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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

May 5, 1995

Mr. John Lyles Polk
Center for Christian Growth, Inc.
2549 Hwy 46 West
New Braunfels, Texas 78132

Re: Edwards Aquifer, Comal County
PROJECT: T BAR M "Riverside Pool", Located South of Hwy 46 ≈
0.5 Miles West of FM 1863, New Braunfels, Texas.
TYPE: Request for Approval of Water Pollution
Abatement Plan (WPAP); 31 Texas Administrative Code
(TAC) §313.4; Edwards Aquifer Protection Program.

Dear Mr. Polk:

The Texas Natural Resource Conservation Commission (TNRCC) has completed their review of the WPAP application for the referenced project that was submitted by Civil Engineering Consultants, Inc. on behalf of Center for Christian Growth, Inc. to the Region 13 Office on January 24, 1995. Final review of the WPAP submittal was completed after additional material was received on February 6, 1995.

PROJECT DESCRIPTION

The proposed T BAR M Pool is 1.5 acres to be developed as a "continuous river" closed loop type pool. The pool will have a circumference of approximately 100 yards, depth of 6 feet and width of 20 feet, and be constructed of reinforced concrete or gunite. Water will be recirculated by electric pumps. It will be constructed by a combination of cut and fill. The site is located within the City of New Braunfels, and will conform with applicable codes and requirements of the City of New Braunfels. Potable water will be supplied by T BAR M Tennis Villas (Public Water Supply Permit #0460095).

The normal population of the development will depend on the number of T BAR M patrons. There will be no domestic wastewater generated by this project. However, approximately 8,000 to 12,000 gallons per week of filter backwash will be released from the filter system.

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The proposed impervious cover for the development, approximately 0.37 acres (25%), includes the pool liner.

GEOLOGY ON SITE

According to the geologic assessment included with the submittal, four (4) potential recharge features (2 outcrops of vuggy rock, one outcrop of fractured rock, and one closed depression) are located on the 1.5 acre project site. The first three are assessed as being of low significance as recharge features. The fourth is assessed as being of no significance as a recharge feature.

The Region 13 site inspection of January 24, 1995, revealed areas which appeared to have high porosity and sand size infilling. No other areas of significant recharge were observed but based on past downgradient site investigations, the area should be capable of significant recharge.

GEOLOGY DOWN-GRADIENT OF SITE

According to the geologic assessment included with the submittal, 14 potential recharge features are located downgradient of the project site. Nine (9) features were assessed as being of low significance. Four (4) features were assessed as being of moderate significance. One (1) feature was assessed as being of high significance.

POLLUTION ABATEMENT

I. During Construction:

The following measures will be taken to prevent pollution of stormwater originating on-site or up-gradient from the project site and potentially flowing across and off the site during construction:

- A. Stabilized construction entrances shall be installed at all sites of ingress and egress prior to initiation of any other regulated activity.
- B. Temporary erosion and sedimentation controls (silt fences and rock berms) shall be installed prior to initiation of any other regulated activity.

II. After Construction:

The following measures will be taken to prevent pollution of stormwater originating on-site or up-gradient from the project site and potentially flowing across and off the site after construction:

- A. Pool water will be chlorinated by either gas chlorination or sodium hypochlorite (12.5% chlorine).
- B. The pool will have a typical swimming pool filter system. Approximately 8,000 to 12,000 gallons per week of filter backwash will be released from the filter system. Discharge from the pool should not exceed stream standards listed in the TABLE I below.

TABLE I		
Component	Stream Standard (mg/l)	Proposed Discharge From T BAR M Pool (mg/l)
Chloride	25	11
Sulfate	30	17
Total Dissolved Solids	400	299
Dissolved Oxygen	5.0	-
pH	6.5-9.0	7.9
Fecal Coliform	200	-
Temperature	90°	-

- C. Areas of concentrated runoff will have energy dissipators will be placed at each site to prevent erosion at each outfall.

III. Recharge Features:

The following measures will be taken to prevent pollutants from entering recharge features while maintaining or enhancing the quantity of water entering the recharge features identified in the geologic assessment.

- A. According to the application, the on-site features will be covered as part of landscaping during construction and no special measures are proposed.

APPROVAL

The plan for this project has been reviewed for compliance with 31 TAC §313.4 which sets forth pollution abatement criteria for any development on the recharge zone of the Edwards Aquifer. The proposed water pollution abatement plan is in general agreement with 31 TAC §313.4; therefore, approval of the plan is hereby granted subject to the specific conditions listed below.

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

SPECIAL CONDITIONS

1. Prior to discharge of any backwash water the applicant shall determine if a wastewater discharge permit is required by the TNRCC's Wastewater Permits Section in Austin. Contact Philip Urbany in Austin at 512/239-4542.
 - A. If a wastewater permit is required, provide a copy of the approval letter to the Region 13 office.
 - B. If a wastewater permit is not required, provide a copy of the verification letter to the Region 13 office.
2. Additional construction required by a wastewater discharge permit shall be considered as a modification to the approved water pollution abatement plan. Pursuant to 30 TAC §313.4(e), modifications require prior approval from the TNRCC.
3. All stream standards listed in Table 1 above shall not be exceeded by any discharge from the subject project.

STANDARD CONDITIONS OF APPROVAL

1. Please be reminded that 31 TAC §313.4(c) requires the owner/developer to: (1) record in the county deed records that this property is subject to the approved WPAP; and (2) submit to the Executive Director through the Region 13 Office, within 30 days of receiving this written notice of approval of the water pollution abatement plan and prior to commencing construction, proof of application for recordation of notice in the county deed records. Enclosed is a suggested format you may use to deed record your approved WPAP.
2. Prior to commencing construction, the applicant/agent shall submit to the Region 13 Office copies of any changes made to the plans and specifications for this project which have been required by the TNRCC review and/or all other permitting authorities.
3. Please note, following this approval of the regulated activities described in the referenced WPAP submittal, any amendment to these activities required by some other regulating authority or desired by the applicant will require

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the submittal of a WPAP application to amend this approval. And, as indicated in 31 TAC §313.4 and 31 TAC §313.27, an application to amend any approved regulated activity shall include payment of appropriate fees and all information necessary for its review and Executive Director approval.

4. Additionally, all contractors conducting regulated activities associated with this proposed regulated project 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 this approval. During the course of these regulated activities, the contractors shall be required to keep on-site copies of the WPAP and this approval letter.
5. The temporary erosion and sedimentation (E&S) controls for the entire project shall be installed prior to beginning any other construction work on this project.
6. The appropriate E&S control(s) that shall be used during the construction of the project should be determined as follows: (1) **Silt fences** should be used when the drainage area is less than 2 acres and the slope is less than 10%. (2) **Rock berms with filtration** should be used when the drainage areas are greater than two acres or when the slopes are in excess of 10%. The bottom edge of the filter fabric must be buried a minimum of 6 inches below grade.
7. The TNRCC 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.
8. Also, 31 TAC §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 significant recharge feature must be suspended immediately and may not be resumed 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 Region 13 office.
9. Upon completion of the project, the applicant shall reseed or sod all areas disturbed during construction.
10. 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 §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 §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 Region 13 Office and to the Edwards Underground Water District.

Any drill holes resulting from core sampling on-site or down-gradient of the site shall be plugged with cement slurry, 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.

11. 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.
12. During the course of the construction related to the referenced regulated project, the owner/developer shall comply with all applicable provisions of 31 TAC §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, Center for Christian Growth, 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.
13. Pursuant to 31 TAC §313.4(d)(1) and prior to commencing regulated activities, the applicant must provide the Region 13 Office with the date on which the regulated activity will commence.
14. Please note that 31 TAC §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 project.
15. Approval of the design of the sewage collection system for this proposed subdivision shall be obtained from the Texas Natural Resources Conservation Commission prior to the commencement of construction of any sewage collection system, the design of which shall be in accordance with 31 TAC §313.5

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and 31 TAC §317.

16. The developer shall ensure that construction debris, such as but not limited to scrap wood, bricks, paint, adhesives, containers, paper, etc. is disposed of properly at an authorized landfill off of the Edwards Aquifer Recharge Zone.
17. If asphaltic materials such as "seal coat", emulsion or other asphaltic products used for paving, roofing, etc. wash off or leave the project site the developer shall notify the Texas Natural Resource Conservation Commission immediately and commence clean-up.
18. Each purchaser of a single-family residential lot shall be informed in writing that this subdivision is located on the Edwards Aquifer Recharge Zone.
19. Each purchaser of a single-family residential lot shall be informed in writing about best management practices of pesticide and fertilizer application. The applicant may use What's Bugging You? A Practical Guide to Pest Control, available from the Edwards Underground Water District (210/222-2204), or equivalent information produced by recognized authorities such as the Soil Conservation Service, Texas Dept. of Agriculture, U.S. Dept. of Agriculture, etc. The applicant may develop their own educational information (with review by the TNRCC prior to use).
20. It is recommended that signage be permanently posted and maintained in good condition at each external entrance to and exit from the subdivision which reminds home owners and visitors they are on the Recharge Zone of the Edwards Aquifer.

If you have any questions or require additional information, please contact a representative of the Edwards Aquifer Protection Program at the Region 13 Office (210) 490-3096.

Sincerely,



J. Richard Garcia,
Regional Manager, for

Dan Pearson,
Executive Director

JRG/JKM

Enclosure

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cc: Civil Engineering Consultants, Inc.
Mike Shands, Manager, City of New Braunfels
Tom Hornseth, Comal County Engineer
Rick Illgner, Edwards Underground Water District
TNRCC - Philip Urbany, Watershed Management Division,
Permitting Section
TNRCC - Region 13 Edwards Program Files (with attachment)
TNRCC - Central Records (with attachment)