

Kathleen Hartnett White, *Chairman*  
R. B. "Ralph" Marquez, *Commissioner*  
Larry R. Soward, *Commissioner*  
Glenn Shankle, *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 25, 2005

Mr. Ron Newman, Jr.  
Summit Resort Developments, Inc.  
P.O. Box 2202  
Canyon Lake, TX 78133

Re: Edwards Aquifer, Comal County  
NAME OF PROJECT: The Summit Estates, Unit 2; Located on the west side of Fischer Store Road approximately 0.8 miles north of FM 484; City of Fischer, Texas  
TYPE OF PLAN: Request for Approval of a Contributing Zone Plan (CZP); 30 Texas Administrative Code (TAC) Chapter 213 Subchapter B Edwards Aquifer  
Edwards Aquifer Protection Program File No. 2236.00; Regulated Entity No. RN104409982

Dear Mr. Newman:

The Texas Commission on Environmental Quality (TCEQ) received a Contributing Zone Plan for the referenced project that was submitted by you and received by the San Antonio office on September 23, 2004. Additional information was requested by fax on January 04, 2005 and no response had been received by this office as of January 18, 2004. Mr. Felix I. Bernal, P.E. was contacted by telephone on January 20, 2004 and was advised that the submitted CZP had been reviewed and was not found to meet the technical requirements of 30 TAC 213 Subchapter B. No response had been received by the San Antonio Regional Office as of the date of this letter. Therefore, *approval of the referenced WPAP is denied. 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 letter.*

Should clarification of this letter be desired or if we may be of any other assistance, please contact W. Robert Napier of our San Antonio office at 210.403.4073. Please reference project number 2236.00.

Sincerely,

Handwritten signature of Bobby D. Caldwell in cursive.

*for* Glen Shankle  
Executive Director  
Texas Commission on Environmental Quality

GS/LMB/eg

fc: Mr. Felix I. Bernal, P.E.  
Mr. Tom Hornseth, Comal County  
cc: Mr. Robert J. Potts, Edwards Aquifer Authority  
TCEQ Central Records MC 212

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Sincerely,

A handwritten signature in cursive script that reads "Glen Shankle".

for Glen Shankle  
Executive Director  
Texas Commission on Environmental Quality

GS/LMB/eg

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Mr. Tom Hornseth, Comal County  
cc: Mr. Robert J. Potts, Edwards Aquifer Authority  
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