

Executive Summary – Enforcement Matter – Case No. 66025
WS CAMPUS HOLDINGS, LLC
RN111359683
Docket No. 2024-1217-MLM-E

Order Type:

1660 Agreed Order

Findings Order Justification:

N/A

Media:

MLM – EAQ, WR

Small Business:

No

Location(s) Where Violation(s) Occurred:

WS CAMPUS, 1.15 miles west of County Road 233 and Farm-to-Market Road 487,
Florence, Williamson County

Type of Operation:

Construction site and pond

Other Significant Matters:

Additional Pending Enforcement Actions: No

Past-Due Penalties: No

Past-Due Fees: No

Other: N/A

Interested Third-Parties: The complainant has expressed an interest in this matter but does not wish to speak at Agenda.

Texas Register Publication Date: September 12, 2025

Comments Received: No

Penalty Information

Total Penalty Assessed: \$85,200

Amount Deferred for Expedited Settlement: \$17,040

Total Paid to General Revenue: \$970

Total Due to General Revenue: \$33,110

Payment Plan: 35 payments of \$946 each

Supplemental Environmental Project (“SEP”) Conditional Offset: \$34,080

Name of SEP: Texas Water Development Board (Third-Party Pre-Approved)

Compliance History Classifications:

Person/CN - Unclassified

Site/RN - Unclassified

Major Source: Yes

Statutory Limit Adjustment: N/A

Applicable Penalty Policy: January 2021

Investigation Information

Complaint Date(s): January 10, 2024

Complaint Information: Alleged land disturbance without an Edwards Aquifer Protection Plan and that the Respondent constructed a shooting range over an existing stock pond and was impounding state water in Salado Creek without a water rights permit.

Executive Summary – Enforcement Matter – Case No. 66025
WS CAMPUS HOLDINGS, LLC
RN111359683
Docket No. 2024-1217-MLM-E

Date(s) of Investigation: February 15, 2024
Date(s) of NOE(s): May 1, 2024

Violation Information

1. Failed to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Recharge and Contributing Zones. Specifically, land clearing and construction activities resulted in the soil disturbance of approximately 11.8 acres of the Site without prior approval of a Water Pollution Abatement Plan ("WPAP") [30 TEX. ADMIN. CODE § 213.4(a)(1)].
2. Failed to obtain authorization prior to diverting, impounding, storing, taking, or using state water. Specifically, the Respondent diverted and stored state water from Salado Creek of the Brazos River Basin to an impoundment for commercial amenity purposes prior to obtaining authorization [30 TEX. ADMIN. CODE § 297.11 and TEX. WATER CODE § 11.121].

Corrective Actions/Technical Requirements

Corrective Action(s) Completed:

By January 24, 2025, the Respondent ceased all regulated activity within the Edwards Aquifer Recharge Zone at the Site.

Technical Requirements:

1. The Order will require the Respondent to implement and complete a SEP (see SEP Attachment A).
2. The Order will also require the Respondent to:
 - a. Immediately:
 - i. Cease any regulated activity at the Site until such time that an Edwards Aquifer Contributing Zone Plan ("CZP") has been reviewed and approved by the TCEQ Austin Regional Office; and
 - ii. Cease diverting, impounding, storing, taking, or using state water until authorization has been obtained.
 - b. Within 15 days, submit written documentation of compliance with a.
 - c. Within 30 days:
 - i. Submit a CZP application for review and approval;

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WS CAMPUS HOLDINGS, LLC
RN111359683
Docket No. 2024-1217-MLM-E

- ii. Remove the impoundment or submit a Water Rights permit application.
- iii. Revegetate the disturbed areas of the Edwards Aquifer Recharge Zone at the Site.

- d. Within 45 days, submit written documentation of compliance with c.

- e. Within 120 days:
 - i. Submit written certification that approval of the Edwards Aquifer CZP has been obtained; and

 - ii. Submit written certification that either the impoundment has been removed or a Water Rights permit has been obtained

Contact Information

TCEQ Attorney: N/A

TCEQ Enforcement Coordinator: Jasmine Jimerson, Enforcement Division, Enforcement Team 1, MC 219, (512) 239-2552; Michael Parrish, Enforcement Division, MC R-12, (512) 239-2548

TCEQ SEP Coordinator: Stuart Beckley, Enforcement Division, MC 219, (512) 239-3565

SEP Third-Party Administrator: Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711-3231

Respondent: Christine Jha, Chief Financial Officer, WS CAMPUS HOLDINGS, LLC, 10580 North McCarran Boulevard, #115, Las Vegas, Nevada 89503

John B. Messer, Jr., Development Manager, WS CAMPUS HOLDINGS, LLC, 10580 North McCarran Boulevard, #115, Las Vegas, Nevada 89503

Respondent's Attorney: N/A



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned	7-May-2024	Screening	14-May-2024	EPA Due	
	PCW	4-Aug-2024				

RESPONDENT/FACILITY INFORMATION	
Respondent	WS CAMPUS HOLDINGS, LLC PCW No. 1 of 2
Reg. Ent. Ref. No.	RN111359683
Facility/Site Region	11-Austin
Major/Minor Source	Minor

CASE INFORMATION		No. of Violations	1
Enf./Case ID No.	66025	Order Type	1660
Docket No.	2024-1217-MLM-E	Government/Non-Profit	No
Media Program(s)	Water Rights	Enf. Coordinator	Megan Crinklaw
Multi-Media	Edwards Aquifer	EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$5,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$1,500
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	20.0% Adjustment	Subtotals 2, 3, & 7	\$300
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Notes: Enhancement for one agreed order with denial of liability.

Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes: The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$5
Estimated Cost of Compliance	\$100

*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7	Final Subtotal	\$1,800
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OTHER FACTORS AS JUSTICE MAY REQUIRE	300.0%	Adjustment	\$5,400
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Notes: Recommended 300% enhancement because the diversion occurred during Severe Drought conditions (U.S. Drought Monitor Intensity Level D2).

\$7,200

STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$7,200
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DEFERRAL	20.0% Reduction	Adjustment	-\$1,440
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes: Deferral offered for expedited settlement.

PAYABLE PENALTY	\$5,760
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Screening Date 14-May-2024

Docket No. 2024-1217-MLM-E

PCW

Respondent WS CAMPUS HOLDINGS, LLC PCW No. 1 of 2

Policy Revision 5 (January 28, 2021)

Case ID No. 66025

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111359683

Media Water Rights

Enf. Coordinator Megan Crinklaw

Compliance History Worksheet

>> Compliance History *Site Enhancement (Subtotal 2)*

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one agreed order with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 20%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 20%

Screening Date 14-May-2024 **Docket No.** 2024-1217-MLM-E **PCW**
Respondent WS CAMPUS HOLDINGS, LLC PCW No. 1 of 2 *Policy Revision 5 (January 28, 2021)*
Case ID No. 66025 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111359683
Media Water Rights
Enf. Coordinator Megan Crinklaw

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 297.11 and Tex. Water Code § 11.121

Violation Description

Failed to obtain authorization prior to diverting, impounding, storing, taking, or using state water. Specifically, the Respondent diverted and stored state water from Salado Creek of the Brazos River Basin to an impoundment for commercial amenity purposes prior to obtaining authorization.

Base Penalty \$5,000

>> Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0.0%

>> Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10.0%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$4,500

\$500

Violation Events

Number of Violation Events 3 Number of violation days 89

daily	
weekly	
monthly	x
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$1,500

Three monthly events are recommended from the investigation date (February 15, 2024) to the screening date (May 14, 2024).

Good Faith Efforts to Comply 0.0% Reduction \$0

Before NOE/NOV NOE/NOV to EDPRP/Settlement Offer

Extraordinary		
Ordinary		
N/A	x	

Notes

The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$1,500

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$5 **Violation Final Penalty Total** \$7,200

This violation Final Assessed Penalty (adjusted for limits) \$7,200

Economic Benefit Worksheet

Respondent WS CAMPUS HOLDINGS, LLC PCW No. 1 of 2
Case ID No. 66025
Reg. Ent. Reference No. RN111359683
Media Water Rights
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$100	15-Feb-2024	22-Mar-2025	1.10	\$5	n/a	\$5
Other (as needed)				0.00	\$0	n/a	\$0

Notes for DELAYED costs

Estimated Permit Costs to obtain authorization to divert, impound, store, take, or use state water. The Date Required is the investigation date and the Final Date is the estimated date of compliance.

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0

Notes for AVOIDED costs

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Approx. Cost of Compliance

\$100

TOTAL

\$5



Penalty Calculation Worksheet (PCW)

Policy Revision 5 (January 28, 2021)

PCW Revision February 11, 2021

DATES	Assigned PCW	7-May-2024	Screening	14-May-2024	EPA Due	
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RESPONDENT/FACILITY INFORMATION	
Respondent	WS CAMPUS HOLDINGS, LLC PCW No. 2 of 2
Reg. Ent. Ref. No.	RN111359683
Facility/Site Region	11-Austin
Major/Minor Source	Major

CASE INFORMATION			
Enf./Case ID No.	66025	No. of Violations	1
Docket No.	2024-1217-MLM-E	Order Type	1660
Media Program(s)	Edwards Aquifer	Government/Non-Profit	No
Multi-Media	Water Rights	Enf. Coordinator	Megan Crinklaw
		EC's Team	Enforcement Team 1
Admin. Penalty \$ Limit Minimum	\$0	Maximum	\$25,000

Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)	Subtotal 1	\$65,000
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ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History	20.0% Adjustment	Subtotals 2, 3, & 7	\$13,000
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Notes	Enhancement for one agreed order with denial of liability.
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Culpability	No	0.0% Enhancement	Subtotal 4	\$0
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Notes	The Respondent does not meet the culpability criteria.
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Good Faith Effort to Comply Total Adjustments	Subtotal 5	\$0
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Economic Benefit	0.0% Enhancement*	Subtotal 6	\$0
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Total EB Amounts	\$769	*Capped at the Total EB \$ Amount
Estimated Cost of Compliance	\$9,500	

SUM OF SUBTOTALS 1-7	Final Subtotal	\$78,000
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OTHER FACTORS AS JUSTICE MAY REQUIRE	0.0% Adjustment	\$0
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Reduces or enhances the Final Subtotal by the indicated percentage.

Notes	
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Final Penalty Amount	\$78,000
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STATUTORY LIMIT ADJUSTMENT	Final Assessed Penalty	\$78,000
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DEFERRAL	20.0% Reduction	Adjustment	-\$15,600
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Reduces the Final Assessed Penalty by the indicated percentage.

Notes	Deferral offered for expedited settlement.
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PAYABLE PENALTY	\$62,400
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Screening Date 14-May-2024

Docket No. 2024-1217-MLM-E

PCW

Respondent WS CAMPUS HOLDINGS, LLC PCW No. 2 of 2

Policy Revision 5 (January 28, 2021)

Case ID No. 66025

PCW Revision February 11, 2021

Reg. Ent. Reference No. RN111359683

Media Edwards Aquifer

Enf. Coordinator Megan Crinklaw

Compliance History Worksheet

>> Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Number	Adjust.
NOVs	Written notices of violation ("NOVs") with same or similar violations as those in the current enforcement action (<i>number of NOVs meeting criteria</i>)	0	0%
	Other written NOVs	0	0%
Orders	Any agreed final enforcement orders containing a denial of liability (<i>number of orders meeting criteria</i>)	1	20%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (<i>number of judgments or consent decrees meeting criteria</i>)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (<i>number of counts</i>)	0	0%
Emissions	Chronic excessive emissions events (<i>number of events</i>)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which notices were submitted</i>)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (<i>number of audits for which violations were disclosed</i>)	0	0%
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 20%

>> Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

>> Compliance History Person Classification (Subtotal 7)

Unclassified

Adjustment Percentage (Subtotal 7) 0%

>> Compliance History Summary

Compliance History Notes

Enhancement for one agreed order with denial of liability.

Total Compliance History Adjustment Percentage (Subtotals 2, 3, & 7) 20%

>> Final Compliance History Adjustment

Final Adjustment Percentage *capped at 100% 20%

Screening Date 14-May-2024 **Docket No.** 2024-1217-MLM-E **PCW**
Respondent WS CAMPUS HOLDINGS, LLC PCW No. 2 of 2 *Policy Revision 5 (January 28, 2021)*
Case ID No. 66025 *PCW Revision February 11, 2021*
Reg. Ent. Reference No. RN111359683
Media Edwards Aquifer
Enf. Coordinator Megan Crinklaw

Violation Number 1

Rule Cite(s) 30 Tex. Admin. Code § 213.4(a)(1)

Violation Description
 Failed to obtain approval of an Edwards Aquifer Protection Plan ("EAPP") prior to commencing regulated activity over the Edwards Aquifer Recharge Zone. Specifically, land clearing and construction activities resulted in the soil disturbance of approximately 11.8 acres of the Site without prior approval of a Water Pollution Abatement Plan ("WPAP").

Base Penalty \$25,000

>> **Environmental, Property and Human Health Matrix**

OR	Release	Harm			Percent
		Major	Moderate	Minor	
		Actual			
Potential					

>> **Programmatic Matrix**

Matrix Notes	Falsification	Major	Moderate	Minor	Percent
		x			

100% of the permit requirements were not met.

Adjustment \$20,000

\$5,000

Violation Events

Number of Violation Events: 13 89 Number of violation days

daily	
weekly	x
monthly	
quarterly	
semiannual	
annual	
single event	

Violation Base Penalty \$65,000

Thirteen weekly events are recommended from the investigation date (February 15, 2024) to the screening date (May 14, 2024).

Good Faith Efforts to Comply 0.0% Reduction \$0

	Before NOE/NOV	NOE/NOV to EDPRP/Settlement Offer
Extraordinary		
Ordinary		
N/A	x	

Notes The Respondent does not meet the good faith criteria for this violation.

Violation Subtotal \$65,000

Economic Benefit (EB) for this violation **Statutory Limit Test**

Estimated EB Amount \$769 **Violation Final Penalty Total** \$78,000

This violation Final Assessed Penalty (adjusted for limits) \$78,000

Economic Benefit Worksheet

Respondent WS CAMPUS HOLDINGS, LLC PCW No. 2 of 2
Case ID No. 66025
Reg. Ent. Reference No. RN111359683
Media Edwards Aquifer
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Costs Saved	EB Amount
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Delayed Costs

Equipment				0.00	\$0	\$0	\$0
Buildings				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Engineering/Construction				0.00	\$0	\$0	\$0
Land				0.00	\$0	n/a	\$0
Record Keeping System				0.00	\$0	n/a	\$0
Training/Sampling				0.00	\$0	n/a	\$0
Remediation/Disposal				0.00	\$0	n/a	\$0
Permit Costs	\$9,000	15-Feb-2024	28-Sep-2025	1.62	\$729	n/a	\$729
Other (as needed)	\$500	15-Feb-2024	28-Sep-2025	1.62	\$40	n/a	\$40
Notes for DELAYED costs	<p>Estimated cost to prepare and submit an Edwards Aquifer Contributing Zone application and obtain approval. The Date Required is the investigation date and the Final Date is the estimated date of compliance.</p> <p>Estimated Other cost to revegetate the disturbed areas of the Edwards Aquifer Recharge Zone at the Site. The Date Required is the investigation date and the Final Date is the estimated date of compliance</p>						

Avoided Costs

ANNUALIZE avoided costs before entering item (except for one-time avoided costs)

Disposal				0.00	\$0	\$0	\$0
Personnel				0.00	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.00	\$0	\$0	\$0
Supplies/Equipment				0.00	\$0	\$0	\$0
Financial Assurance				0.00	\$0	\$0	\$0
ONE-TIME avoided costs				0.00	\$0	\$0	\$0
Other (as needed)				0.00	\$0	\$0	\$0
Notes for AVOIDED costs							

Approx. Cost of Compliance \$9,500

TOTAL \$769

The TCEQ is committed to accessibility.

To request a more accessible version of this report, please contact the TCEQ Help Desk at (512) 239-4357.



Compliance History Report

Compliance History Report for CN605947324, RN111359683, Rating Year 2023 which includes Compliance History (CH) components from September 1, 2018, through August 31, 2023.

Customer, Respondent, or Owner/Operator: CN605947324, WS CAMPUS HOLDINGS, LLC
Classification: UNCLASSIFIED
Rating: -----

Regulated Entity: RN111359683, WS CAMPUS
Classification: UNCLASSIFIED
Rating: -----

Complexity Points: 4
Repeat Violator: NO

CH Group: 14 - Other

Location: 1.15 miles west of County Road 233 and Farm-to-Market Road 487, Florence, Williamson County, Texas

TCEQ Region: REGION 11 - AUSTIN

ID Number(s):

EDWARDS AQUIFER PERMIT 11002735

EDWARDS AQUIFER PERMIT 11003376

EDWARDS AQUIFER PERMIT 11003420

MUNICIPAL SOLID WASTE NON PERMITTED ID NUMBER R1111359683

Compliance History Period: September 01, 2018 to August 31, 2023
Rating Year: 2023
Rating Date: 09/01/2023

Date Compliance History Report Prepared: August 05, 2024

Agency Decision Requiring Compliance History: Enforcement

Component Period Selected: August 05, 2019 to August 05, 2024

TCEQ Staff Member to Contact for Additional Information Regarding This Compliance History.

Name: Megan Crinklaw

Phone: (512) 239-1129

Site and Owner/Operator History:

- 1) Has the site been in existence and/or operation for the full five-year compliance period? NO
- 2) Has there been a (known) change in ownership/operator of the site during the compliance period? NO

Components (Multimedia) for the Site Are Listed in Sections A - J

A. Final Orders, court judgments, and consent decrees:

- 1 Effective Date: 01/17/2024 ADMINORDER 2022-0388-EAQ-E (1660 Order-Agreed Order With Denial)
Classification: Major
Citation: 30 TAC Chapter 213, SubChapter B 213.23(a)(1)
Description: Failure to gain approval of an Edwards Aquifer Contributing Zone Plan (CZP) prior to beginning construction and conducting regulated activity, clearing of brush, vegetation, site grading, and pad compaction with soil disturbance on 41.22-acre Site in potential violation of 30 TAC 213.23.(a)(1).
Classification: Major
Citation: 30 TAC Chapter 213, SubChapter B 213.23(a)(1)
Description: Failure to obtain approval of an approved Edwards Aquifer Protection Program (EAPP) plan prior to commencement of regulated activity, in violation of 30 TEX. ADMIN. CODE §213.23(a)(1).
On September 28, 2022, James "Bo" Slone, P.G., investigator, documented regulated activity outside of the approved site area.

B. Criminal convictions:

N/A

C. Chronic excessive emissions events:

N/A

D. The approval dates of investigations (CCEDS Inv. Track. No.):

N/A

E. Written notices of violations (NOV) (CCEDS Inv. Track. No.):

A notice of violation represents a written allegation of a violation of a specific regulatory requirement from the commission to a regulated entity. A notice of violation is not a final enforcement action, nor proof that a violation has actually occurred.

N/A

F. Environmental audits:

N/A

G. Type of environmental management systems (EMSs):

N/A

H. Voluntary on-site compliance assessment dates:

N/A

I. Participation in a voluntary pollution reduction program:

N/A

J. Early compliance:

N/A

Sites Outside of Texas:

N/A

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



IN THE MATTER OF AN
ENFORCEMENT ACTION
CONCERNING
WS CAMPUS HOLDINGS, LLC
RN111359683

§ BEFORE THE
§ TEXAS COMMISSION ON
§ ENVIRONMENTAL QUALITY

AGREED ORDER DOCKET NO. 2024-1217-MLM-E

I. JURISDICTION AND STIPULATIONS

On _____, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding WS CAMPUS HOLDINGS, LLC (the "Respondent") under the authority of TEX. WATER CODE chs. 7, 11, and 26. The Executive Director of the TCEQ, through the Enforcement Division, and the Respondent together stipulate that:

1. The Respondent owns and operates a construction site and pond located 1.15 miles west of County Road 233 and Farm-to-Market Road 487 in Florence, Williamson County, Texas (the "Site"). The Site is near or adjacent to water in the state as defined in TEX. WATER CODE § 26.001(5). The Site adjoins, is contiguous with, surrounds, or is near or adjacent to state water as defined in TEX. WATER CODE § 11.021 and 30 TEX. ADMIN. CODE § 297.1 (51).
2. The Executive Director and the Respondent agree that the TCEQ has jurisdiction to enter this Order pursuant to TEX. WATER CODE §§ 7.002, 7.051, 7.073, and 11.0842, and that the Respondent is subject to TCEQ's jurisdiction. The TCEQ has jurisdiction in this matter pursuant to TEX. WATER CODE §§ 5.013 and 11.0842 because it alleges violations of TEX. WATER CODE chs. 11 and 26 and the rules of the TCEQ.
3. The occurrence of any violation is in dispute and the entry of this Order shall not constitute an admission by the Respondent of any violation alleged in Section II ("Allegations"), nor of any statute or rule.
4. An administrative penalty in the amount of \$85,200 is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). The Respondent paid \$970 of the penalty and \$17,040 is deferred contingent upon the Respondent's timely and satisfactory compliance with all the terms of this Order and shall be waived only upon full compliance with all the terms and conditions of this Order.

The remaining amount of \$33,110 of the undeferred penalty shall be paid in 35 monthly payments of \$946 each. The first monthly payment shall be paid within 30 days after the effective date of this Order. The subsequent payments shall each be paid not later than 30 days following the due date of the previous payment until the penalty is paid in full. If the Respondent fails to comply with the payment requirements of this Order, including the payment schedule, the Executive Director may accelerate the maturity of the remaining installments, in which event the unpaid balance shall become immediately

due and payable without demand or notice. The Respondent's failure to meet the payment schedule of this Order and/or the acceleration of any remaining balance constitutes the failure by the Respondent to timely and satisfactorily comply with all the terms and conditions of this Order and the Executive Director may demand payment of all or part of the deferred penalty amount.

Pursuant to TEX. WATER CODE § 7.067, \$34,080 of the penalty shall be conditionally offset by the Respondent's timely and satisfactory completion of a Supplemental Environmental Project ("SEP") as defined in the attached SEP Agreement ("Attachment A", incorporated herein by reference). The Respondent's obligation to pay the conditionally offset portion of the penalty shall be discharged upon full compliance with all the terms and conditions of this Order, which includes the timely and satisfactory completion of all provisions of the SEP Agreement, as determined by the Executive Director.

5. The Executive Director and the Respondent agree on a settlement of the matters alleged in this enforcement action, subject to final approval in accordance with 30 TEX. ADMIN. CODE § 70.10(a). Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
6. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that the Respondent has not complied with one or more of the terms or conditions in this Order.
7. This Order represents the complete and fully integrated agreement of the parties. The provisions of this Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Order unenforceable, the remaining provisions shall be valid and enforceable.
8. This Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Order, whichever is later.
9. The Executive Director recognizes that by January 24, 2025 the Respondent ceased all regulated activity within the Edwards Aquifer Recharge Zone at the Site.

II. ALLEGATIONS

During an investigation at the Site conducted on February 15, 2024, an investigator documented that the Respondent:

1. Failed to obtain approval of an Edwards Aquifer Protection Plan prior to commencing regulated activity over the Edwards Aquifer Recharge and Contributing Zones, in violation of 30 TEX. ADMIN. CODE § 213.4(a)(1). Specifically, land clearing and construction activities resulted in the soil disturbance of approximately 11.8 acres of the Site without prior approval of a Water Pollution Abatement Plan ("WPAP").
2. Failed to obtain authorization prior to diverting, impounding, storing, taking, or using state water, in violation of 30 TEX. ADMIN. CODE § 297.11 and TEX. WATER CODE § 11.121. Specifically, the Respondent diverted and stored state water from Salado Creek of the Brazos River Basin to an impoundment for commercial amenity purposes prior to obtaining authorization.

III. DENIALS

The Respondent generally denies each allegation in Section II ("Allegations").

IV. ORDERING PROVISIONS

NOW, THEREFORE, THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY ORDERS that:

1. The Respondent is assessed a penalty as set forth in Section I, Paragraph No. 4. The payment of this penalty and the Respondent's compliance with all of the requirements set forth in this Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations which are not raised here. Penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: WS CAMPUS HOLDINGS, LLC, Docket No. 2024-1217-MLM-E" to:

Financial Administration Division, Revenue Operations Section
Attention: Cashier's Office, MC 214
Texas Commission on Environmental Quality
P.O. Box 13088
Austin, Texas 78711-3088

2. The Respondent shall implement and complete the SEP as set forth in Section I, Paragraph No. 4. The amount of \$34,080 of the assessed penalty is conditionally offset based on the Respondent's implementation and completion of the SEP pursuant to the terms of the SEP Agreement, as defined in Attachment A. Penalty payments for any portion of the SEP deemed by the Executive Director as not complete shall be paid within 30 days after the date the Executive Director demands payment
3. The Respondent shall undertake the following technical requirements:
 - a. Immediately upon the effective date of this Order,
 - i. Cease any regulated activity at the Site until such time that an Edwards Aquifer Contributing Zone Plan ("CZP") has been reviewed and approved by the TCEQ Austin Regional Office; and
 - ii. Cease diverting, impounding, storing, taking, or using state water until authorization has been obtained.
 - b. Within 15 days after the effective date of this Order, submit written documentation of compliance with Ordering Provision No. 3.a in accordance with Ordering Provision No. 3.f.
 - c. Within 30 days after the effective date of this Order,
 - i. Submit a CZP application, for review and approval through the TCEQ File Transfer Protocol Secure website to EAAdmin@tceq.texas.gov;
 - ii. Remove the impoundment, or submit a Water Rights permit application to:

Water Availability Division, MC 160
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

Respond completely and adequately to all TCEQ requests for additional information within 30 days of such requests, or by any other deadline specified in writing.

- iii. Revegetate the disturbed areas of the Edwards Aquifer Recharge Zone at the Site.
- d. Within 45 days after the effective date of this Order, submit written documentation of compliance with Ordering Provision No. 3.c in accordance with Ordering Provision No. 3.f.
- e. Within 120 days after the effective date of this Order,
 - i. Submit written certification that approval of the Edwards Aquifer CZP has been obtained in accordance with Ordering Provision No. 3.f; and
 - ii. Submit written certification that either the impoundment has been removed or a Water Rights permit has been obtained in accordance with Ordering Provision No. 3.f.
- f. Written certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance. The certification shall be signed by the Respondent and shall include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations."

The certification shall be submitted to:

Enforcement Division, MC 149A
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

with a copy to:

Water Section Manager
Austin Regional Office
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, Texas 78711-3087

4. All relief not expressly granted in this Order is denied.
5. The duties and provisions imposed by this Order shall apply to and be binding upon the Respondent. The Respondent is ordered to give notice of this Order to personnel who maintain day-to-day control over the Site operations referenced in this Order.
6. The Executive Director may grant an extension of any deadline in this Order or in any plan, report, or other document submitted pursuant to this Order, upon a written and substantiated showing of good cause. All requests for extensions by the Respondent shall be made in writing to the Executive Director. Extensions are not effective until the Respondent receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director. Extension requests shall be sent to the Enforcement Division at the address listed above.
7. This Order, issued by the Commission, shall not be admissible against the Respondent in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
8. This Order may be executed in separate and multiple counterparts, which together shall constitute a single instrument. Any page of this Order may be copied, scanned, digitized, converted to electronic portable document format ("pdf"), or otherwise reproduced and may be transmitted by digital or electronic transmission, including but not limited to facsimile transmission and electronic mail. Any signature affixed to this Order shall constitute an original signature for all purposes and may be used, filed, substituted, or issued for any purpose for which an original signature could be used. The term "signature" shall include manual signatures and true and accurate reproductions of manual signatures created, executed, endorsed, adopted, or authorized by the person or persons to whom the signatures are attributable. Signatures may be copied or reproduced digitally, electronically, by photocopying, engraving, imprinting, lithographing, electronic mail, facsimile transmission, stamping, or any other means or process which the Executive Director deems acceptable. In this paragraph exclusively, the terms: electronic transmission, owner, person, writing, and written, shall have the meanings assigned to them under TEX. BUS. ORG. CODE § 1.002.
9. The effective date of this Order is the date it is signed by the Commission. A copy of this fully executed Order shall be provided to each of the parties.

SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

For the Commission

Date

Krista Melo-Jurack

10/02/2025

For the Executive Director

Date

I, the undersigned, have read and understand the attached Order. I am authorized to agree to the attached Order, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this Order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the OAG for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the OAG of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

Signature

Date

JOHN B. MESSER JR

7/24/25

DEVELOPMENT MANAGER

Name (Printed or typed)
Authorized Representative of
WS CAMPUS HOLDINGS, LLC

Title

If mailing address has changed, please check this box and provide the new address below:

Instructions: Send the original, signed Order with penalty payment to the Financial Administration Division, Revenue Operations Section at the address in Ordering Provision 1 of this Order.

Attachment A

Docket Number: 2024-1217-MLM-E

SUPPLEMENTAL ENVIRONMENTAL PROJECT

Respondent:	WS CAMPUS HOLDINGS, LLC
Payable Penalty Amount:	\$68,160
SEP Offset Amount:	\$34,080
Type of SEP:	Contribution to a Third-Party Administrator SEP
Third-Party Administrator:	Texas Water Development Board
Project Name:	<i>Water-Level Recorder Data in Every Texas County</i>
Total Project Budget:	\$997,500
Location of SEP:	Statewide; preference for Williamson County

The Texas Commission on Environmental Quality (“TCEQ”) agrees to offset a portion of the administrative penalty amount assessed in this Agreed Order for the Respondent to contribute to a Supplemental Environmental Project (“SEP”). The offset is equal to the SEP Offset Amount set forth above and is conditioned upon completion of the project in accordance with the terms of this Attachment A.

1. Project Description

A. Project

The Respondent shall contribute the SEP Offset Amount to the Third-Party Administrator named above. The contribution will be to the **Texas Water Development Board** for the *Water-Level Recorder Data in Every Texas County* project (the “Project”). The Project is to purchase, install, and maintain automatic water-level recorders in unused wells in the remaining one hundred sixty-six (166) counties. The Third-Party Administrator shall give preference to installing water-level recorders initially in counties in which there are 1) no existing automatic water-level recorder wells, 2) no groundwater conservation district, or 3) groundwater conservation districts that do not have the staff and/or the financial ability to install an automatic water-level recorder. The Project will be done in accordance with all federal, state, and local environmental laws and regulations. The contribution will be used in accordance with the SEP Agreement between the Third-Party Administrator and the TCEQ.

All dollars contributed will be used solely for the direct cost of implementing the Project, including, but not limited to supplies, materials, and equipment. Any portion of this contribution that is not spent on the specifically identified SEP may, at the discretion of the Executive Director (“ED”), be applied to another pre-approved SEP.

The Respondent’s signature affixed to this Agreed Order certifies that the Respondent has no prior commitment to make this contribution and that it is being contributed solely to settle this enforcement action. The Respondent shall not profit from this SEP.

B. Environmental Benefit

The groundwater stored within Texas’ minor and major aquifers is an important natural resource that is relied upon to meet the water supply demands of Texans across the state. Many factors affect the availability of this resource including drought and increased demand. This Project will provide statewide comprehensive real-time groundwater level data to Texas counties, cities, groundwater conservation districts, water supply companies, and individual well owners.

The availability of this comprehensive data will promote awareness of the effects of drought on Texas' aquifers and assist in groundwater management planning and use throughout the state.

C. Minimum Expenditure

The Respondent shall contribute at least the SEP Offset Amount to the Third-Party Administrator and comply with all other provisions of this SEP.

2. Performance Schedule

Within 30 days after the effective date of this Agreed Order, the Respondent must contribute the SEP Offset Amount to the Third-Party Administrator. The Respondent shall make the check payable to **Texas Water Development Board SEP** and shall mail the contribution with a copy of the Agreed Order to:

Texas Water Development Board
Attention: Finance
P.O. Box 13231
Austin, Texas 78711-3231

3. Records and Reporting

Concurrent with the payment of the SEP Offset Amount, the Respondent shall provide the Enforcement SEP Coordinator with a copy of the check and transmittal letter indicating full payment of the SEP Offset Amount to the Third-Party Administrator. The Respondent shall mail a copy of the check and transmittal letter to:

Texas Commission on Environmental Quality
Enforcement Division
Attention: SEP Coordinator, MC 219
P.O. Box 13087
Austin, Texas 78711-3087

4. Failure to Fully Perform

If the Respondent does not perform its obligations under this Attachment A, including full expenditure of the SEP Offset Amount and submittal of the required reporting described in Sections 2 and 3 above, the ED may require immediate payment of all or part of the SEP Offset Amount.

In the event the ED determines that the Respondent failed to fully implement and complete the Project, the Respondent shall remit payment for all or a portion of the SEP Offset Amount, as determined by the ED, and as set forth in the attached Agreed Order. After receiving notice of failure to complete the SEP, the Respondent shall include the docket number of the attached Agreed Order and a note that the enclosed payment is for the reimbursement of a SEP, shall make the check payable to "Texas Commission on Environmental Quality," and shall mail it to:

Litigation Division
Attention: SEP Coordinator, MC 175
P.O. Box 13087
Austin, Texas 78711-3087

5. Publicity

Any public statements concerning this SEP and/or project, made by or on behalf of the Respondent must include a clear statement that **the project was performed as part of the settlement of an enforcement action brought by the TCEQ**. Such statements include advertising, public relations, and press releases.

6. Recognition

The Respondent may not seek recognition for this contribution in any other state or federal regulatory program.

7. Other SEPs by TCEQ or Other Agencies

The SEP Offset Amount identified in this Attachment A and in the attached Agreed Order has not been, and shall not be, included as a SEP for the Respondent under any other Agreed Order negotiated with the TCEQ or any other agency of the state or federal government.