

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 30, 2004

Mr. Brad Wuest
Wuest Legacy Partners, Ltd.
26245 Natural Bridge Caverns Road
San Antonio, Texas 78266

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Natural Bridge Caverns/Natural Bridge Wildlife Ranch Road Widening;
Located at 26245 Natural Bridge Caverns Road; San Antonio, Texas
TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas
Administrative Code (TAC) Chapter 213 Edwards Aquifer, Edwards Aquifer Protection Program
File No. 2142.00, Regulated Entity No. RN104161500, Customer No. CN602569725

Dear Mr. Wuest:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP application for the referenced project submitted to the San Antonio Regional Office by Rob Leonhard, P.E. of Coyle Engineering, Inc. on behalf of Wuest Legacy Partners Ltd./Natural Bridge Wildlife Ranch on February 11, 2004. Final review of the WPAP submittal was completed after additional material was received on March 31, 2004, April 13, 2004, and April 28, 2004. 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 20 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 Natural Bridge Caverns have been a tourist attraction since 1888. According to George Veni's book, "Caves & Karst of Texas" the cave was commercialized in 1964. This water pollution abatement plan covers a small road project at the juncture of the three properties, and the expansion of an existing parking lot. The land ownership, acreages, existing, proposed and total impervious cover are listed in Table 1 below.

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

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

Table I				
Property	Total Acreage	Existing Impervious Cover	Proposed Impervious Cover	Total Impervious Cover
Natural Bridge Caverns (Wuest Legacy Partners)	100	7.11 acres (7.11%)	0.66 acres (0.66%)	7.77 acres (0.08%)
Natural Bridge Caverns Wildlife Ranch, Inc. (Trudy Carol Wuest Soechting)	127	7.90 acres (6.22%)	0.46 acres (0.36%)	8.36 acres (0.07%)
Wuest Millennium Partners, Ltd	200	0.05 acres (0.025%)	0.03 acres (0.015%)	0.08 acres (0.04%)
Total	427	15.06 acres (3.52%)	1.15 acres (0.27%)	16.21 acres (3.79%)

PROJECT DESCRIPTION

The proposed commercial project will consist of:

1. Widening approximately 1,000' of existing paved entry way to Natural Bridge Caverns and Natural Bridge Wildlife Ranch (0.64 acres). This project and treatment area are located on property owned by Natural Bridge Caverns, Natural Bridge Wildlife Ranch, and Wuest Millennium Partners, Ltd.
2. Widening by three feet, 1,100' of paved entrance road to Natural Bridge Caverns (lane width = 12' adding 3' = 6,000 sq ft = 0.1377 acres). This project and treatment area are located on the property owned by Natural Bridge Caverns and Wuest Millennium Partners, Ltd.
3. Adding paved parking to the existing parking lot for the Natural Bridge Caverns (0.382 acres). This project is located on property owned by Natural Bridge Caverns. The treatment area is incorporated in the vegetated filter for Item #2 above.

The combined total acreage for these three properties is 427 acres. The net increase in impervious cover is approximately 1.15 acres. As understood, no wastewater will be generated by the proposed paving project.

PERMANENT POLLUTION ABATEMENT MEASURES

Permanent pollution abatement measures for this project are listed in Table II below. An equivalent area of driveway will be treated in lieu of treatment for the new parking area.

Table II					
Area	Existing IC	Proposed IC (Acres)	Total Suspended Solids (#/yr) Generated	TSS Treated	Treatment provided by vegetated filters (Acres)
Entrance	-----	0.61 net acres (0.85 - 0.24)	325	325	0.205 acres (8,920 sq ft)
Driveway - new 3' width	-----	0.13 acres (2000 x 3 = 6,000 sq ft)	73	-----	0.304 acres (13,260 sq ft)
Driveway - existing 22' wide	0.510 acres (1010 x 22 = 22,220 sq ft)	-----	-----	-----	
Driveway - total (22' + 3' = 25')	-----	0.64 acres (0.510 + 0.13)	-----	360 (73 + 287 from existing 22' drive)	
Parking Area- new	-----	0.382	214	-----	Treatment of parking lot provided by vegetated filter for "Total Driveway"
Total	-----	1.122 (does not include 0.510 acres of existing driveway)	612	686	-----

Vegetated filters will be constructed to treat stormwater runoff from the road projects consist of:

- A. Entrance (Northeast part of site): As presented, the 0.205 acre vegetative filter strip (446' x 20') is designed in accordance with the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices." The filter strip will:
 1. be contiguous with developed area,
 2. be at the same elevation as the developed area,
 3. have a level spreading device, and
 4. be sized to filter stormwater run-off from 0.51 acres of impervious cover .

- B. Driveway (Southwest part of site): As presented, the 0.304 acre vegetative filter strip (1105' x 12') is designed to include treatment for runoff from the driveway and parking area, and in accordance with the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices." The filter strip will:
1. be contiguous with developed area,
 2. be at the same elevation as the developed area,
 3. have a level spreading device, and
 4. be sized to filter stormwater run-off from 0.64 acres of impervious cover.

These approved measures were presented to meet the required 80 percent removal of the increased load in total suspended solids caused by the project.

GEOLOGY

According to the geologic assessment included with the application, there are seven geologic or manmade features located on or near the road project site. Two features were assessed as sensitive. The San Antonio Regional Office site did not conduct a site investigation.

SPECIAL CONDITIONS

1. Deed recordation of this approval letter is required by Standard Condition #2. Because this project overlaps three properties, each owner listed below shall be required to deed record this letter and provide proof of deed recordation to the TCEQ within 60 days of the date of this letter.
 - A. Natural Bridge Caverns (Wuest Legacy Partners, Ltd.)
 - B. Natural Bridge Wildlife Ranch (Trudy Carol Wuest Soechting), and
 - C. Wuest Millennium Partners, Ltd (Wuest Millennium Partners, Ltd.)
2. As presented in the application, "This runoff [from proposed parking additions] quickly enters a dry creek bed until it flows off of the site. Because of existing roads and general development, there is no down stream area suitable to create vegetated filter strips."

The TCEQ concedes that stormwater flows to the dry creek bed, but is concerned that it infiltrates into the subsurface and does not flow off of the site. It is unclear if the Geologic Assessment includes the proposed parking lot areas. The TCEQ will allow the construction of the roads, and requires additional geologic information about the parking lot/cavern area before approval is granted for the parking lot expansion. Construction on the proposed parking lot may begin only with the written authorization of the TCEQ.

3. Intentional discharges of sediment laden stormwater during construction are not allowed. If dewatering of excavated areas becomes necessary, the discharge will be filtered through appropriately selected temporary best management practices. These may include vegetative filter strips, sediment traps, rock berms, silt fence rings, etc.

4. Standard Condition #14 applies to all permanent best management practices, including vegetated filters.
5. The geologic assessment revealed the existence of potentially sensitive features (e.g., voids, solution cavities, openings, fractured rock, and depressions) on the site; therefore, geologic/sensitive features may be encountered during construction. If features are encountered, the applicant/contractor must comply with the requirements of 30 TAC §213.5(f)(2) and Standard Condition 9 below.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

2. 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 form (Deed Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.
3. 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 WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.
4. Modification to the activities described in the referenced WPAP 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.
5. 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 date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension.
6. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, 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.

7. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

8. During the course of regulated activities related to this project, the applicant or 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 any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify San Antonio Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.
10. No wells exist on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
11. 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 reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
12. 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.
13. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

14. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.

Mr. Brad Wuest

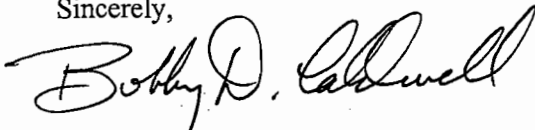
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April 30, 2004

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. The regulated 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 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 Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection 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. An Edwards Aquifer protection 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 Edwards Aquifer protection plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4024.

Sincerely,



for Margaret Hoffman
Executive Director
Texas Commission on Environmental Quality

MH/JKM/eg

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

cc: Mr. Rob Leonhard, P.E., Coyle Engineering, Inc.
Mr. Scott Halty, San Antonio Water System
Mr. Tom Hornseth, Comal County
Mr. Greg Ellis, Edwards Aquifer Authority
TCEQ Central Records, MC 212

NATURAL BRIDGE CAVERNS.

RECEIVED-TCLO

2004 APR 13 AM 9:45

SAN ANTONIO REGION

March 19, 2004

Mr. Bobby Caldwell
Texas Commission on Environmental Quality, Region 13
14250 Judson Road
San Antonio, TX 78233-4480

Reference: Road Widening Project, Wuest and Soechting Properties

Dear Mr. Caldwell,

Rob Leonhard, P.E., with Coyle Engineering, Inc., informs us that you have denied our letter of request for exemption submitted on February 2nd, 2004, and formal exception request, submitted on February 11th, 2004. It is now our understanding that we must file a complete Water Pollution Abatement Plan (WPAP) and may be required to install permanent Best Management Practices (BMPs) for the project referenced above.

Our families have owned the subject land since 1884 and have operated the businesses of Natural Bridge Caverns and Natural Bridge Wildlife Ranch since their inceptions. In addition to the entrance road area our families own hundreds of acres of land surrounding the site. Each business started out very small, and visitation has grown over the years, but we still consider our operations to be small attractions businesses. Due to the nature of the tourism industry we experience a vast majority of the season with slow to moderate visitation and a minority portion of the season with high visitation. There are a few days each year typically around the major summer holidays such as Memorial Day, Fourth of July and Labor Day when we experience extremely high visitation and traffic at peak times of the day. For these few days, traffic congestion and stack-up has been an ever-increasing issue, which is now at the point where it must be addressed for public safety. At peak times on major holidays we see the traffic back up off our property and down FM 3009 for quite some distance. But again, for the vast majority of the year, traffic is very minimal.

It is our intention to do what is reasonable, and necessary to insure the safety of our visitors, employees and passers by. If we are required to file a WPAP, we ask that you consider exempting this project from permanent BMP's, based on the project being well under the 20% impervious cover maximum for a small business. In either case, we respectfully request that you expedite this process so we can complete the necessary construction in the window of opportunity, which in essence, forces us to complete construction before the Memorial Day weekend.

A NATURAL ATTRACTION

26495 Natural Bridge Caverns Road • Natural Bridge Caverns, TX 78266
PHONE 210/651-6101 • FAX 210/651-6124 • nbcaverns@cox.com • www.naturalbridgecaverns.com

If you have any questions or if I may be of assistance please contact me. My office number is 210-651-6101 and e-mail address is bwuest@naturalbridgecaverns.com.

Thank you for your consideration of this matter.

Sincerely,



Brad Wuest, President / CEO
Natural Bridge Caverns, Inc.

A NATURAL ATTRACTION

264 E. Highway 281, Natural Bridge Caverns, TX 78266
PHONE 210/651-6101 • FAX 210/651-6102 • naturalbridgecaverns.com • www.naturalbridgecaverns.com

March 22, 2004



Mr. Bobby Caldwell
Texas Commission on Environmental Quality
14250 Judson Road
San Antonio, Texas 78233-4480

Re: Road Improvement Project
Natural Bridge Wildlife Ranch and Natural Bridge Caverns

Mr. Caldwell:

Rob Leonhard with Coyle Engineering has informed us that our letter of exception request has been denied. He also informed us that the next step would be to file a water pollution abatement plan.

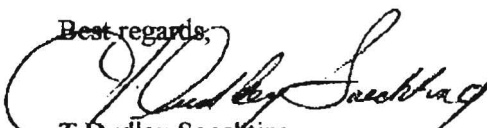
This road improvement project is very important to Natural Bridge Wildlife Ranch and Natural Bridge Caverns so that we can ensure the safety on our customers at the entrance to both businesses. Both attractions are open to the public 362 days a year, with only a small percentage of very busy days.

Our problem is really very simple. The roadway to both businesses is just not wide enough for peak periods of traffic. It is important to complete this project by Memorial Day weekend for the safety of the customers during the height of the summer tourism season.

If Natural Bridge Wildlife Ranch and Natural Bridge Caverns are required to file a water pollution abatement plan, we ask that you consider exempting us from permanent BMP's based on the fact that these businesses are well under 20% impervious cover for small business. The owners of these two businesses own a considerable amount of ranch land on both sides of this project roadway, which equates to far less than the 20% impervious rule. We also ask that you would please expedite this project, so we can complete the construction by Memorial Day weekend.

If you have any questions, or if I may be of any assistance, please call me at (830)438-7400. Thank you for your consideration.

Best regards,


T. Dudley Soechting
Natural Bridge Wildlife Ranch, Inc.

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 30, 2004

RECEIVED

MAY 05 2004

COUNTY ENGINEER

Mr. Brad Wuest
Wuest Legacy Partners, Ltd.
26245 Natural Bridge Caverns Road
San Antonio, Texas 78266

Re: Edwards Aquifer, Comal County
NAME OF PROJECT: Natural Bridge Caverns/Natural Bridge Wildlife Ranch Road Widening;
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BACKGROUND

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The combined total acreage for these three properties is 427 acres. The net increase in impervious cover is approximately 1.15 acres. As understood, no wastewater will be generated by the proposed paving project.

PERMANENT POLLUTION ABATEMENT MEASURES

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4. Modification to the activities described in the referenced WPAP 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.
5. 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 date on which the regulated activity will commence, the name of the approved plan and file number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension.
6. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, 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.

7. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

8. During the course of regulated activities related to this project, the applicant or 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 any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify San Antonio Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.
10. No wells exist on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
11. 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 reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
12. 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.
13. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

14. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.

Mr. Brad Wuest


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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. The regulated 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 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 Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection 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. An Edwards Aquifer protection 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 Edwards Aquifer protection plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
18. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

If you have any questions or require additional information, please contact John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4024.

Sincerely,



for Margaret Hoffman
Executive Director
Texas Commission on Environmental Quality

MH/JKM/eg

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

cc: Mr. Rob Leonhard, P.E., Coyle Engineering, Inc.
Mr. Scott Halty, San Antonio Water System
Mr. Tom Hornseth, Comal County
Mr. Greg Ellis, Edwards Aquifer Authority
TCEQ Central Records, MC 212

