.

There are no local level storm water permits required for the project. A copy of the site notice must be submitted to local authority.

6. Off-Site Permits:

Note: For purposes of this SWPPP and associated storm water permit, 'off-site' is defined as any and all areas beyond the project permitted limits of disturbance.

Any areas outside the limits of disturbance acquired for use by the General Contractor or a subcontractor of the General Contractor must be managed in accordance with Section V. D. of this specification.

Off-Site storm water permits are not part of this project.

7. Governing Agency:

The following agency or agencies have governing authority for storm water-related regulations and permits.

Texas Commission on Environmental Quality (TCEQ)
Water Quality Division MC-148
P.O. Box 13087
Austin, TX 78711-3087
512-239-4671

City of Bulverde, TX
Public Works Department
30360 Cougar Bend
Bulverde, TX 78163
(830) 438-3612

B. Agency Information for Storm Water Pre-Construction Meeting

City of Bulverde, TX
Public Works Department
30360 Cougar Bend
Bulverde, TX 78163
(830) 438-3612

C. Public Posting

Post "Small Construction Site Notice" on the jobsite before beginning BMP installation. The following information must be posted near the construction exit in a prominent place for public viewing until the completion of construction and termination of permit coverage: 1) Construction Site Notice (found in Appendix C); and 2) The location of the SWPPP on site.

D. Retention of Records

A complete copy of the SWPPP, including copies of all inspection reports, plan revisions, etc., must be retained at the project site at all times during the duration of the project and kept in the permanent project records of the General Contractor for at least THREE years after project completion.

E. Contractor/Sub-Contractor List

The General Contractor must provide names and addresses of all subcontractors working on this project who will be involved with the major construction activities that disturb site soil or otherwise affect BMP implementation. This information must be kept in the SWPPP Binder.

F. Inspections

Weekly inspections by the General Contractor Superintendent must be made to determine the effectiveness of the SWPPP. An inspection is required within 24 hours of the end of a storm event of 0.5 inches or greater. The required forms are included in Appendix D.

There are no state or local storm water inspection forms for this project.

The SWPPP, including the best management practices implemented on the jobsite, shall be modified as needed to reduce or prevent pollutants from discharging from the site. Modifications to BMPs that change a hydrologic design component (diversions, basins, etc.) must first be approved by the Owner and Engineer.

The inspector must be a person familiar with the site, the nature of the major construction activities, and qualified to evaluate both overall system performance and individual component performance. The inspector must either be someone empowered to implement BMPs in order to increase effectiveness to an acceptable level or someone with the authority to cause such things to happen.

There are no state or local storm water site inspector certification requirements for this project.

Inspection Frequency Reduction

Inspection frequency may be reduced under the following conditions:

1) No active on-site construction activities and site is adequately temporarily stabilized.
2) Temporary cover has been provided across the entire site and no BMPs remain. Situation: waiting for grass to grow, but grass is dormant.

G. Weekly Storm Water Meeting

A weekly storm water meeting will be held by the General Contractor with all contractors and subcontractors involved in ground-disturbing activities to review the requirements of the Permits, the SWPPP, and address any problems that have arisen in implementing the SWPPP or maintaining the BMPs. Contractor shall maintain a log of all weekly meetings and document the issues addressed in the meetings. The weekly meeting form is found in Appendix D and must be completely filled out each week.

H. SWPPP Updates and Amendments

The General Contractor must update the SWPPP and Site Maps daily to reflect the progress of construction activities and general changes to the project site. SWPPP contact and contractor information and the record of site stabilization activities log must be maintained by the General Contractor throughout the project.

BMPs that do not impact the hydraulic design of the site may be modified or added by the General Contractor, and site maps updated accordingly, as needs arise. Examples of BMPs that do not typically impact the hydraulic design of the site include silt fence, silt dike, wattles, construction exit and various forms of temporary and permanent erosion controls (blankets, nets, seed, sod, etc.). Examples of BMPs that commonly impact hydraulic design include storm water basins, diversions, check dams, inlet protection or any product, process or system that changes the storm water flow path or storm water storage capacity of the site or is located in an area of concentrated flow.

The General Contractor must submit a request for information (RFI) to the Engineer and obtain written approval from the Engineer before modifying or adding sediment controls that may impact the hydraulic design of the site.

Substitution of any erosion or sediment control BMPs beyond those specified in the SWPPP must first be approved in writing by the Engineer. Substitutions are typically only approved if specified materials are not available or there is a valid reason the specified BMP will not work.

Amending the SWPPP does not mean that it has to be reprinted. It is acceptable to add addenda, sketches, new sections, details, and/or revised drawings that are initialed and dated.

I. Discharge of Petroleum Products or Hazardous Substances

Discharge of petroleum products or other hazardous substances into storm water or the storm water (storm sewer) system is subject to reporting and clean up requirements. See Section V.B.9. of this SWPPP for state and local information on reporting spills. Refer to the General Permit for additional information. A copy of the spill form is located in Appendix E and the General Permit is located in Appendix H.

J. Project Completion

Once the site reaches final stabilization with all permanent erosion and sedimentation controls installed, all temporary erosion and sedimentation controls removed, the contractor is responsible to complete the applicable portion of the site notice (date notice removed) and submit it to **TCEQ** and The City of Bulverde, Texas within 30 days after final stabilization.

NOTE: Stabilization requirements include all areas covered by applicable permits, including out lots and utility easements. 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.

K. General Contractors Responsibility

This SWPPP intends to control water-borne, air-borne and liquid pollutant discharges by some combination of interception, sedimentation, filtration, and containment. The General Contractor and subcontractors implementing this SWPPP must remain alert to the need to periodically refine the update the SWPPP in order to accomplish the intended goals. The General Contractor is ultimately responsible for all site conditions and permit compliance.

L. Log of Construction Activity

A record of dates must be maintained when:

- major ground-disturbing activities including earthwork or grubbing occur;
- construction activities temporarily or permanently cease on a portion of the site;
- stabilization measures are initiated or completed; and
- BMPs are installed or permanently removed.

This log must be maintained until the project completion.

A Record of Stabilization and Construction Activity Dates (Stabilization) log for documenting such activities is included in Appendix F. The General Contractor shall complete, at a minimum, 1-page of Stabilization log entries for each month of active construction.

Controls must be in place down gradient of any ground-disturbing activities prior to the commencement of up gradient construction activities and noted on the Site Maps and the Stabilization log. Site Map and Stabilization log comments and entries must complement one another with greater detail provided in the Stabilization log as needed.

M. Agency Storm Water Inspections

A project Superintendent must walk the site with the regulatory inspector and document any deficiencies noted during the inspection. Deficiencies of any type, field or documentation-related, identified during the regulatory inspection must be noted on the inspection form as a deficiency and resolved within 24 or 48-hours as appropriate.

A log of all inspections by Federal, State, or local storm water or other environmental agencies shall be kept in the General Contractor SWPPP Binder. The log form can be found in Appendix G and must include the date and time of the visit and whether a report was issued or will be issued as a result of the inspection.

II. INTRODUCTION

This SWPPP has been prepared for major activities associated with the construction of:

JIFFY LUBE, SINGING OAKS ROAD, BULVERDE, COMAL COUNTY, TEXAS 78163

This SWPPP, including the applicable General Permit, includes the elements necessary to comply with the General Permit for construction activities administered by the TCEQ Texas Pollutant Discharge Elimination System and all local governing agency requirements. This SWPPP must be implemented at the start of construction.

Construction phase pollutant sources anticipated at the site are disturbed (bare) soil, vehicle fuels and lubricants, chemicals and coatings associated with site or building construction and pavement installation, construction-generated litter and debris, and building materials. Without adequate control there is a potential for each type of pollutant to be transported by storm water.

Project construction will consist primarily of site grading, paving, storm drainage, and site lighting to facilitate construction of an approximately 3,280 square foot building, parking, utilities and landscape. The total land disturbance for this project is approximately 0.70 acres.

A. Purpose

A major goal of pollution prevention efforts during project construction is to control soil and pollutants that originate on the site and prevent them from flowing to surface waters. The purpose of this SWPPP is to provide guidelines for achieving that goal. A successful pollution prevention program also relies upon careful inspection and adjustments during the construction process in order to enhance its effectiveness.

B. Scope

This SWPPP must be implemented before construction begins on the site. It primarily addresses the impact of storm rainfall and runoff on areas of the ground surface disturbed during the construction process. In addition, there are recommendations for controlling other sources of pollution that could accompany the major construction activities. Applicability of this SWPPP will terminate when disturbed areas are stabilized, permanent erosion and sedimentation controls are installed, temporary erosion and sedimentation controls are removed, construction activities covered herein have ceased, and a completed site notice is transmitted to the governing agency.

Forms which are necessary for implementing the SWPPP are included herein.

The General Permit for Storm Water Discharges Associated with Construction Activities prohibits most non-storm water discharges during the construction phase. Allowable non-storm water discharges that occur during construction on this project, which are covered by the General Permit, include:

(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.

Best Management Practices (BMPs) must be implemented for the above allowable foreseeable discharges for the duration of the permit. Each non-storm water discharge should be noted in the SWPPP and have proper erosion and sedimentation controls in place with the possible exception of discharges from fire fighting activities.

The techniques described in this SWPPP focus on providing control of pollutant discharges with practical approaches that utilize readily available expertise, material, and equipment.

The Owner referred to in this SWPPP is:

SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258
(210) 614-7051

The General Contractor shall construct the site development improvements while working under contract with the Owner.

III. PROJECT DESCRIPTION

Described below are the major construction activities that are the subject of this SWPPP. Also included in the sequence are BMP installation activities that must take place prior to construction activities. **NOTE: Down slope protective measures must always be in place before soil is disturbed.** Activities are presented in the order (sequence) they are expected to be completed.

All activities and timeframes (beginning and ending dates) shall be noted on the Site Map and the "Record of Stabilization and Construction Activity Dates" form found in Appendix F of this SWPPP. The sequence of construction is as follows:

Phase I: Install erosion controls:
- a. reinforced silt fences
- b. inlet protection
- c. stabilize construction entrance/exit

Phase II, III & IV: Maintain existing erosion controls:
- a. inlet protection
- b. add additional erosion control as needed
- c. construct rock check dams in ditches

Phase V: Maintain Exist. Erosion Controls:
- a. modify inlet protection to method compatible
- b. add additional controls as needed for construction activities

Phase VI: Revegetate all disturbed areas not covered in the landscape plan.
- a. establish minimum cover of 70% of the native background cover.
- b. remove erosion controls when 70% minimum cover is established

IV. SITE DESCRIPTION

Included as parts of this SWPPP are the project Construction Drawings for the project. Refer to the Construction Drawings for detailed site information.

A. Site Location

- Address: Singing Oaks Road, Bulverde, Comal County, Texas 78163
- Latitude: 29 degrees 48'22" N
- Longitude: -98 degrees 25'07" W
- A vicinity map is included in Appendix B.

B. Site Topography

- Percent slope variation: Site minimum slope = 1.00%, Site maximum slope = 6.0%
- Topography changes: The site is currently undeveloped consisting of grass field and generally slopes from northwest to southeast.

C. Site Soils

- Soil type and texture: The existing site is covered with grass. Per the USDA NRCS Soil Resource site soils consist of Krum Clay (KrB) and Real-Comfort-Doss Complex (RcD), with Hydrologic Soil Group Classification of "D".

D. Total Site Area, Area to be Disturbed, and Runoff Coefficient

- The entire site contains: 0.93 +/- Acres
- The area to be disturbed is: 0.70 +/- acres
- Off-site areas to be disturbed as part of this project: 0.00 acres
- Pre-Construction Runoff Coefficient [or SCS TR-55 Curve Number]: "C" = 0.50
- Post-Construction Runoff Coefficient [or SCS TR-55 Curve Number]: "C" = 0.77

E. Receiving Surface Waters

- Receiving waters: Lewis Creek
- Distance to named receiving waters: 1.5 miles south
- Floodplain: This property is located within zone X, areas determined to be outside the 0.2% annual chance floodplain – Community Panel No. 48091C0220F, Comal County, Texas, Revised September 2, 2009.

F. Environmental Permits – Other than NPDES, Storm Water and/or Erosion & Sediment Control

There are no additional environmental permits necessary for this project site.

G. Threatened and Endangered Species

The site is within an existing developed area, therefore there does not appear to be any known threatened and endangered species impacted by this project.

I. Historic Properties

The site is within an existing developed area, therefore there does not appear to be any known historic properties which will be impacted by this project.

V. STORM WATER POLLUTION PREVENTION MEASURES AND CONTROLS

A variety of storm water pollutant controls are recommended for this project. Some controls are intended to function temporarily and will be used as needed for pollutant control during the construction period. These include temporary sediment barriers and permanent storm retention ponds (which can also function as temporary sediment basins). Permanent stabilization will be accomplished in all disturbed areas by covering the soil with pavement, building foundation, vegetation, or other forms of soil stabilization.

A. Erosion and Sediment Controls

1. Minimization of Disturbed Areas

Note to General Contractor: Owner has authority to limit surface area of erodible earth material exposed by clearing and grubbing, excavation, borrow and embankment operations and to direct General Contractor to provide immediate permanent or temporary pollution control measures

2. Soil Stabilization

The purpose of soil stabilization is to prevent soil from eroding and leaving the site. In the natural condition, soil is stabilized by native vegetation. The primary technique to be used at this project for stabilizing site soils will be to provide a protective cover of grass, pavement, or building structure.

a.) **Temporary Seeding or Stabilization** – All denuded areas that will be inactive for 14 days or more, must be stabilized temporarily with the use Bermuda or buffalo grass between May 15 and September 15 and water and mow until established (20 plats per sq. ft.) During other months seed with Winter Rye and reseed with Bermuda or Buffalo grass between the next April 1 and May 15 and maintain until there is coverage. Stockpiles and diversion ditches/berms must be stabilized to prevent erosion and dust issues.

Note to General Contractor: Temporary stabilization is not achieved simply through seeding. In order for an area or stockpile to be sufficiently stabilized via temporary vegetation, seed must germinate, grow and provide adequate vegetative density.

Temporary stabilization requirements are referenced under General Permit TXR150000 Part III.Section F.b.

b.) **Permanent Seeding, Sodding or Mulching** – All areas at final grade must be seeded or sodded within 14 days after completion of work in that area. Seed immediately after final grade is achieved and soils are prepared to take advantage of soil moisture and seed germination. At the completion of ground-disturbing activities the entire site must have permanent vegetative cover, meeting vegetative density requirements, or mulch per landscape plan, in all areas not covered by hardscape (pavement, buildings, etc.).

Except for small (<100 sq.ft.) level spots, seeded areas should be protected with mulch, tackifier or a rolled erosion control product. Mulch must be crimped by disc or other machinery.

To minimize the potential for erosion and maximize seed germination & growth, the General Contractor must evaluate the short and long-term local forecast prior to applying permanent seed or sod.

Final site stabilization is achieved when perennial vegetative cover provides permanent stabilization with a density greater than **75 percent** over the entire area to be stabilized by vegetative cover. This area is exclusive of areas that are covered with rock (crushed granite, gravel, etc.) or landscape mulch, paved or have a building or other permanent structure on them.

Permanent stabilization requirements are referenced under General Permit TXR150000 Part I. Section B.

3. Structural Controls

A variety of storm water pollutant controls are recommended for this project. Some controls are intended to function temporarily and will be used as needed for pollutant control during the construction period. These include temporary sediment barriers and permanent storm retention ponds (which can also function as temporary sediment basins). Permanent stabilization will be accomplished in all disturbed areas by covering the soil with pavement, building foundation, vegetation, or other forms of soil stabilization.

a) **Silt Fence** – Silt fence is a synthetic permeable woven or non-woven geotextile fabric incorporating metal support stakes at intervals sufficient to support the fence (5-feet maximum distance between posts), water, and sediment retained by the fence. The fence is designed to retain sediment-laden storm water and allow settlement of suspended soils before the storm water flows through the fabric and discharges off-site. Silt fence shall be located on the contour to capture overland, low-velocity sheet flows and is typically installed with a wire fence backing for additional support. Wire fence backing is required unless the silt fence is installed using the slicing method as the slicing method ensures the silt fence fabric is anchored securely in the ground.
Install silt fence at a fairly level grade along the contour with the ends curved uphill to provide sufficient upstream storage volume for the anticipated runoff. Drainage areas shall not exceed ½ acre per 100 feet of wire-reinforced silt fence for slopes less than 2 percent.

b) **Construction Exit** – All access points from the public street into the construction site shall include a construction exit composed of course stone to the dimensions shown on the Construction Drawings detail sheet. The rough texture of the stone helps to remove clumps of soil adhering to the construction vehicle tires through the action of vibration and jarring over the rough surface and the friction of the stone matrix against soils attached to vehicle tires.

In addition to the stone at the construction exit, it may be necessary to install devices such as pipes (cattle guard) to increase the vibration and jarring. It may also be necessary to install a wheel wash system. If this is done, a sediment trap control must be installed to treat the wash water before it discharges from the site.

All site access must be confined to the construction exit(s). Barricade to prevent use, any locations other than the construction exit(s) where vehicles or equipment may access the site. Use jersey barriers, construction fencing/drums, etc. near construction exit(s) to prevent traffic by-pass or short circuiting.

c) **Storm Sewer Inlet Protection** – Curb and grated inlets are protected from the intrusion of sediment through a variety of measures as shown on the details included in the Construction drawings. The primary mechanism is to place controls in the path of flow sufficient to slow the sediment-laden water to allow settlement of suspended soils before discharging into the storm sewer. It is possible that as construction progresses from storm sewer installation through to paving that the inlet protection devices will change.

Note to General Contractor: All inlet protection devices create ponding of storm water that can result in flooding or by-pass conditions.

d) **Check Dams (This control is not specified at this time)** – Defined channels subject to concentrated flows in larger quantities and higher velocities may be protected with rock or other manufactured device (Geo-ridge for example) that can be used as a check dam. The dams impound sediment-laden water and allow for settlement of suspended soil before the storm water flows over and through the device. Dams shall be placed along the water course at linear intervals in which the elevation of the bottom of the upper most check dam is at the same elevation as the top of the check dam immediately below it.

This will allow the most ponding capacity and will not increase the velocity of the water flowing along the channel.

Location and spacing of check dams are shown on the Site Maps. Check dams are composed of crushed stone or rip rap or of other manufactured devices. See the detail sheet within the Construction Drawings for the types of dams to be used on this site.

e) **Diversion Ditch/Berm (This control is not specified at this time)** – Diversion ditches (swales) and berms (dikes) are constructed as shown on the Site Maps at locations within the construction site to intercept overland flow and direct or divert flow to a sediment basin or other point where discharge can be controlled. Ditches are excavated in the surface soils with the spoils from the excavation typically placed along the downstream edge of the ditch to provide additional capacity. Berms are built up on the surface soils and compacted to create a stable diversion.

f) **Silt Dike (This control is not specified at this time)** - Silt dikes are used to temporary detains and filters the sediment-laden water. It shall be placed as shown on the SWPPP and shall be triangular-shaped, having a height of at least eight to ten inches (8"-10") in the center with equal sides and a sixteen- to twenty-inch (16"-20") base. The triangular-shaped inner material shall be urethane foam. The outer cover shall be a woven geotextile fabric placed around the inner material and allowed to extend beyond both sides of the triangle two to three (2'-3') feet. Adhesive material shall be used to in-place the silt dike on pavement area.

B. Other Pollutant Controls

This section includes the controls of pollutants other than sediment and additional requirements of the General Permit.

1. Dust Control

Construction traffic must enter and exit the site at the stabilized construction exit. The purpose is to trap dust and mud that would otherwise be carried off-site by construction traffic. Large areas of soil that are denuded of vegetation and have no protection from particles being picked up and carried by wind should be protected with a temporary cover or kept under control with water or other soil adhering products to limit wind transported particles exiting the site perimeter.

Water trucks or other dust control agents will be used as needed during construction to minimize dust generated on the site. Tackifiers may be used to hold soil in place and prevent dust. Manufacturer recommendations for application locations and rates must be used for dust control applications. Dust control must be provided by the General Contractor to a degree that is in compliance with applicable local and state dust control regulations.

2. Dewatering

Verify discharges from dewatering activities are allowed non-storm water discharges under the General Permit. Obtain a dewatering permit according to state and local regulations, if discharges from dewatering activities are not allowed under the General Permit. Discharges from dewatering operations must be directed through an appropriate pollution prevention/treatment measure, such as a pump discharge filter bag, sediment trap or sediment basin prior to being discharged from the site or into a water body of the State. Under no circumstances are discharges from dewatering operations to be discharged directly into streams, rivers, lakes or other areas off-site. Likewise, discharges into storm sewer systems that do not drain to a suitable on-site treatment facility, such as a basin, are also prohibited. Discharges from dewatering operations must also be conducted in a manner sufficient to prevent erosion from the discharge runoff.

Use best management practices when dewatering. Place intake hose on a flotation or similar device and do not pump directly from the bottom of the basin, trench, etc. Always pump through a sediment control BMP and dewater within the permitted limits of disturbance to ensure discharge criteria are achieved. Do not discharge on a slope greater than three percent or within 20' of a surface water body. Dewatering should not occur during or immediately after precipitation events, but exceptions will be evaluated on case by case basis.

3. **Solid Waste Disposal**

No solid materials, including building materials, are allowed to be discharged from the site with storm water. All solid waste, including disposable materials incidental to the major construction activities, must be collected and placed in containers. The containers will be emptied as necessary by a contract trash disposal service and hauled away from the site. Covers for the containers will be provided as necessary to meet state and local requirements. Construct covers as practicable, or required, to prevent storm water contact and pollutant discharges from solid waste receptacles. The location of solid waste receptacles shall be shown on the Site Maps.

Substances that have the potential for polluting surface and/or groundwater must be controlled by whatever means necessary in order to ensure that they do not discharge from the site. As an example, special care must be exercised during equipment fueling and servicing operations. If a spill occurs, it must be contained and disposed of so that it will not flow from the site or enter groundwater, even if this requires removal, treatment, and disposal of soil. In this regard, potentially polluting substances should be handled in a manner consistent with the impact they represent.

4. **Sanitary Facilities**

All personnel involved with construction activities must comply with state and local sanitary or septic system regulations. Temporary sanitary facilities will be provided at the site throughout the construction phase. They must be utilized by all construction personnel and will be serviced by a commercial operator. The location of sanitary facilities shall be shown on the Site Maps. Portable toilets must be securely anchored and are not allowed within 30' of inlets or permitted limit of disturbance or within 50' of a water of the State.

5. **Non-Storm Water Discharges**

Non-storm water components of site discharges must be clean water. Water used for construction which discharges from the site must originate from a public water supply or private well approved by the State Health Department. Water used for construction that does not originate from an approved public supply must not discharge from the site. It can be retained in the ponds until it infiltrates and evaporates. Other non-storm water discharges would include ground water. Only uncontaminated ground water can be discharged from the site, as allowed by and in accordance with applicable local ground water dewatering permits/regulations. When non-storm water is discharged from the site, it must be done in a manner such that it does not cause erosion of the soil during discharge.

Process water such as power washing and concrete cutting must be collected for treatment and disposal. It is not to be flushed into the site storm drain system.

6. **Concrete Waste from Concrete Ready-Mix Trucks**

Discharge of excess or waste concrete and/or wash water from concrete trucks will be allowed on the construction site, but only in specifically designated lined and diked areas prepared to prevent contact between the concrete and/or wash water and storm water that will be discharged from the site. Alternatively, waste concrete can be placed into forms to make rip rap or other useful concrete products. The cured residue from the concrete washout diked areas shall be disposed in accordance with applicable state and federal regulations. This jobsite superintendent is responsible for assuring that these procedures are followed. The location of concrete washout areas shall be shown on the Site Maps. Follow all applicable environmental regulations for concrete wash out pits.

7. **Masonry Area**

Contractor shall identify masons' area on the site and indicate location on the Site Map. To the extent practical, all masonry tools, material, including sand and sacked cement or mortar materials, and equipment shall be located within the area identified. Runoff control, such as berms or diversion ditches, silt fence, straw wattles, or other means of containment shall be provided to prevent the migration of storm water pollutants in runoff from the masons' area. Receptacles for debris and trash disposal shall also be provided.

8. **Fuel Tanks**

Temporary on-site fuel tanks for construction vehicles shall meet all state and federal regulations. Tanks shall have approved spill containment with the capacity required by the applicable regulations. From NFPA 30: All tanks shall be provided with secondary containment (i.e. containment external to and separate from primary containment). Secondary containment shall be constructed of materials of sufficient thickness, density, and composition so as not to be structurally weakened as a result of contact with the fuel stored and capable of containing discharged fuel for a period of time equal to or longer than the maximum anticipated time sufficient to allow recovery of discharged fuel. It shall be capable of containing 110% of the volume of the primary tank if a single tank is used, or in the case of multiple tanks, 150% of the largest tank or 10% of the aggregate, whichever is larger.

The tanks shall be in sound condition free of rust or other damage which might compromise containment. Fuel storage areas will meet all TCEQ, EPA, OSHA and other regulatory requirements for signage, fire extinguisher, etc. Hoses, valves, fittings, caps, filler nozzles, and associated hardware shall be maintained in proper working condition at all times. The location of fuel tanks shall be shown on the Site Maps and shall be located to minimize exposure to weather and surface water drainage features.

A Spill Prevention, Control and Countermeasure (SPCC) Plan must be developed if aboveground oil storage *capacity* at the construction site exceeds 1,320-gallons. Containers with a storage capacity of 55-gallons or less are not included when calculating site storage capacity. The General Contractor shall work with the CEC to develop and implement a SPCC Plan in accordance with the Oil Pollution Prevention regulation at Title 40 of the Code of Federal Regulations, Part 112, (40 CFR 112).

9. **Hazardous Material Management and Spill Reporting Plan**

Any hazardous or potentially hazardous material that is brought onto the construction site will be handled properly in order to reduce the potential for storm water pollution. All materials used on this construction site will be properly stored, handled, dispensed and disposed of following all applicable label directions. Flammable and combustible liquids will be stored and handled according to 29 CFR 1926.152. Only approved containers and portable tanks shall be used for storage and handling of flammable and combustible liquids.

Material Safety Data Sheets (MSDS) information will be kept on site for any and all applicable materials.

In the event of an accidental spill, immediate action will be undertaken by the General Contractor to contain and remove the spilled material. All hazardous materials will be disposed of by the Contractor in the manner specified by federal, state and local regulations and by the manufacturer of such products. As soon as possible, the spill will be reported to the appropriate agencies. As required under the provisions of the Clean Water Act, any spill or discharge entering waters of the United States will be properly reported. The General Contractor will prepare a written record of any spill and associated clean-up activities of petroleum products or hazardous materials in excess of 1 gallon or reportable quantities, whichever is less. A spill report form is located in Appendix E.

Any spills of petroleum products or hazardous materials in excess of Reportable Quantities as defined by EPA or the state or local agency regulations, shall be immediately reported to the EPA National Response Center (1-800-424-8802) and TCEQ (1-800-832-8224).

The State reportable quantity for petroleum products is 210 gallons (five barrels) discharged onto land from an exempt PST facility, 25 gallons when discharged onto land from a non-exempt PST facility, or when directly spilled into water in which a sheen can be seen on the surface of the water.

The reportable quantity for hazardous materials can be found in 40 CFR 302.

In order to minimize the potential for a spill of petroleum product or hazardous materials to come in contact with storm water, the following steps will be implemented:

a) All materials with hazardous properties (such as pesticides, petroleum products, fertilizers, detergents, construction chemicals, acids, paints, paint solvents, additives for soil stabilization, concrete, curing compounds and additives, etc.) will be stored in a secure location, under cover, when not in use.

b) The minimum practical quantity of all such materials will be kept on the job site and scheduled for delivery as close to time of use as practical.

c) A spill control and containment kit (containing for example, absorbent material such as kitty litter or sawdust, acid neutralizing agent, brooms, dust pans, mops, rags, gloves, goggles, plastic and metal trash containers, etc.) will be provided on the construction site and location(s) shown on Site Maps.

d) All of the product in a container will be used before the container is disposed of. All such containers will be triple rinsed, with water prior to disposal. The rinse water used in these containers will be disposed of in a manner in compliance with state and federal regulations and will not be allowed to mix with storm water discharges.

e) All products will be stored in and used from the original container with the original product label.

f) All products will be used in strict compliance with instructions on the product label.

g) The disposal of excess or used products will be in strict compliance with instructions on the products label.

10. Long-Term Pollutant Controls

Storm water pollutant control measures installed during construction that will also provide storm water management benefits after construction, include landscape area and detention ponds surrounding the site.

C. "Best Management Practices" (BMPs)

Owner has authority to limit surface area of erodible earth material exposed by clearing and grubbing, excavation, borrow and embankment operations and to direct the General Contractor to provide immediate permanent or temporary pollution control measures.

During the construction phase, the General Contractor shall implement the following measures:

1) Materials resulting from the clearing and grubbing or excavation operations shall be stockpiled up slope from adequate sedimentation controls. Ensure that materials removed to an off-site location shall be protected with appropriate controls and properly permitted and otherwise comply with applicable laws, all in accordance with this SWPPP, including Section V.D. below.

2) The General Contractor shall designate areas on the Site Maps for equipment cleaning, maintenance, and repair. The General Contractor and subcontractors shall utilize such designated areas. Cleaning, maintenance, and repair areas shall be protected by a temporary perimeter berm, shall not occur within 150 feet of any waterway, water body or wetland, and in areas located as far as practical from storm sewer inlets.

3) Use of detergents for large scale washing is prohibited (i.e. vehicles, buildings, pavement surfaces, etc.).

4) Chemicals. Paints, solvents, fertilizers, and other toxic materials must be stored in waterproof containers. Except during application, the containers, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste and chemical disposal facility.

D. Material Storage, Borrow, or Disposal Areas Outside of Permitted Limits of Disturbance

This section describes roles and responsibilities of the General Contractors in verifying and documenting that activities associated with site construction at material storage, borrow, or disposal areas outside of the Permitted Limits of Disturbance have obtained proper coverage under the NPDES program.

Definitions Applicable to this Section

Site - The location(s) described in this SWPPP and on the associated Site Maps at which CST or a CST contractor has operational control. Schaffer Construction will be the company responsible for the implementing the erosion control measures and oversight and compliance with the SWP3.

Operational Control - Control over construction plans and specifications, including the ability to make modifications to those plans and specifications, or day-to-day operational control of those activities at the Site which are necessary to ensure compliance with the SWPPP.

Off-site – Any area outside the Limits of Disturbance as shown on the Site Maps in the SWPPP. This is not necessarily the same as the property ownership boundary.

Permitted Limits of Disturbance - Any area of the Site for which the operator(s) are authorized to disturb the ground surface or conduct construction-related activities (i.e. areas shown inside the Limits of Disturbance on the Site Maps in the SWPPP).

Material – Rock, soil, or other construction materials obtained as part of an earth disturbing activity.

VI. LOCAL PLANS

In addition to this SWPPP, construction activities associated with this project must comply with any guidelines set forth by local regulatory agencies. The General Contractor shall maintain documents evidencing such compliance in Appendix H of this SWPPP.

VII. INSPECTIONS AND SYSTEM MAINTENANCE

Between the time this SWPPP is implemented and final Project Completion Report has been submitted, all disturbed areas and pollutant controls must be inspected daily. The purpose of site inspections is to assess performance of pollutant controls. The inspections will be conducted by the General Contractor's Site Superintendent. Based on these inspections, the General Contractor will decide whether it is necessary to modify this SWPPP, add or relocate controls, or revise or implement additional Best management Practices in order to prevent pollutants from leaving the site via storm water runoff. The General Contractor has the duty to cause pollutant control measures to be repaired, modified, supplemented, or take additional steps as necessary in order to achieve effective pollutant control. Note: If a BMP is covered by snow, mark the BMP as not applicable and document the reason the BMP cannot be inspected on the daily report.

Inspections need to occur 24 hours after a 0.5 inch rain, and a rain gauge needs to be on the construction site.

Examples of specific items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection, the inspector must evaluate overall pollutant control system performance as well as particular details of individual system components. Additional factors should be considered as appropriate to the circumstances. Note: A grid system has been incorporated into Site Maps and shall be used as a location guide for daily reporting on structural controls and BMPs.

A. Construction Exit and Track Out

Locations where vehicles enter and exit the site must be inspected for evidence of off-site sediment tracking. A stabilized construction exit shall be constructed where vehicles enter and exit. Exits shall be maintained or supplemented with additional rock as necessary to prevent the release of sediment from vehicles leaving the site. Any sediment deposited on the roadway shall be swept as necessary throughout the day or at the end of every day and disposed of in an appropriate manner. Sediment shall **NOT** be washed into storm sewer systems.

B. Erosion Control Devices

Rolled erosion control products (nets, blankets, turf reinforcement mats) and marginally vegetated areas (areas not meeting required vegetative densities for final stabilization) must be inspected daily. Rilling, rutting and other signs of erosion indicate the erosion control device is not functioning properly and additional erosion control devices are warranted.

C. Sediment Control Devices

Sediment barriers, traps and basins must be inspected and they must be cleaned out at such time as their original capacity has been reduced by 50 percent. All material excavated from behind sediment barriers or in traps and basins shall be incorporated into on-site soils or spread out on an upland portion of the site and stabilized. To minimize the potential for sediment releases from the project site perimeter control devices shall be inspected with consideration given to changing up-gradient conditions.

D. Material Storage Areas

Material storage areas should be located to minimize exposure to weather. Inspections shall evaluate disturbed areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system or discharging from the site. If necessary, the materials must be covered or original covers must be repaired or supplemented. Also, protective berms must be constructed, if needed, in order to contain runoff from material storage areas. All state and local regulations pertaining to material storage areas will be adhered to.

E. Vegetation

Consideration must be given to anticipated climate and seasonal conditions when specifying and planting seed. Seed shall be free of weedy species and appropriate for site soils and regional climate. Seed and mulch immediately after topsoil is applied and final grade is reached. Grassed areas shall be inspected to confirm that a healthy stand of grass is maintained. The site has achieved final stabilization once all areas are covered with building foundation or pavement, or have a stand of grass with a minimum of 70 percent density or greater of natural background cover over the entire vegetated area in accordance with the General Permit requirements. Vegetated areas must be watered, fertilized, and reseeded as needed to achieve this requirement. The vegetative density must be maintained through project completion to be considered stabilized. Areas protected by erosion control blankets are not permanently stabilized until the applicable General Permit requirement for final vegetative density is achieved.

Rip-rap, mulch, gravel, decomposed granite or other equivalent permanent stabilization measures may be employed in lieu of vegetation based on site-specific conditions and governing authority approval.

F. Discharge Points

All discharge points must be inspected to determine whether erosion and sediment control measures are effective in preventing discharge of sediment from the site or impacts to receiving waters.

G. Off-Site or Special Project Areas

There are no special projects, beyond the permitted limits of disturbance, requiring inspection and maintenance associated with this construction project.

The Weekly Inspection Checklist must identify all deficiencies, any corrections, whether they are identified during the current inspection or have occurred since the previous inspection, and any additional comments. Based on inspection results, any modification necessary to increase effectiveness of this SWPPP to an acceptable level must be made immediately but no longer than within 48 hours of the inspection. The inspection reports must be complete and additional information should be included if needed to fully describe a situation. An important aspect of the inspection report is the description of additional measures that need to be taken to enhance plan effectiveness. The inspection report must identify whether the site was in compliance with the SWPPP at the time of inspection and specifically identify all incidents of non-compliance.

Ultimately, it is the responsibility of the General Contractor to assure the adequacy of site pollutant discharge controls. Actual physical site conditions or contractor practices could make it necessary to install more structural controls than are shown on the plans. For example, localized concentrations of runoff could make it necessary to install additional sediment barriers. Assessing the need for additional controls and implementing them or adjusting existing controls will be a continuing aspect of this SWPPP until the site achieves final stabilization. Any modifications, additions or deletions of sediment control devices that may alter the hydraulic design of the site or are located in areas of potential high flow (basins, traps, check dams, diversions. etc.) must be approved by the Engineer through the request for information process (RFI).

LIST OF APPENDICES

APPENDIX "A" - CONTACT LIST

APPENDIX "B" - VICINITY MAP

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APPENDIX - A

CONTACT LIST

CONTACT LIST

Contacts for: **Jiffy Lube, Singing Oaks Road, Bulverde , TX** Date: _____

Responsible for conducting monthly inspections, conducting the final site inspection after verifying final stabilization and overseeing compliance with all applicable permits, the Clean Water Act, and the site SWPPP.

Responsible Contractor's Compliance Officer: Name: _____

Company: _____

Phone: _____

Responsible for the supervision or completion of construction at a site and able to adequately identify and implement storm water sediment and erosion control practices and effectively instruct employees and contractors in the implementation of such practices.

Project Superintendent: Name: _____

Company: _____

Phone (office): _____

Phone (mobile): _____

Project Superintendent: Name: _____

Company: _____

Phone (office): _____

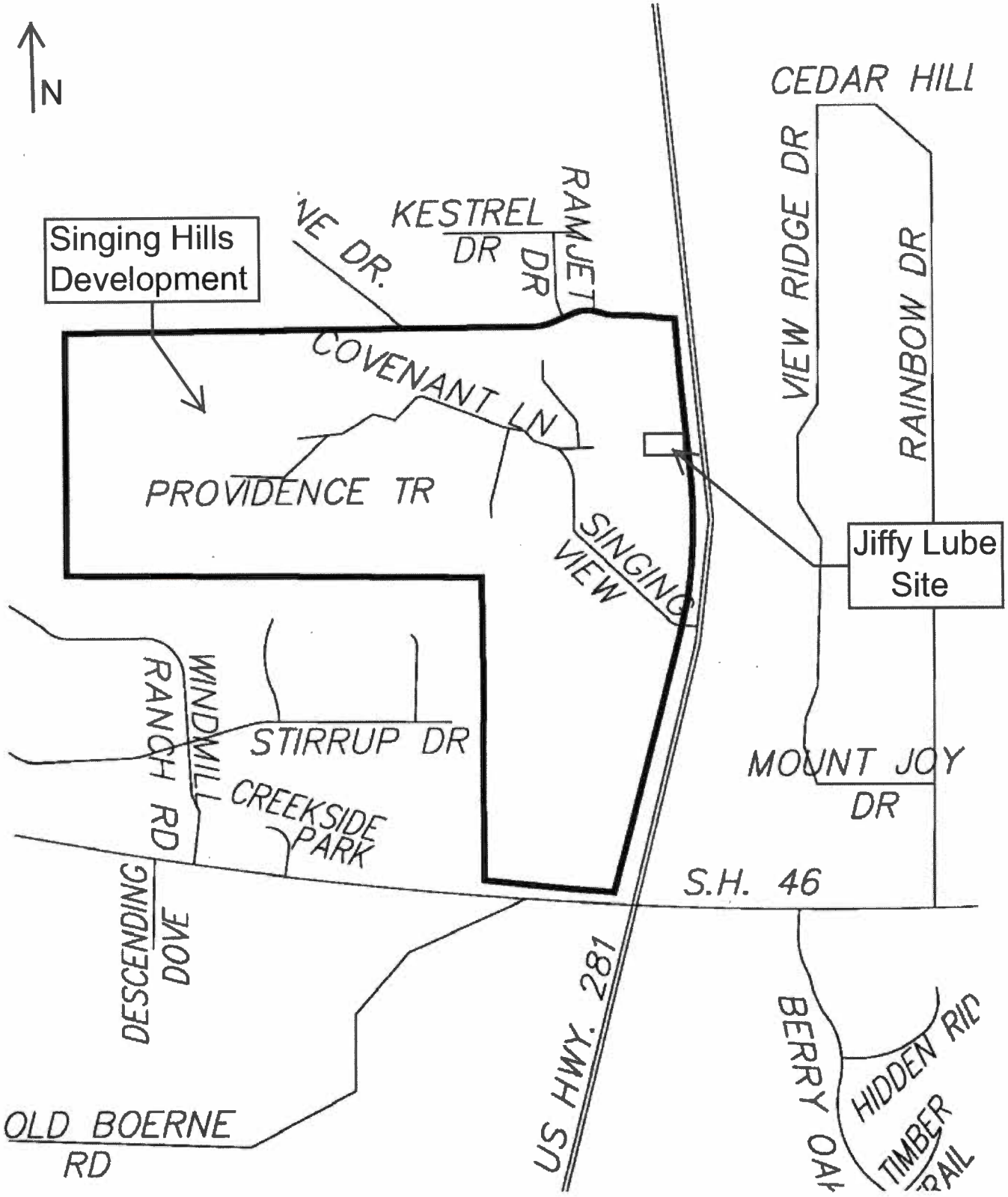
Phone (mobile): _____

Responsible for overseeing activities and work at a site; has the authority to direct employees and contractors to undertake actions to comply with all applicable permits, the Clean Water Act, and the site's SWPPP.

Note to General Contractors: Date this form each time contact information is added or updated. Do not erase information from this form. If information is incorrect or outdated, line through incorrect / outdated information and write in correct / new information. If contact information changes more than once create a new updated Contact List, date, and place on top of old Contact List in the SWPPP Binder.

APPENDIX - B

VICINITY MAP



VICINITY MAP

APPENDIX - C

CONSTRUCTION SITE NOTICE

NOTES to General Contractor:

The Construction Site Notice must be posted on the SWPPP Information Sign located near the construction exit along with a reference to where the SWPPP is located on the jobsite.

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.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.*

APPENDIX - D

WEEKLY SITE INSPECTION CHECKLIST
AND
WEEKLY STORM WATER MEETING FORM

Weekly Site Inspection Checklist

Jiffy Lube, Singing Oaks Road, Bulverde, Texas

Date: _____ Location: _____

Inspector(s):

_____ _____
Name Title

_____ _____
Name Title

_____ _____
Name Title

Weather Conditions: _____Rain since last inspection:_____ (inches) Phase of Construction: _____ (Clearing, Rough Grading, Building Const, Paving, Etc.)

*** This checklist must be conducted weekly (with-in every 7 days) and within 24 hours of a 0.5 inches or greater rainfall. The site must be equipped with an accurate rain gauge to complete this form. The onsite SWPPP must be referenced and updated with the performance of this checklist.

Temporary stabilization **Y/N or NA**

1. Are there any areas of the site that are disturbed, but will likely lie dormant for over 21 days? ____
2. Have all dormant, disturbed areas been temporarily stabilized in their entireties? ____
3. Have disturbed areas outside the silt fence been seeded or mulched? ____
4. Have soil stockpiles that will sit for over 21 days been stabilized? ____
5. Has seed and mulch been applied at the proper rate? (In general, seed is applied at 3 to 5 lbs per 1000 sq ft and straw mulch is applied at 2-3 bales per 1000 sq ft.) ____
6. Has seed or mulch blown away? If so, repair. ____

Note areas where repairs or maintenance is needed:

_____

_____

Construction Entrances **Y/N or NA**

1. Are all entrances constructed per the SWPPP design? (geotextile fabric, correct stone 2 inches diameter and 6 inches in depth) ____
2. Are the drives useable width and length a minimum of 10 feet and 50 feet, respectively? ____
3. If the entrance is placed on a slope, has a diversion berm been constructed across the drive to divert runoff away from the street or water resource? ____
4. If the entrance is placed across a ditch, is the culvert pipe allowing proper flow and in good condition? ____
5. If a truck wash is required to prevent track out, is it operating correctly? ____

Note areas where repairs or maintenance is needed:

_____

_____

Sediment Ponds **Y/N or NA**

1. Is the sediment pond installed and appropriately sized per the SWPPP (67 cubic yards per acre of total drainage area)? ____
2. Are concentrated flows of runoff directed to a sediment pond? ____
3. Is sheet-flow runoff from drainage areas that exceed the design capacity of silt fence (generally 0.25 acres or larger) directed to a sediment pond? ____
4. Is runoff being collected and directed to the sediment pond via the storm sewer system or via a network of diversion berms and channels? ____
5. Are the embankments of the sediment pond and the areas that lie downstream of the pond been stabilized? ____
6. For sediment basins that dewater 100% between storms, is the riser pipe wrapped with chicken wire and double wrapped with geotextile fabric? ____
   Does the riser have 1-inch diameter holes spaced 4 inches apart, both horizontally and vertically? ____
   For sediment basins, which dewater 60% between storms, is the diameter of the dewatering hole per the SWPPP? ____
7. For sediment traps, is there geotextile under the stone spillway and is the spillway saddle-shaped? ____
   For sediment traps, which dewater 100% between storms, is the dewatering pipe end capped, no larger than 6 inches in diameter, perforated and double-wrapped in geotextile? ____
8. Is the length-to-width ratio between inlet(s) and outlet at least 2:1? NOTE: If not, a baffle should be added to lengthen the distance. ____
9. Is the depth from the bottom of the basin to the top of the primary spillway no more than 3 to 5 feet? ____
10. For a modified storm water pond being used as a sediment pond, is the connection between the riser pipe and the permanent outlet watertight? ____
11. Is it time to clean out the sediment pond to restore its original capacity? Generally, sediment should be removed once the pond is half-full. Stabilize the dredged sediments with seed and mulch. ____

Note areas where repairs or maintenance is needed:

_____

_____

Silt Fence **Y/N or NA**

1. Is all silt fences labeled with station markings both in the field and on the SWPPP? ____
2. Is the fence at least 4" to 6" into the ground? ____
3. Is the install trench backfilled to prevent runoff from cutting underneath the fence? ____
4. Is the fence pulled tight so it won't sag when water builds up behind it? ____
5. Are the ends brought upslope of the rest of the fence so as to prevent runoff from going around the ends? ____
6. Is the fence placed on a level contour? If not, the fence will only act as a diversion. ____
7. Have all the gaps and tears in the fence been eliminated? ____
8. Is the fence controlling an appropriate drainage area? ____

RULE OF THUMB: Design capacity for 100 linear feet of silt fence is 0.5 acres for slopes <2%, 0.25 acres for slopes 2% to 20%, & 0.125 acres for slopes 20% or more. Generally, no more than 0.25 acres should lie behind 100 feet of fence at 2% to 10% slope, i.e., the distance between the fence and the top of the slope behind it should be not more than 125 feet. The allowable distance increases on flatter slopes and decreases for steeper slopes.

Note areas where repairs or maintenance is needed: (Reference locations by station markings)

_____

_____

Inlet protection **Y/N or NA**

1. Does water pond around the inlet when it rains? ____
2. Is there fabric that has developed tears or sags? (Replace) ____
3. For curb inlet protection, does the fabric cover the entire grate, including the curb window? ____
4. For yard inlet protections, does the structure encircle the entire grate per the SWPPP? ____
5. Is the fabric properly entrenched or anchored so that water passes through it and not under it? ____
6. For yard inlet protection, is the fabric properly supported to withstand the weight of water and prevent sagging? The fabric should be supported, per the SWPPP, typically by a wood frame with cross braces. ____
7. Is there accumulated sediment at the inlet that requires removal? ____

Note areas where repairs or maintenance is needed:

_____

_____

Permanent Stabilization **Y/N or NA**

1. Are any areas at final grade? ____
2. Has the soil been properly prepared to accept permanent seeding? ____
3. Has seed and mulch been applied at the appropriate rate? ____
4. If rainfall has been inadequate, are seeded areas being watered? ____
5. For drainage ditches requiring matting per the SWPPP, have the correct products been installed? ____
6. Has rock riprap been placed under all storm water outfall pipes to prevent scouring in the receiving stream or erosion of the receiving channel? ____
7. For sites with steep slopes or fill areas, is runoff from the top of the site conveyed to the bottom of the slope or fill area in a controlled manner so as not to cause erosion? ____

Note areas where repairs or maintenance is needed:

_____

_____

Non-Sediment Pollution Control **Y/N or NA**

1. Has the designated area for washing out concrete trucks been noted on the SWPPP and identified on site? (Washings must be contained on site within a bermed area until they harden. The washings should never be directed toward a watercourse, ditch, or storm drain.) ____
2. Is waste and packaging disposed of in a dumpster? (No on site burning is allowed.) ____
3. Are fuel tanks and drums of toxic and hazardous materials stored within a diked area or trailer? ____
4. Are streets swept as often as necessary to keep them clean and free from sediment and track out debris? ____

NOTE: Sediment should be swept back onto the lot, not down the storm sewers or off the development.

5. Are stockpiles of soil or other materials stored away from any watercourse, ditch or storm drain? ____
6. Have stream crossings been constructed entirely of non-erodible material? ____
7. If an area of the site is being dewatered, is it being pumped from a sump pit or is the discharge directed to a sediment pond? ____

NOTE: If you must lower ground water, the water may be discharged to the receiving stream as long as the water remains clean. Be sure not to co-mingle the clean ground water with sediment-laden water or to discharge it off-site by passing it over disturbed ground.

Note areas where repairs or maintenance is needed:

_____

_____

Outflow or Discharge Point(s) **Y/N or NA**

1. Does the appearance of run-off or storm water flow indicate the current BMPs are effective? ____

Note areas where repairs or maintenance is needed:

_____

_____

Record Keeping **Y/N or NA**

2. Are the NOI and SWPPP on site? ____
3. Is the proper sign posted at the site entrance per the SWPPP? ____
4. Is the SWPPP, posted on site, up to date with all applicable changes? ____
5. Are copies of the weekly inspection reports kept in the site office? ____

Note areas where repairs or maintenance is needed:

_____

_____

I certify that the information in this inspection checklist is true, accurate, and complete. I am aware that there are significant penalties for falsifying any information in this inspection checklist.

_____	_____	_____
Inspector's Signature	Date	Inspector's Name (Printed)

The owner's representative is required to participate in one inspection per Month.

_____	_____	_____
Owner's Signature	Date	Owner's Name (Printed)

Signed copies of executed checklists (preferably emailed pdf files) must be provided to both local and corporate owner's representatives on a weekly/ongoing basis.

Weekly Storm Water Meeting Review and Comment Form

Jiffy Lube, Singing Oaks Road, Bulverde, Texas

Project Site Superintendent: _____ Date and Time: _____

Others Present: NAME	TITLE	COMPANY

Installation/Removal of BMPs (include subcontractors performing the activities): _____

_____

BMP Maintenance and Repair (include subcontractors performing the activities): _____

_____

Non-effective BMPs: _____

_____

Efforts to mitigate or correct non-effective BMPs: _____

_____

Status of staging areas, storage, borrow, fill, concrete wash-out, and exits: _____

_____

Upcoming activities: _____

_____

Modifications or additions to SWPPP or project phasing: _____

_____

Findings, Conclusions & Additional Information: _____

APPENDIX - E

SPILL REPORT FORM

NOTES to General Contractor:

1) Contact the appropriate regulatory agency if the spill exceeds the applicable reportable quantity.
2) Complete this form in full for each spill that exceeds 1-gallon or exceeds the reportable quantity for the Governing Agency.
3) Transfer spill information to the weekly report and resolve as appropriate.

It is recommended taking photos to document spill clean-up measures and saving the photos on-site.

Spill Report Form

Jiffy Lube, Singing Oaks Road, Bulverde, Texas

Spill Reported by: _____

Date/Time Spill: _____

Describe spill location and events leading to spill: _____

_____

Material spilled: _____

Source of spill: _____

Amount spilled: _____ Amount spilled to waterway: _____

Containment or clean up action: _____

_____

_____

Approximate depth of soil excavation: _____

List Injuries or Personal Contamination: _____

Action to be taken to prevent future spills: _____

_____

Modifications to the SWPPP, including required sampling, necessary due to this spill: _____

_____

Agencies notified of the spill: _____

_____

_____

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

_____ _____

Contractor Superintendent Date

APPENDIX - F

RECORD OF STABILIZATION
AND
CONSTRUCTION ACTIVITY DATES

SITE STABILIZATION and CONSTRUCTION ACTIVITY DATES

A record of dates when BMPs are installed or removed, stabilization measures are initiated, major grading activities occur, and construction activities temporarily or permanently cease on a portion of the site shall be maintained until final site stabilization is achieved and the Project Completion Report (PCR) is filed. This form must be updated continuously throughout the project until the PCR is filed. **NOTE:** The General Contractor shall complete at least 1-pg of stabilization and grading activities for each month of active construction. Activities noted in this log must reflect information provided on Site Maps.

MAJOR STABILIZATION AND GRADING ACTIVITIES

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

Description of Activity:______________________________
Contractor performing Activity: ______________ Begin (date): __________ End(date):__________
Location:______________________________

APPENDIX - G

FEDERAL, STATE, OR LOCAL STORM WATER OR OTHER ENVIRONMENTAL INSPECTOR SITE VISIT LOG

Federal, State, or Local Storm Water or other Environmental Inspector Site Visit Log

Inspectors Name: _____ Agency: _____

Contractors Representative Present: _____

Others Present:_____

Comments: _____

Time and Date: _____ Report Prepared: Yes No

Inspectors Name: _____ Agency: _____

Contractors Representative Present: _____

Others Present:_____

Comments: _____

Time and Date: _____ Report Prepared: Yes No

Inspectors Name: _____ Agency: _____

Contractors Representative Present: _____

Others Present:_____

Comments: _____

Time and Date: _____ Report Prepared: Yes No

APPENDIX - H

GENERAL PERMIT

Texas Commission on Environmental Quality

P.O. Box 13087, Austin, Texas 78711-3087

GENERAL PERMIT TO DISCHARGE UNDER THE

TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR150000, issued March 5, 2008

Construction sites that discharge stormwater associated with construction activity

located in the state of Texas

may discharge to surface water in the state

only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission 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 stormwater and certain non-stormwater discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general 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 general permit and the authorization contained herein shall expire at midnight, five years from the permit effective date.

EFFECTIVE DATE: March 5, 2013

ISSUED DATE: FEB 19 2013

Bryan W. Shaw

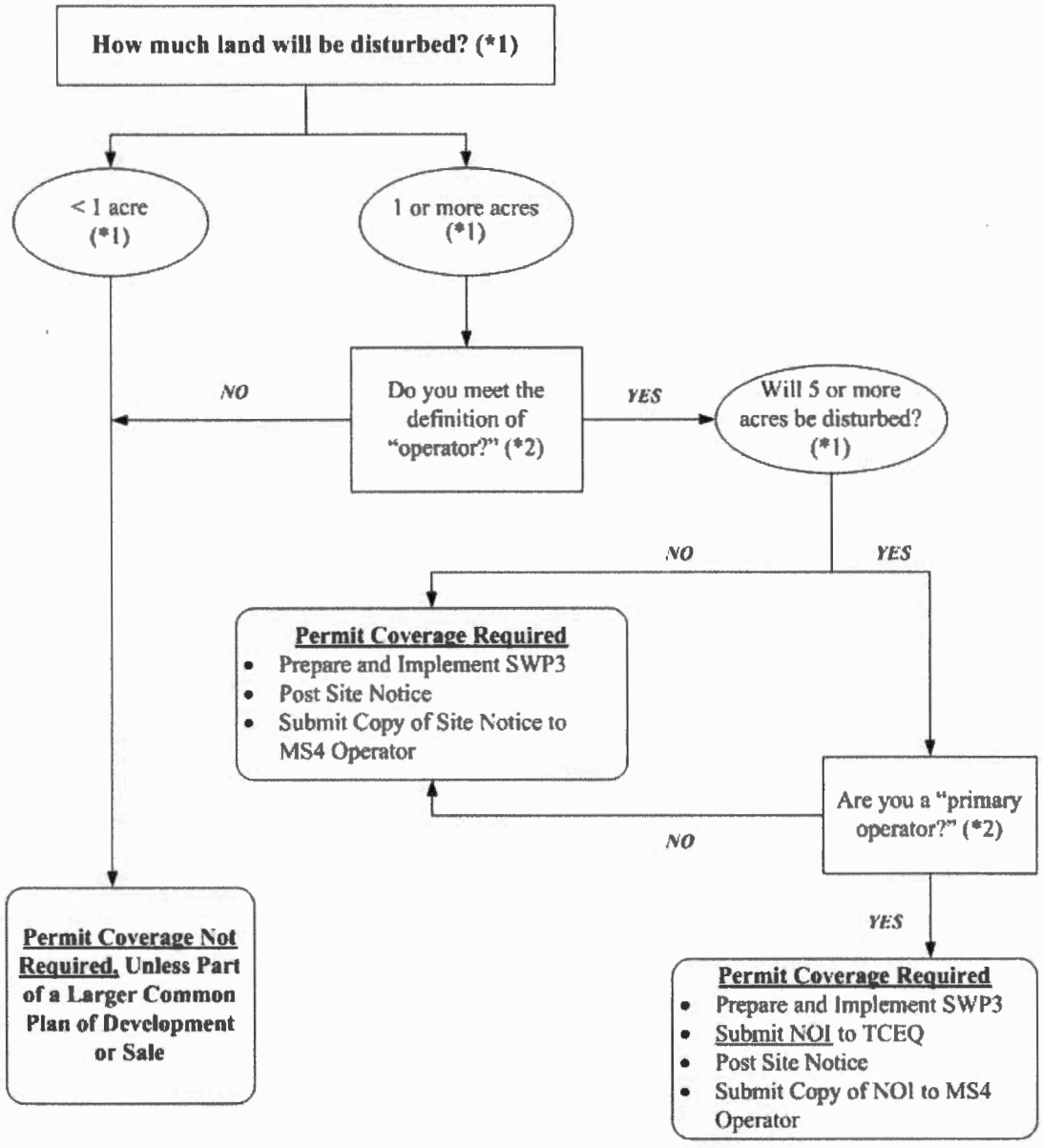
For the Commission

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

Table of Contents

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 "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.

Construction Activity - Includes soil disturbance activities, including clearing, grading, and excavating; and 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). Regulated construction activity is defined in terms of small and large construction activity.

Dewatering – The act of draining rainwater or groundwater from building foundations, vaults, and trenches.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater 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 wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Drought-Stricken Area – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

Edwards Aquifer - As defined under Texas Administrative Code (TAC) § 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 (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at http://www.tceq.texas.gov/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 No. 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 No. 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 No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at http://www.tceq.texas.gov/compliance/field_ops/eapp/mapdisclaimer.html.

Effluent Limitations Guideline (ELG) – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

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 (for example, 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 (that is, 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 BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization.

Fullfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

C. For construction activities on land used for agricultural purposes (such as 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 (for example, 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% of the native background 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.

Impaired Water - A surface water body that is identified on the latest approved CWA §303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Linear Project – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Minimize - To reduce or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

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, stormwater, 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 on-site 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 (for example, 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 or entity, often the property owner, whose operational control is limited to:

(a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or

(b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site where they have control over the plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Outfall - For the purpose of this permit, a point source at the point where stormwater 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 stormwater runoff and certain non-stormwater 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 stormwater 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 (TWC) §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).

Receiving Water - A "Water of the United States" as defined in 40 CFR §122.2 into which the regulated stormwater discharges.

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 stormwater; 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 (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Steep Slopes – Where a state, Tribe, local government, or industry technical manual (e.g. stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

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

Stormwater Associated with Construction Activity - Stormwater 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 reduce or prevent pollution in stormwater

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.

Total Maximum Daily Load (TMDL) - The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Turbidity – A condition of water quality characterized by the presence of suspended solids and/or organic material.

Waters of the United States - (from 40 CFR §122.2) 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 U.S. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the U.S. (such as

disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. 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 CWA, the final authority regarding CWA jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

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

2. Discharges of Stormwater 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. Construction support activities authorized under this general permit are not commercial operations, and do not serve multiple unrelated construction projects. Discharges of stormwater 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) an SWP3 is developed for the permitted construction site according to the provisions of this general permit, and includes appropriate controls and measures to reduce erosion and discharge of pollutants in stormwater 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, at the time that they do, are authorized under separate Texas Pollutant Discharge Elimination System (TPDES) authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit (MSGP), TXR050000 (related to stormwater 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-Stormwater Discharges

The following non-stormwater 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, or 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, 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, but 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 National Pollutant Discharge Elimination System (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 wash out of concrete trucks at regulated construction sites must be performed 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) or removal of the appropriate site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

Except as otherwise provided in Part II.A. of this general permit, only discharges that are composed entirely of stormwater 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, have the reasonable potential to 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 if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment 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. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

New sources or new discharges of the pollutants 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 CWA §303(d) List. Pollutants of concern are those for which the water body is listed as impaired.

Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

Discharges cannot be authorized by this general permit where prohibited by 30 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 (EAPP) 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 (CZ), 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 (WPAP) under the Edwards Aquifer Rule is in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater 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 stormwater runoff are in addition to the requirements in this general permit for this pollutant.

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

Stormwater 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 stormwater require authorization under federal NPDES

regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production

Stormwater 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 stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

10. Stormwater Discharges from Agricultural Activities

Stormwater discharges from agricultural activities that are not point source discharges of stormwater 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 stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

12. 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 (effective on March 5, 2008), must submit an NOI to renew authorization or a NOT to terminate coverage 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 an SWP3 or submit an 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 TCEQ construction site notice, 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 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 stormwater runoff or other non-stormwater discharges under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where stormwater and non-stormwater is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and

(h) any non-stormwater 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 TCEQ small construction site notice, 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 prior to commencement of construction activities.

Operators of small construction activities as defined in Part I.B 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 an 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 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);

(d) prior to commencing construction activities, all primary operators must (1) provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and (2) list in the SWP3 the names and addresses of all MS4 operators receiving a copy;

(e) 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 a primary operator 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; and

(f) all secondary operators must provide a copy of the signed and certified Secondary Operator construction site notice to the operator of any MS4 receiving the discharge prior to commencement of construction activities.

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 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 in accordance with this general permit, that it will be implemented prior to construction, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;

(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 an 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 location (latitude/longitude) of the construction project or site; and

(e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant 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 an 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 stormwater 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-stormwater discharges. The operator must insure that any non-stormwater 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 R factor is less than five (5); and

(c) the waiver certification form is postmarked for delivery to the TCEQ at least seven (7) days before construction activity begins or, if electronic filing is available, then any time following the receipt of written confirmation from TCEQ that a complete electronic application was submitted and acknowledged.

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 seven (7) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, if electronic form submittals are available.

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 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. 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 §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 authorization.

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 §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 TMDL or TMDL I-Plan on the receiving water;

(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 Chapter 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. Alternative Discharge Authorization

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 effective 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. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2. and II.E.3. of this general permit that will reach Waters of the U.S., including discharges to MS4s and privately owned separate storm sewer systems that drain to Waters of the U.S., 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 stormwater associated with construction activity and non-stormwater 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.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

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 shall:

(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 that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMP s 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 number(s) for operators 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 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 stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.
2. A primary operator of a large construction activity must post the TCEQ site notice 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 TCEQ site notice required in Part II.E.1., 2., or 3. of this general permit in order to obtain authorization. If the construction project is a linear construction project, such as a 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 and must comply with the construction and development effluent guidelines in Part III, Section G of the general permit.

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, including estimated start dates and duration of activities;
   (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 controls and buffers, 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 or chemical storage areas;
      (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicating those that are impaired waters;
      (vii) locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;
      (viii) vehicle wash areas; and
      (ix) designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

      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;
   (k) the 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;
   (l) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site; and

(m) locations of all pollutant-generating activities, such as paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.

2. A description of the 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, compliant with the requirements of Part III.G.1 and G.2 of this general permit, 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 immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding 14 calendar days. Stabilization measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures:

(A) Where the immediate initiation of stabilization measures 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) In arid areas, semi-arid areas, or drought-stricken areas where the immediate initiation of stabilization measures 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 immediately install, and within 14 calendar days of a temporary or permanent cessation of work in any portion of the site complete, non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (C) below.

(C) 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.

(D) If the initiation or completion of vegetative stabilization is affected by circumstances beyond the control of the permittee, vegetative stabilization must be initiated or completed as soon as conditions or circumstances allow it on the site. The requirement to initiate stabilization is triggered as soon as it is known with reasonable certainty that work will be stopped for 14 or more additional calendar days.

(iv) Final stabilization must be achieved prior to termination of permit coverage.

(v) TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater 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.

(4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.

(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 stormwater 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.

(C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part III.G.6 of this general permit.

3. Description of Permanent Stormwater Controls

A description of any measures that will be installed during the construction process to control pollutants in stormwater 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 stormwater 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 stormwater 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.

(f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part III.G of this general permit.

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 stormwater 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 stormwater 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 WPAP 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 stormwater 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 shall 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 shall 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, semi-arid, or drought-stricken 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. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of winter or drought conditions resulting in monthly frequency of inspections.

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 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.7.(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 or greater, 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.7.(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 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-stormwater 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.
10. The SWP3 must include pollution prevention procedures that comply with Part III.G.4 of this general permit.

Section G. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT).

1. *Erosion and sediment controls.* Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:

   (a) Control stormwater volume and velocity within the site to minimize soil erosion;

   (b) If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;

   (c) Minimize the amount of soil exposed during construction activity;

   (d) Minimize the disturbance of steep slopes;

   (e) Minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;

   (f) If earth disturbance activities are located in close proximity to a surface water, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are not feasible, and shall implement additional erosion and sediment controls to reduce sediment load;

   (g) Preserve native topsoil at the site, unless infeasible; and

   (h) Minimize soil compaction in post-construction pervious areas. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:

      (1) restrict vehicle and equipment use to avoid soil compaction; or

      (2) prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible;

   (i) TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface waters" for the purposes of triggering the buffer requirement in Part III.G.(f) above.

2. *Soil stabilization.* Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary

stabilization must be completed no more than 14 calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements.

3. *Dewatering*. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls.
4. *Pollution prevention measures*. Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
   (a) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
   (b) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater; and
   (c) Minimize the discharge of pollutants from spills and leaks, and implement chemical spill and leak prevention and response procedures.
5. *Prohibited discharges*. The following discharges are prohibited:
   (a) Wastewater from wash out of concrete trucks, unless managed by an appropriate control (see Part V of the general permit);
   (b) Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
   (c) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance; and
   (d) Soaps or solvents used in vehicle and equipment washing.
6. *Surface outlets*. When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.

Part IV. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater 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 stormwater 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 shall sample the stormwater 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:

Table 1. Benchmark Parameters

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 stormwater 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 stormwater 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 stormwater 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 stormwater runon to the permitted facility, by laboratory analyses of samples of stormwater 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 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 stormwater 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 stormwater 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 stormwater and that have a potential to

affect the quality of stormwater 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 stormwater and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.

(d) Sampling Data - A summary of existing stormwater 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 stormwater. 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 stormwater. 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 stormwater 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 stormwater 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 stormwater 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 stormwater 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 stormwater 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 §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 wash out 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. Any other direct discharge of concrete production waste water 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 wash out as the result of rainfall or stormwater runoff.
4. The discharge of wash out water must 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 site 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, revoking, or denying 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 TWC Chapters 26-28, Texas Health and Safety Code §§361.032-361.033 and 361.037, and 40 CFR §122.41(i). The statement in TWC §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 TWC Chapter 7 for violations including but not limited to the following:
   (a) negligently or knowingly violating the federal 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; and
   (c) knowingly violating §303 of the federal CWA, and placing another person in imminent danger of death or serious bodily injury.
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.
8. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.
9. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
10. The permittee shall comply with the reporting requirements in 40 CFR §122.41(l), as applicable.

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 an 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 for this general permit. 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

Deaf Smith: Nov. 15 - Apr. 30

Dickens: 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

Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14

Jones: 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

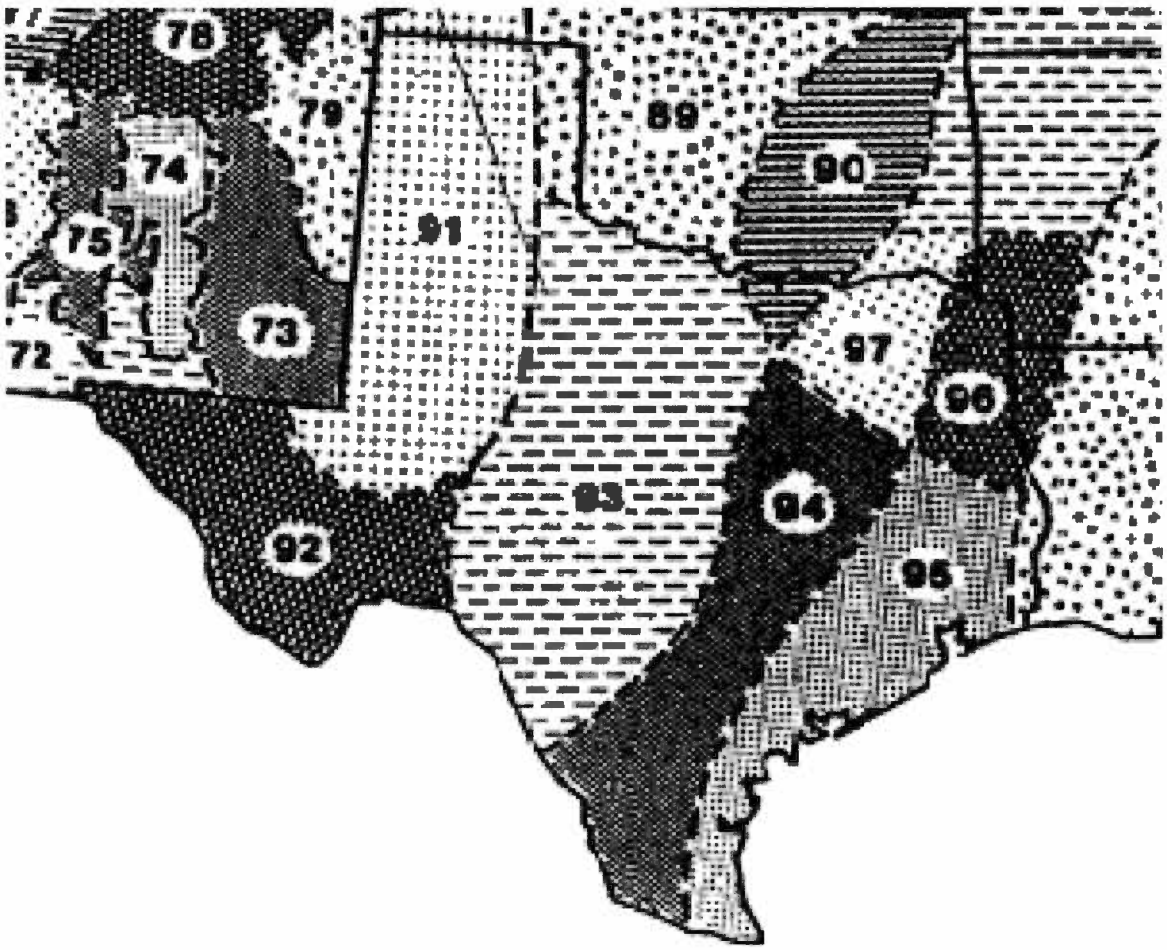
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Young: Dec. 15 - Feb. 14

Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

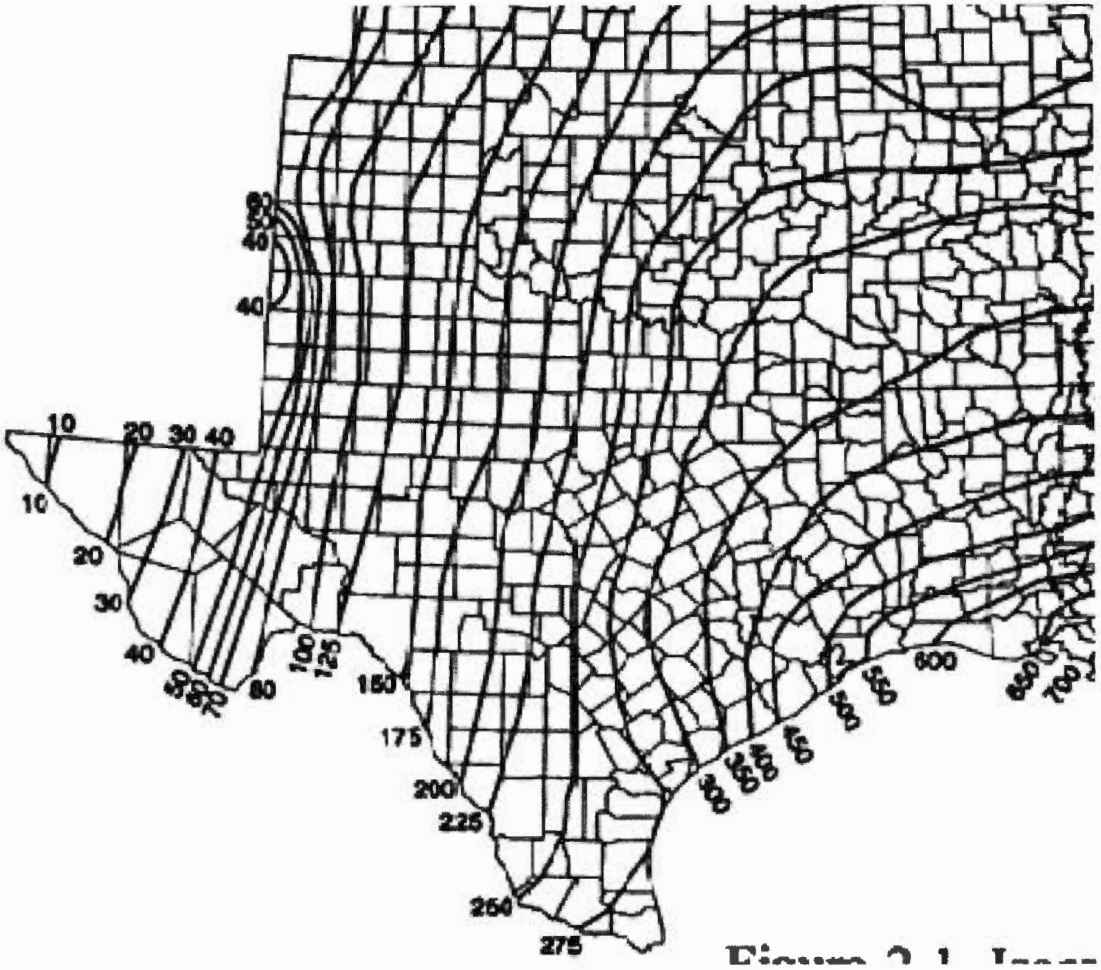
Zavala: Dec. 15 - Feb. 14

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

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.*

APPENDIX H

STATE AND LOCAL GOVERNMENT REQUIREMENTS

There are no local storm water regulatory requirements that exceed the state General Permit guidelines for the project.

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:	

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:

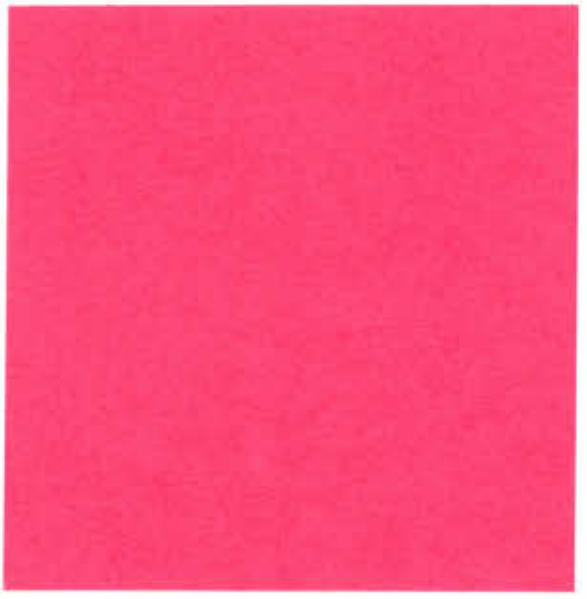
I _____ (Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.2. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A storm 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.*

APPENDIX - I

EROSION CONTROL PLAN
&
DETAILS



IV. AGENT AUTHORIZATION FORM.

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

I David Keith,
Print Name

Vice President,
Title - Owner/President/Other

of SH-DJL Development, LLC,
Corporation/Partnership/Entity Name

have authorized CEI Engineering & Associates
Print Name of Agent/Engineer

of CEI Engineering & Associates
Print Name of Firm

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

I also understand that:

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

2. For those submitting an application who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.

3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.

4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.

5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

Applicant's Signature

9-28-2015
Date

THE STATE OF Texas §

County of Bexar §

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 28th day of September, 2015.

NOTARY PUBLIC

LISA R. CLIFTON
Notary Public
State of Texas
My Comm. Expires 03-19-2018

Lisa R. Clifton
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 3-19-2018

V. CONTRIBUTING ZONE APPLICATION FEE FORM

Application Fee Form

Texas Commission on Environmental Quality
Name of Proposed Regulated Entity: Jiffy Lube
Regulated Entity Location: Singing Oaks Rd. & Hwy. 281
Name of Customer: Guggenheim C/O CEI Engineering
Contact Person: Andrew Slyter Phone: (479) 273-9472
Customer Reference Number (if issued):CN _____
Regulated Entity Reference Number (if issued):RN _____

Austin Regional Office (3373)

☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362)

☐ Bexar ☐ Medina ☐ Uvalde
☒ Comal ☐ Kinney

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

☐ Austin Regional Office
☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☒ San Antonio Regional Office
☐ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☐ Recharge Zone ☒ Contributing Zone ☐ Transition Zone

Type of Plan	***Size***	***Fee Due***
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	0.93 Acres	$ 3000.00
Sewage Collection System	L.F.	$
Lift Stations without sewer lines	*Acres*	$
Underground or Aboveground Storage Tank Facility	9 Tanks	$ N/A
Piping System(s)(only)	Each	$
Exception	Each	$
Extension of Time	Each	$

Signature: _____ Date: 10/15/15

Application Fee Schedule

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

Water Pollution Abatement Plans and Modifications

Contributing Zone Plans and Modifications

Project	*Project Area in Acres*	*Fee*
One Single Family Residential Dwelling	< 5	$650
Multiple Single Family Residential and Parks	< 5 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

VI. TCEQ CORE DATA FORM

TCEQ Core Data Form

TCEQ Use Only

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

SECTION I: General Information

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

☒ New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)

☐ Renewal (Core Data Form should be submitted with the renewal form) ☐ Other

2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 603438862		RN 10609062

SECTION II: Customer Information

4. General Customer Information	5. Effective Date for Customer Information Updates (mm/dd/yyyy)	10/9/2014

☐ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership

☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).

6. Customer Legal Name (If an individual, print last name first: e.g.: Doe, John)	If new Customer, enter previous Customer below:

7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)

11. Type of Customer:	☐ Corporation	☐ Individual	Partnership: ☐ General ☐ Limited
Government: ☐ City ☐ County ☐ Federal ☐ State ☐ Other		☐ Sole Proprietorship	☐ Other:

12. Number of Employees	13. Independently Owned and Operated?
☐ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher	☐ Yes ☐ No

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

☒ Owner ☐ Operator ☐ Owner & Operator

☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other:

15. Mailing Address:							
	City		State		ZIP		ZIP + 4

16. Country Mailing Information (if outside USA)	17. E-Mail Address (if applicable)

18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)
( ) -		( ) -

SECTION III: Regulated Entity Information

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

☐ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information

The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC).

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

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

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:					
26. Nearest City			State		Nearest ZIP Code
27. Latitude (N) In Decimal:			28. Longitude (W) In Decimal:		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds

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

33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
34. Mailing Address:								
	City		State		ZIP		ZIP + 4	
35. E-Mail Address:								

36. Telephone Number	37. Extension or Code	38. Fax Number (if applicable)
( ) -		( ) -

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

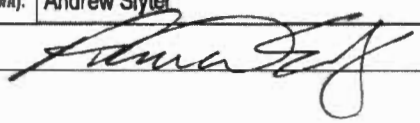
☐ Dam Safety	☐ Districts	☐ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☐ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name: Andrew Slyter			41. Title: Project Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(479) 273 - 9472		(479) 273 - 0844	aslyter@ceieng.com

SECTION V: Authorized Signature

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

Company:	CEI Engineering Associates, Inc.		Job Title:	Project Engineer
Name(*In Print*):	Andrew Slyter		Phone:	(479) 273-9472
Signature:			Date:	10/15/15

Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

Our Review of Your Application

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

Administrative Review

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

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

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.

3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.

4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

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

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.

6. If the geologic assessment was completed before October 1, 2004 and the site contains "possibly sensitive" features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

Technical Review

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

2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or if not withdrawn the application will be denied and the application fee will be forfeited.

4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

Mid-Review Modifications

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

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

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

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

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

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

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

1. Regulated Entity Name: Singing Hills						**2. Regulated Entity No.: 10609062**			
3. Customer Name: SH-DJL Development, LLC						**4. Customer No.: 603438862**			
5. Project Type: (Please circle/check one)	New	Modification				Extension		Exception	
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Residential	Non-residential				**8. Site (acres):**		253.8	
9. Application Fee:	$3,000	**10. Permanent BMP(s):**				4 Water Quality Basins			
11. SCS (Linear Ft.):	N/A	**12. AST/UST (No. Tanks):**				9 AST			
13. County:	Comal	**14. Watershed:**				Lewis Creek			

Application Distribution

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

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

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

Austin Region			
County:	**Hays**	**Travis**	**Williamson**
Original (1 req.)	___	___	___
Region (1 req.)	___	___	___
County(ies)	___	___	___
Groundwater Conservation District(s)	___Edwards Aquifer Authority ___Barton Springs/ Edwards Aquifer ___Hays Trinity ___Plum Creek	___Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	___Austin ___Buda ___Dripping Springs ___Kyle ___Mountain City ___San Marcos ___Wimberley ___Woodcreek	___Austin ___Bee Cave ___Pflugerville ___Rollingwood ___Round Rock ___Sunset Valley ___West Lake Hills	___Austin ___Cedar Park ___Florence ___Georgetown ___Jerrell ___Leander ___Liberty Hill ___Pflugerville ___Round Rock

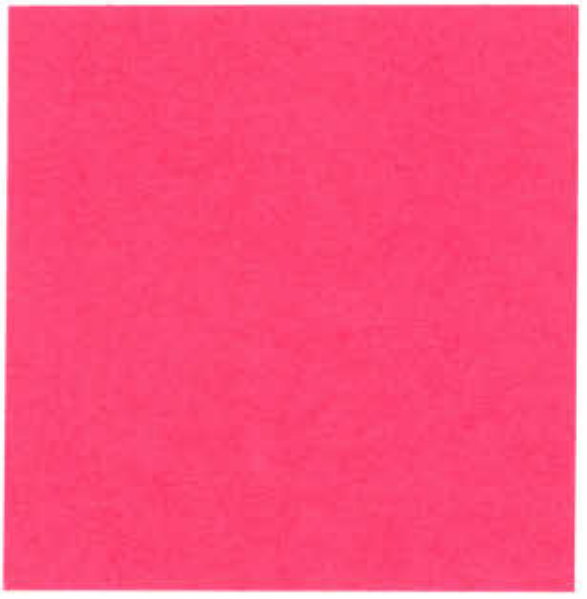
San Antonio Region					
County:	**Bexar**	**Comal**	**Kinney**	**Medina**	**Uvalde**
Original (1 req.)	___	___	___	___	___
Region (1 req.)	___	___	___	___	___
County(ies)	___	___	___	___	___
Groundwater Conservation District(s)	___ Edwards Aquifer Authority ___Trinity-Glen Rose	___Edwards Aquifer Authority	___Kinney	___EAA ___Medina	___EAA ___Uvalde
City(ies) Jurisdiction	___Castle Hills ___Fair Oaks Ranch ___Helotes ___Hill Country Village ___Hollywood Park ___San Antonio (SAWS) ___Shavano Park	___Bulverde ___Fair Oaks Ranch ___Garden Ridge ___New Braunfels ___Schertz	NA	___San Antonio ETJ (SAWS)	NA

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

Andrew Slyter
Print Name of Customer/Authorized Agent

Signature of Customer/Authorized Agent — Date: 10/15/15

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 13, 2015

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258

RECEIVED
JAN 20 2015
COUNTY ENGINEER

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills; Located on the northwest corner of U.S. Highway 281 and SH 46; Bulverde, Texas

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

Regulated Entity No.: RN106090962; Investigation No.: 1203582; Additional ID No.: 13-14101601

Dear Mr. Keith:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the CZP Modification for the above-referenced project submitted to the San Antonio Regional Office by Moy Tarin Ramirez Engineers, LLC on behalf of SH-DJL Development, LLC on October 16, 2014. Final review of the CZP was completed after additional material was received on December 12, 2014 and December 22, 2014, and January 12, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The original CZP was approved by letter dated November 2, 2012 to construct a mixed use development on a 253.8 acre site. The development included the construction of approximately 90 acres of commercial development on the south and east portions of the site, a wastewater treatment plant, approximately 86 acres of mass grading activities, 4.4 acres of demolition, offsite pavement widening improvements along Highway 281 and State Highway 46, and approximately 78 acres of land was designated to remain

undisturbed. Two sedimentation/filtration basins were constructed to provide permanent stormwater treatment. The total impervious cover for the project was 66.1 acres (26 percent).

PROJECT DESCRIPTION

The proposed mixed use, phased development will have an area of approximately 253.8 acres. The phase 1 impervious cover will be slightly reduced from 66.1 acres to 65.68 acres. Phase 2 activities will include 5 acres of commercial development, 13 acres of multi-family structures, offsite road improvements, construction of a lift station, two additional sedimentation/filtration basins, and 118 acres of single family residential development (352 lots). The total onsite impervious cover will be 128.83 acres (50.76 percent). An additional 1.62 acres of offsite road improvements will also occur. Project wastewater will be disposed of by conveyance to the proposed Singing Hills Wastewater Treatment Plant.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two sedimentation/sand filtration basins, 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. Two existing sedimentation/sand filtration basins will continue to provide treatment for the phase 1 development. The required total suspended solids (TSS) treatment for this project is 112,857 pounds of TSS generated from the 130.45 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of two new partial sedimentation/filtration basins and two existing partial sedimentation/filtration basins. All four basins will be concrete lined with a 4 inch perforated PVC underdrain system that will be covered with at least 6 inches of gravel. Geotextile fabric will be placed over the gravel layer and topped with at least 18 inches of sand (ASTM C-33 compliant).

Basin #1 will be designed with a water quality volume of 289,408 cubic feet (282,530 cubic feet required), and a sand filter area of 35,952 square feet (23,544 square feet required). This basin is designed to remove 50,890 pounds of TSS (50,212 pounds required).

Basin #2 will be designed with a water quality volume of 35,508 cubic feet (33,566 cubic feet required), and a sand filter area of 5,792 square feet (2,797 square feet required). This basin is designed to remove 5,115 pounds of TSS (4,983 pounds required).

Basin #3 will be designed with a water quality volume of 309,104 cubic feet (289,672 cubic feet required), and a sand filter area of 41,214 square feet (24,071 square feet required). This basin is designed to remove 33,525 pounds of TSS (29,083 pounds required).

Basin #4 will be designed with a water quality volume of 214,992 cubic feet (197,320 cubic feet required), and a sand filter area of 26,874 square feet (16,392 square feet required). This basin is designed to remove 24,200 pounds of TSS (21,749 pounds required).

*Basins 1 and 2 have been oversized to account for 2.410 acres of uncaptured impervious cover (2,163 pounds of TSS) within the phase 1 development.

*Basins 3 and 4 have been oversized to account for 5.199 acres of uncaptured impervious cover (4,667 pounds of TSS) within the phase 2 development

SPECIAL CONDITIONS

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

II. This modification is subject to all Special and Standard Conditions listed in the CZP approval letter dated November 2, 2012.

III. All permanent pollution abatement measures shall be operational prior to first occupancy of any structure within each drainage area.

IV. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

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

control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

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

After Completion of Construction:

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

submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.

17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4035.

Sincerely,

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

LB/AG/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Thomas Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2012

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

Re: Edwards Aquifer, Comal County

Name of Plan: Singing Hills; Located at northwest corner of the intersection of Highway 281 and State Highway 46; Bulverde, Texas

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

Edwards Aquifer Protection Program ID No. 2969.01; Investigation No. 1030114; Regulated Entity No. RN106090962

Dear Mr. Keith:

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 Moy Tarin Ramirez Engineers, LLC on behalf of DJL Ventures, Inc. and SH-DJL Development, LLC on August 27, 2012. Final review the CZP was completed after additional material was received on October 18, 2012. 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 legal boundary of the site where proposed regulated activities will occur is 253.8 acres. The site is located over the Edwards Aquifer Contributing Zone. The proposed mixed use development project will include:

- approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site
- a wastewater treatment plant will be constructed on the northeast portion of the site
- approximately 86 acres of mass grading activities following with the permanent stabilization measures
- 4.4 acres of demolition activities
- approximately 78 acres will remain uncleared and undisturbed
- offsite improvements consisting of pavement widening along Highway 281 and State Highway 46.

The impervious cover will be 64.2 acres of on-site impervious cover and 1.9 acres offsite impervious cover. The total impervious cover for the project is 66.1 acres (26 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Water Recycling Center owned by SH-DJL Development, LLC (TCEQ ID No. WQ0015038001).

Upgradient stormwater entering the site along the north and west boundaries will flow onto the site and into a proposed detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction and eventually reenter the site along the southern west boundary. This runoff will be intercepted by a permanent vegetative swale into a concrete lined channel and conveyed across the site.

Permanent Pollution Abatement Measures

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two (2) sedimentation filtration basins, 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 55,379 pounds of TSS generated from the 61.7 acres of impervious cover (66.1 acres proposed minus 4.4 acres of preexisting impervious cover). The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures are described below:

BMP Summary									
Sedimentation/Filtration Basin 1									
Watershed Area	Total Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. WQV (ft3)	Design WQV (ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Pond 1	68.59	56.49	1.79	282,956	289,408	23,580	35,952	49,097	50,395
Sedimentation/Filtration Basin 2									
Pond 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115

Uncaptured Areas*						
Onsite**	177	2.2	2.4		-230	—
Offsite	1.9	1.9	0.2		1,530	—
Total project	253.8	66.1	4.4		55,879	55,510

*The basin is oversized to account for the uncaptured area.
**Includes 86 acres of mass grading area, 78 acres of undisturbed/uncleared area and 13 acres within the 90 acre commercial development area. Those 13 acres will be intercepted by an underground storm drain system and discharged into the permanent concrete lined channel.

Water quality ponds 1 and 2 will utilize a concrete liner and sand filtration system consisting of 18 inch thick, ASTM C-33 sand beds and underdrain piping system covered with a minimum two inch gravel layer.

The mass grading is for future development. At this time, plans for this development have not been developed. Once those plans are finalized a modification to this CZP will be required. The mass grading will have no impervious cover and generate no wastewater. Temporary erosion and sedimentation controls will remain in place until completion of the mass grading. If the mass grading is completed before the future commercial development is presented and approved, the following permanent stabilization measures will be provided:

- The topsoil will be placed over the disturbed areas which have not already exhibited sufficient re-establishment of vegetation.
- The topsoil areas will be hydraulically mulched with grass seed to establish vegetation.
- Irrigation will be provided until sufficient vegetation has been established.

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.

IV. For any future modifications to this CZP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

V. This CZP approval letter does not include the installation of the above ground storage tank facility at any commercial developments within the site. Prior to construction of the AST

Facility, a modification to this CZP must be submitted and received approval from the executive director.

VI. The proposed project will include a construction of a no-discharge wastewater treatment facility. This approval letter is being issued for regulated activities (as defined in Chapter 213) and for best management practices presented in the application. This approval does not constitute a wastewater permit or authorization from the TCEQ Wastewater Program. If wastewater is to be discharges in the contributing zone, requirements under 30 TAC 213. 6(c) (relating to Wastewater Treatment and Disposal Systems) must be satisfied.

VII. Since the project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.24(5).

Standard Conditions

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

Prior to Commencement of Construction:

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

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

During Construction:

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

After Completion of Construction:

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

through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

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

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Yuliya Dunaway of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-490-3096.

Sincerely,

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

LB/YD/eg

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

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Tom Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 6, 2011

Mr. Kevin Bormann
DJL Ventures, Inc.
8122 Datapoint, Dr., Ste. 1000
San Antonio, Texas 78229-3273

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Singing Hills Commercial; Located on the west side of US HWY 281, approximately 2,000 feet north of the intersection of US Hwy 281 and SH 46; Bulverde, Texas

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

Edwards Aquifer Protection Program San Antonio File No. 2969.00; Investigation No. 901486; Regulated Entity No. RN106090962

Dear Mr. Martin:

The TCEQ received confirmation from your authorized agent, Moy Tarin Ramirez Engineers, Inc., to withdraw the above referenced water pollution abatement plan application from review on February 11, 2011. Because you have voluntarily withdrawn the plan, the application fee of $10,000 can be refunded. However, per your request, the review fee will be retained by the TCEQ and applied to the future submittal of the revised CZP application.

If you have any questions or require additional information, please contact Javier Anguiano of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 490-3096.

Sincerely,

Todd Jones
Water Section Team Leader
Texas Commission on Environmental Quality

TJ/JA/eg

cc: Mr. Duane A. Moy, P.E., Moy Tarin Ramirez Engineers, Inc.
The Honorable Bill Krawietz, City of Bulverde
Mr. Thomas H. Hornseth, P.E., Comal County
Mr. Karl J. Dreher, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 25, 2011

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: Singing Hills Commercial, located on the west side US Highway 281 2000 feet north of Highway 46, Texas
PLAN TYPE: Application for Contributing Zone Water Pollution Abatement Plan (WPAP) 30 Texas Administration Code (TAC) Chapter 213; Edwards Aquifer Protection Program
EAPP File No.: 2969.00

Dear Mr. Hornseth:

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

Please forward your comments to this office by March 24, 2011.

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

Todd Jones
Water Section Work Leader
San Antonio Regional Office

TJ/eg

Singing Hills Commercial
Contributing Zone Plan

Bulverde, Comal County, TX

Prepared for:
DJL Ventures, Inc.
8122 Data Point Dr., Ste. 1000
San Antonio, Tx 78229-3273
(210) 614-7051

Prepared by:
Moy Tarin Ramirez Engineers
12770 Cimarron Path, Suite 100, San Antonio, TX 78249
(210) 698-5051

Date Created:
02/23/11

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
12770 Cimarron Path, Ste. 100, San Antonio, TX. 78249

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: Singing Hills Commercial
County: Comal Stream Basin: Lewis Creek

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

2. Customer (Applicant):

Contact Person:	Kevin Bormann
Entity:	DJL Ventures, Inc.
Mailing Address:	8122 Datapoint Dr., Ste. 1000
City, State:	San Antonio, Tx Zip: 78229-3273
Telephone:	(210) 614-7051 FAX: (210) 614-8276

Agent/Representative (If any):

Contact Person:	Duane Moy
Entity:	Moy Tarin Ramirez Engineers, LLC
Mailing Address:	12770 Cimarron Path, Suite 100
City, State:	San Antonio, Texas Zip: 78249-3415
Telephone:	(210) 698-5051 FAX: (210) 698-5085

3. X This project is inside the city limits of Bulverde.
   X This project is outside the city limits but inside the ETJ (extra-territorial jurisdiction) of the City of Bulverde.
   __ This project is not located within any city's limits or ETJ.

4. The location of the project site is described below. Sufficient detail and clarity has been provided so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.
   2000 feet north of the intersection of US Hwy 281 and SH 46 on the west side of US Hwy 281

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 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:
   - ___ Existing commercial site
   - ___ Existing industrial site
   - ___ Existing residential site
   - ___ Existing paved and/or unpaved roads
   - ___ Undeveloped (Cleared)
   - ___ Undeveloped (Undisturbed/Uncleared)
   - X Other: Existing mixed residential, commercial and undeveloped.

PROJECT INFORMATION

9. The type of project is:
   - ___ Residential: # of Lots: _____
   - ___ Residential: # of Living Unit Equivalents: _____
   - ___ Commercial
   - ___ Industrial
   - X Other: Tree removal

10. Total project area (size of site): 120.42 Acres
    Total disturbed area: 90.0 Acres

11. Projected population: N/A

12. The amount and type of impervious cover expected after construction is complete is shown below: ***(NOT APPLICABLE – Application is for clearing of trees only.)***

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

13. 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.
(NOT APPLICABLE – Items 15 through 20)

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
(NOT APPLICABLE – Application is for clearing of trees only.)

22. Wastewater will be disposed of by:

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

N/A Sewage Collection System (Sewer Lines):
Wastewater is to be disposed of by conveyance to the (name) treatment plant for treatment and disposal. The treatment facility is: _____
__ existing.
__ proposed.

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

FOR PERMANENT ABOVEGROUND STORAGE TANKS (ASTs) ≥ 500 GALLONS
Complete questions 23-29 if this project includes the installation of AST(s) with volume(s) greater than or equal to 500 gallons.
(NOT APPLICABLE – Items 23 through 29)

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" = 200 '.

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):
FEMA Map No. 48091C0220F, Dated September 2, 2009

32. ___ The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, etc. are shown on the site plan.
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. ***(For tree clearing only. Existing contours and improvements are shown.)***

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. N/A 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.

(NOT APPLICABLE – Items 42 through 55. Application is for clearing of trees only.)

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

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

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

__ A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is provided below.

_____

_____

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

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

and the property owner must notify the appropriate regional office of these changes.

___ This site will be used for low density single-family residential development and has 20% or less impervious cover.
___ This site will be used for low density single-family residential development but has more than 20% impervious cover.
___ This site will not be used for low density single-family residential development.

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

___ **ATTACHMENT I - 20% or Less Impervious Cover Waiver.** This site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is found at the end of this form.
___ This site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.
___ This site will not be used for multi-family residential developments, schools, or small business sites.

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

N/A 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.
N/A 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.
N/A 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.**

N/A 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. N/A **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. N/A **ATTACHMENT M - Construction Plans.** Construction plans and design calculations for the proposed permanent BMPs and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information have been signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed permanent BMPs and measures are provided at the end of this form. Design Calculations, TCEQ Construction Notes, all proposed structural measures, and appropriate details must be shown on the construction plans.

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

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

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

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

53. N/A **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 increases erosion that result in water quality degradation.

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

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

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

ADMINISTRATIVE INFORMATION

56. X Submit one (1) original and one (1) copy of the application, plus additional copies as

needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

57. 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:

Duane A. Moy, P.E.
Print Name of Customer/(Agent)

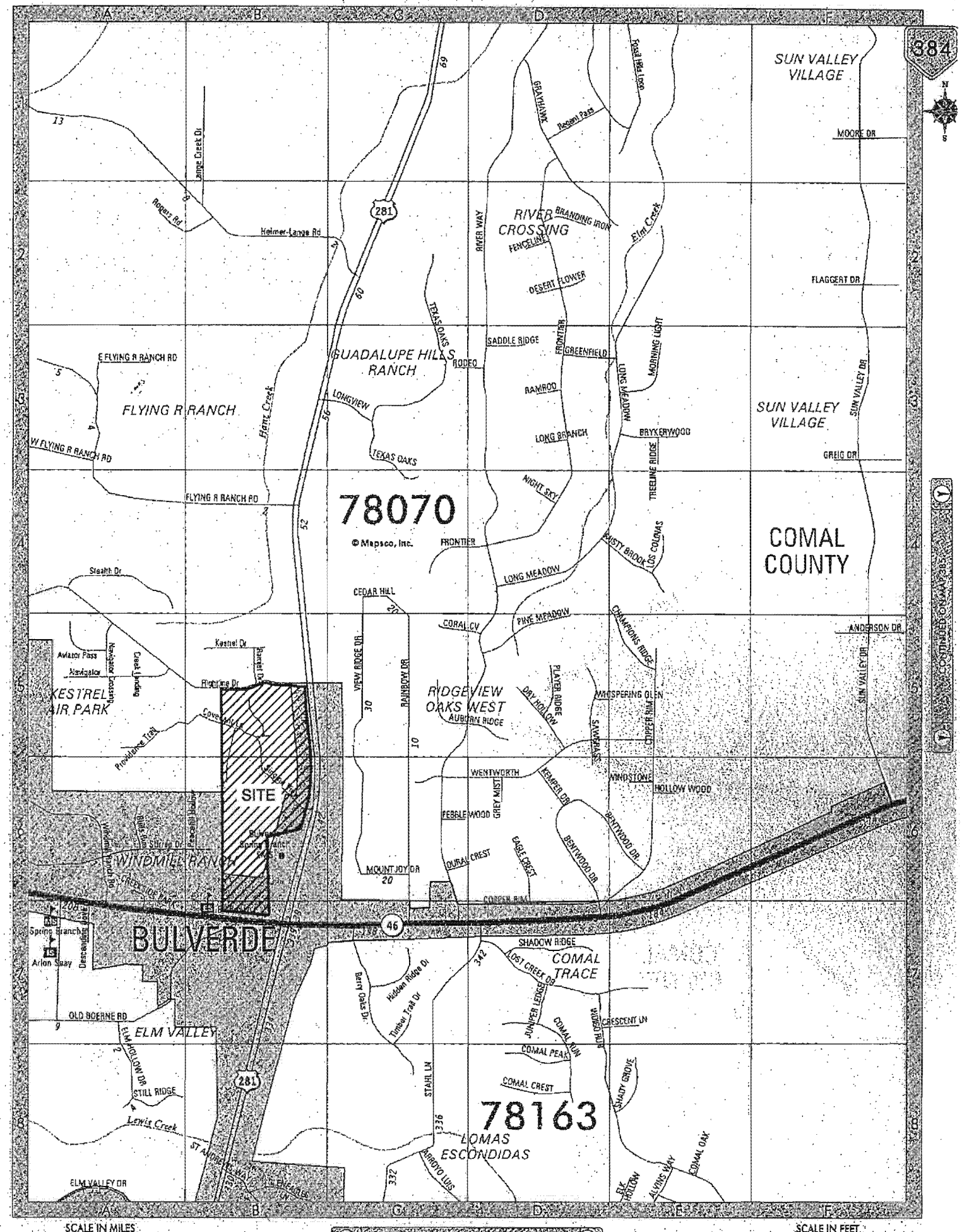
Duane A Moy, P.E.
Signature of Customer/(Agent)

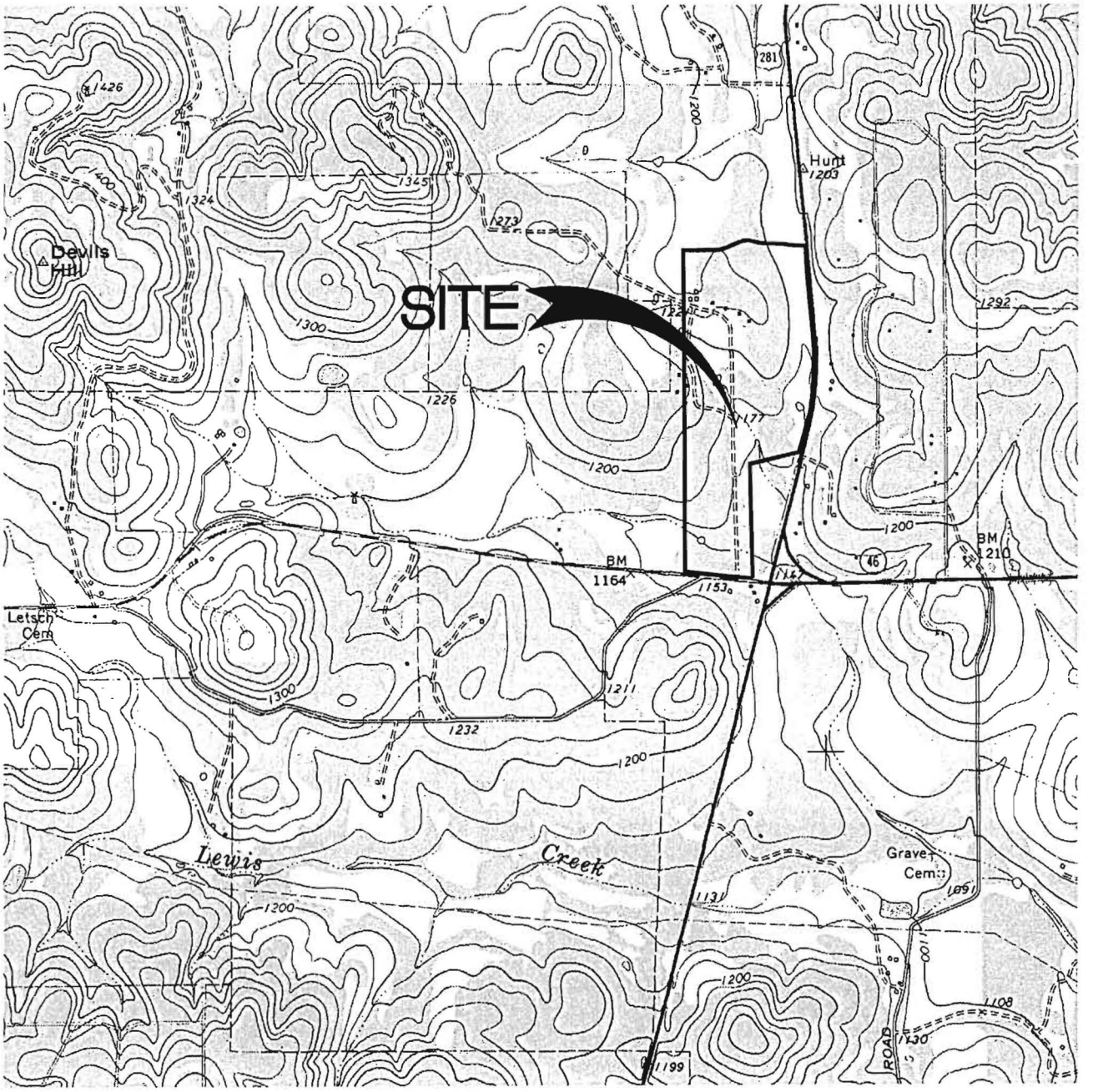
2/23/11
Date

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.

ATTACHMENT A





SCALE: 1"=2000'

ATTACHMENT B

USGS MAP
(ANHALT QUADRANGLE)

DATE: 02/21/11 PROJ. #: XXXXXX

MTR
· Engineers
· Surveyors
· Planners
Moy Tarin Ramirez Engineers, LLC
FIRM TBPE NO. F-5297
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

R:\REOC - HWY 281 @ HWY46 (Singing Hills)\2011 Singing Hills\Drawings\Exhibits\CZP\060220_00-0_USGS-MAP.dwg

ATTACHMENT C
Project Narrative

The proposed project is a 120.42-acre site with some existing residences, EMS station and undeveloped areas. The site is located approximately 2000-feet north of the intersection of US Highway 281 and State Highway 46 on the west side of US Highway 281. The majority of the site is located in the Extra Territorial Jurisdiction (ETJ) of the City of Bulverde in Comal County. The far east and south sides of the property adjacent to the aforementioned roadways are located within the corporate limits of the City of Bulverde. The proposed project consists of removing trees within the ETJ which comprises approximately 90 acres of the site. There will be no increase in impervious cover on the site with the completion of this project. No permanent, structural BMP is proposed with this project. Temporary BMP's will be used to control sediment discharge from the site.

ATTACHMENT D
Factors Affecting Surface Water Quality

The proposed project includes only the removal of trees. No additional impervious cover is proposed with this project. Factors impacting surface water quality include soil disturbance, wood shavings and leaf litter from tree removal and small amounts of oil, grease and suspended solids from the tree removal equipment. These factors may cause small amounts of suspended solids to enter into the stormwater runoff and subsequently affect surface water. However, temporary BMPs have been designed on the basis of the Technical Guidance Manual to treat the required amount of stormwater runoff as to not adversely affect water quality entering into any surface water or groundwater.

ATTACHMENT E
Volume and Character of Stormwater

Character of Stormwater

Stormwater runoff will be generated from the site will not differ from existing conditions as this project only consists of tree removal. The runoff may contain small amounts of suspended solids created by tree removal activities (such solids may consist of vegetation and soil). Temporary BMP's have been designed on the basis of the Technical Guidance Manual to treat the required volume and character of stormwater runoff to remove the increased TSS due to the proposed tree removal activities. Permanent stabilization of areas where soil has been disturbed by tree clearing activities will be accomplished by installing new vegetation in those areas as described in the Storm Water Pollution Prevention Plan.

Volume of Stormwater

The site (120.42 acres total) discharges into Lewis Creek within the Edwards Aquifer Contributing Zone. This project does not propose to increase the impervious cover on the site. Therefore, the post project volume of storm water is anticipated to remain approximately the same as existing levels.

PRE AND POST DEVELOPMENT

Area: 120.42 Acres
Pre & Post Development Runoff Coefficient: C= 0.49
Pre and Post Development Q_{25} = CIA, C = 0.49; Tc=30 minutes, I = 5.00 in/hr; A = 120.42 acres
Pre and Post Development Q_{25} = 295 cfs

Note: Runoff coefficient and intensity values obtained from City of San Antonio Unified Development Code.

CURVE DATA TABLE

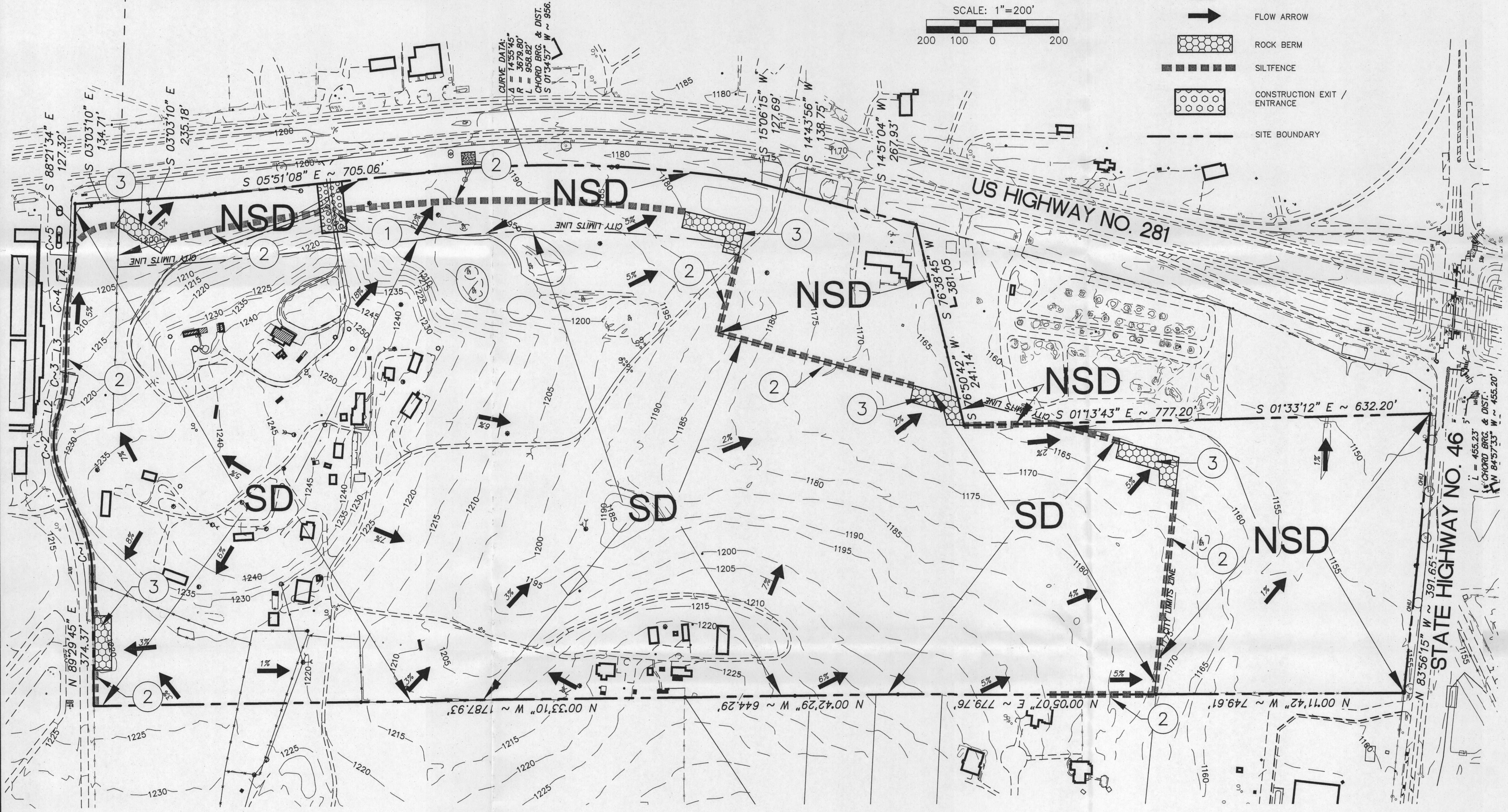
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	360.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

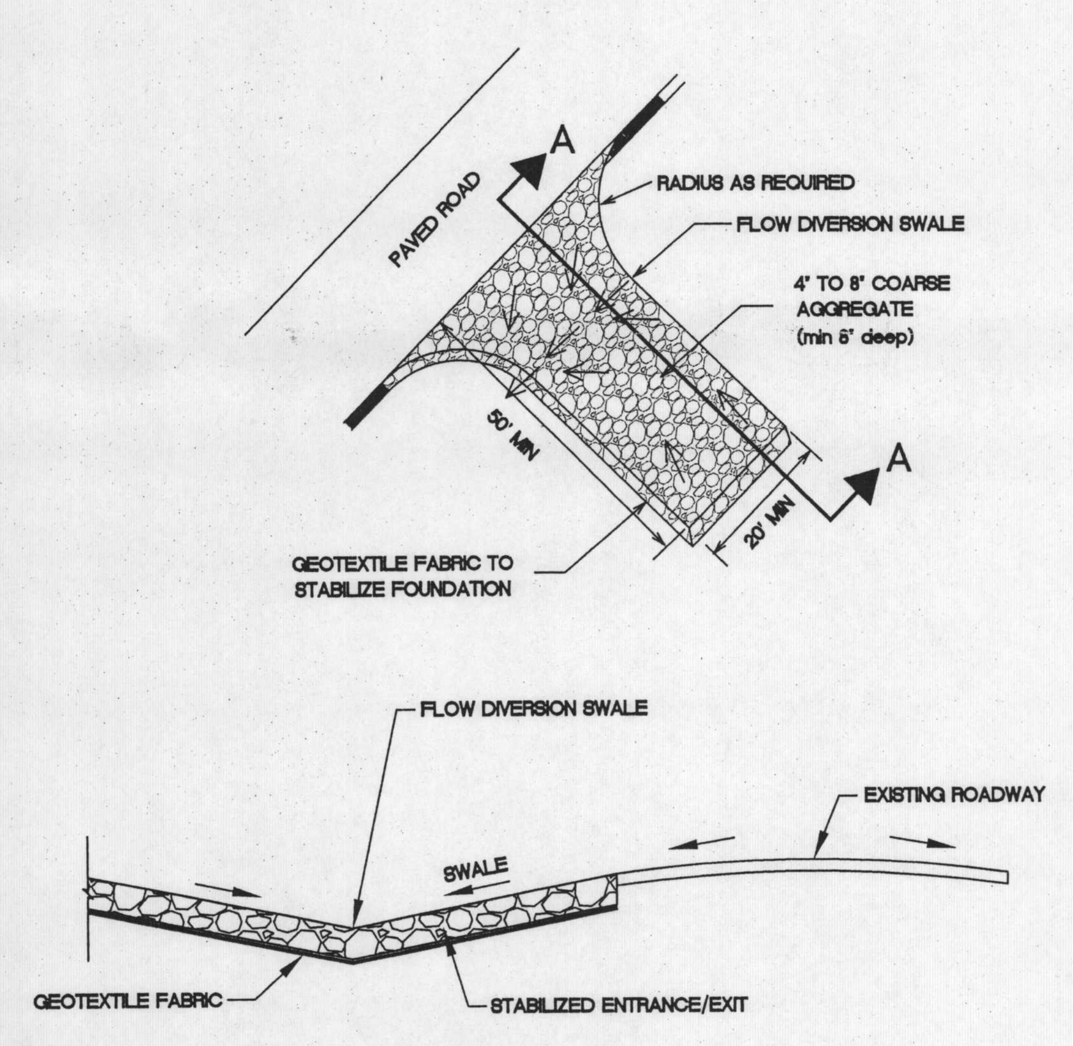
LINE TABLE

LINE	BEARING	DISTANCE
1	N 66°45'47" E	174.00'
2	S 73°19'11" E	42.33'
3	S 88°22'06" E	190.99'
4	S 82°16'47" E	97.67'
5	N 00°38'21" E	66.74'

LEGEND

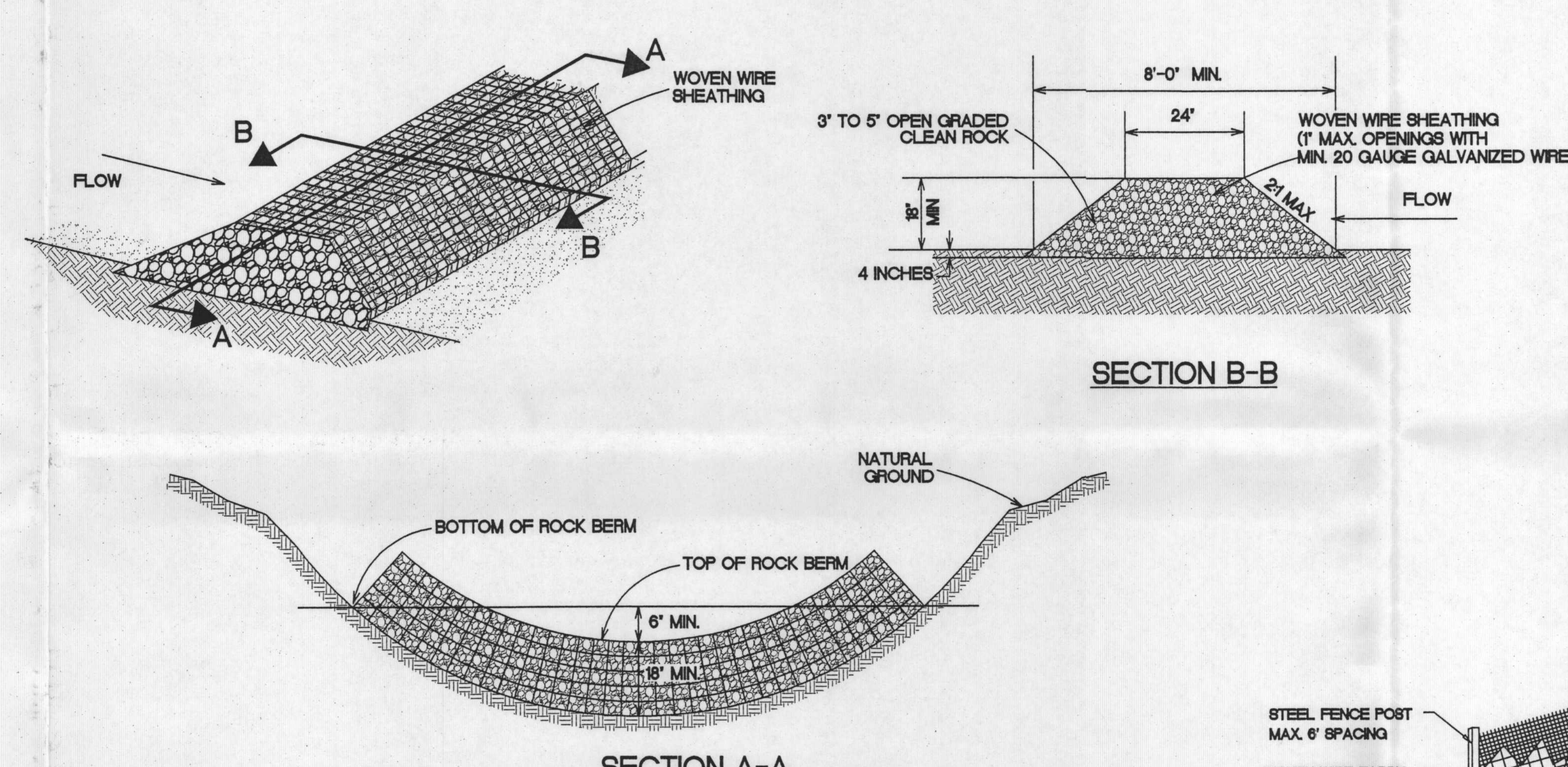
- —1200— EXISTING CONTOURS
- SD SOIL DISTURBANCE
- NSD NO SOIL DISTURBANCE
- FLOW ARROW
- ROCK BERM
- SILTFENCE
- CONSTRUCTION EXIT / ENTRANCE
- SITE BOUNDARY





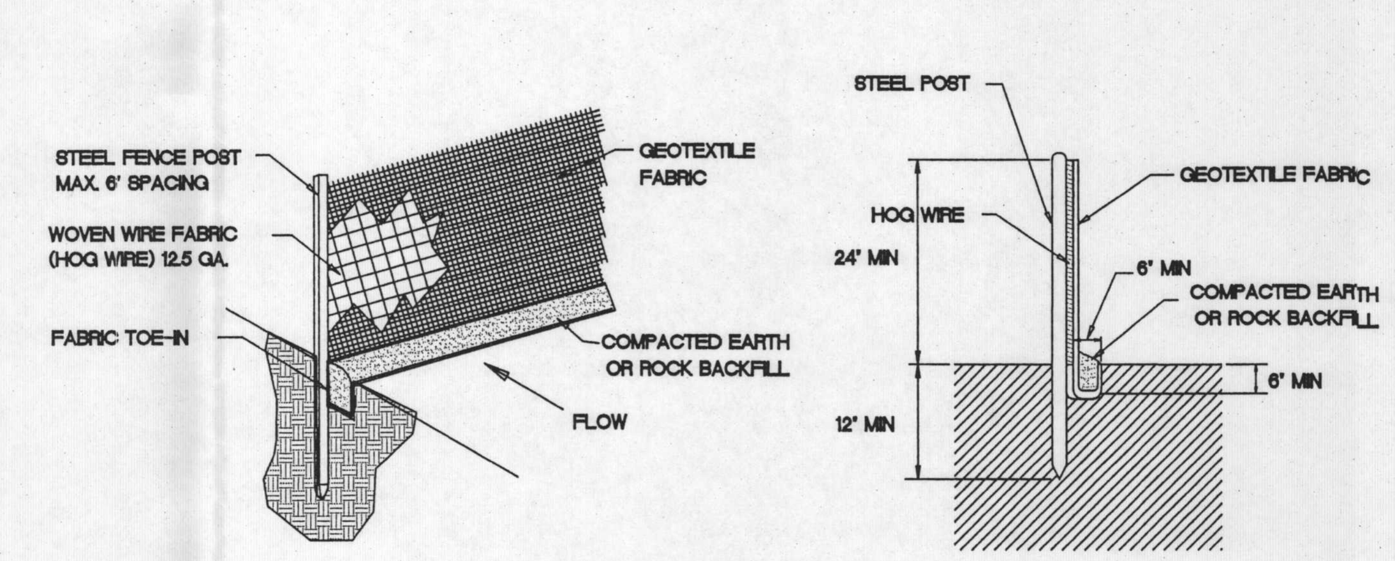
TEMPORARY CONSTRUCTION ENTRANCE/EXIT

N.T.S.



ROCK BERM

N.T.S.



SILT FENCE

N.T.S.

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.

Austin Regional Office	San Antonio Regional Office
2800 S. IH 35, Suite 100	14250 Judson Road
Austin, Texas 78704-5712	San Antonio, Texas 78233-4480
Phone (512) 339-2929	Phone (210) 490-3096
Fax (512) 339-3795	Fax (210) 545-4329

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

GENERAL NOTES

LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY BEST MANAGEMENT PRACTICES.

SOIL STABILIZATION PRACTICES SHALL OCCUR OVER ALL OF THE AREAS DISTURBED THROUGH THE USE OF GRASS SEEDING AND MULCH.

THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.

INSPECTION OF TEMPORARY BMPS (SILT FENCES, ROCK BERMS, AND TEMPORARY CONSTRUCTION ENTRANCE/EXIT DEVICES) SHALL BE MADE WEEKLY AND AFTER EACH RAINFALL. TLR REPLACEMENT SHALL BE MADE PROMPTLY BY THE CONTRACTOR AS NEEDED.

NO 100 YR FEMA FLOODPLAIN.

BMP KEYNOTES

1. TEMPORARY CONSTRUCTION ENTRANCE/EXIT (INCL. X-SECTION FOR DIVERSION)
2. SILT FENCE
3. ROCK BERM

TCEQ R13 FEB 23 2011 SAN ANTONIO

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJ. #	DGN. BY:	DWN. BY:	CHKD. BY:	DATE:
000000.00	CD	CD	CD	2/22/11

MTR Moy Tarin Ramirez Engineers, LLC
· Engineers · Surveyors · Planners
FIRM TBPE NO. F-5297
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

STATE OF TEXAS DUANE A. MOY 69258 REGISTERED PROFESSIONAL ENGINEER 2/23/11

SINGING HILLS COMMERCIAL

CONTRIBUTING ZONE SITE PLAN

BULVERDE, COMAL COUNTY, TEXAS

SHEET

1

Singing Hills Commercial
Storm Water Pollution Prevention Plan

Bulverde, Comal County, TX

Prepared for:
DJL Ventures, Inc.
8122 Data Point Dr., Ste. 1000
San Antonio, Tx 78229-3273
(210) 614-7051

Prepared by:
Moy Tarin Ramirez Engineers
12770 Cimarron Path, Suite 100, San Antonio, TX 78249
(210) 698-5051

Date Created:
02/23/11

MTR
• Engineers
• Surveyors
• Planners
Moy Tarin Ramirez Engineers, LLC
12770 Cimarron Path, Ste. 100, San Antonio, TX. 78249

TABLE OF CONTENTS

CONTACT INFORMATION

OWNER:
DJL VENTURES, INC.
ATTN: KEVIN BORMANN
8122 DATA POINT DR., STE. 1000
SAN ANTONIO, TEXAS 78229-3273
(210) 614-7051

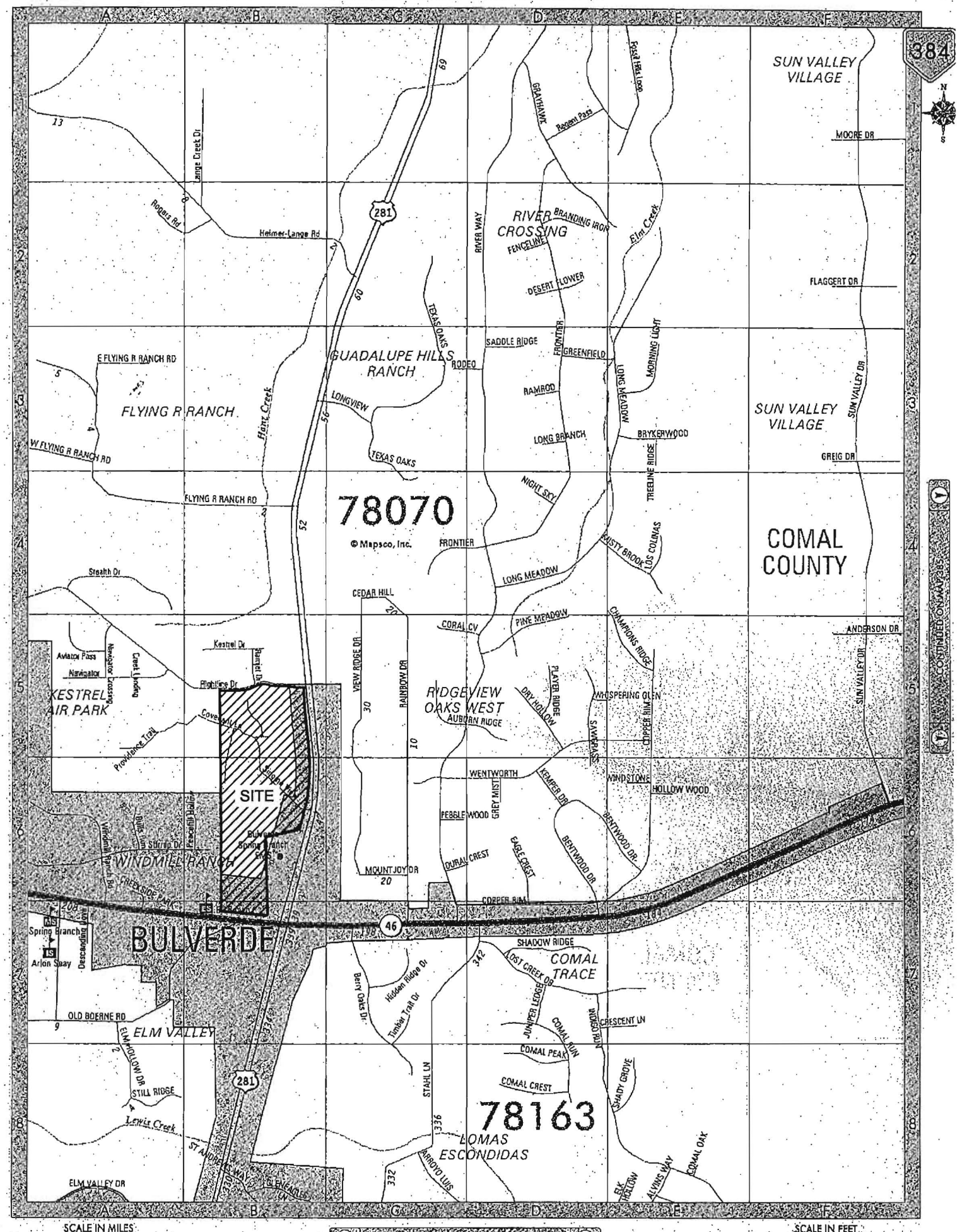
ENGINEER:
MOY TARIN RAMIREZ ENGINEERS, LLC
ATTN: DUANE MOY, P.E.
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
(210) 698-5051

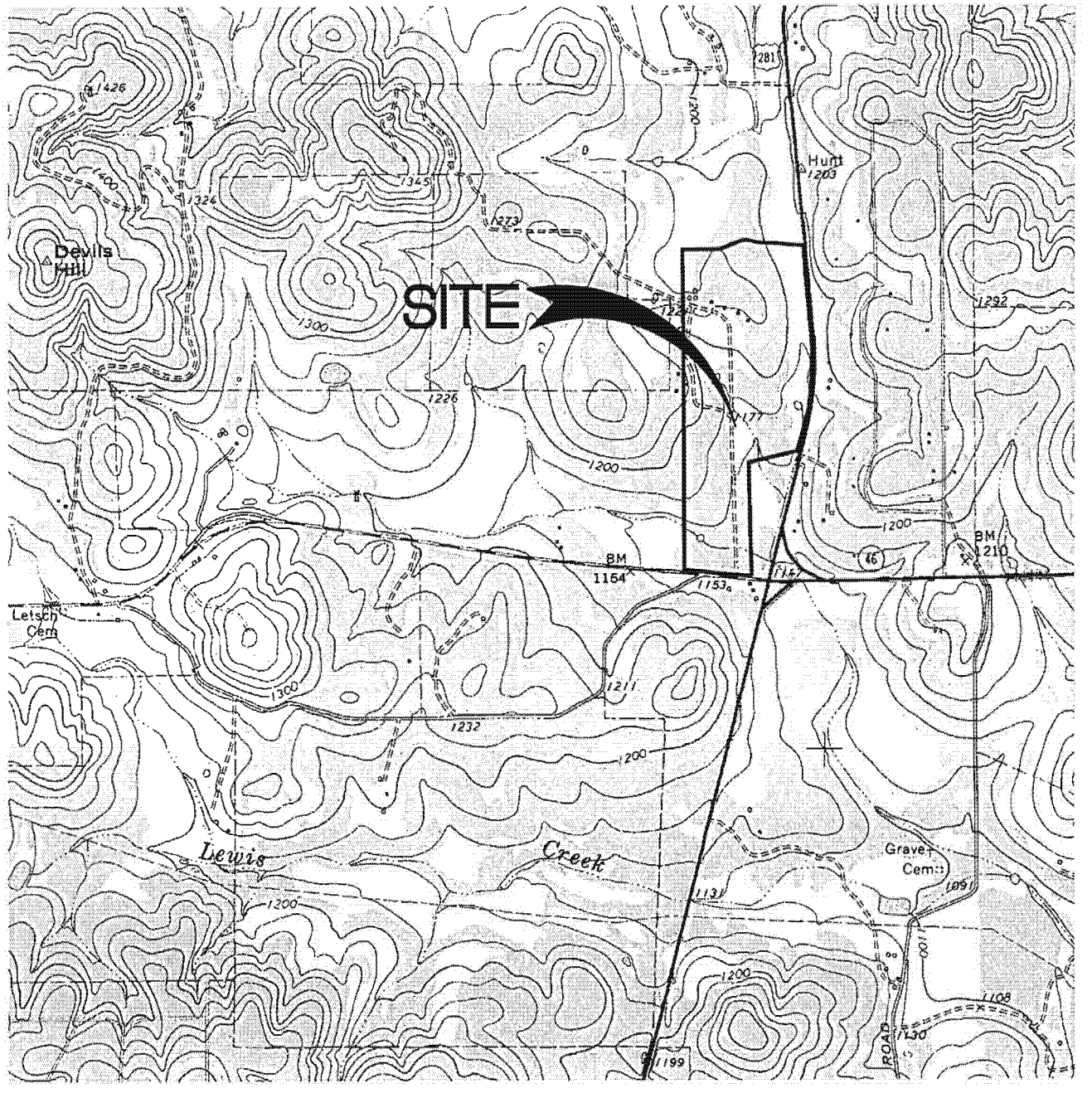
CONTRACTOR:

INSPECTOR:

NARRATIVE

ATTACHMENT A





SCALE: 1"=2000'

ATTACHMENT B

USGS MAP
(ANHALT QUADRANGLE)

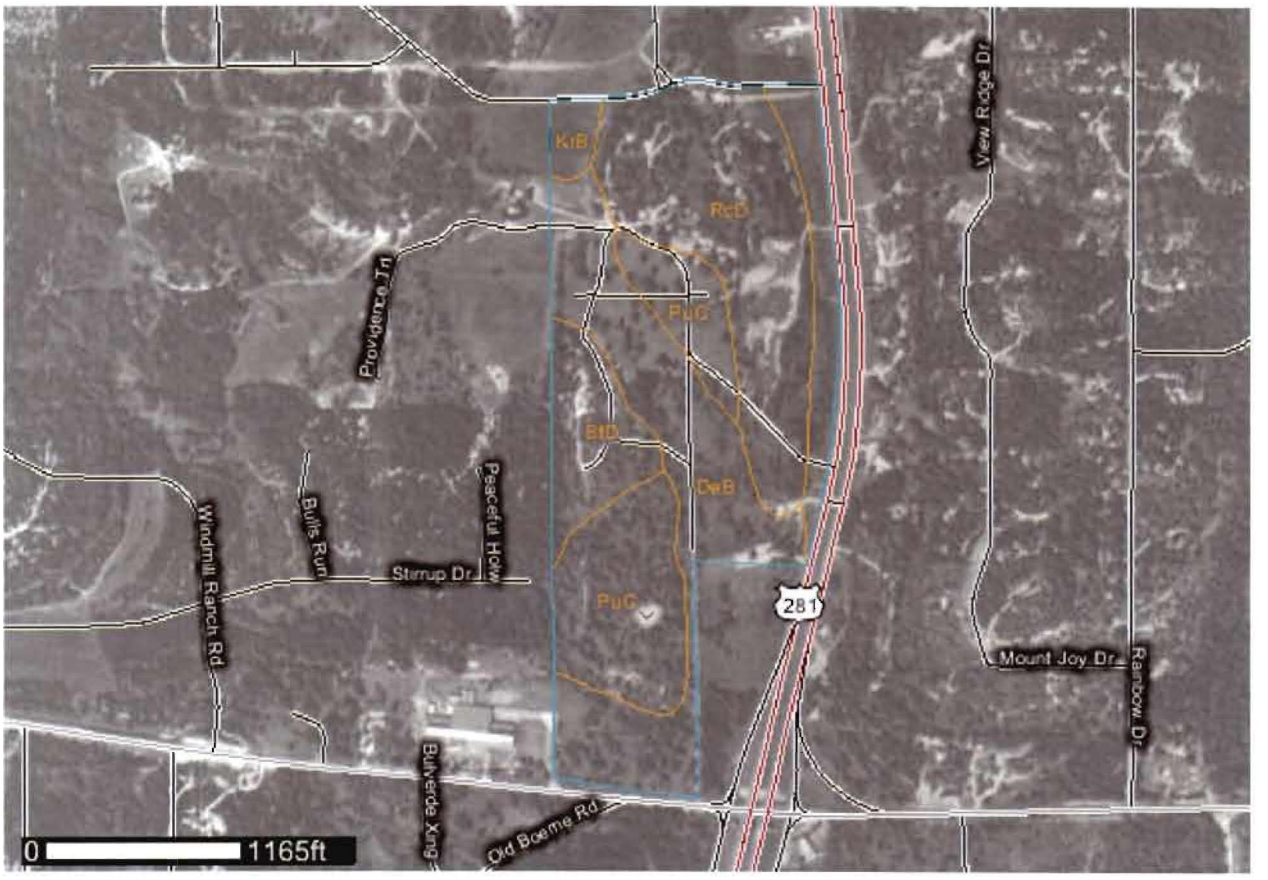
DATE: 02/21/11 PROJ. #: XXXXXX

MTR
· Engineers
· Surveyors
· Planners
Moy Tarin Ramirez Engineers, LLC
FIRM TBPE NO. F-5297
12770 CIMARRON PATH, SUITE 100 TEL: (210) 698-5051
SAN ANTONIO, TEXAS 78249 FAX: (210) 698-5085

R:\REOC - HWY 281 @ HWY45 (Singing Hills)\2011 Singing Hills\Drawings\Exhibits\CZP\060220_00-0_USGS-MAP.dwg

Singing Hills Commercial

Soils Map



Map Unit Symbol	Map Unit Name
BtD	Brackett-Rock outcrop-Comfort complex, 1 to 8 percent slopes
DeB	Denton silty clay, 1 to 3 percent slopes
KrB	Krum clay, 1 to 3 percent slopes
PuC	Purves clay, 1 to 5 percent slopes
RcD	Real-Comfort-Doss complex, 1 to 8 percent slopes

NARRATIVE

SITE DESCRIPTION

FACILITY/SITE LOCATION INFORMATION:
NAME: SINGING HILLS COMMERCIAL
ADDRESS: 2000 FT NORTH OF THE INTERSECTION OF US HWY 281 AND SH 46 ON THE WEST SIDE OF US HWY 281
CITY: BULVERDE STATE: TX ZIP: 78163
LATITUDE/ LONGITUDE: 29° 48' 11" N / 98° 25' 06" W

OWNER/ AGENT:
NAME: DJL VENTURES, INC.
CONTACT PERSON: KEVIN BORMANN
ADDRESS: 8122 DATA POINT DR., STE. 1000
CITY: SAN ANTONIO STATE: TX ZIP: 78229-3273

TYPE OF CONSTRUCTION:
TREE REMOVAL

SOIL DISTURBING ACTIVITIES:
SOIL DISTURBING ACTIVITIES WILL INCLUDE SITE CLEARING / TREE REMOVAL

SITE INFORMATION:
GROSS (PLATTED) ACREAGE:120.42 AC. ACREAGE DISTURBED BY CONSTRUCTION: 90 AC.
PRE-CONSTRUCTION RUNOFF COEFFICENT: 0.49
POST-CONSTRUCTION RUNOFF COEFFICENT: 0.49
NAME OF RECEIVING WATER: LEWIS CREEK

EROSION AND SEDIMENTATION MISCELLANEOUS POLLUTION CONTROLS

1. WASTE-DISPOSAL: ALL WASTE MATERIALS WILL BE COLLECTED IN SECURE CONTAINER(S) UNDER THE CONTROL OF THE CONTRACTOR OF A LICENSED WASTE MANAGER AND DISPOSED OF OFF-SITE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS. NO CONSTRUCTION WASTE MATERIALS WILL BE BURIED OR LEFT ON SITE.

2. ALL CONSTRUCTION EQUIPMENT EXITS SHALL BE STABILIZED PRIOR TO COMMENCEMENT OF CONSTRUCTION TO REDUCE VEHICLE TRACKING OF SEDIMENTS. ANY PAVED STREETS ADJACENT TO A CONSTRUCTION ENTRANCE WILL BE SWEPT WEEKLY TO REMOVE EXCESS MUD, DIRT OR ROCK TRACKED FROM THE SITE.

3. CONSTRUCTION HAUL ROADS, IF UTILIZED, SHALL BE BUILT WITH MINIMUM EXCAVATION/FILL AND HAVE A SURFACE LAYER OF CRUSHED STONE OR GRAVEL. CONSTRUCTION ROADS SHALL BE WELL DRAINED WITHOUT PONDING OR BLOCKING RUNOFF.

4. CONTRACTOR SHALL EMPLOY CONSTRUCTION METHODS AND UTILIZED MATERIALS (WITHIN SPECIFICATIONS LIMITS) WHICH WILL MINIMIZE THE GENERATION OF DUST FROM PROJECT CONSTRUCTION. FOR EXCAVATIONS AND GRADING, PROVIDE WATER SPRINKLING AS REQUIRED TO CONTROL DUSTING.

5. ALL HAZARDOUS WASTE MATERIALS WILL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL OR STATE REGULATION OR BY THE MANUFACTURER.

6. ALL SANITARY WASTE(S) WILL BE COLLECTED FROM THE PORTABLE UNITS BY A LICENSED SANITARY WASTE HAUL COMPANY ON A REGULAR BASIS EACH MONTH AS REQUIRED.

7. POLLUTANTS THAT MAY ENTER STORM WATER FROM CONSTRUCTION SITES BECAUSE OF POOR HOUSEKEEPING INCLUDE OILS, GREASE, PAINTS, GASOLINE, CONCRETE TRUCK WASHDOWN, RAW MATERIALS, USED IN THE MANUFACTURER OF CONCRETE (E.G. SAND, AGGREGATE AND CEMENT). SOLVENTS, LITTER, DEBRIS AND SANITARY WASTES. CONSTRUCTION SITE MANAGEMENT PLANS SHALL ADDRESS THE FOLLOWING TO PREVENT THE DISCHARGE OF THESE POLLUTANTS:
   - DESIGNATE AREAS FOR EQUIPMENT MAINTENANCE REPAIR;
   - PROVIDE WASTE RECEPTACLES AT CONVENIENT LOCATIONS AND PROVIDE REGULAR COLLECTION OF WASTES;
   - LOCATE EQUIPMENT WASHDOWN AREAS ON SITE, AND PROVIDE APPROPRIATE CONTROL OF WASHWATERS;
   - PROVIDE PROTECTED STORAGE AREAS FOR CHEMICALS, PAINTS, SOLVENTS, FERTILIZERS, AND OTHER POTENTIALLY TOXIC MATERIALS; AND
   - PROVIDE ADEQUATLY MAINTAINED SANITARY FACILITIES.

8. TEMPORARY STOCKPILES OF TOPSOIL, EXCAVATED MATERIAL, FLEXIBLE BASE, ETC. SHALL HAVE A SILT FENCE LOCATED IMMEDIATELY DOWNGRADIENT TO COLLECT SEDIMENT RUNOFF.

SEQUENCE OF MAJOR SOIL DISTURBING ACTIVITIES

1. INSTALLATION OF STABILIZED CONSTRUCTION ENTRANCES/EXIT (SCE)
   ** STABILIZATION -- N/A
   ** STRUCTURAL -- STABILIZED CONSTRUCTION ENTRANCE/EXIT (ITEM 1)
   ** IMPLEMENTATION -- IMMEDIATELY FOLLOWING REMOVAL OF ENTRANCE OBSTRUCTIONS (IF ANY) AND PRIOR TO ANY OTHER DEMOLITION OR CONSTRUCTION.

   (Area disturbed is 0.03 acres.)
2. INSTALLATION OF TEMPORARY EROSION & SEDIMENTATION CONTROLS
   ** STABILIZATION -- N/A
   ** STRUCTURAL -- SILT FENCES (ITEM 2) AND ROCK BERMS (ITEM 3)
   ** IMPLEMENTATION -- PRIOR TO ANY CLEARING, GRADING OR DEMOLITION

   (Area disturbed is 3 acres.)
3. SITE CLEARING/DEMOLITION

   (Area disturbed is 90 acres.)

4. INSTALLATION OF PERMANENT EROSION & SEDIMENT CONTROLS
   ** STABILIZATION – MULCH AND SEED
   ** STRUCTURAL – N/A
   ** IMPLEMENTATION -- FINAL CLEARING AND TREE REMOVAL MUST BE COMPLETE PRIOR TO STABILIZATION MEASURES

   (Area disturbed is 90 acres.)
9. REMOVAL OF EROSION & SEDIMENTATION CONTROLS
   ** STABILIZATION -- REVEGETATE AREAS DISTURBED BY REMOVAL OF CONTROLS
   ** STRUCTURAL -- N/A
   ** IMPLEMENTATION -- AFTER SOIL DISTURBING ACTIVITIES ARE COMPLETE, DISTURBED AREAS, OTHER THAN AREAS COVERED BY PAVEMENT OR PERMANENT STRUCTURES, SHALL HAVE A UNIFORM VEGETATIVE COVER WITH A DENSITY OF AT LEAST 70% OR HAVE BEEN STABILIZED BY OTHER MEANS

   (Area disturbed is 3 acres.)

FOR MORE DETAILED SEQUENCE OF CONSTRUCTION, SEE THE CONTRACTORS CONSTRUCTION CHART POSTED IN THE CONSTRUCTION OFFICE. (ON SITE)

EROSION AND SEDIMENTATION INSPECTION PROCEDURES

1. A QUALIFIED INSPECTOR SHALL INSPECT THE FOLLOWING ITEMS ONCE PER CALENDAR WEEK AND WITHIN 24 HOURS AFTER THE END OF A ½-INCH OR GREATER RAINFALL:
   - DISTURBED AREAS OF THE CONSTRUCTION SITE THAT HAVE NOT BEEN FINALLY STABILIZED
   - AREAS USED FOR STORAGE OF MATERIALS THAT ARE EXPOSED TO PRECIPITATION
   - STRUCTURAL AND STABILIZATION CONTROL MEASURES
   - TEMPORARY CONSTRUCTION ENTRANCE/EXIT

2. THE INSPECTOR SHALL HAVE AUTHORITY TO REQUIRE IMMEDIATE ACTION ON THE PART OF THE CONTRACTOR TO CORRECT ANY NON CONFORMING ITEMS FOUND DURING INSPECTIONS OR TO REQUIRE REVISIONS TO THE EROSION AND SEDIMENTATION (E & S) CONTROLS IF APPROPRIATE. IF REVISIONS ARE NEEDED, THEY SHALL BE IMPLEMENTED WITHIN SEVEN (7) CALENDAR DAYS AFTER THE DATE OF INSPECTION.

3. THE E & S INSPECTOR WILL PROVIDE WRITTEN REPORTS COVERING ALL ITEMS/AREAS INSPECTED AND OUTLINING CORRECTIVE MEASURES IF ANY.

4. ALL PLANS, INSPECTION REPORTS, AND CONSTRUCTION SITE NOTICES, SHALL BE RETAINED BY THE CONTRACTOR FOR A PERIOD OF AT LEAST THREE (3) YEARS FROM THE DATE THAT SITE IS FINALLY STABILIZED OR AS OTHERWISE DIRECTED BY THE TCEQ.

EROSION AND SEDIMENTATION MAINTENANCE PRACTICES

1. ALL EROSION AND SEDIMENTATION (E & S) CONTROLS SHALL BE MAINTAINED IN GOOD WORKING ORDER BY THE CONTRACTOR. WRITTEN MAINTENANCE REPORTS SHALL BE PREPARED COVERING ALL INSPECTIONS AND MAINTENANCE AFFECTING E & S CONTROLS. IF REPAIR(S) ARE NECESSARY, THEY SHALL BE COMPLETED WITHIN 7 DAYS AFTER BEING REPORTED.

2. THE TEMPORARY CONSTRUCTION ENTRANCE/EXIT SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT/MINIMIZE TRACKING OR FLOWING OF SEDIMENTS ONTO PUBLIC ROADWAYS. SEDIMENTS SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC ROADWAY WILL BE RECOVERED.

3. TEMPORARY AND PERMANENT SEEDING AND PLANTING SHALL BE MAINTAINED TO INSURE THE FOLLOWING:
   - BARE SPOTS ARE FILLED IN
   - WASH-OUTS ARE FILLED IN
   - HEALTHLY GROWTH IS PROMOTED

4. FOR SILT FENCES, ROCK BERMS AND GRAVEL BAGS: WHEN SILT REACHES A DEPTH EQUAL TO THE LESSER OF ½ THE OBSTACLE HEIGHT OR 12", THE SILT SHALL BE REMOVED AND MIXED WITH OTHER SOIL MATERIALS TO BE PLACED WITHIN THE EMBANKMENT AREAS OF THE PROJECT SITE. AFTER CONSTRUCTION IS COMPLETE, ANY REMAINING SILT SHALL BE DISPOSED OF OFF-SITE.

5. ROCK BERMS SHALL BE MAINTAINED/CLEANED BY LIFTING, DROPPING AND RESHAPING STONES AS REQUIRED.

6. SILT FENCES SHALL BE MAINTAINED TO INSURE THE FOLLOWING:
   - TORN FABRIC IS REPLACED
   - LOOSE FABRIC IS PROPERLY RESECURED
   - LOOSE P0ST SUPPORTS ARE PLUMBED AND STRENGTHENED
   - FABRIC BOTTOM IS BURIED

7. GRAVEL FILTER BAGS SHALL BE MAINTAINED TO INSURE THE FOLLOWING:
   - TORN BAGS ARE REPLACED
   - SPILLED GRAVEL IS REUSED OR REMOVED
   - BAGS ARE POSITIONED TO PROVIDE MAXIMUM COVERAGE

NON-CONSTRUCTION STORMWATER DISCHARGE

1. OVERSPRAY OR EXCESS OF IRRIGATION WATERS.
2. FLUSHING OF FIRE HYDRANTS.

ALLOWABLE NON-STORM WATER DISCHARGE

1. OVERSPRAY OR EXCESS OF IRRIGATION WATER.
2. WATER USED FOR MOISTURE CONDITIONING FLEX BASE AND SUBGRADE.
3. PRESSURE WASHING OF BUILDING WALLS.
4. FLUSHING OF FIRE HYDRANTS.

ENDANGERED SPECIES

PLEASE REFER TO THE POSTED NOTICE WHICH BECOMES A PART OF THE STORMWATER POLLUTION PREVENTION PLAN FOR THE CERTIFICATION THAT SITE DISCHARGES WILL NOT AFFECT LISTED ENDANGERED SPECIES OR THEIR HABITAT.

IF ANY ENDANGERED SPECIES ARE FOUND/OBSERVED DURING CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL NOTIFY THE OWNER AND THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) DIVISION OFFICE.

DESCRIPTION AND TIMING OF EROSION AND SEDIMENT CONTROLS

TEMPORARY STABILIZATION SHALL CONSIST OF TEMPORARY SEEDING OF DISTURBED AREAS THAT ARE DENUDED BEYOND 14 DAYS WITHOUT CONSTRUCTION RESTART WITHIN 21 DAYS.

PERMANENT STABILIZATION SHALL CONSIST OF BUILDINGS, PAVEMENT, MULCHED LANDSCAPE AREAS, SODDED AREAS, AND HYDROMULCHED SEEDED AREAS. THE TIMING OF PERMANENT STABILIZATION SHALL BE AT THE COMPLETION OF ALL CONSTRUCTION ACTIVITIES IN SPECIFIC AREAS WHERE SUCH STABILIZATION WILL OCCUR.

TEMPORARY STRUCTURAL CONTROLS INCLUDE THE INSTALLATION OF SILT FENCE AT NON-CONCENTRATED DISCHARGE LOCATIONS; INSTALLATION OF ROCK BERMS AT CONCENTRATED DISCHARGE LOCATIONS; AND CONSTRUCTION OF TEMPORARY CONSTRUCTION ENTRANCE/EXIT(S). THESE CONTROLS SHALL BE INSTALLED PRIOR TO ANY

CONSTRUCTION ACTIVITY. PLACEMENT OF BAGGED GRAVEL INLET FILTERS AROUND INLET OPENINGS IMMEDIATELY AFTER INLET CONSTRUCTION.

SUMMARY OF PERMIT REQUIREMENTS

IN ASSOCIATION WITH CONSTRUCTION, THE OPERATOR MUST COMPLY WITH THE FOLLOWING REQUIREMENTS OF THE TPDES GENERAL PERMIT:

A. 1. OBTAIN A COPY OF THE GENERAL PERMIT (TPDES PERMIT NO. TXR150000).
2. DEVELOP AND IMPLEMENT A STORM WATER POLLUTION PREVENTION PLAN (SWP3).
3. COMPLETE AND POST A COPY OF THE CONSTRUCTION SITE NOTICE. THE NOTICE SHALL BE POSTED IN A LOCATION VISIBLE TO THE GENERAL PUBLIC AS WELL AS REGULATORY AGENCY PERSONEL.

A COPY OF THE CONSTRUCTION SITE NOTICE SHALL ALSO BE SENT TO THE CITY OF BULVERDE AT LEAST (2) DAYS PRIOR TO THE START OF CONSTRUCTION. SEND TO:

CITY OF BULVERDE
30360 COUGAR BEND
BULVERDE, TEXAS 78163
PHONE: (830) 438-3612
FAX: (830) 438-4339

B. THE STORM WATER POLLUTION PREVENTION PLAN MUST BE UPDATED BY THE CONTRACTOR EACH TIME THAT THERE IS A CHANGE IN THE CONSTRUCTION ACTIVITIES AND/OR EROSION CONTROL DEVICES.

C. A SIGNED COPY OF THIS PLAN ALONG WITH COPY OF THE GENERAL PERMIT MUST BE AVAILABLE AT THE SITE AT ALL TIMES. INSPECTION REPORTS MUST BE KEPT UP TO DATE AND AVAILABLE AT THE SITE AT ALL TIMES.

D. A COPY OF THE CURRENT CONSTRUCTION SITE NOTICE AND A BRIEF DESCRIPTION OF THE PROJECT MUST BE POSTED IN A PROMINENT PLACE FOR PUBLIC VIEWING AT THE CONSTRUCTION SITE AT ALL TIMES.

E. EROSION CONTROLS SHALL BE INSPECTED AND MAINTAINED AS DESCRIBED HEREIN. THIS PLAN AND INSPECTION REPORTS MUST BE RETAINED FOR A TIME PERIOD OF AT LEAST THREE YEARS FOLLOWING FINAL STABILIZATION OF THE SITE.

F. THE CONTRACTOR'S PERMIT MUST IDENTIFY EACH CONTRACTOR AND SUBCONTRACTOR ENGAGED IN MAJOR CONSTRUCTION ACTIVITIES. IN ORDER TO DO THIS, THE OPERATOR OF THE SITE MUST ADD INFORMATION ABOUT APPROPRIATE CONTRACTORS AND SUBCONTRACTORS IN THE STORM WATER POLLUTION PREVENTION PLAN DURING THE COURSE OF CONSTRUCTION.

G. THE SUBCONTRACTORS MUST SIGN THE APPROPRIATE CERTIFICATE STATEMENTS AGREEING TO CONDUCT CONSTRUCTION ACTIVITIES FOLLOWING THE GUIDELINES OF THE GENERAL PERMIT AND THIS PLAN.

H. CITY OF BULVERDE SHOULD BE NOTIFIED UPON STABILIZATION OF THE SITE. SEND TO:

CITY OF BULVERDE
30360 COUGAR BEND
BULVERDE, TEXAS 78163
PHONE: (830) 438-3612

FAX: (830) 438-4339

THE SITE IS CONSIDERED STABILIZED AFTER ALL IMPERVIOUS COVER IS COMPLETED AND ALL VEGETATED AREAS ARE EITHER MULCHED AND/OR HAVE A UNIFORM VEGETATIVE COVER WITH A DENSITY OF AT LEAST 70%.

I. DIRECT QUESTIONS ABOUT THE TPDES PROGRAM TO THE TEXAS COMMISSION ON ENVIRIONMENTAL QUALITY (TCEQ) - REGION 13 OFFICE @ (210) 490-3096.

TEXAS COMMISSION ON ENVIORNMENTAL QUALITY (TCEQ)
REGION 13
14250 JUDSON ROAD
SAN ANTONIO, TEXAS 78233

CERTIFICATIONS

TPDES CONSTRUCTION GENERAL PERMIT (TXR150000)

CERTIFICATION SIGNATURE PAGE

THE STORM WATER POLLUTION PREVENTION PLAN (SWP3) REQUIRED TO BE DEVELOPED UNDER THE TPDES CGP PERMIT (TXR150000) MUST BE SIGNED ACCORDING TO 30 TEXAS ADMINISTRATIVE CODE 305.44 RELATING TO SIGNATORY AUTHORITIES. AN AUTHORIZED AGENT OF THE ENTITY SUBMITTING FOR PERMIT COVERAGE MUST SIGN AND DATE THE SWP3 AND MAINTAIN THE SIGNATURE WITHIN THE PLAN.

I CERTIFY UNDER PENALTY OF LAW THAT THIS DOCUMENT AND ALL ATTACHMENTS WERE PREPARED UNDER MY DIRECTION OR SUPERVISION IN ACCORDANCE WITH A SYSTEM DESIGNED TO ASSURE THAT QUALIFIED PERSONNEL PROPERLY GATHER AND EVALUATE THE INFORMATION SUBMITTED. BASED ON MY INQUIRY OF THE PERSON OR PERSONS WHO MANAGE THE SYSTEM, OR THOSE PERSONS DIRECTLY RESPONSIBLE FOR GATHERING THE INFORMATION, THE INFORMATION SUBMITTED IS, TO THE BEST OF MY KNOWLEDGE AND BELIEF, TRUE, ACCURATE, AND COMPLETE. I AM AWARE THERE ARE SIGNIFICANT PENALTIES FOR SUBMITTING FALSE INFORMATION, INCLUDING THE POSSIBILITY OF FINE AND IMPRISONMENT FOR KNOWING VIOLATIONS.

COMPANY NAME

ADDRESS | TELEPHONE NUMBER

CITY | STATE | ZIP CODE

PRINT NAME | TITLE

SIGNATURE | DATE

SINGING HILLS COMMERCIAL – BULVERDE, TX.

CONTRACTOR & SUBCONTRACTOR CERTIFICATION

I CERTIFY UNDER PENALTY OF LAW THAT I UNDERSTAND THE TERMS AND CONDITIONS OF THE GENERAL TEXAS POLLUTION DISCHARGE ELIMINATION SYSTEM (TPDES) PERMIT THAT AUTHORIZED THE STORMWATER DISCHARGED ASSOCIATED WITH INDUSTRIAL ACTIVITY FROM THE CONSTRUCTION SITE IDENTIFIED AS PART OF THIS CERTIFICATION:

(ALL CONTRACTORS AND SUBCONTRACTORS SHALL COMPLETE AND SIGN THIS FORM PRIOR TO START OF WORK BY THE CONTRACTOR OR SUBCONTRACTOR).

COMPANY NAME

ADDRESS TELEPHONE NUMBER

CITY STATE ZIP CODE

PRINT NAME TITLE

SIGNATURE DATE

COMPANY NAME

ADDRESS TELEPHONE NUMBER

CITY STATE ZIP CODE

PRINT NAME TITLE

SIGNATURE DATE

CONSTRUCTION SITE NOTICE

Attachment 4

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water Program

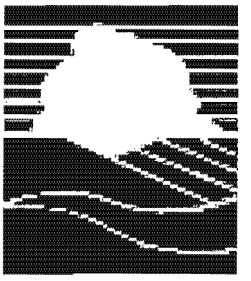
TPDES GENERAL PERMIT TXR150000

"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:	

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.*

TPDES
GENERAL PERMIT
NO. TXR150000

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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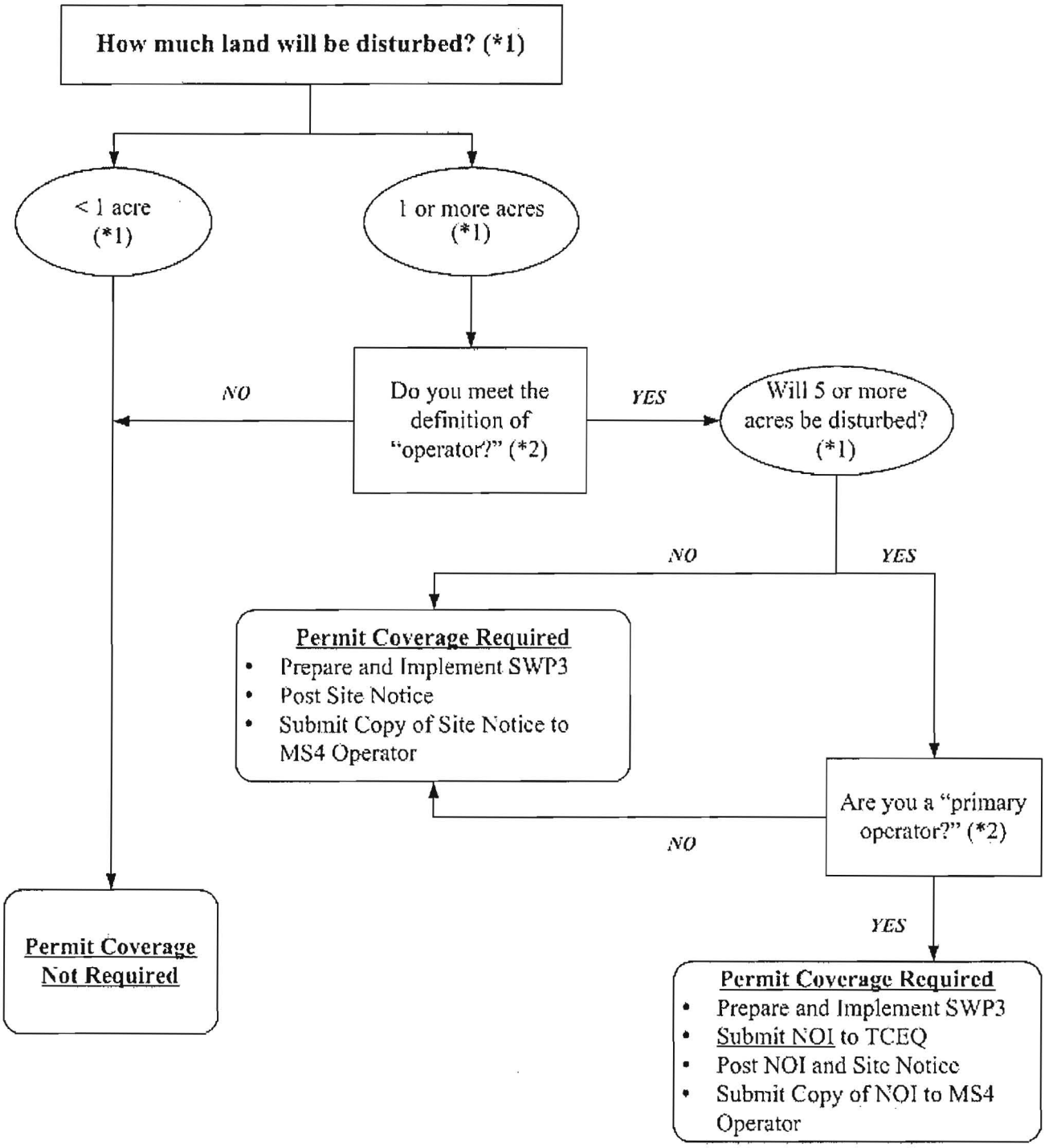
Section A. Flow Chart to Determine Whether Coverage is Required



*(*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.

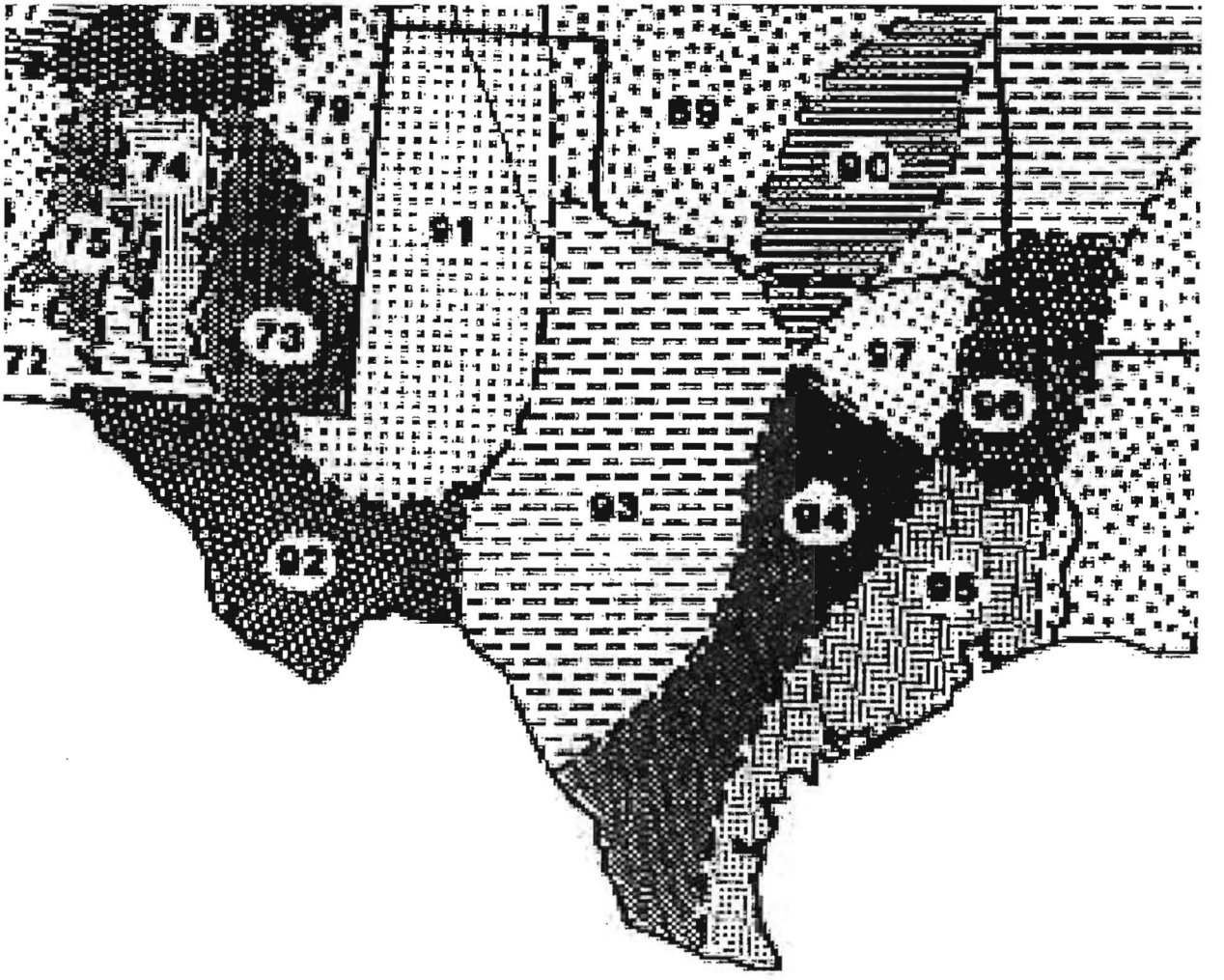
2. Fees are due upon submission of the NOI. An NOI will not be declared administratively complete unless the associated fee has been paid in full.

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

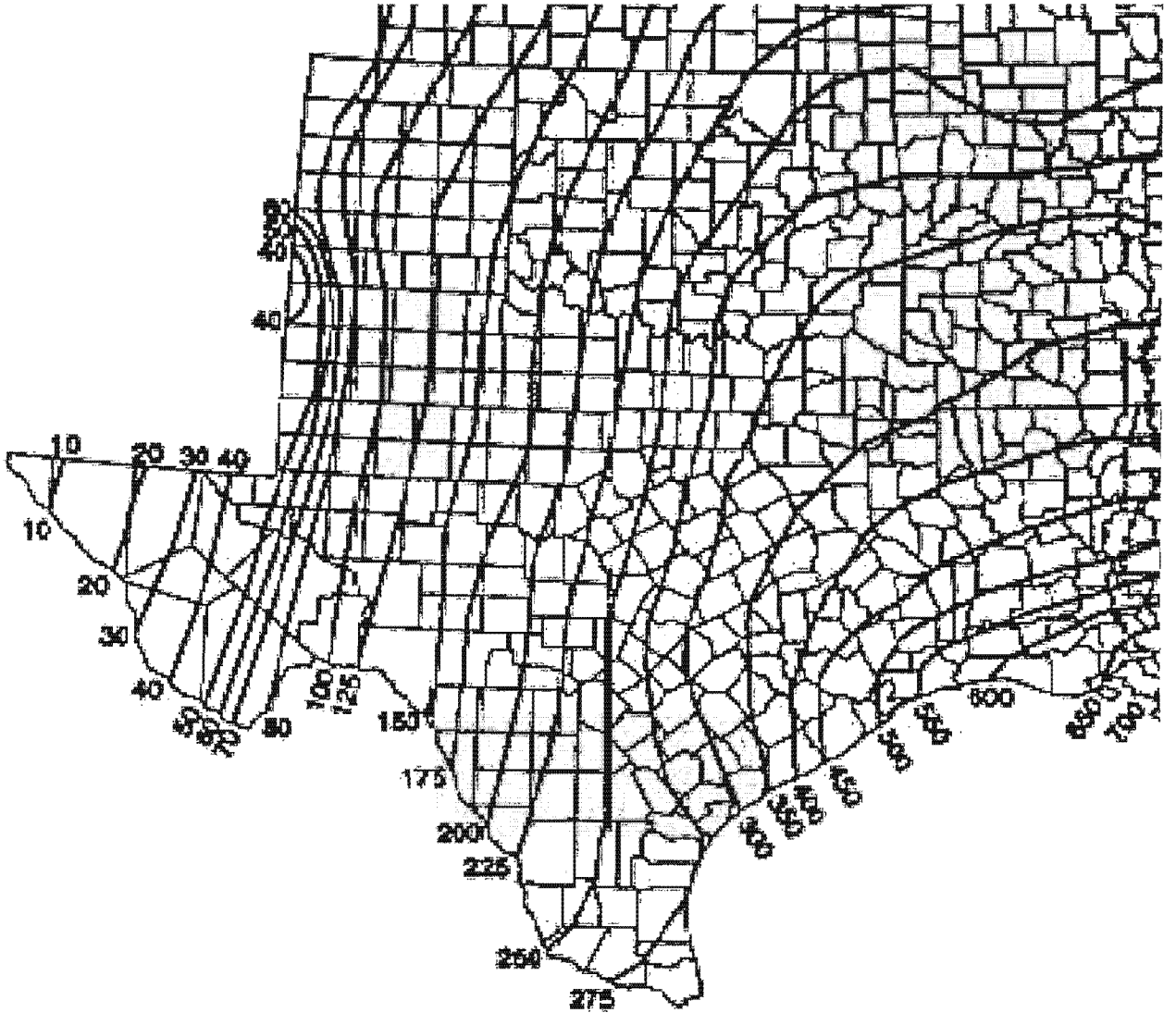
Andrews: Nov. 15 - Apr. 30
Archer: Dec. 15 - Feb. 14
Armstrong: Nov. 15 - Apr. 30
Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14
Baylor: Dec. 15 - Feb. 14
Borden: Nov. 15 - Apr. 30
Brewster: Nov. 15 - Apr. 30
Briscoe: Nov. 15 - Apr. 30
Brown: Dec. 15 - Feb. 14
Callahan: Dec. 15 - Feb. 14
Carson: Nov. 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
Deaf Smith: Nov. 15 - Apr. 30
Dickens: 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
Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14
Jones: 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:	

INSPECTION FORMS

SINGING HILLS COMMERCIAL
Inspection Report

Note: Contractor shall retain the inspection report on site for review by regulating agencies.

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fences	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berms	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			

Inspector's Name

Inspector's Signature

Inspection Date

SINGING HILLS COMMERCIAL
Inspection Report

Note : Contractor shall retain the inspection report on site for review by regulating agencies.

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fences	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berms	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			

Inspector's Name

Inspector's Signature

Inspection Date

SINGING HILLS COMMERCIAL
Inspection Report

Note : Contractor shall retain the inspection report on site for review by regulating agencies.

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fences	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berms	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			

Inspector's Name

Inspector's Signature

Inspection Date

SINGING HILLS COMMERCIAL
Inspection Report

Note: Contractor shall retain the inspection report on site for review by regulating agencies.

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fences	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berms	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			

Inspector's Name

Inspector's Signature

Inspection Date

SINGING HILLS COMMERCIAL
Inspection Report

Note : Contractor shall retain the inspection report on site for review by regulating agencies.

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fences	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berms	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			

Inspector's Name

Inspector's Signature

Inspection Date

SINGING HILLS COMMERCIAL
Inspection Report

Note : Contractor shall retain the inspection report on site for review by regulating agencies.

Pollution Prevention Measure		Inspected	Corrective Action	
			Description	Date Completed
Silt Fences	Inspections			
	Fencing			
	Sediment Removal			
	Torn Fabric			
	Crushed/Collapsed Fencing			
Rock Berms	Inspections			
	Remove sediment and Debris			
	Repair any loose wire sheathing			
	Reshaping			
	Replaced			
Bagged Gravel Inlet Filters	Inspections			
	Replaced/Reshaped			
	Silt Removed			
Construction Entrance/Exit	Inspections			
	Additional top Dressing			
	Repair/Cleanout			
	Sediment removed immediately			

Inspector's Name

Inspector's Signature

Inspection Date

STORM WATER POLLUTION PREVENTION PLAN MAP

CURVE DATA TABLE

CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING & DIST.
1	360.00'	143.20'	22°47'30"	N 79°06'14" E ~ 142.26'
2	250.00'	174.17'	39°55'02"	N 86°43'18" E ~ 170.67'
3	330.00'	86.67'	15°02'55"	S 80°50'39" E ~ 86.43'
4	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'
5	500.00'	53.13'	06°05'19"	S 85°19'27" E ~ 53.11'

LINE TABLE

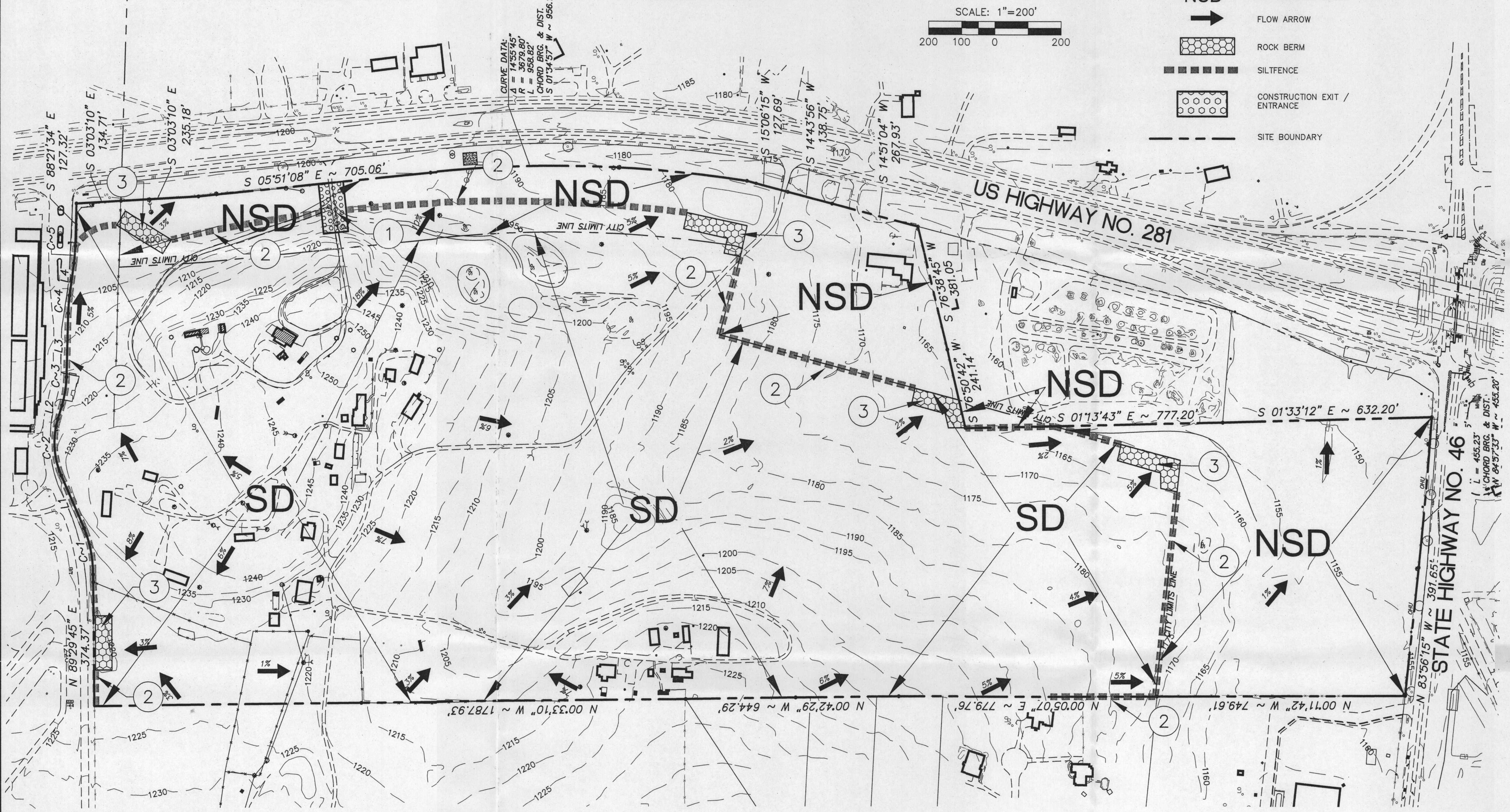
LINE	BEARING	DISTANCE
1	N 66°45'47" E	174.00'
2	S 73°19'11" E	42.33'
3	S 88°22'06" E	190.99'
4	S 82°16'47" E	97.67'
5	N 00°38'21" E	66.74'

SCALE: 1"=200'

200 100 0 200

LEGEND

- 1200 — EXISITNG CONTOURS
- SD — SOIL DISTURBANCE
- NSD — NO SOIL DISTURBANCE
- FLOW ARROW
- ROCK BERM
- SILTFENCE
- CONSTRUCTION EXIT / ENTRANCE
- SITE BOUNDARY



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 snow cover or frozen ground 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;

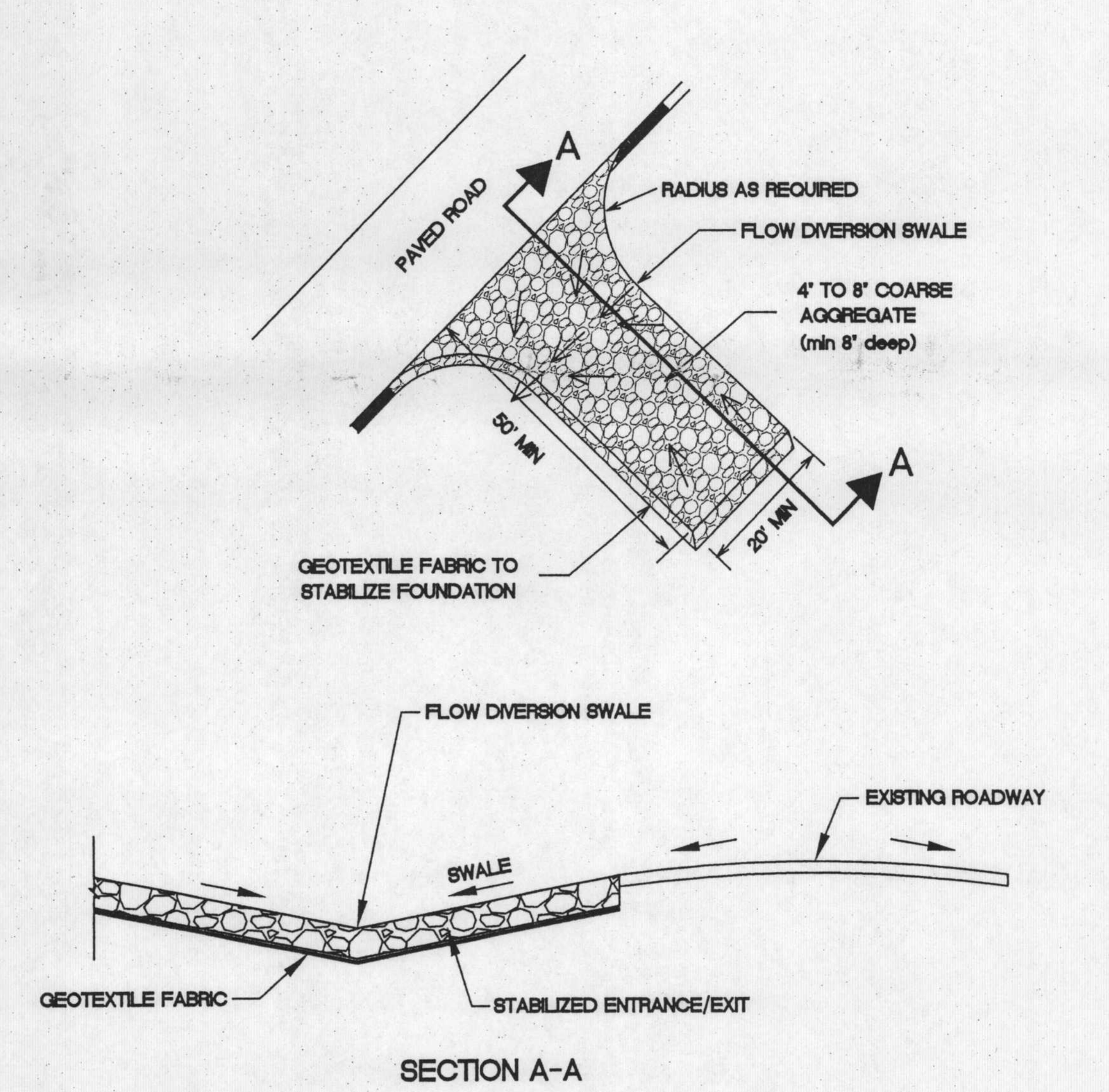
   B. any change in the nature or character of the regulated activity from that which was originally approved;

   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.

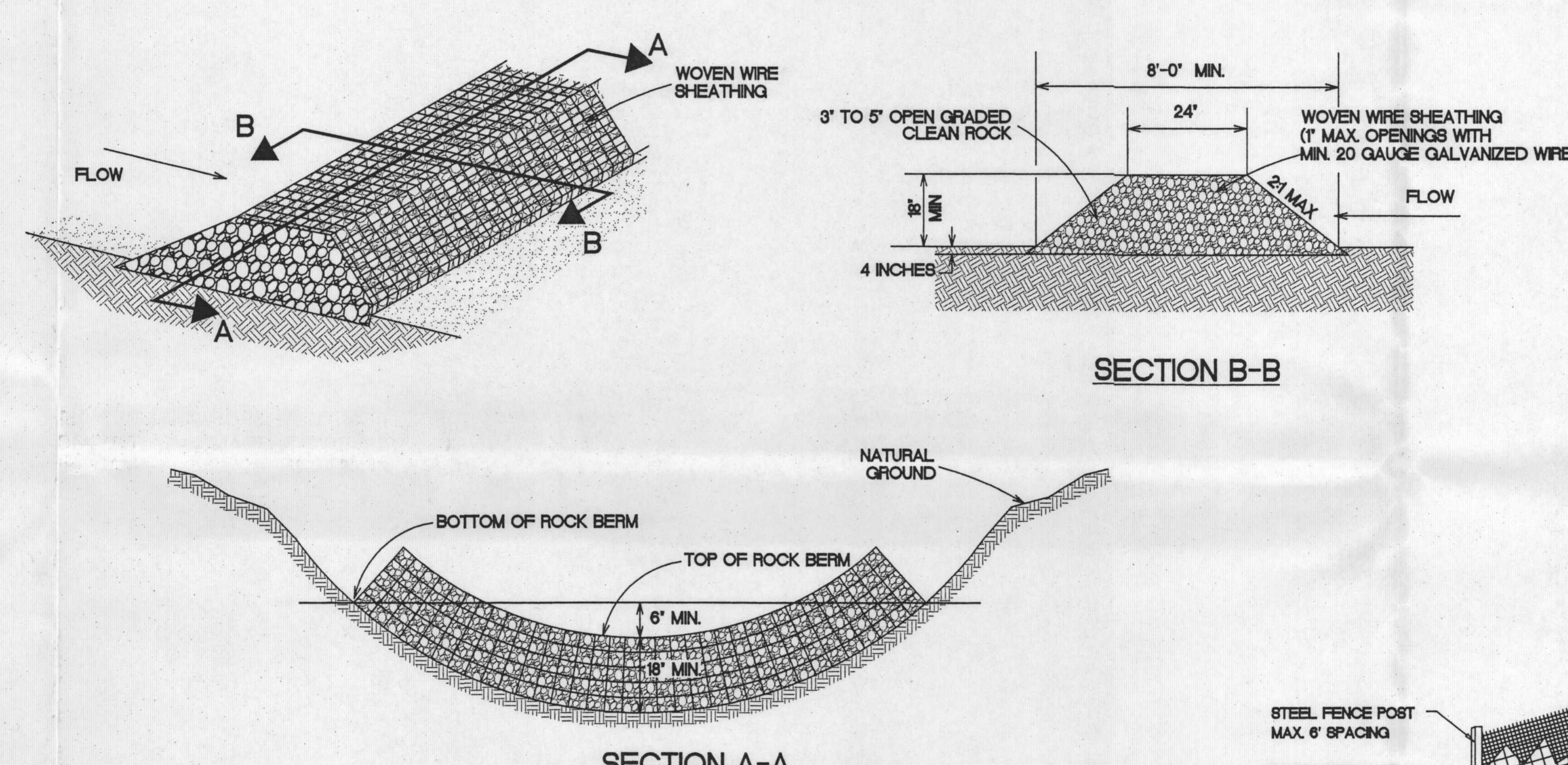
Austin Regional Office	San Antonio Regional Office
2800 S. IH 35, Suite 100 Austin, Texas 78704-5712 Phone (512) 339-2929 Fax (512) 339-3795	14250 Judson Road San Antonio, Texas 78233-4480 Phone (210) 490-3096 Fax (210) 545-4329

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



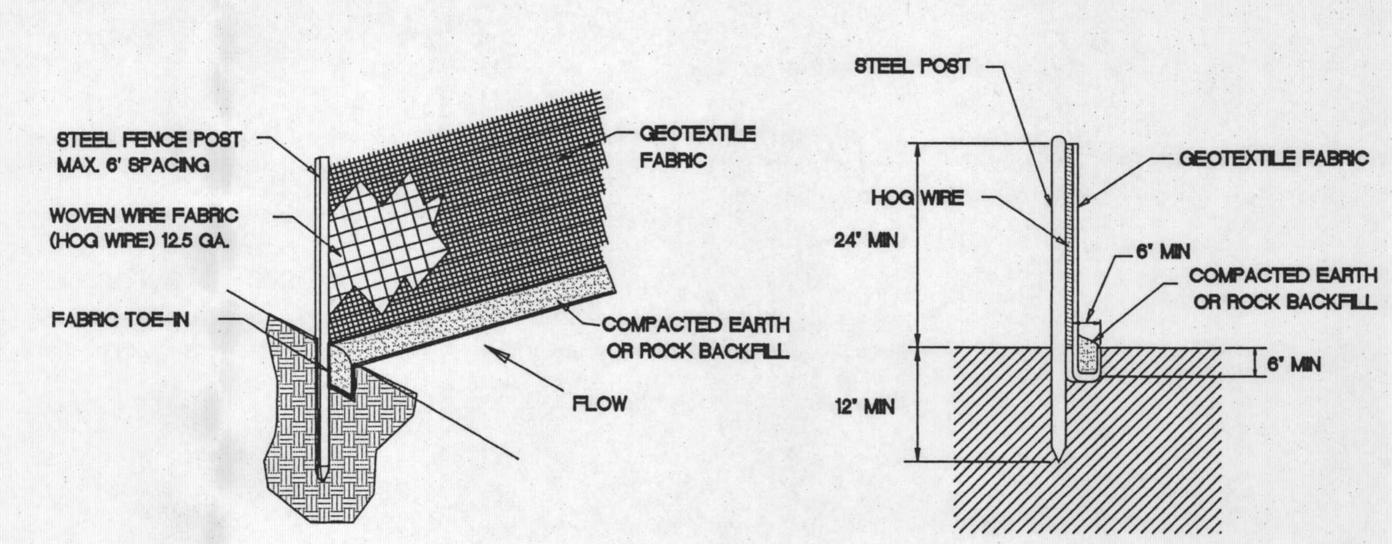
TEMPORARY CONSTRUCTION ENTRANCE/EXIT

N.T.S.



ROCK BERM

N.T.S.



SILT FENCE

N.T.S.

GENERAL NOTES

LOCATIONS OF MAJOR STRUCTURAL AND NONSTRUCTURAL CONTROLS ARE LABELED. THESE ARE THE TEMPORARY BEST MANAGEMENT PRACTICES.

SOIL STABILIZATION PRACTICES SHALL OCCUR OVER ALL OF THE AREAS DISTURBED THROUGH THE USE OF GRASS SEEDING AND MULCH.

THERE ARE NO LOCATIONS WHERE STORMWATER DISCHARGES TO SURFACE WATER.

INSPECTION OF TEMPORARY BMPS (SILT FENCES, ROCK BERMS, AND TEMPORARY CONSTRUCTION ENTRANCE/EXIT DEVICES) SHALL BE MADE WEEKLY AND AFTER EACH RAINFALL. TLR REPLACEMENT SHALL BE MADE PROMPTLY BY THE CONTRACTOR AS NEEDED.

NO 100 YR FEMA FLOODPLAIN.

BMP KEYNOTES

1. TEMPORARY CONSTRUCTION ENTRANCE/EXIT (INCL. X-SECTION FOR DIVERSION)
2. SILT FENCE
3. ROCK BERM

REVISIONS

NO.	DATE	DESCRIPTION	BY

PROJ. #	DGN. BY:	DWN. BY:	CHKD. BY:	DATE:
000000.00	CD	CD	CD	2/22/11

MTR
Moy Tarin Ramirez Engineers, LLC
· Engineers · Surveyors · Planners
FIRM TBPE NO. F-5297
12770 CIMARRON PATH, SUITE 100
SAN ANTONIO, TEXAS 78249
TEL: (210) 698-5051
FAX: (210) 698-5085

STATE OF TEXAS — DUANE A. MOY — 69258 — REGISTERED PROFESSIONAL ENGINEER — 2/23/11

SINGING HILLS COMMERCIAL

STORM WATER POLLUTION PREVENTION PLAN

BULVERDE, COMAL COUNTY, TEXAS

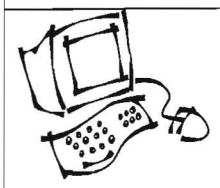
SHEET

1

NOTICE OF INTENT (NOI)

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

TCEQ Office Use Only
Permit No.: TXR15
RN:
CN:
Ref No:



Sign up now for ePermits NOI at www6.tceq.state.tx.us/steers
Get Instant Permit Coverage and only pay a $225 application fee.

If filing a paper NOI you can pay the application fee on line? Go to https://www6.tceq.state.tx.us/epay/

IMPORTANT:
- Use the **INSTRUCTIONS** to fill out each question in this form.
- Use the attached **CUSTOMER CHECKLIST** to make certain all you filled out all required information.
- Incomplete applications **WILL** delay approval or result in **automatic Denial**.

Renewal of General Permit
Is this NOI to renew an ACTIVE permit?
Yes - What is your permit number? **Permit No. TXR15** _____
No - a permit number will be issued.

Application Fee if mailing a paper NOI:
You must pay the $325 Application Fee to TCEQ for the application to be considered complete.
Payment and NOI must be mailed to separate addresses. See instructions for correct mailing addresses.

Provide your payment information below, for us to verify payment of the application fee:

Mailed:	Check/Money Order No.:	Company Name on checking account:
EPAY:	Voucher No.:	Is the Payment Voucher copy attached? Yes

A. OPERATOR (applicant)

1. If the applicant is currently a customer with TCEQ, what is the Customer Number (CN) issued to this entity?
CN (Search Central Registry)

2. What is the Legal Name of the entity (applicant) applying for this permit?

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

3. What is the name and title of the person signing the application?
(The person must be an official meeting signatory requirements in TAC 305.43(a).)

Name:	Job Title:

4. What is the Operator's (applicant) mailing address as recognized by the **US Postal Service**? (verify at USPS.com)

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA).	Country Code:	Postal Code:

5. Phone No.: ( )	Extension:
6. Fax No.: ( )	E-mail Address:

7. Indicate the type of Customer:

☐ Individual	☐ Sole Proprietorship-D.B.A.	☐ Limited Partnership
☐ Corporation	☐ Federal Government	☐ General Partnership
☐ State Government	☐ County Government	☐ City Government
☐ Other Government	☐ Other (describe):	

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

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

10. Customer Business Tax and Filing Numbers *(This item is not applicable to Individuals, Government, GP or Sole Proprietor.)*
REQUIRED for Corporations and Limited Partnerships (**Verify the entity's status and filing no. with TX SOS at 512/463-5555**)

State Franchise Tax ID Number:	Federal Tax ID:
TX SOS Charter (filing) Number:	DUNS Number (if known):

B. APPLICATION CONTACT

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

1. Name:	Title:	Company: Moy Tarin Ramirez Engineers, LLC.
2. Phone No.: ( )	Extension:	
3. Fax No.:	E-mail Address:	

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

1. TCEQ Issued RE Reference Number (RN): **RN**

(Search Central Registry)

2. Name of Project or Site (the name as known by the community where this facility/project is located):

(example: phase and name of subdivision or name of project that's unique to the site)

3. Does the site have a physical address?

If Yes, complete **Section A** for a physical address.

If No, complete **Section B** for site location information.

Section A: Enter the physical address for the site. **(verify it with USPS.com or other delivery source)**

Street Number:	Street Name:
City:	ZIP Code:

Section B: Enter the site location information.

If no physical address (Street Number & Street Name), provide a written location access description to the site:
(Ex.: phase 1 of Woodland subdivision located 2 miles west from intersection of Hwy 290 & IH35 accessible on Hwy 290 South)

City where the site is located or nearest city to site:	ZIP Code where site is located:

4. Identify the county where the site is located:

5. Latitude:	Longitude:

6. What is the primary business of this entity? In your own words, briefly describe the primary business of the Regulated Entity:
(Do not repeat the SIC and NAICS code)

7. What is the mailing address for the regulated entity?

Is the RE mailing address the same as the Operator? ☐ Yes, address is the same as Operator ☐ No, provide the address

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

D. GENERAL CHARACTERISTICS

1. Is the site located on Indian Country Lands? ☐ No ☐ Yes – If Yes, do not submit this NOI. Contact EPA, Region VI
If the site is on Indian country lands, you must obtain authorization through EPA, Region VI.

2. What is the Standard Industrial Classification (SIC) code (see instructions for common codes): **(Search Osha.gov)**

Primary: _____ Secondary: _____

3(a) What is the total number of acres disturbed? _____

3(b) Is the project site part of a larger common plan of development or sale? ☐ Yes ☐ No

If **Yes**, the total number of acres disturbed can be less than 5 acres.

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

4. Discharge Information (all information MUST be provided or the permit will be denied)

4(a) What is the name of the water body(s) to receive the storm water runoff or potential runoff from the site?

4(b) What is the segment number(s) of the classified water body(s) that the discharge or potential discharge will eventually reach?

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

☐ Yes ☐ No

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

4(d) Is the discharge into an MS4? ☐ Yes ☐ No

If **Yes**, what is the name of the MS4 Operator? _____

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

4(e) Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer?

☐ Yes ☐ No

If the answer is Yes, please note that a copy of the agency approved Plan required by the Edwards Aquifer Rule (30 TAC Chapter 213) must be included or referenced in the Storm Water Pollution Prevention Plan.

E. CERTIFICATION

Check "Yes" to the certifications below. **Failure to certify to all items will result in denial.**

☐ Yes	I certify that I have obtained a copy and understand the terms and conditions of the general permit (TXR150000).
☐ Yes	I certify that the full legal name of the entity (Operator) applying for this permit has been provided and is legally authorized to do business in Texas.
☐ Yes	I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.
☐ Yes	I certify that a storm water pollution prevention plan has been developed and will be implemented prior to construction, and that is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000.

Operator Certification:

I, _____ _____

Typed or printed name *(Required & must be legible)* Title *(Required & legible)*

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.

	Customer GP Notice of Intent Checklist **TXR150000**
√	This checklist is for use by the operator to ensure a complete application. Missing information may result in denial of coverage under the permit. (See NOI Process description in the Instructions)
☐	**Application Fee of $325.00** was mailed separately to TCEQ's Cashiers's Office (separate from the NOI) or the EPAY payment voucher is attached.
	OPERATOR INFORMATION - Confirm each item is complete: √
☐	Customer Number (CN) issued by TCEQ Central Registry
☐	Legal Name as filed to do business in Texas (Call TX SOS 512/463-5555)
☐	Name and Title of person signing the application. This person must meet signatory requirements in 30 TAC Section 305.43
☐	Operator Mailing Address is complete & verifiable with USPS. www.usps.com
☐	Phone Numbers/E-mail Address
☐	Type of Operator (Entity Type)
☐	Independent Operator
☐	Number of Employees
☐	For Corporations or Limited Partnerships – Tax ID and SOS Filing numbers are REQUIRED
	Application Contact person we can call for questions about this application.
	REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE - Confirm each item is complete: √
☐	Regulated Entity Reference Number (RN) (if site is already regulated by TCEQ)
☐	Site/Project Name/Regulated Entity
☐	Site/Project (RE) Physical Address Please do not use a rural route or post office box for a site location
☐	**Or** if no physical address, the location information that includes description, zip code and city is listed.
☐	Latitude and Longitude TCEQ USGS Topographic Map Viewer or TerraServer-USA
☐	Business description
☐	Site Mailing Address (checked same as operator or complete & verifiable with USPS. www.usps.com)
	GENERAL CHARACTERISTICS - Confirm each item is complete: √
☐	Indian Country Lands –the facility is not on Indian Country Lands
☐	Standard Industrial Classification (SIC) code www.osha.gov/oshstats/sicser.html
☐	Acres Disturbed is provided and qualifies for coverage through a NOI.
☐	Common plan of development or for sale?
☐	Discharge Information:
☐	receiving water body
☐	segment number(s) is REQUIRED
☐	water body on the latest EPA-Approved Clean Water Act 303(d) list of impaired waters
☐	MS4 Operator
☐	Edwards Aquifer Rule
☐	**CERTIFICATION** Certification statements have been checked indicating "Yes" Signature meets 30 Texas Administrative Code (TAC) §305.44 and is original and has been provided for the Operator.

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

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI) and other related forms:

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

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

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-3700, 512/245-0130 or swpermit@tceq.state.tx.us
Technical Questions relating to the general permit:	512/239-4671 or swgp@tceq.state.tx.us
Environmental Law Division:	512/239-0600
Records Management 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:	512/239-0357 or 512/239-0187

Notice of Intent Process:

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

1. **Administrative Review:** Each item on the form will be reviewed for a complete response. In addition, the operator's legal name must be verified with Texas Secretary of State as valid and active (if applicable). The address(s) on the form must be verified with the US Postal service as 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.

3. **Acknowledgment of Coverage:** An Acknowledgment Certificate will be mailed to the operator. This certificate acknowledges coverage under the general permit.

-or-

Denial of Coverage: If the application is too incomplete to process, or the operator fails to respond to the NOD or the response is inadequate, coverage under the general permit may be denied. If coverage is denied, the operator will be notified.

General Permit (Your Permit)

If filing the NOI through ePermits online application, coverage under the general permit begins the day the NOI is submitted to TCEQ through epermits. **Sign up now for on line NOI at https://www6.tceq.state.tx.us/steers/**

If mailing a paper NOI, coverage under the general permit begins **seven (7) days after a completed NOI is postmarked for delivery to** the TCEQ. You should have a copy of your general permit when submitting your application.

You may view and print your permit for which you are seeking coverage, on the TCEQ web site http://www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15_AIR.html.

General Permit Forms

The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) #20391 with instructions are available in Adobe Acrobat PDF format on the TCEQ web site http://www.tceq.state.tx.us/permitting/water_quality/stormwater/TXR15_AIR.html.

Sign up now for on line Notice of Termination application at https://www6.tceq.state.tx.us/steers/

Change in Operator

An authorization under the general permit is not transferable. If the operator or owner 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.

TCEQ Central Registry Core Data Form
The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For Construction Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since construction project sites can overlap with other Customers. The RN assigned to your construction project will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at www4.tceq.state.tx.us/crpub. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

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

Application Fees:

$225.00 application fee if submitting the NOI through ePermits.
$325.00 application fee if submitting a paper NOI for processing.

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

• Mailed Payments:
DO NOT mail your check with the original Notice of Intent application.
Use the attached Application Fee payment submittal form is mailing the payment. Do not include a copy of the NOI.

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

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

• ePAY Electronic Payment:
Go to https://www6.tceq.state.tx.us/epay/
Select Water Quality, then select the fee category "GENERAL PERMIT CONSTRUCTION STORM WATER DISCHARGE NOI APPLICATION".
You must include a copy of the payment voucher with your NOI. Your NOI will not be considered complete without the payment voucher.

The Annual Water Quality Fee has been consolidated into the Application Fee effective March 5, 2008. An annual fee will not be assessed and billed to operators on 9/1/2008. This does not relieve the operator of fees due for prior fiscal year assessments.

The operator will continue to receive an invoice for payment of any past due annual fee. 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 was active on September 1 of the FY billed.

INSTRUCTIONS FOR FILLING OUT THE NOI 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 documents forming the entity, that is filed in the county where doing business. You may contact the SOS at 512/463-5555, or go to http://www.sos.state.tx.us/corp/contact.shtml 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. Name and Title of person signing the Notice of Intent application form. Signature meets 30 Texas Administrative Code (TAC) §305.44

4. Operator Mailing Address

Provide a complete mailing address for receiving 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.

5. 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.

6. Fax Number and E-mail Address

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

7. Type of Entity

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

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

Sole Proprietorship— D.B.A. is a customer that is owned by only one person and has not been incorporated. This business may:

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

Partnership is a customer that is established as a partnership as defined by the Texas Secretary of State's Office.

Corporation the customer meets all of these conditions:

- is a legally incorporated entity under the laws of any state or country
- is recognized as a corporation by the Texas Secretary of State
- has proper operating authority to operate in Texas.

Government- Federal, state, county, or city government (as appropriate)
the customer is either an agency of one of these levels of government or the governmental body itself.

Other is Estate, Trust, etc.
the customer does not fit one of the above descriptions. Enter a short description of the type of customer in the blank provided.

8. Independent Operator

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

9. Number of Employees

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

10. State Franchise Tax ID Number

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

Federal Tax ID

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

TX SOS Charter (filing) Number

Corporations and Limited Partnerships required to register with the Texas Secretary of State are issued a charter or filing number. You may obtain further information by calling SOS at 512/463-5555 http://www.sos.state.tx.us/corp/contact.shtml.

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. Application Contact

Provide the name, title and communication information of the person that TCEQ can contact for additional information regarding this application.
If the application is missing information and there is no contact person to call, the application may be denied.

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

1. Regulated Entity Reference Number (RN)

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

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

2. Site/Project Name/Regulated Entity
If the site is already regulated by TCEQ, use the same name as on the existing Regulated Entity Reference Number (RN).

If new, 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.

3. Site/Project (RE) Physical Address

Section A: Enter the complete physical address of where the site is located. This must be a street number and street name for a complete physical address. 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.

Section B: If a site does not have an actual physical address that includes a street number and street name, then provide a complete written location access description, and the zip code and city where the site is located.
For example: "The site is located 2 miles west from intersection of Hwy 290 & IH35, located on the southwest corner of the Hwy 290 South bound lane." This includes authorizations for construction projects such as highways and subdivision.

4. Identify the County where the site is located. If the site covers more than one county, provide the county that is most affected by the authorized activity and list the additional county(s) as secondary.

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: TCEQ USGS Topographic Map Viewer or TerraServer-USA

6. Description of Activity Regulated
In your own words, briefly describe the primary business being conducted at the site. (A description specific to what you are doing that requires this authorization - Do not repeat the SIC Code(s).)

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 instructed above for the operator address.

D. GENERAL CHARACTERISTICS

1. **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.

Indian Country means (1) all land within the limits of any American Indian reservation under the jurisdiction of the U.S. government, notwithstanding the issuance of any patent, and including rights-of-way running throughout the reservation; (2) all dependent Indian communities within the borders of the United States whether within the original or subsequently acquired territory thereof, and whether within or outside the limits of a State; and (3) all Indian allotments, the Indian titles which have not been extinguished, including rights-of-way running through the same.

Indian Tribe means any Indian Tribe, band, nation, or community recognized by the Secretary of the Interior and exercising substantial governmental duties and powers.

2. **Standard Industrial Classification (SIC) code**
Provide the SIC code that best describes the construction 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: www.osha.gov/oshstats/sicser.html

3. **Estimated Area of Land Disturbed**
3(a). Provide the approximate number of acres that the construction site will disturb.
3(b). Indicate is the site is part of a common plan of development or for sale.

Construction activities that disturb less than one acre, unless they are part of a larger common plan that disturbs more than one acre, do not require permit coverage.

Construction activities that disturb between one and five acre, unless they are part of a common plan that disturbs five acres or more 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.

"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.

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

4 (b). The classified segment number(s) is REQUIRED to get coverage. Go to the link to find the segment number of the classified water body where storm water will flow http://www.tceq.state.tx.us/compliance/monitoring/water/quality/data/wqm/viewer/viewer.html . Call Water Quality Assessments at 512/239-4671 for further assistance. Another source for segments is: http://www.tceq.state.tx.us/comm_exec/forms_pubs/pubs/gi/gi-316/index.html

4 (c). If any surface water body(s) receiving discharges from the construction site are on the latest EPA-approved CWA § 303(d) list of impaired waters, provide the name(s) of the water body(s).

EPA approved CWA 303d list of impaired waters can be found at: Texas Water Quality Inventory and 303(d) List - Texas Commission on Environmental Quality - www.tceq.state.tx.us

4 (d). Identify the **MS4*** Operator name if the storm water discharge is into an MS4.

***MS4 is an acronym for Municipal separate storm sewer system. MS4 is defined as** a separate storm sewer system owned or operated by a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over 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 water in the state.

For assistance, you may call the technical staff of the Water Quality Assessment & Standards Section at 512/239-4671.

4 (e). **Edwards Aquifer Rule**
See maps on the TCEQ website to determine if the site is located within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer at http://www.tceq.state.tx.us/compliance/field_ops/eapp/viewer.html.

If the discharge or potential discharge is within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, a site specific authorization approved by the Executive Director under the Edwards Aquifer Protection Program (30 TAC Chapter 213) is required before construction can begin.

The general permit requires the approved Contributing Zone Plan or Water Pollution Abatement Plan to be included as a part of the Storm Water Pollution Prevention Plan. The certification must be answered "Yes" for coverage under the general permit.

E. CERTIFICATIONS

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

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

IF YOU ARE A CORPORATION:

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

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or

similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to §305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

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

30 Texas Administrative Code
§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

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

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

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

Texas Commission on Environmental Quality
General Permit Payment Submittal Form
$325 for a paper Construction NOI Application Fee

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

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

Mail this form and your check to:

BY REGULAR U.S. MAIL	BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality Financial Administration Division Cashier's Office, MC-214 P.O. Box 13088 Austin, TX 78711-3088	Texas Commission on Environmental Quality Financial Administration Division Cashier's Office, MC-214 12100 Park 35 Circle Austin, TX 78753

Fee Code: **GPA** General Permit: TXR150000

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

NOTICE OF TERMINATION (NOT)

Notice of Termination (NOT) for Authorizations under TPDES General Permit TXR150000

TCEQ Office Use Only
Permit No.:
RN:
CN:

Sign up now for on line NOT at http://www.tceq.state.tx.us/permitting/steers/steers.html
Get your NOT Confirmation letter immediately after submitting the on line NOT form.

What is the permit number to be terminated?
Processing will be delayed without the permit number. TXR15_____

A. OPERATOR (applicant)

1. What is the Customer Number (CN) issued to this entity? **CN**
2. What is the full Legal Name of the current permittee?

This must be the current permittee of the permit to be terminated.

3. What is the applicant's mailing address as recognized by the **US Postal Service**?

Address:	Suite No./Bldg. No./Mail Code:	
City:	State:	ZIP Code:
Country Mailing Information (if outside USA).	Country Code:	Postal Code:

4. Phone No.: ( )	Extension:
5. Fax No.: ( )	E-mail Address:

B. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. What is the TCEQ Issued RE Reference Number (RN)? **RN**
2. Name of Project or Site as currently permitted):

(example: phase and name of subdivision or name of project that's unique to the site)

3. Physical Address of Project or Site as currently permitted: (enter in spaces below)

Street Number:	Street Name:	
City:	ZIP Code:	County (Counties if >1):

4. If no physical address (Street Number & Street Name), provide the written location access description to the site:

C. REASON FOR TERMINATION

Check the reason for termination:

- ☐ Final stabilization has been achieved on all portions of the site that are the responsibility of the Operator and all silt fences and other temporary erosion controls have either been removed, or scheduled for removal as defined in the SWP3.
- ☐ Another permitted Operator has assumed control over all areas of the site that have not been finally stabilized, and temporary erosion controls that have been defined in the SWP3 have been transferred to the new Operator.
- ☐ The activity is now authorized under an alternate TPDES permit.
- ☐ The activity never began at this site that is regulated under the general permit.

D. CERTIFIC ATION

I, _____ _____
Typed or printed name Title

certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under **30 Texas Administrative Code §305.44** to sign and submit this document, and can provide documentation in proof of such authorization upon request.

Signature:_____ Date:_____
(Use blue ink)

Notice of Termination (NOT) for Authorizations under TPDES General Permit TXR150000 General Information and Instructions

GENERAL INFORMATION

Where to Send the Notice of Intent (NOI):

BY REGULAR U.S. MAIL
Texas Commission on Environmental Quality
Storm Water Processing Center (MC228)
P.O. Box 13087
Austin, TX 78711-3087

BY OVERNIGHT/EXPRESS MAIL
Texas Commission on Environmental Quality
Storm Water Processing Center (MC228)
12100 Park 35 Circle
Austin, TX 78753

TCEQ Contact list:

Application Processing Questions relating to the status and form requirements:	512/239-4671
Technical Questions relating to the general permit:	512/239-4671
Environmental Law Division:	512/239-0600
Records Management 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:	512/239-0357 or 512/239-0187

Notice of Termination Process:

A Notice of Termination is **effective on the date postmarked for delivery to** TCEQ.
When your NOT is received by the program, the form will be processed as follows:

1. **Administrative Review:** The form will be reviewed to confirm the following:
   - the permit number is provided
   - the permit is active and has been approved
   - the entity terminating the permit is the current permittee
   - the site information matches the original permit record
   - the form has the required original signature with title and date

2. **Notice of Deficiency:** If an item is incomplete or not verifiable as indicated above, a phone call will be made to the applicant to clear the deficiency. A letter will not be sent to the permittee if unable to process the form.

3. **Confirmation of Termination:** A Notice of Termination Confirmation letter will be mailed to the operator.

General Permit (Your Permit)
Coverage under the general permit begins **48 hours after a completed NOI is postmarked for delivery to** the TCEQ. You should have a copy of your general permit when submitting your application. You may view and print your permit for which you are seeking coverage, on the TCEQ web site www.tceq.state.tx.us

General Permit Forms
The Notice of Intent (NOI), Notice of Termination (NOT), and Notice of Change (NOC) 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 or owner 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.

TCEQ Central Registry Core Data Form
The Core Data Form has been incorporated into this form. **Do not send a core data form to TCEQ.**

After final acknowledgment of coverage under the general permit, the program will assign a Customer Number (CN) and Regulated Entity Number (RN). For Construction Permits, a new RN will be assigned for each Notice of Intent filed with TCEQ, since construction project sites can overlap with other Customers. The RN assigned to your construction project will not be assigned to any other TCEQ authorization.

You can find the information on the Central Registry web site at www12.tceq.state.tx.us/crpub/. You can search by the Regulated Entity (RN), Customer Number (CN) or Name (Permittee), or by your permit number under the search field labeled "Additional ID". Capitalize all letters in the permit number.

The Customer (Permittee) is responsible for providing consistent information to the TCEQ, and for updating all CN and RN data for all authorzations as changes occur. For General Permits, a Notice of Change form must be submitted to the program area.

Annual Water Quality Fee: This fee 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 and received by TCEQ.

• Mailed Payments:
You must return your payment with the billing coupon provided with the billing statement.

• ePAY Electronic Payment:
Go to www6.tceq.state.tx.us/epay
You must enter your account number provided at the top portion of your billing statement. Payment methods include Mastercard, Visa, and electronic check payment (ACH). A transaction over $500 can only be made by ACH.

INSTRUCTIONS FOR FILLING OUT THE NOT FORM

A. OPERATOR (current permittee.)

1. TCEQ Issued Customer Number (CN)

2. Legal Name of Operator
The operator must be the same entity as previously submitted on the original Notice of Intent for the permit number provided.

3. Operator Mailing Address
Provide a complete mailing address for receiving mail from the TCEQ. Update the address if different than previously submitted in the Notice of Intent or Notice of Change.

4. Phone Number, Fax Number, and E-mail Address
Provide updated contact information.

B. REGULATED ENTITY (RE) INFORMATION ON PROJECT OR SITE

1. Regulated Entity Reference Number (RN)

2. Site/Project Name/Regulated Entity
Provide the name of the site as previously submitted in the Notice of Intent for the permit number provided.

3. Site/Project (RE) Physical Address
Provide the physical address or location access description as previously submitted for the permit number provided.

C. REASON FOR TERMINATION

Indicate the reason for terminating the permit by checking one of the options. If the reason is not listed then provide an attachment that explains the reason for termination.

Please read your general permit carefully to determine when to terminate your permit. Permits will not be reactivated after submitting a termination form. The termination is effective on the date postmarked for delivery to TCEQ.

D. CERTIFICATIONS

The certification must bear an original signature of a person meeting the signatory requirements specified under 30 Texas Administrative Code (TAC) §305.44.

IF YOU ARE A CORPORATION:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(1) (see below). According to this code provision, any corporate representative may sign an NOI or similar form so long as the authority to sign such a document has been delegated to that person in accordance with corporate procedures. By signing the NOI or similar form, you are certifying that such authority has been delegated to you. The TCEQ may request documentation evidencing such authority.

IF YOU ARE A MUNICIPALITY OR OTHER GOVERNMENT ENTITY:

The regulation that controls who may sign an NOI or similar form is 30 Texas Administrative Code §305.44(a)(3) (see below). According to this code provision, only a ranking elected official or principal executive officer may sign an NOI or similar form. Persons such as the City Mayor or County Commissioner will be considered ranking elected officials. In order to identify the principal executive officer of your government entity, it may be beneficial to consult your city charter, county or city ordinances, or the Texas statute(s) under which your government entity was formed. An NOI or similar document that is signed by a government official who is not a ranking elected official or principal executive officer does not conform to

§305.44(a)(3). The signatory requirement may not be delegated to a government representative other than those identified in the regulation. By signing the NOI or similar form, you are certifying that you are either a ranking elected official or principal executive officer as required by the administrative code. Documentation demonstrating your position as a ranking elected official or principal executive officer may be requested by the TCEQ.

If you have any questions or need additional information concerning the signatory requirements discussed above, please contact the Texas Commission on Environmental Quality's Environmental Law Division at 512/239-0600.

30 Texas Administrative Code
§305.44. Signatories to Applications.

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

Agent Authorization Form
For Required Signature
Edwards Aquifer Protection Program
Relating to 30 TAC Chapter 213
Effective June 1, 1999

I Kevin Bormann,
Print Name

Vice President,
Title - Owner/President/Other

of DJL Ventures, Inc.,
Corporation/Partnership/Entity Name

have authorized Moy Tarin Ramirez Engineers, LLC
Print Name of Agent/Engineer

of Moy Tarin Ramirez Engineers, LLC
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

I also understand that:

1. The applicant is responsible for compliance with 30 Texas Administrative Code Chapter 213 and any condition of the TCEQ's approval letter. The TCEQ is authorized to assess administrative penalties of up to $10,000 per day per violation.

2. For those submitting an application who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.

3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.

4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.

5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

X _____ X 2-21-11
Applicant's Signature Date

X THE STATE OF TEXAS §
County of BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared Kevin Bormann 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 21st day of February 2011

KIM L DE LOS SANTOS
Notary Public
STATE OF TEXAS
My Comm. Exp. 12-12-2011

_____
NOTARY PUBLIC

Kim L. DeLosSantos
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 12-12-11

Texas Commission on Environmental Quality
Edwards Aquifer Protection Program
Application Fee Form

NAME OF PROPOSED REGULATED ENTITY: X Singing Hills Commercial
REGULATED ENTITY LOCATION: Approximate northwest corner of US Hwy 281 and State Hwy 46
NAME OF CUSTOMER: X DJL Ventures, Inc.
CONTACT PERSON: X Kevin Bormann PHONE: X 210-614-7051
(Please Print)

Customer Reference Number (if issued): CN 603438862 (nine digits)

Regulated Entity Reference Number (if issued): RN _____ (nine digits)

Austin Regional Office (3373) ☐ Hays ☐ Travis ☐ Williamson

San Antonio Regional Office (3362) ☐ Bexar ☒ Comal ☐ Medina ☐ Kinney ☐ Uvalde

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to (Check One):

☐ **Austin Regional Office**

☐ **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	120.42	Acres	$ 10,000.00
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	$

X _____ Signature

X 2-21-11 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

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 603438862		RN

SECTION II: Customer Information

5. Effective Date for Customer Information Updates (mm/dd/yyyy) 2/23/2011

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:	☒ Corporation	☐ Individual	☐ Sole Proprietorship- D.B.A
☐ 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:*

DJL Ventures, Inc.

10. Mailing Address: 8122 Datapoint Dr., Ste. 1000

City	State	ZIP	ZIP + 4
San Antonio	TX	78229	3273

11. Country Mailing Information *(if outside USA)*

12. E-Mail Address *(if applicable)*: kevinb@mcmi-sa.com

13. Telephone Number	14. Extension or Code	15. Fax Number *(if applicable)*
(210) 614-7051		(210) 614-8276

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)*
742527939	17425279399		011033260

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)*

Singing Hills Commercial

24. Street Address of the Regulated Entity: *(No P.O. Boxes)*	Undeliverable							
	City	Bulverde	State	TX	ZIP	78163	ZIP + 4	
25. Mailing Address:	8122 Datapoint Dr., Ste. 1000							
	City	San Antonio	State	TX	ZIP	78229	ZIP + 4	3273

26. E-Mail Address:	kevinb@mcmi-sa.com

27. Telephone Number	28. Extension or Code	29. Fax Number *(if applicable)*
(210) 614-7051		(210) 614-8276

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)
5331	5812	452990	722110

34. What is the Primary Business of this entity? *(Please do not repeat the SIC or NAICS description.)*
General retail and food service.

Questions 34 – 37 address geographic location. Please refer to the instructions for applicability.

35. Description to Physical Location:	2000 feet north of the intersection of US Hwy 281 and SH 46 on the west side of US Hwy 281

36. Nearest City	County	State	Nearest ZIP Code
Bulverde	Comal	TX	78163

37. Latitude (N) In Decimal:	29.802964		38. Longitude (W) In Decimal:	98.418424	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
29	48	11	98	25	06

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	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

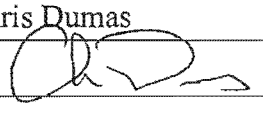
40. Name:	Chris Dumas	41. Title:	Project Manager

42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
(210) 698-5051		(210) 698-5085	cdumas@mtrengineers.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:	Moy Tarin Ramirez Engineers, LLC	Job Title:	Project Manager	
Name *(In Print)* :	Chris Dumas		Phone:	(210) 698-5051
Signature:			Date:	2/23/11

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 2, 2012

RECEIVED
NOV 2 0 2012
COUNTY ENGINEER

Mr. David Keith
SH-DJL Development, LLC
18615 Tuscany Stone, Suite 200
San Antonio, Texas 78258-3502

Re: Edwards Aquifer, Comal County

Name of Plan: Singing Hills; Located at northwest corner of the intersection of Highway 281 and State Highway 46; Bulverde, Texas

Type of Plan: Request for Approval of a Contributing Zone Plan (CZP); 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer

Edwards Aquifer Protection Program ID No. 2969.01; Investigation No. 1030114; Regulated Entity No. RN106090962

Dear Mr. Keith:

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 Moy Tarin Ramirez Engineers, LLC on behalf of DJL Ventures, Inc. and SH-DJL Development, LLC on August 27, 2012. Final review the CZP was completed after additional material was received on October 18, 2012. 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 legal boundary of the site where proposed regulated activities will occur is 253.8 acres. The site is located over the Edwards Aquifer Contributing Zone. The proposed mixed use development project will include:

- approximately 90 acres of commercial development and related infrastructure at the south and east portions of the site
- a wastewater treatment plant will be constructed on the northeast portion of the site
- approximately 86 acres of mass grading activities following with the permanent stabilization measures
- 4.4 acres of demolition activities
- approximately 78 acres will remain uncleared and undisturbed
- offsite improvements consisting of pavement widening along Highway 281 and State Highway 46.

The impervious cover will be 64.2 acres of on-site impervious cover and 1.9 acres offsite impervious cover. The total impervious cover for the project is 66.1 acres (26 percent). Project wastewater will be disposed of by conveyance to the proposed Singing Hills Water Recycling Center owned by SH-DJL Development, LLC (TCEQ ID No. WQ0015038001).

Upgradient stormwater entering the site along the north and west boundaries will flow onto the site and into a proposed detention pond. Upon discharging from the pond, this water will flow off the site in a southeasterly direction and eventually reenter the site along the southern west boundary. This runoff will be intercepted by a permanent vegetative swale into a concrete lined channel and conveyed across the site.

Permanent Pollution Abatement Measures

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, two (2) sedimentation filtration basins, 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 55,379 pounds of TSS generated from the 61.7 acres of impervious cover (66.1 acres proposed minus 4.4 acres of preexisting impervious cover). The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures are described below:

BMP Summary									
Sedimentation/Filtration Basin 1									
Watershed Area	Total Area (ac)	Impervious Cover I/C (ac)	Existing I/C (ac)	Req. WQV (ft3)	Design WQV (ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Pond 1	68.59	56.49	1.79	282,956	289,408	23,580	35,952	49,097	50,395
Sedimentation/Filtration Basin 2									
Pond 2	6.31	5.55	0	33,566	35,508	2,797	5,792	4,983	5,115

Uncaptured Areas*						
Onsite**	177	2.2	2.4		-230	—
Offsite	1.9	1.9	0.2		1,530	—
Total project	253.8	66.1	4.4		55,379	55,510

*The basin is oversized to account for the uncaptured area.
**Includes 86 acres of mass grading area, 78 acres of undisturbed/uncleared area and 13 acres within the 90 acre commercial development area. Those 13 acres will be intercepted by an underground storm drain system and discharged into the permanent concrete lined channel.

Water quality ponds 1 and 2 will utilize a concrete liner and sand filtration system consisting of 18 inch thick, ASTM C-33 sand beds and underdrain piping system covered with a minimum two inch gravel layer.

The mass grading is for future development. At this time, plans for this development have not been developed. Once those plans are finalized a modification to this CZP will be required. The mass grading will have no impervious cover and generate no wastewater. Temporary erosion and sedimentation controls will remain in place until completion of the mass grading. If the mass grading is completed before the future commercial development is presented and approved, the following permanent stabilization measures will be provided:

- The topsoil will be placed over the disturbed areas which have not already exhibited sufficient re-establishment of vegetation.
- The topsoil areas will be hydraulically mulched with grass seed to establish vegetation.
- Irrigation will be provided until sufficient vegetation has been established.

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.

IV. For any future modifications to this CZP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

V. This CZP approval letter does not include the installation of the above ground storage tank facility at any commercial developments within the site. Prior to construction of the AST

Facility, a modification to this CZP must be submitted and received approval from the executive director.

VI. The proposed project will include a construction of a no-discharge wastewater treatment facility. This approval letter is being issued for regulated activities (as defined in Chapter 213) and for best management practices presented in the application. This approval does not constitute a wastewater permit or authorization from the TCEQ Wastewater Program. If wastewater is to be discharges in the contributing zone, requirements under 30 TAC 213. 6(c) (relating to Wastewater Treatment and Disposal Systems) must be satisfied.

VII. Since the project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.24(5).

Standard Conditions

1. Pursuant to Chapter 7 Subchapter C of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.
2. The holder of the approved Edwards Aquifer protection plan must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the approved plan. Additional and separate approvals, permits, registrations and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, UIC) can be required depending on the specifics of the plan.
3. In addition to the rules of the Commission, the applicant may also be required to comply with state and local ordinances and regulations providing for the protection of water quality.

Prior to Commencement of Construction:

4. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved Contributing Zone Plan and this notice of approval shall be maintained at the project location until all regulated activities are completed.
5. Any modification to the activities described in the referenced CZP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
6. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the name of the approved plan and file number for the regulated activity, the date on which the regulated activity will commence, and the name of the prime contractor with the name and telephone number of the contact person.
7. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved Storm Water Pollution Prevention Plan (SWPPP) must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges

from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

During Construction:

8. During the course of regulated activities related to this project, the applicant or his agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
9. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been significantly reduced. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).
10. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
11. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
12. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.
13. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 5, above.

After Completion of Construction:

14. Owners of permanent BMPs and measures must insure that the BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.
15. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director

through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

16. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Contributing Zone Plan. If the new owner intends to commence any new regulated activity on the site, a new Contributing Zone Plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.
17. A Contributing Zone Plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Contributing Zone Plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Yuliya Dunaway of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-490-3096.

Sincerely,

for Lynn Bumguardner, Water Section Manager
San Antonio Region Office
Texas Commission on Environmental Quality

LB/YD/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625A
Change in Responsibility for Maintenance of Permanent BMPs, Form TCEQ-10263

cc: Mr. Duane Moy, P.E., Moy Tarin Ramirez Engineers, LLC
Mr. Tom Hornseth, P.E., Comal County
Mr. Roland Ruiz, Edwards Aquifer Authority
The Honorable Bill Kraweitz, City of Bulverde
TCEQ Central Records, Building F, MC212