

TEXAS WATER COMMISSION



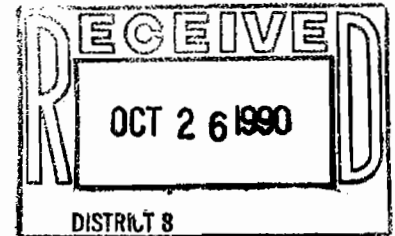
B. J. Wynne, III, Chairman
John E. Birdwell, Commissioner
Cliff Johnson, Commissioner

John J. Vay, General Counsel
Michael E. Field, Chief Hearings Examiner
Brenda W. Foster, Chief Clerk

Allen Beinke, Executive Director

October 23, 1990

Ms. Millie Reppen and/or Ms. Sherry Doell
1506 Lahn
New Braunfels, Texas 78130



Re: Proposed Preiss Heights, Unit 2, Extraterritorial Jurisdiction of New Braunfels, Comal County, Texas - Request for Approval of Water Pollution Abatement Plan (WPAP); 31 Texas Administrative Code (TAC) Section 313.4

Dear Ms. Reppen and/or Ms. Doell:

We have completed our review of the WPAP that was submitted by Mr. S. Craig Hollmig on your behalf to the District 8 Office on September 13, 1990, and received by our Water Quality Division in Austin on September 19, 1990. The proposed project is located outside Loop 337 and east of River Road in the extraterritorial jurisdiction of New Braunfels. The project will consist of a 4.112-acre subdivision with two lots. Lot 1 is 2.010 acres and Lot 2 is 2.102 acres in size. The proposed construction is for two single-family residences with an estimated population of 8 individuals.

There are no known abandoned wells on the proposed site. If any abandoned wells 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.

The wastewater will be domestic in nature and is projected at 1,000 gallons per day, and will be treated by private on-site septic systems, contingent upon soils analyses results that will be required at the time of actual permitting, as per August 7, 1990 letter signed by Monica M. Wallace, Comal County Sanitarian.

Stormwater will be typical of a low-density suburban development.

Water supplies will be from privately owned, on-site domestic wells.

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No measures will be taken to prevent pollution of stormwater runoff during construction due to the nature of construction.

An inspection of the site and land down-gradient of the site did not reveal any significant recharge features that would require protection from the proposed activities.

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.

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 specific conditions listed below.

A copy of the final concurrence by the Comal County Office of Environmental Health, indicating the suitability of the proposed sites for the use of private on-site septic systems shall be forwarded to and received by the District 8 Office prior to the commencement of construction on the proposed project.

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. Additionally, Millie Reppen and/or Sherry Doell, applicants, shall remain responsible for the aforementioned provisions and special conditions until such responsibility is legally transferred to another person or entity.

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) submit to the Executive Director proof of this application for recordation of notice within 30 days of receiving written notice of approval of the WPAP; and (3) submit to the appropriate district office proof of application for recordation of notice in the county deed records.

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.

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, all regulated activities near the

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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.

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 Executive Director.

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. Enclosed is a suggested format you may wish to use to deed record your approved WPAP.

If you have any questions or require additional information, please contact either the District 8 Office field inspector at (512) 490-3096 in San Antonio or the Edwards Aquifer Coordinator at (512) 463-8497 in Austin.

Sincerely,

Res. G. McDonnell, Jr., P.E.

for Allen Beinke
Executive Director

Enclosure

cc: S. Craig Hollmig, S. Craig Hollmig, Inc.
Mike Shands, Director of Planning, City of New Braunfels
Fred R. Clark, County Judge, Comal County
Monica M. Wallace, Comal County Office of Environmental Health
Russell L. Masters, Edwards Underground Water District
Craig Snider, Texas Water Commission, District 8 Office