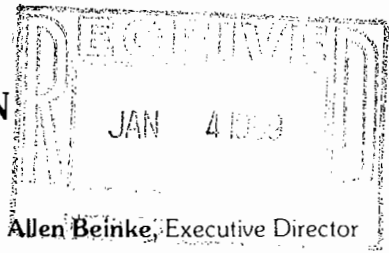


TEXAS WATER COMMISSION



B. J. Wynne, III, Chairman
Paul Hopkins, Commissioner
John O. Houchins, Commissioner



Allen Beinke, Executive Director
Michael E. Field, General Counsel
Brenda W. Foster, Chief Clerk

January 2, 1989

Mr. Scott Turpin
6060 Dilbeck
Dallas, Texas 75240

Re: T Bar M Cabin and Tennis Courts Located at T Bar M Tennis Ranch, Comal County, Texas - Request for Approval of Water Pollution Abatement Plan; 31 Texas Administrative Code (TAC) Section 313.3

Dear Mr. Turpin:

We have completed our review of the water pollution abatement plan that was submitted by you to the District 8 Office on November 4, 1988 and received by our Water Quality Division office in Austin on November 23, 1988. The proposed project is located on the T Bar M Tennis Ranch in Comal County on Highway 46, about 4 miles west of New Braunfels, and approximately 25 miles northeast of San Antonio, Texas. The proposed regulated development will consist of one log cabin, with a 64-guest capacity, plus four tennis courts. The total area of the project is about 30,000 square feet.

The volume of wastewater expected to be generated will be about 3,200 gallons per day, assuming 50 gallons per person per day originating from the proposed site. All wastewater will be domestic and will be treated in T Bar M's private, on-site sewage facilities which are maintained by T Bar M, and which have available unused capacity to accommodate this wastewater. Texas Water Commission Permit No. 11279-01 authorizes discharge of treated domestic wastewater effluent from the T Bar M Tennis Ranch wastewater treatment plant into a dry ravine; thence to Blieders Creek; thence to the Comal River in Segment No. 1811 of the Guadalupe River basin.

Pursuant to the conditions of Texas Water Commission Permit No. 11279-01, Operational Requirements - Item 6, page 7:

"31 TAC Section 305.126 (requires that) whenever flow measurements for any domestic sewage treatment facility reach 75 percent of the permitted average daily flow for three consecutive months, the permittee must initiate engineering and financial planning for expansion and/or upgrading of the domestic wastewater treatment and/or collection facilities. Whenever the average daily flow reaches 90 percent of the permitted average daily flow for three consecutive months, the permittee shall obtain necessary authorization from the Commission to commence construction of the necessary additional treatment facilities. In the case of a domestic wastewater treatment facility which reaches 75 percent of the permitted daily average flow for three consecutive months, and the planned population to be served is not expected to exceed the design limitations of the treatment facility, the permittee shall submit an engineering report supporting this claim to the Executive Director of the Commission. If in the judgment of the Executive Director the population to be served will not cause permit noncompliance, then the requirement of

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this section may be waived. To be effective, any waiver must be in writing and signed by the Executive Director or his or her designee, and such waiver of these requirements will be reviewed upon expiration of the existing permit. However, any such waiver shall not be interpreted as condoning or excusing any violation of any permit parameter."

Upon completion of the proposed project impervious cover will include that resulting from construction of the cabin and the tennis courts, contributing 3276 square feet and 25,930 square feet of impervious cover, respectively.

During construction of the proposed project, pollution of storm water runoff will be prevented by picking up construction debris and putting it into a large, on-site waste container. During the lifetime of the completed project, the grounds will be maintained so that no debris contaminates stormwater runoff. The area surrounding the completed building and tennis courts will be landscaped and grassed to prevent erosion of the site and to filter the stormwater runoff. No recharge features have been identified on the site.

There are private water wells on the property, which provide water to the site. None of the wells will be abandoned.

According to the field investigations done by the commission's District 8 Office inspector on November 4, 1988, no significant recharge features were found on the site.

The plan for this development has been reviewed for compliance with 31 TAC Section 313.3 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 313.3 and approval of the development is hereby granted with the following condition:

If any solution openings (such as cavities or pipes) or sinkholes are discovered on the site during land clearing, excavation or blasting, 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. Construction in the vicinity of such a feature shall cease pending approval by the District 8 manager of the proposed method to prevent pollutants from entering the area(s).

During the course of development of this subdivision, the owner/developer shall comply with all applicable provisions of 31 TAC Section 313.3. Additionally, T Bar M Tennis Ranch, 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 313.3 (e) requires the owner/developer to: (1) record in the county deed records that this property is subject to the approved water pollution abatement plan; (2) submit to the Executive Director proof of application for this recordation of notice no less than ten days prior to commencing construction; and (3) prior to beginning construction,

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notify the District 8 Office in San Antonio when the construction will commence. Any substantial modification, as outlined in 31 TAC Section 313.3 (f), to this approved water pollution abatement plan must be reported to the District 8 Office and approved by the Executive Director.

Also, 31 TAC Section 313.3 (g) requires that during construction, you submit quarterly progress reports on the status of construction to the District 8 Office. Please note that 31 TAC Section 313.3 (h) states that this approval expires two years from this date unless, prior to the expiration date, construction has commenced on the road. Enclosed is a suggested format you may wish to use to deed record your approved water pollution abatement plan.

If you have any questions or require additional information, please contact either Ms. Jeffie Barbee at (512) 490-3096 in San Antonio or Mr. Rob Conti at (512) 463-8497 in Austin.

Sincerely,

for *Rev. G. Mc. Donnell, Jr., P.E.*

Allen Beinke
Executive Director

Enclosure

ccs: Mr. Stuart Whitford, Whitford Engineering
City of New Braunfels
County of Comal
Edwards Underground Water District
Texas Water Commission District 8 Office
Ms. Robin Shaver, Wastewater Enforcement Section, Texas Water Commission