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Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 5, 2005

Mr. Pete Jurica
New Braunfels Ventures, L.P.
589 S. Magazine
New Braunfels, Texas 78130

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Tuscan Ridge Subdivision; Located on east side of Lakeview Blvd., approximately 0.65 miles northeast of Landa Park Drive; New Braunfels, Texas

TYPE OF PLAN: Request for Modification of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer, Edwards Aquifer Protection Program File No. 2160.02, Regulated Entity No. RN104216130, Customer No. CN602598542, Investigation No. 346073

Dear Mr. Jurica:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the request for modification of the approved WPAP for the referenced project submitted to the San Antonio Regional Office by Klein Engineering, Inc. on behalf of New Braunfels Ventures, LP on October 13, 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 23 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.*

PROJECT DESCRIPTION

This facility was previously approved by letter dated June 21, 2004. As presented, the proposed modifications to the WPAP will consist of:

- Decreasing the number of residential lots from 18 to 16.
- Decreasing the impervious cover from 65% to 64%.
- Increasing the water quality volume of the sedimentation/filtration basin from 8,215 cubic feet to

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- 9573 cubic feet (Original capture volume was undersized).
• Relocating the bypass structure.

PERMANENT POLLUTION ABATEMENT MEASURES

A partial sedimentation/filtration basin will be constructed to treat stormwater runoff. It is designed in accordance with the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices," and is sized to capture the first 0.67 inches of stormwater run-off from 3.28 acres, providing a total capture volume of 9,573 cubic feet. The filtration system will consist of:

1. 700 square feet of sand, which is 18 inches thick,
2. an underdrain piping wrapped with geotextile membrane, and
3. an impervious liner.


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

SPECIAL CONDITION

This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter of June 21, 2004, including deed recordation.

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 Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

GS/JKM/eg

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

fc: Mr. Rudolph F. Klein, P.E., Klein Engineering, Inc.
Mr. Michael Short, City of New Braunfels
Mr. Wesley Hamff, P.E., New Braunfels Utilities
Mr. Tom Hornseth, Comal County
cc: Mr. Robert J. Potts, Edwards Aquifer Authority
TCEQ Central Records, MC 212