

John Hall, Chairman
B. J. Wynne, III, Commissioner
Pam Reed, Commissioner



TEXAS WATER COMMISSION

PROTECTING TEXANS' HEALTH AND SAFETY BY PREVENTING AND REDUCING POLLUTION

July 9, 1992

Mr. William H. Borchers
Oakwood Estates, Inc.
251 South Seguin
New Braunfels, Texas 78130

Re: EDWARDS AQUIFER, Comal County
PROJECT: Oakwood Garden Homes
Southwest Corner of Oakwood Boulevard and Loop 337,
New Braunfels Texas, Comal County
TYPE: Request for Approval of Water Pollution Abatement
Plan (WPAP); 31 Texas Administrative Code (TAC)
Section 313.4

Dear Mr. Borchers:

We have completed our Texas Water Commission (TWC) review of the WPAP for the referenced proposed project that was submitted by S. Craig Hollmig on behalf of Oakwood Estates, Inc. to the District 8 Office on May 29, 1992. In response to a June 24, 1992 deficiency letter, our office received additional material on July 1, 1992 and July 7, 1992, allowing us to complete our review of the WPAP for the referenced project. The proposed Oakwood Garden Homes is to be located on the southwest corner of Oakwood Boulevard and Loop 337, New Braunfels, Comal County, Texas.

PROJECT DESCRIPTION:

The proposed Oakwood Garden Homes is to be located on the southwest corner of Oakwood Boulevard and Loop 337, New Braunfels, Comal County, Texas. This three (3) acre tract is to be developed as 14 single-family residences. Impervious cover is to be 35,000 square feet (0.803 acres) for buildings and 10,500 square feet (0.241 acres) of paved surfaces, for a total of 45,500 square feet (1.044 acres).

The projected population is estimated to be 49 people. 9,800 gallons per day of domestic wastewater is to be generated by this project, 100% domestic wastewater. It will be disposed of by conveyance to the existing Gruene Sewage Treatment Plant owned by New Braunfels Utilities.

The southeast corner of the project site is designated as "fill area" on the site plan. All fill material is to be top soil from the project site. No fill material for this project will come from an off-site location.

Approximately 12 cubic feet per second of stormwater flow will be generated in a 10 year storm event from the three (3) acre tract.

There will be no hydrocarbon or hazardous substance storage associated with this project.

Potable water will be supplied by New Braunfels Utilities.

GEOLOGY ON SITE:

A geologic assessment is not required for project consisting of less than 25 single-family residences. During the site inspection conducted on June 16, 1992 no recharge features were observed.

POLLUTION ABATEMENT:

During construction the area up-gradient of the site will remain in its natural condition to prevent pollution of stormwater originating up-gradient from the site and potentially flowing across the site. The silt fence shown on the site plan will be placed to prevent down-gradient pollution by stormwater runoff from the site.

After completion of the project grass cover will be established and maintained to prevent downgradient pollution by contaminated stormwater runoff from the site.

Silt fences should be used when the drainage area is less than 2 acres. Silt fences should be placed within a rock berm for drainage areas greater than two acres or for slopes in excess of 10%. The bottoms of rock berms must be buried at least 4 inches below grade.

APPROVAL:

The plan for this development has been reviewed for compliance with 31 TAC Section 313.4 which sets forth pollution abatement criteria for development located on the recharge zone of the Edwards Aquifer. The proposed pollution abatement activities are in general agreement with 31 TAC Section 313.4, and approval of the development is hereby granted with the conditions listed below.

1. Prior to commencing construction, the applicant shall submit copies of any TWC-required changes to plans and

specifications to the TWC District 8 Office and all other permitting authorities.

2. All contractors conducting regulated activities associated with this proposed regulated development shall be provided with copies of this approval letter and the entire contents of the submitted WPAP so as to convey to the contractors the specific conditions of approval outlined below. During the course of regulated activities, the contractors shall be required to keep on-site copies of the WPAP and this approval letter.
3. No waste-disposal wells, new confined animal feeding operations, land disposal of Class I wastes, or use of sewage holding tanks as parts of organized collection systems shall be allowed on the recharge zone of this regulated development.
4. The TWC may monitor stormwater discharges from the site to evaluate the adequacy of the temporary erosion and sedimentation control measures. Additional protection may be necessary if excessive solids are being discharged from the site.
5. During the course of construction related to the referenced regulated development, the owner/developer shall comply with all applicable provisions of 31 TAC Section 313.4. Construction which is initiated and abandoned, or not completed, shall be returned to a permanent condition such that groundwater in the Edwards Aquifer is protected from potential contamination. Additionally, Oakwood Estates, Inc., applicant, shall remain responsible for the provisions and special conditions of this approval until such responsibility is legally transferred to another person or entity, upon which that person or entity shall assume responsibility for all provisions and specific conditions of this approval.
6. If any abandoned wells exist on the site or are found during construction of the proposed development, they shall be plugged in accordance with the local underground water conservation district's plugging procedures, if applicable, or 31 TAC Section 287.50(a) of this title (relating to Standards for Plugging Wells that Penetrate Undesirable Water Zones), or an equivalent method, as approved by the Executive Director. Pursuant to 31 TAC Section 287.48(e), the person that plugs such a well shall, within 30 days after plugging is complete, submit

a Water Well Completion and Plugging Report to the Executive Director, through the District 8 Office.

Any drill holes resulting from core sampling on-site or down-gradient of the site shall be plugged with concrete, from the bottom of the hole to the top of the hole, so as to not allow water or contaminants to enter the subsurface environment.

7. Please be reminded that 31 TAC Section 313.4 (c) requires the owner/developer to: (1) record in the county deed records that this property is subject to the approved WPAP; (2) within 30 days of receiving written notice of approval of the water pollution abatement plan from the Executive Director, submit to the Executive Director proof of application for recordation of notice in the county deed records; and (3) prior to commencing construction, submit to the appropriate district office proof of application for recordation of notice in the county deed records. Enclosed is a suggested format you may wish to use to deed record your approved WPAP.
8. Pursuant to 31 TAC Section 313.4 (d) (1), prior to commencing construction the applicant must notify the District 8 Office in San Antonio when the regulated activity will commence.
9. Also, 31 TAC Section 313.4 (d) (2) requires that if any significant recharge features, such as solution openings or sinkholes, are discovered during construction or core sampling, all regulated activities near the significant recharge feature must be immediately suspended and may not proceed until the Executive Director has reviewed and approved the methods proposed to protect the aquifer from any potential adverse impacts. Upon discovery of the significant recharge features, the developer shall immediately notify the District 8 Office located at 140 Heimer Road, Suite # 360, San Antonio, Texas, 78232-5028, telephone (512) 490-3096.
10. Any substantial modification, as outlined in 31 TAC Section 313.4 (e), to this approved WPAP must be reported to the District 8 Office and approved by the Texas Water Commission.
11. Please note that 31 TAC Section 313.4 (g) states that this approval expires two years from this date unless, prior to the expiration date, construction has commenced on the regulated development.

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12. Approval of the design of the sewage collection system for this proposed subdivision shall be obtained from the Texas Water Commission prior to the commencement of construction of the sewage collection system, the design of which shall be in accordance with 31 TAC Section 313.5.

Failure to comply with any of the aforementioned conditions, deed recordation requirements, or any other specific conditions of approval is a violation of these rules. Pursuant to Section 26.136 of the Texas Water Code, violations of these rules may result in administrative penalties of up to \$10,000 for each act of violation and for each day of violation.

If you have any questions or require additional information, please contact John Mauser at this San Antonio office, (512) 490-3096.

Sincerely,



Billy H. Boggs,
District Manager for

Jesús Garza,
Executive Director

BHB-JKM/jkm

Enclosure

cc: S. Craig Hollmig
Mike Shands, Director of Planning, City of New Braunfels
Director of Planning, City of San Marcos
Fred R. Clark, County Judge, Comal County
Monica M. Wallace, Comal County Office of Environmental Health
Susan Peters, Comal County Subdivision Coordinator
Russell L. Masters, Edwards Underground Water District
Rob Conti, Edwards Aquifer Coordinator, Texas Water Commission
John Mauser, District 8, Texas Water Commission
TWC - Central Records (with attachment)