

# Texas Commission on Environmental Quality

## Edwards Aquifer Application Cover Page

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### Our Review of Your Application

The Edwards Aquifer Program staff conducts an administrative and technical review of all applications. The turnaround time for administrative review can be up to 30 days as outlined in 30 TAC 213.4(e). Generally administrative completeness is determined during the intake meeting or within a few days of receipt. The turnaround time for technical review of an administratively complete Edwards Aquifer application is 90 days as outlined in 30 TAC 213.4(e). Please know that the review and approval time is directly impacted by the quality and completeness of the initial application that is received. In order to conduct a timely review, it is imperative that the information provided in an Edwards Aquifer application include final plans, be accurate, complete, and in compliance with [30 TAC 213](#).

### Administrative Review

1. [Edwards Aquifer applications](#) must be deemed administratively complete before a technical review can begin. To be considered administratively complete, the application must contain completed forms and attachments, provide the requested information, and meet all the site plan requirements. The submitted application and plan sheets should be final plans. Please submit one full-size set of plan sheets with the original application, and half-size sets with the additional copies.

To ensure that all applicable documents are included in the application, the program has developed tools to guide you and web pages to provide all forms, checklists, and guidance. Please visit the below website for assistance: <http://www.tceq.texas.gov/field/eapp>.

2. This Edwards Aquifer Application Cover Page form (certified by the applicant or agent) must be included in the application and brought to the administrative review meeting.
3. Administrative reviews are scheduled with program staff who will conduct the review. Applicants or their authorized agent should call the appropriate regional office, according to the county in which the project is located, to schedule a review. The average meeting time is one hour.
4. In the meeting, the application is examined for administrative completeness. Deficiencies will be noted by staff and emailed or faxed to the applicant and authorized agent at the end of the meeting, or shortly after. Administrative deficiencies will cause the application to be deemed incomplete and returned.

An appointment should be made to resubmit the application. The application is re-examined to ensure all deficiencies are resolved. The application will only be deemed administratively complete when all administrative deficiencies are addressed.

5. If an application is received by mail, courier service, or otherwise submitted without a review meeting, the administrative review will be conducted within 30 days. The applicant and agent will be contacted with the results of the administrative review. If the application is found to be administratively incomplete, it can be retrieved from the regional office or returned by regular mail. If returned by mail, the regional office may require arrangements for return shipping.
6. If the geologic assessment was completed before October 1, 2004 and the site contains “possibly sensitive” features, the assessment must be updated in accordance with the *Instructions to Geologists* (TCEQ-0585 Instructions).

### Technical Review

1. When an application is deemed administratively complete, the technical review period begins. The regional office will distribute copies of the application to the identified affected city, county, and groundwater conservation district whose jurisdiction includes the subject site. These entities and the public have 30 days to provide comments on the application to the regional office. All comments received are reviewed by TCEQ.
2. A site assessment is usually conducted as part of the technical review, to evaluate the geologic assessment and observe existing site conditions. The site must be accessible to our staff. The site boundaries should be



clearly marked, features identified in the geologic assessment should be flagged, roadways marked and the alignment of the Sewage Collection System and manholes should be staked at the time the application is submitted. If the site is not marked the application may be returned.

3. We evaluate the application for technical completeness and contact the applicant and agent via Notice of Deficiency (NOD) to request additional information and identify technical deficiencies. There are two deficiency response periods available to the applicant. There are 14 days to resolve deficiencies noted in the first NOD. If a second NOD is issued, there is an additional 14 days to resolve deficiencies. If the response to the second notice is not received, is incomplete or inadequate, or provides new information that is incomplete or inadequate, the application must be withdrawn or will be denied. Please note that because the technical review is underway, whether the application is withdrawn or denied **the application fee will be forfeited**.
4. The program has 90 calendar days to complete the technical review of the application. If the application is technically adequate, such that it complies with the Edwards Aquifer rules, and is protective of the Edwards Aquifer during and after construction, an approval letter will be issued. Construction or other regulated activity may not begin until an approval is issued.

**Mid-Review Modifications**

It is important to have final site plans prior to beginning the permitting process with TCEQ to avoid delays.

Occasionally, circumstances arise where you may have significant design and/or site plan changes after your Edwards Aquifer application has been deemed administratively complete by TCEQ. This is considered a “Mid-Review Modification”. Mid-Review Modifications may require redistribution of an application that includes the proposed modifications for public comment.

If you are proposing a Mid-Review Modification, two options are available:

- If the technical review has begun your application can be denied/withdrawn, your fees will be forfeited, and the plan will have to be resubmitted.
- TCEQ can continue the technical review of the application as it was submitted, and a modification application can be submitted at a later time.

If the application is denied/withdrawn, the resubmitted application will be subject to the administrative and technical review processes and will be treated as a new application. The application will be redistributed to the affected jurisdictions.

Please contact the regional office if you have questions. If your project is located in Williamson, Travis, or Hays County, contact TCEQ’s Austin Regional Office at 512-339-2929. If your project is in Comal, Bexar, Medina, Uvalde, or Kinney County, contact TCEQ’s San Antonio Regional Office at 210-490-3096

Please fill out all required fields below and submit with your application.

|   |  |  |                                 |  |                              |                              |                              |                         |                            |
|---|--|--|---------------------------------|--|------------------------------|------------------------------|------------------------------|-------------------------|----------------------------|
| <b>1. Regulated Entity Name:</b><br>Westpointe Village Apartments & Commercial 13.646 Acres |  |  |                                 | <b>2. Regulated Entity No.:</b> RN 109470468 |                              |                              |                              |                         |                            |
| <b>3. Customer Name:</b><br>Westpointe Commercial LTD                                       |  |  |                                 | <b>4. Customer No.:</b> CN 604362186         |                              |                              |                              |                         |                            |
| <b>5. Project Type:</b><br>(Please circle/check one)  | New                                      | <input checked="" type="checkbox"/> <b>Modification</b>    | Extension                       | Exception                                    |                              |                              |                              |                         |                            |
| <b>6. Plan Type:</b><br>(Please circle/check one)   | <input checked="" type="checkbox"/> WPAP | <input type="checkbox"/> CZP                               | <input type="checkbox"/> SCS    | <input type="checkbox"/> UST                 | <input type="checkbox"/> AST | <input type="checkbox"/> EXP | <input type="checkbox"/> EXT | Technical Clarification | Optional Enhanced Measures |
| <b>7. Land Use:</b><br>(Please circle/check one)  | Residential                              | <input checked="" type="checkbox"/> <b>Non-residential</b> |                                 |  | <b>8. Site (acres):</b>      |                              | 2.27 acres                   |                         |                            |
| <b>9. Application Fee:</b>  | \$4,000                                  |  | <b>10. Permanent BMP(s):</b>    |  |                              |                              |                              |                         |                            |
| <b>11. SCS (Linear Ft.):</b>  |  |  | <b>12. AST/UST (No. Tanks):</b> |  |                              |                              |                              |                         |                            |
| <b>13. County:</b>  | Comal                                    |  | <b>14. Watershed:</b>           |  |                              |                              | Panther Canyon               |                         |                            |



# Application Distribution

Instructions: Use the table below to determine the number of applications required. One original and one copy of the application, plus additional copies (as needed) for each affected incorporated city, county, and groundwater conservation district are required. Linear projects or large projects, which cross into multiple jurisdictions, can require additional copies. Refer to the “Texas Groundwater Conservation Districts within the EAPP Boundaries” map found at:

[http://www.tceq.texas.gov/assets/public/compliance/field\\_ops/eapp/EAPP%20GWCD%20map.pdf](http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf)

For more detailed boundaries, please contact the conservation district directly.

| Austin Region                        |   |  |   |
|--------------------------------------|---|--|---|
| County:                              | Hays  | Travis   | Williamson  |
| Original (1 req.)                    | —   | —  | —   |
| Region (1 req.)                      | —   | —  | —   |
| County(ies)                          | —   | —  | —   |
| Groundwater Conservation District(s) | <input type="checkbox"/> Edwards Aquifer Authority<br><input type="checkbox"/> Barton Springs/ Edwards Aquifer<br><input type="checkbox"/> Hays Trinity<br><input type="checkbox"/> Plum Creek  | <input type="checkbox"/> Barton Springs/ Edwards Aquifer   | NA  |
| City(ies) Jurisdiction               | <input type="checkbox"/> Austin<br><input type="checkbox"/> Buda<br><input type="checkbox"/> Dripping Springs<br><input type="checkbox"/> Kyle<br><input type="checkbox"/> Mountain City<br><input type="checkbox"/> San Marcos<br><input type="checkbox"/> Wimberley<br><input type="checkbox"/> Woodcreek | <input type="checkbox"/> Austin<br><input type="checkbox"/> Bee Cave<br><input type="checkbox"/> Pflugerville<br><input type="checkbox"/> Rollingwood<br><input type="checkbox"/> Round Rock<br><input type="checkbox"/> Sunset Valley<br><input type="checkbox"/> West Lake Hills | <input type="checkbox"/> Austin<br><input type="checkbox"/> Cedar Park<br><input type="checkbox"/> Florence<br><input type="checkbox"/> Georgetown<br><input type="checkbox"/> Jerrell<br><input type="checkbox"/> Leander<br><input type="checkbox"/> Liberty Hill<br><input type="checkbox"/> Pflugerville<br><input type="checkbox"/> Round Rock |

| San Antonio Region                   |   |   |                                 |   |   |
|--------------------------------------|---|---|---------------------------------|---|---|
| County:                              | Bexar   | Comal   | Kinney                          | Medina  | Uvalde  |
| Original (1 req.)                    | —   | —   | —                               | —   | —   |
| Region (1 req.)                      | —   | —   | —                               | —   | —   |
| County(ies)                          | —   | ✓   | —                               | —   | —   |
| Groundwater Conservation District(s) | <input type="checkbox"/> Edwards Aquifer Authority<br><input type="checkbox"/> Trinity-Glen Rose  | <input checked="" type="checkbox"/> Edwards Aquifer Authority   | <input type="checkbox"/> Kinney | <input type="checkbox"/> EAA<br><input type="checkbox"/> Medina | <input type="checkbox"/> EAA<br><input type="checkbox"/> Uvalde |
| City(ies) Jurisdiction               | <input type="checkbox"/> Castle Hills<br><input type="checkbox"/> Fair Oaks Ranch<br><input type="checkbox"/> Helotes<br><input type="checkbox"/> Hill Country Village<br><input type="checkbox"/> Hollywood Park<br><input type="checkbox"/> San Antonio (SAWS)<br><input type="checkbox"/> Shavano Park | <input type="checkbox"/> Bulverde<br><input type="checkbox"/> Fair Oaks Ranch<br><input type="checkbox"/> Garden Ridge<br><input checked="" type="checkbox"/> New Braunfels<br><input type="checkbox"/> Schertz | NA                              | <input type="checkbox"/> San Antonio ETJ (SAWS)                 | NA  |



I certify that to the best of my knowledge, that the application is complete and accurate. This application is hereby submitted to TCEQ for administrative review and technical review.

Brittany Beisert, PE

Print Name of Customer Authorized Agent

*Brittany Beisert*

10-9-2023

Signature of Customer/Authorized Agent

Date

**\*\*FOR TCEQ INTERNAL USE ONLY\*\***

|   |  |                                 |                              |
|---|--|---------------------------------|------------------------------|
| Date(s) Reviewed:                             |  | Date Administratively Complete: |                              |
| Received From:                                |  | Correct Number of Copies:       |                              |
| Received By:                                  |  | Distribution Date:              |                              |
| EAPP File Number:                             |  | Complex:                        |                              |
| Admin. Review(s) (No.):                       |  | No. AR Rounds:                  |                              |
| Delinquent Fees (Y/N):                        |  | Review Time Spent:              |                              |
| Lat./Long. Verified:                          |  | SOS Customer Verification:      |                              |
| Agent Authorization Complete/Notarized (Y/N): |  | Fee Check:                      | Payable to TCEQ (Y/N):       |
| Core Data Form Complete (Y/N):                |  |                                 | Signed (Y/N):                |
| Core Data Form Incomplete Nos.:               |  |                                 | Less than 90 days old (Y/N): |



# General Information Form

## Texas Commission on Environmental Quality

For Regulated Activities on the Edwards Aquifer Recharge and Transition Zones and Relating to 30 TAC §213.4(b) & §213.5(b)(2)(A), (B) Effective June 1, 1999

**To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.**

**Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.**

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **General Information Form** is hereby submitted for TCEQ review. The application was prepared by:

Print Name of Customer/Agent: Brittany Beisert, PE

Date: 12/27/2023

Signature of Customer/Agent:



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## Project Information

1. Regulated Entity Name: Treetop Pediatric Dentistry
2. County: Comal
3. Stream Basin: Panther Canyon
4. Groundwater Conservation District (If applicable): Comal Trinity
5. Edwards Aquifer Zone:  
 Recharge Zone  
 Transition Zone
6. Plan Type:  
 WPAP  
 SCS  
 Modification  
 AST  
 UST  
 Exception Request



7. Customer (Applicant):

Contact Person: Brandon Shamblin

Entity: Treetop Pediatric Dentistry

Mailing Address: 2810 Oak Run Parkway, Suite 300

City, State: New Braunfels, TX

Zip: 78132

Telephone: 830-515-5365

FAX: \_\_\_\_\_

Email Address: drbrandon@treetopdental.com

8. Agent/Representative (If any):

Contact Person: Brittany Beisert, PE

Entity: HMT Engineering & Surveying

Mailing Address: 290 S. Castell Ave

City, State: New Braunfels, TX

Zip: 78130

Telephone: 830-625-8555

FAX: N/A

Email Address: brittanyb@hmtnb.com

9. Project Location:

The project site is located inside the city limits of New Braunfels.

The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of \_\_\_\_\_.

The project site is not located within any city's limits or ETJ.

10.  The location of the project site is described below. The description provides sufficient detail and clarity so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

Take exit 184 (Rueckle Rd/Loop 337) off IH-35 in New Braunfels. Travel north on Loop 337 approx. 2.5 miles to the intersection of Oak Run Pkwy. Turn left on Oak Run and travel approx. 0.2 miles northwest to the intersection of Independence Dr. The site is on the east corner of the intersection.

11.  **Attachment A – Road Map.** A road map showing directions to and the location of the project site is attached. The project location and site boundaries are clearly shown on the map.

12.  **Attachment B - USGS / Edwards Recharge Zone Map.** A copy of the official 7 ½ minute USGS Quadrangle Map (Scale: 1" = 2000') of the Edwards Recharge Zone is attached. The map(s) clearly show:

Project site boundaries.

USGS Quadrangle Name(s).

Boundaries of the Recharge Zone (and Transition Zone, if applicable).

Drainage path from the project site to the boundary of the Recharge Zone.

13.  **The TCEQ must be able to inspect the project site or the application will be returned.** Sufficient survey staking is provided on the project to allow TCEQ regional staff to locate

the boundaries and alignment of the regulated activities and the geologic or manmade features noted in the Geologic Assessment.

Survey staking will be completed by this date: 10/24/2023

14.  **Attachment C – Project Description.** Attached at the end of this form is a detailed narrative description of the proposed project. The project description is consistent throughout the application and contains, at a minimum, the following details:

- Area of the site
- Offsite areas
- Impervious cover
- Permanent BMP(s)
- Proposed site use
- Site history
- Previous development
- Area(s) to be demolished

15. Existing project site conditions are noted below:

- Existing commercial site
- Existing industrial site
- Existing residential site
- Existing paved and/or unpaved roads
- Undeveloped (Cleared)
- Undeveloped (Undisturbed/Uncleared)
- Other: \_\_\_\_\_

### ***Prohibited Activities***

16.  I am aware that the following activities are prohibited on the Recharge Zone and are not proposed for this project:

- (1) Waste disposal wells regulated under 30 TAC Chapter 331 of this title (relating to Underground Injection Control);
- (2) New feedlot/concentrated animal feeding operations, as defined in 30 TAC §213.3;
- (3) Land disposal of Class I wastes, as defined in 30 TAC §335.1;
- (4) The use of sewage holding tanks as parts of organized collection systems; and
- (5) New municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41(b), (c), and (d) of this title (relating to Types of Municipal Solid Waste Facilities).
- (6) New municipal and industrial wastewater discharges into or adjacent to water in the state that would create additional pollutant loading.

17.  I am aware that the following activities are prohibited on the Transition Zone and are not proposed for this project:



- (1) Waste disposal wells regulated under 30 TAC Chapter 331 (relating to Underground Injection Control);
- (2) Land disposal of Class I wastes, as defined in 30 TAC §335.1; and
- (3) New municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41 (b), (c), and (d) of this title.

### ***Administrative Information***

18. The fee for the plan(s) is based on:

- For a Water Pollution Abatement Plan or Modification, the total acreage of the site where regulated activities will occur.
  - For an Organized Sewage Collection System Plan or Modification, the total linear footage of all collection system lines.
  - For a UST Facility Plan or Modification or an AST Facility Plan or Modification, the total number of tanks or piping systems.
  - A request for an exception to any substantive portion of the regulations related to the protection of water quality.
  - A request for an extension to a previously approved plan.
19.  Application fees are due and payable at the time the application is filed. If the correct fee is not submitted, the TCEQ is not required to consider the application until the correct fee is submitted. Both the fee and the Edwards Aquifer Fee Form have been sent to the Commission's:
- TCEQ cashier
  - Austin Regional Office (for projects in Hays, Travis, and Williamson Counties)
  - San Antonio Regional Office (for projects in Bexar, Comal, Kinney, Medina, and Uvalde Counties)
20.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.
21.  No person shall commence any regulated activity until the Edwards Aquifer Protection Plan(s) for the activity has been filed with and approved by the Executive Director.



Drawing Name: N:\Projects\502 - Treetop Pediatric Dental\001 - Treetop Dental at Westpointe - Commercial Construction Documents\CDs\Base\502.001\_PROP.dwg User: jonm Jul 14, 2023 - 12:50pm



**SHEET**  
**ATTACHMENT A**

DATE:  
JULY 2023  
PROJECT NO.:  
503.001

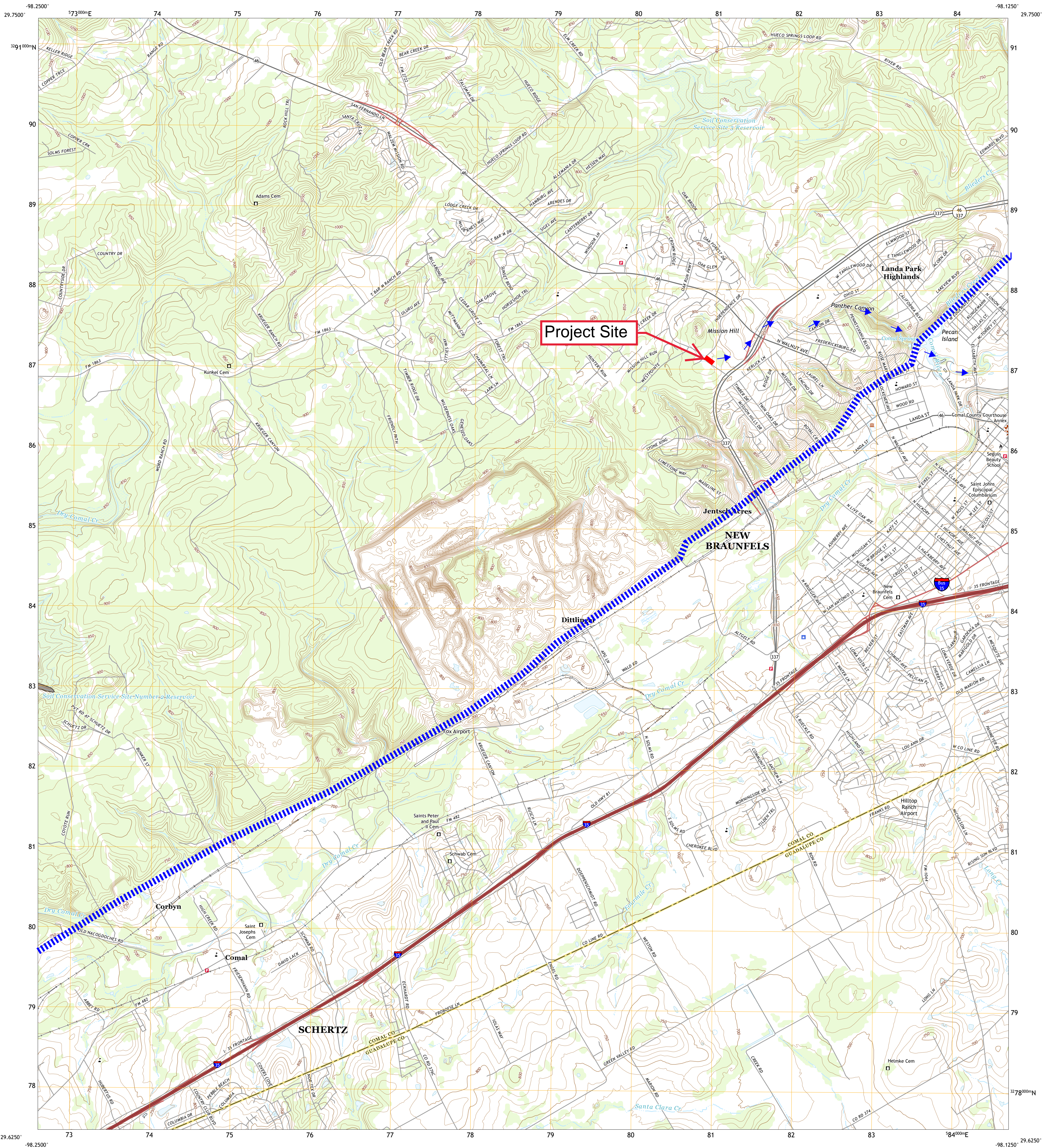
**ROAD MAP**  
**WPAP**  
**FORM 0587 ITEM 11**



**HMT**  
ENGINEERING & SURVEYING

290 S. CASTELL AVE., STE. 100  
NEW BRAUNFELS, TX 78130  
TBPE FIRM F-10961  
TBPLS FIRM 10153600

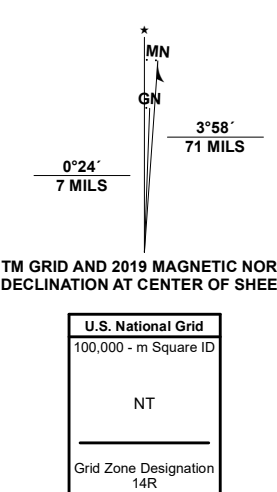




Produced by the United States Geological Survey

North American Datum of 1983 (NAD83) World Geodetic System of 1984 (WGS84). Projection and 1 000-meter grid: Universal Transverse Mercator, Zone 14R. This map is not a legal document. Boundaries may be generalized for this map scale. Private lands within government reservations may not be shown. Obtain permission before entering private lands.

Imagery: NAIP, September 2016 - November 2016  
Roads: U.S. Census Bureau, 2015 - 2019  
Names: GNS, 1979 - 2022  
Hydrography: National Hydrography Dataset, 2000 - 2018  
Contours: National Elevation Dataset, 2021  
Boundaries: Multiple sources; see metadata file 2019 - 2021  
Wetlands: FWS National Wetlands Inventory, Not Available



CONTOUR INTERVAL 10 FEET NORTH AMERICAN VERTICAL DATUM OF 1988 This map was produced to conform with the National Geospatial Program US Topo Product Standard.



ADJOINING QUADRANGLES

|   |   |   |
|---|---|---|
| 1 | 2 | 3 |
| 4 | 5 | 6 |
| 7 | 8 |   |

1 Smithson Valley  
2 Sattler  
3 Hunter  
4 Bat Cave  
5 New Braunfels East  
6 Schertz  
7 Marion  
8 McQueeney

ROAD CLASSIFICATION

|                  |                 |
|------------------|-----------------|
| Expressway       | Local Connector |
| Secondary Hwy    | Local Road      |
| Ramp             | 4WD             |
| Interstate Route | US Route        |
|                  | State Route     |







290 S. Castell Avenue, Ste 100  
New Braunfels, TX 78130  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

October 9, 2023

Texas Commission on Environmental Quality (TCEQ)  
San Antonio Regional Office  
Edwards Aquifer Protection Program  
14250 Judson Rd,  
San Antonio, TX 78233

**RE:     *General Information Form – WPAP Modification – Treetop Dental***

**Attachment C:**

The proposed Treetop Dental project includes a 8,575 square foot dental office building, a 10,00 square foot medical office building, and approximately 120 parking spaces. The medical office building is to be built by others in the future but has been included with this Water Pollution Abatement Plan modification application and drainage compliance analysis. This WPAP Amendment includes the ultimate buildout conditions of the site.

The entire project site is a 2.26-acre tract and was originally included in the Westpointe Village Apartments and Commercial WPAP. Currently, the project site is undeveloped and has no impervious cover. The Westpointe Village Apartments and Commercial WPAP allotted up to 1.89 acres of impervious cover. The proposed configuration of the site proposes 1.66 acres of impervious cover.

There is an existing underground storm system in the southeast corner of the project property that includes a tabletop inlet originally provided and constructed with the Westpointe Apartments. This provides stormwater conveyance to the detention pond downstream acting as our existing permanent BMP.



# **GEOLOGIC ASSESSMENT**

**GEOLOGIC ASSESSMENT  
FOR THE APPROXIMATELY 2.27-ACRE  
TREETOP PEDIATRIC DENTAL TRACT**

Comal County, Texas

December 2023

**Submitted to:**

Treetop Pediatric Dentistry  
2810 Oak Run Parkway,  
Suite 300  
New Braunfels, Texas 78132

**Prepared by:**

aci consulting  
1001 Mopac Circle  
Austin, Texas 78746  
TBPG Firm License No. 50260

aci project #: 22-23-125

# Geologic Assessment

## Texas Commission on Environmental Quality

For Regulated Activities on The Edwards Aquifer Recharge/transition Zones and Relating to 30 TAC §213.5(b)(3), Effective June 1, 1999

**To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.**

**Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.**

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. My signature certifies that I am qualified as a geologist as defined by 30 TAC Chapter 213.

Print Name of Geologist: Mark T. Adams

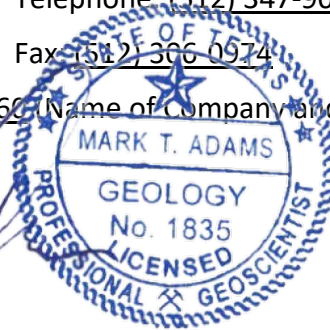
Telephone: (512) 347-9000

Date: 12/8/2023

Fax: (512) 306-0974

Representing: aci Group LLC TBPG License No. 50260 (Name of Company and TBPG or TBPE registration number)

Signature of Geologist:



Regulated Entity Name: Treetop Pediatric Dentistry

## Project Information

1. Date(s) Geologic Assessment was performed: 11/20/2023

2. Type of Project:

WPAP  
 SCS

AST  
 UST

3. Location of Project:

Recharge Zone  
 Transition Zone  
 Contributing Zone within the Transition Zone



4.  **Attachment A - Geologic Assessment Table.** Completed Geologic Assessment Table (Form TCEQ-0585-Table) is attached.
5.  Soil cover on the project site is summarized in the table below and uses the SCS Hydrologic Soil Groups\* (Urban Hydrology for Small Watersheds, Technical Release No. 55, Appendix A, Soil Conservation Service, 1986). If there is more than one soil type on the project site, show each soil type on the site Geologic Map or a separate soils map.

**Table 1 - Soil Units, Infiltration Characteristics and Thickness**

| Soil Name   | Group* | Thickness(feet) |
|---|--------|-----------------|
| Krum clay, 1 to 3 percent slopes (KrB)                        | C      | 0' - 6.6'       |
| Medlin, warm-Eckrant association, 1 to 8 percent slopes (MEC) | D      | 0' - 6.6'       |
|   |        |                 |
|   |        |                 |

| Soil Name | Group* | Thickness(feet) |
|-----------|--------|-----------------|
|           |        |                 |

*\* Soil Group Definitions (Abbreviated)*

- A. Soils having a high infiltration rate when thoroughly wetted.
- B. Soils having a moderate infiltration rate when thoroughly wetted.
- C. Soils having a slow infiltration rate when thoroughly wetted.
- D. Soils having a very slow infiltration rate when thoroughly wetted.

6.  **Attachment B – Stratigraphic Column.** A stratigraphic column showing formations, members, and thicknesses is attached. The outcropping unit, if present, should be at the top of the stratigraphic column. Otherwise, the uppermost unit should be at the top of the stratigraphic column.
7.  **Attachment C – Site Geology.** A narrative description of the site specific geology including any features identified in the Geologic Assessment Table, a discussion of the potential for fluid movement to the Edwards Aquifer, stratigraphy, structure(s), and karst characteristics is attached.
8.  **Attachment D – Site Geologic Map(s).** The Site Geologic Map must be the same scale as the applicant's Site Plan. The minimum scale is 1": 400'  
 Applicant's Site Plan Scale: 1" = 20'  
 Site Geologic Map Scale: 1" = 20'  
 Site Soils Map Scale (if more than 1 soil type): 1" = 70'
9. Method of collecting positional data:
  - Global Positioning System (GPS) technology.
  - Other method(s). Please describe method of data collection: \_\_\_\_\_

10.  The project site and boundaries are clearly shown and labeled on the Site Geologic Map.
11.  Surface geologic units are shown and labeled on the Site Geologic Map.
12.  Geologic or manmade features were discovered on the project site during the field investigation. They are shown and labeled on the Site Geologic Map and are described in the attached Geologic Assessment Table.
- Geologic or manmade features were not discovered on the project site during the field investigation.
13.  The Recharge Zone boundary is shown and labeled, if appropriate.
14. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.): If applicable, the information must agree with Item No. 20 of the WPAP Application Section.
- There are \_\_\_\_\_ (#) wells present on the project site and the locations are shown and labeled. (Check all of the following that apply.)
- The wells are not in use and have been properly abandoned.
- The wells are not in use and will be properly abandoned.
- The wells are in use and comply with 16 TAC Chapter 76.
- There are no wells or test holes of any kind known to exist on the project site.

### ***Administrative Information***

15.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.



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December 2023

## Geologic Assessment for the Treetop Pediatric Dental located in Comal County, Texas

### 1.0 INTRODUCTION

The Texas Commission on the Environmental Quality (TCEQ) regulates activities that have the potential to pollute the Edwards Aquifer through the Edwards Aquifer Protection Program. Projects meeting a certain criterion over the Edwards Aquifer Recharge Zone must submit an Edwards Aquifer Protection Plan (EAPP).

The purpose of this report is to identify all potential pathways for contaminant movement to the Edwards Aquifer and provide sufficient geologic information so that the appropriate Best Management Practices (BMPs) can be proposed in the Edwards Aquifer Protection Plan (EAPP). This report complies with the requirements of Title 30, Texas Administrative Code (TAC) Chapter 213 relating to the protection of the Edwards Aquifer Recharge Zone. Per the Rules, the Geologic Assessment must be completed by a Geologist licensed according to the Texas Geoscience Practice Act.

### 2.0 PROJECT INFORMATION

The Treetop Pediatric Dental Tract, hereafter referred to as the subject area or site, is located at 3355 Oak Run Parkway in the extraterritorial jurisdiction (ETJ) of New Braunfels, Comal County, Texas (**Attachment A, Figure 1**). Pedestrian investigations of the 2.27-acre tract were performed on November 20, 2023, by Marcos Cardenas and Gabriel Nejad, under the supervision of Mark Adams, P.G. with **aci consulting**.

This report is intended to satisfy the requirements for a Geologic Assessment, which shall be included as a component of a Water Pollution Abatement Plan (WPAP) (1300295). The site is approximately 2.27 acres in total. The proposed site use is for commercial development, to include a parking lot, dentist office, and space for a future unit. The scope of the report consists of a site reconnaissance, field survey, and review of existing data and reports. Features identified during the field survey were ranked utilizing the Texas Commission on Environmental Quality (TCEQ) matrix for Edwards Aquifer Recharge Zone features. The ranking of the features will determine their viability as “sensitive” features.

### 3.0 INVESTIGATION METHODS

The following investigation methods and activities were used to develop this report:

- Review of existing files and literature to determine the regional geology and any known caves associated with the project area;
- Review of past geological field reports, cave studies, and correspondence regarding the existing geologic features on the project area, if available;
- Site reconnaissance by a registered professional geologist to identify and examine caves, recharge features, and other significant geological structures;
- Evaluation of collected field data and a ranking of features using the TCEQ Ranking Table 0585 for the Edwards Aquifer Recharge Zone; and
- Review of historic aerial photographs to determine if there are any structural features present, and to determine any past disturbances on the subject property.

### 4.0 SOILS AND GEOLOGY

The following includes a site-specific description of the soils, geologic stratigraphy, geologic structure, and karstic characteristics as they relate to the Edwards aquifer. Also included in this section is a review of historic aerials for presence of geologic changes or changes to manmade features in bedrock.

#### Soils

According to the United States Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Web Soil Survey (2023), two soil units occur within the project area (**Attachment A, Figure 2**):

- KrB - Krum clay, 1 to 3 percent slopes  
The Krum component makes up 90 percent of the map unit. Slopes are 1 to 3 percent. This component is on stream terraces on dissected plateaus. The parent material consists of calcareous silty and clayey alluvium derived from limestone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is high. Shrinkswell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet the criteria for hydric soils. Hydrologic Soil Group: C.



Bolar (5%), Doss, (3%), and Lewisville (2%) are minor components that make up the remaining 10% of the map unit. These do not meet the criteria for hydric soils.

- MEC - Medlin, warm-Eckrant association, 1 to 8 percent slopes  
The Medlin, warm component makes up 50 percent of the map unit. Slopes are 1 to 8 percent. This component is on ridges on dissected plateaus. The parent material consists of clayey residuum weathered from claystone. Depth to a root restrictive layer, densic material, is 35 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is low. Available water to a depth of 60 inches (or restricted depth) is low. Shrink-swell potential is high. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet the criteria for hydric soils. Hydrologic Soil Group: D.

The Eckrant component makes up 30 percent of the map unit. Slopes are 1 to 8 percent. This component is on ridges on dissected plateaus. The parent material consists of residuum weathered from limestone. Depth to a root restrictive layer, bedrock, lithic, is 4 to 20 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately low. Available water to a depth of 60 inches (or restricted depth) is very low. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. This soil does not meet the criteria for hydric soils. Hydrologic Soil Group: D.

Krum (8%), Comfort (8%), and Rock outcrop (4%) are minor components that make up the remaining 20% of the map unit. These do not meet the criteria for hydric soils.

### Geologic Stratigraphy

According to the *Geologic Map of the New Braunfels West Quadrangle, Texas*, one geologic unit occurs within the project area (**Attachment A, Figure 3**). These units and a description by Collins (1993) are as follows:

- Del Rio Formation (Kdr)  
“Clay. Gypsiferous, calcareous, pyrite common; poorly indurate, plastic, dark gray to olive brown; abundant *llymatogyra arientina* (formerly *Exogyra arietina*). Becomes less calcareous and more gypsiferous upward; blocky, medium gray, weathers light gray to yellowish gray. Some thin lenticular beds of highly calcareous siltstone. Slope forming or

underhanging where slumped below overlying Buda. Forms highly expansive soil. Water tanks for livestock commonly excavated on outcrop. Upper and lower contacts gradational. Marine megafossils include abundant *Ilymatogyra arisntina* (formerly *Exogyra arietina*) and other pelecypods. Thickness ranges 15 to 50 ft. ”

#### Site-Specific Stratigraphic Column

| Formation | Members | Thickness<br>(Collins, 1993) |
|-----------|---------|------------------------------|
| Del Rio   | N/A     | 15-50 feet                   |

#### Geologic Structure

The geologic strata associated with the Edwards Aquifer include the Georgetown Limestone Formation of the Washita Group, the Edwards Limestone Group which is interfingered with the Comanche Peak Formation, followed by the Walnut formation, and finally the Glen Rose Formation of the Trinity Group. These Groups dip gently to the southeast and are a characterized by the Balcones Fault Escarpment, a zone of en echelon normal faults downthrown to the southeast. Locally, the dominant structural trend of faults within the area is 45°, as evidenced by the mapped fault patterns (**Attachment A, Figure 4**). Thus, all features that have a trend ranging from 30° to 60° are considered “on trend” and were awarded the additional 10 points in the Geologic Assessment Table.

The subject area is underlain by Kdr (Collins 1993). This tract was previously cleared, graded and filled with material as part of previous construction activities for the surrounding development. As such, the local geology was not visible from the surface on this site

#### Karstic Characteristics

In limestone landscapes, karst is expressed by erratically developed cavernous porosity from dissolution of bedrock as water combined with weak acids moves through the subsurface. Karst terrains are typical of the Edwards Limestone, occurring across a vast region of Central Texas, including the Balcones Fault Escarpment. The features produced by karst processes include, but are not limited to, sinkholes, solution cavities, solution

enlarged fractures, and caves. These features can eventually provide conduits for fluid movement such as surface water runoff, as “point recharge” to the Edwards Aquifer. Faults and manmade features within bedrock can also provide conduits for point recharge in many cases.

According to Edwards aquifer zone map produced by the TCEQ (2005), the entire subject area is within the southern segment of the Edwards aquifer Recharge Zone. Thus, all karst features identified as sensitive within the project limits have the potential to be point recharge features into the Edwards aquifer.

### Review of Historic Aerials

Aerial photographs were reviewed for the site, and it was determined that ranching and agricultural activities occurred on the site since the first aerial image dated 1938 (**Attachment C**). Between the 1938 aerial and the 1983 aerial, the site remains relatively unchanged, aside from changes to crops and vegetation associated with the agricultural site use of the time. By the 1995 aerial, vegetation regrowth around the site (a previously cleared field) can be noticed. By the 2004 aerial, the site appears to be regrown with native vegetation and an unpaved road intersecting the site is noted. In the 2010 aerial, Independence Run (street) to the north, and Oak Run Parkway (Pkwy) to the south of the site first appears, as well as a water tower to the south of the site. Vegetation clearing in preparation for the Westpointe development to the north of the site is apparent on the 2016 aerial, and by the 2022 aerial, the land immediately to the northeast of the site has been developed into an apartment complex.

## 5.0 SUMMARY OF FINDINGS

This report documents the findings of a geologic assessment conducted by **aci consulting** personnel on November 20, 2023. Five features (manmade features in bedrock and non-karst features) were noted on the site. Comprehensive descriptions and recommendations for each feature can be found in **Attachment B**. Based on assessment of each feature, it was determined that there are no sensitive karst features on the subject area. There is one non-sensitive feature and four man-made features in bedrock, which have been deemed sensitive for the sole purpose of being brought to the attention of the project engineer.

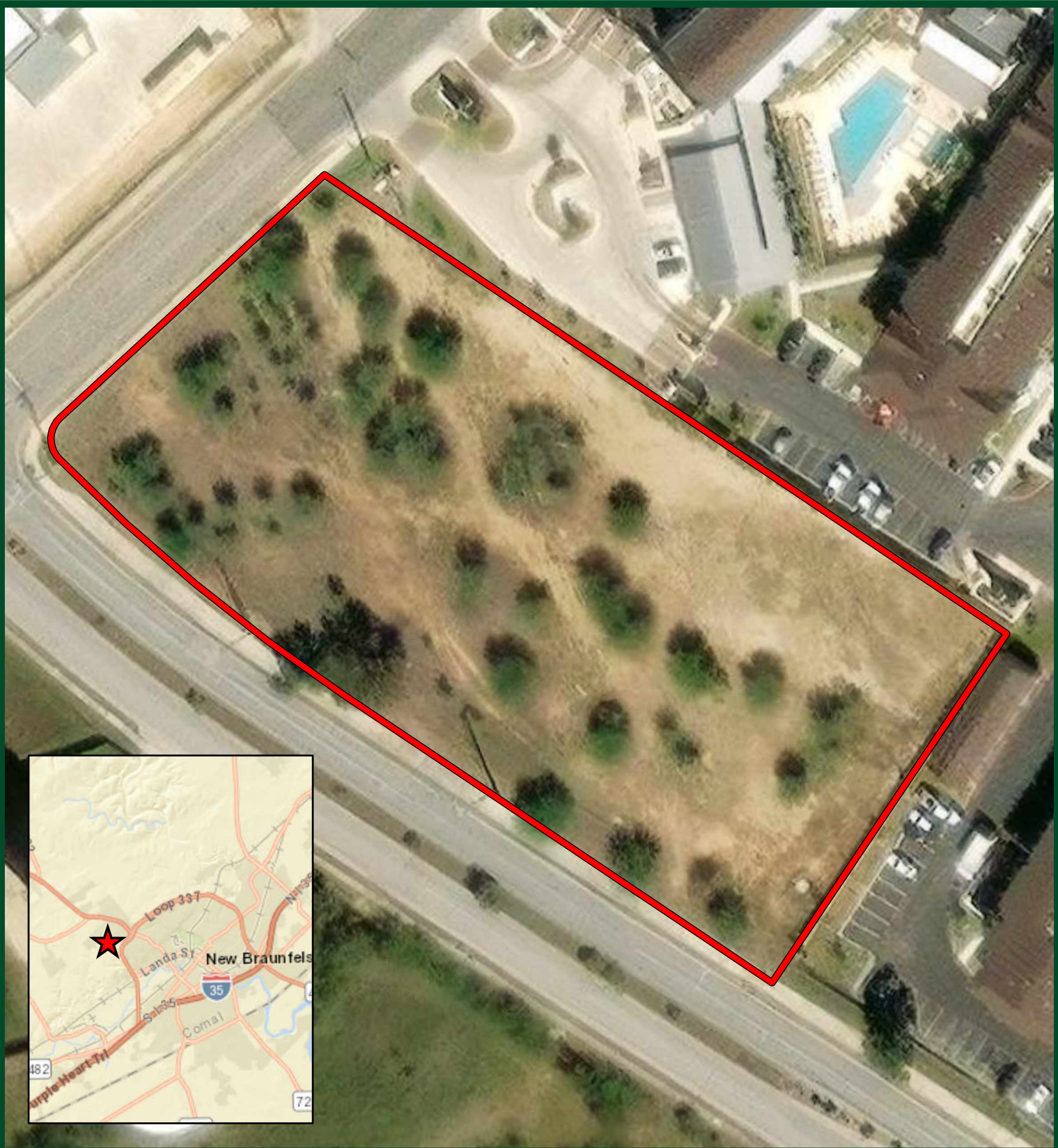


## 6.0 REFERENCES

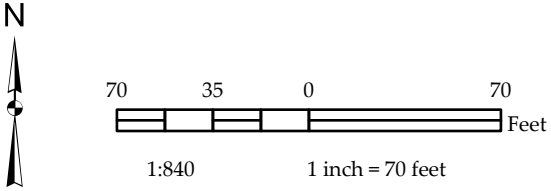
- Collins, E.W., 1993. *Geologic Map of the New Braunfels West Quadrangle, Texas*. Bureau of Economic Geology. Austin, Texas.
- (SCS) Soil Conservation Survey. 1983. Soil Survey of Comal County, Texas. United States Department of Agriculture. Texas Agriculture Experiment Station.
- (TCEQ) Texas Commission on Environmental Quality. 2004. Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zones. October 1, 2004. Austin, Texas.
- (TCEQ) Texas Commission on Environmental Quality. 2005. "Edwards Aquifer Protection Program, Chapter 213 Rules - Recharge Zone, Transition Zone, Contributing Zone, and Contributing Zone within the Transition Zone." Map. Digital data. September 1, 2005. Austin, Texas.
- (TWDB) Texas Water Development Board. 2023. Water Data Interactive Groundwater Data Viewer. Accessed on November 20, 2023. Available at: <http://www2.twdb.texas.gov/apps/waterdatainteractive/groundwaterdataviewer>
- (USDA NRCS) U.S. Department of Agriculture Natural Resources Conservation Service. 2023. WebSoilSurvey.com. Soil Survey Area: Comal County, Texas. Date accessed: Dec 4, 2023.

**ATTACHMENT A**

Site Maps



*This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.*





 Subject Area



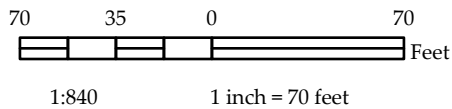




**Soils (Comal County)**

-  KrB - Krum clay, 1 to 3 percent slopes
-  MEC - Medlin, warm-Eckrant association, 1 to 8 percent slopes

*This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.*



 Subject Area



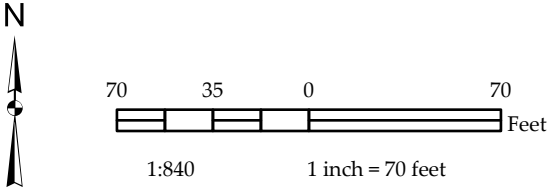




**Geology**

 Kdr - Del Rio Clay

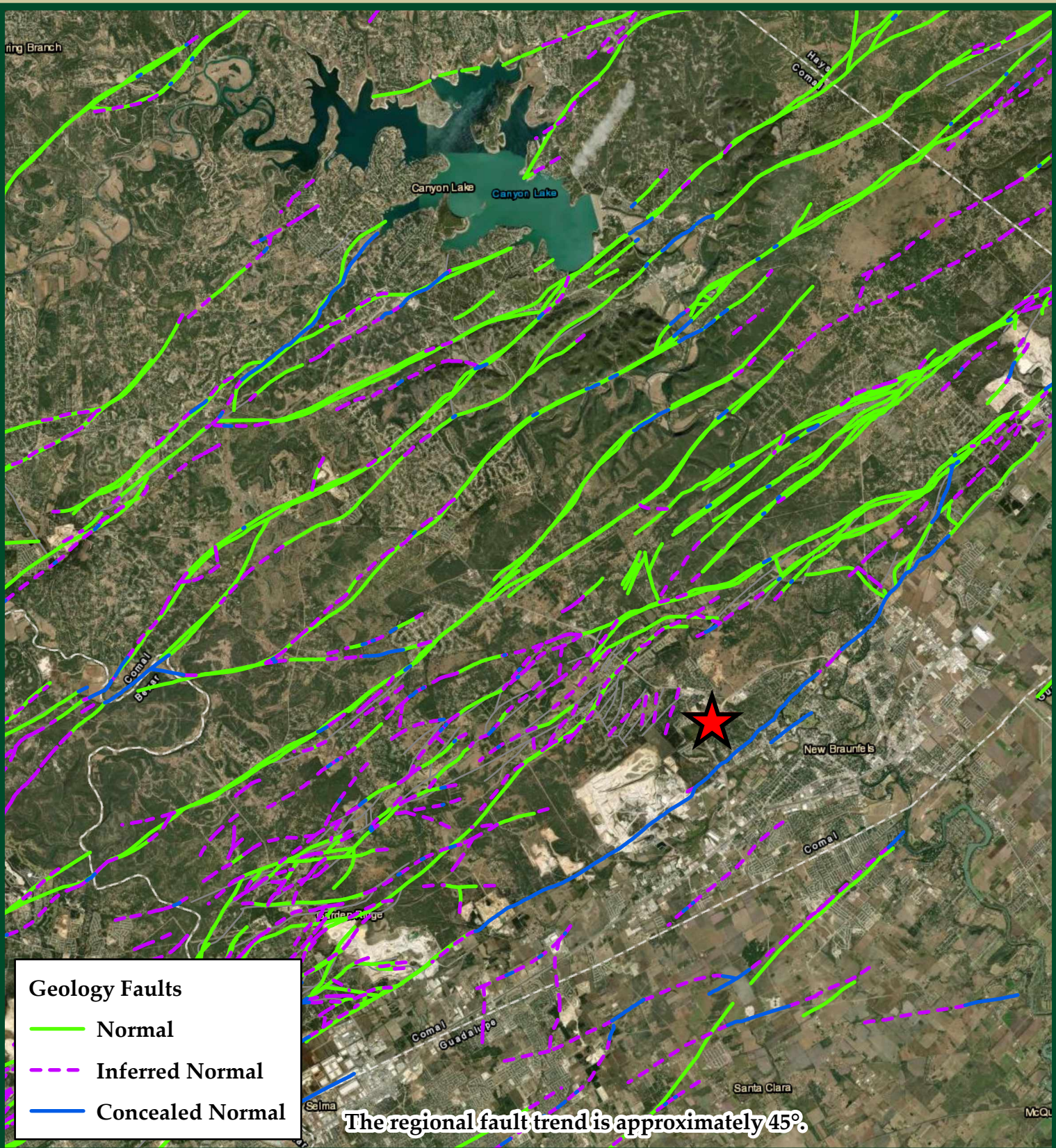
*This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.*



 Subject Area





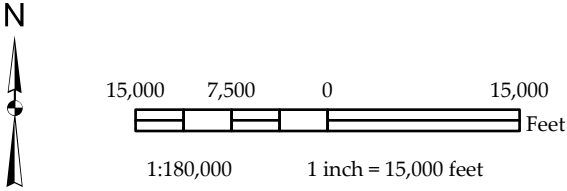


**Geology Faults**

- Normal
- - - Inferred Normal
- Concealed Normal

**The regional fault trend is approximately 45°.**

*This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.*



**Subject Area**





## **ATTACHMENT B**

### Geologic Table Geologic and Manmade Feature Map (Figure 5) Feature Descriptions and Recommendations

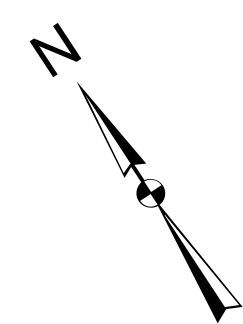








This map is intended for planning purposes only. All map data should be considered preliminary. All boundaries and designations are subject to confirmation.



20 10 0 20  
 Feet  
 1:2,474 1 inch = 20 feet

Subject Area

- Features**
- Man-made
  - Non-Sensitive

- Geology/Hydrgraphy/Recharge**
- Kdr - Del Rio Clay
  - Edwards Aquifer Recharge Zone
  - Lake Pond (NHD)





## F-01

GPS: 29.711461, -98.163525

This feature is a non-karst closed depression with an apparent diameter of 30 feet by approximately 3 feet deep. The feature is located in the Del Rio Formation and is positioned on a hilltop. Initially, this feature was thought to be a naturally occurring sink. No portals or vertical development was noted anywhere within the feature. The walls of the depression appear to be lined with cobbles and grasses, while the infill material within the floor of the depression consists of grasses, compact soils, and a Texas Live Oak (in the center of the feature). After further investigations and communication with the project engineers, it was noted that this site was previously cleared, and fill material was brought onsite during grading and construction for the surrounding Westpointe development. A berm around this oak tree was left behind in order to protect the root zone of the tree. The feature has no trend and a drainage area of less than 1.6 acres. It was determined that this feature is a man-made feature in soil with no evidence of karst involvement and the probability of rapid infiltration is low (5 points). As such, this feature has been deemed non-sensitive.

**Recommendation:** This feature is non-sensitive and does not require any setbacks.



Photo of F-01

### MB-01

GPS: 29.711106, -98.162851

This feature is a man-made feature in bedrock, a storm drain. The exact dimensions of this feature were not determined. The feature is located in the Del Rio Formation and is positioned on a hillside. The feature was surrounded with grasses and compact soils; however, the infill material of the feature itself was not determined. The feature has no trend and a drainage area of less than 1.6 acres. The rapid infiltration of this feature was determined to be low and assigned a point value of 10 points in order to deem this feature as sensitive for the purpose of being brought to the attention of the engineer.

**Recommendation:** This feature does not require any protective setbacks but should be brought to the attention of the engineer.



Photo of MB-01



**MB-02**

**GPS: 29.711048, -98.162956**

This feature is a linear man-made feature in bedrock, a series of overhead power lines along the southwestern border of the site. The exact dimensions of this feature were not determined. The feature is located in the Del Rio Formation and is positioned on a hilltop. The infill material for this feature was not determined. The feature has no trend and a drainage area of less than 1.6 acres. The probability of rapid infiltration of this feature was determined to be low and assigned a point value of 10 points in order to deem this feature as sensitive for the purpose of being brought to the attention of the engineer.

**Recommendation:** This feature does not require any protective setbacks but should be brought to the attention of the engineer.



Photo of MB-02

### MB-03

GPS: 29.710981, -98.162953

This feature is a linear man-made feature in bedrock, a subsurface water line along the southwestern border of the site. The exact dimensions of this feature were not determined. The feature is located in the Del Rio Formation and is positioned on a hilltop. The infill material for this feature was not determined. The feature has no trend and a drainage area of less than 1.6 acres. The probability of rapid infiltration of this feature was determined to be low and assigned a point value of 10 points in order to deem this feature as sensitive for the purpose of being brought to the attention of the engineer.

**Recommendation:** This feature does not require any protective setbacks but should be brought to the attention of the engineer.



Photo of MB-03

**MB-04**

**GPS: 29.711378, -98.163533**

This feature is a linear man-made feature in bedrock, a subsurface gas pipeline located at the southwestern border of the site. The exact dimensions of this feature were not determined. The feature is located in the Del Rio Formation and is positioned on a hilltop. The infill material for this feature was not determined. The feature has no trend and a drainage area of less than 1.6 acres. The probability of rapid infiltration of this feature was determined to be low and assigned a point value of 10 points in order to deem this feature as sensitive for the purpose of being brought to the attention of the engineer.

**Recommendation:** This feature does not require any protective setbacks but should be brought to the attention of the engineer.

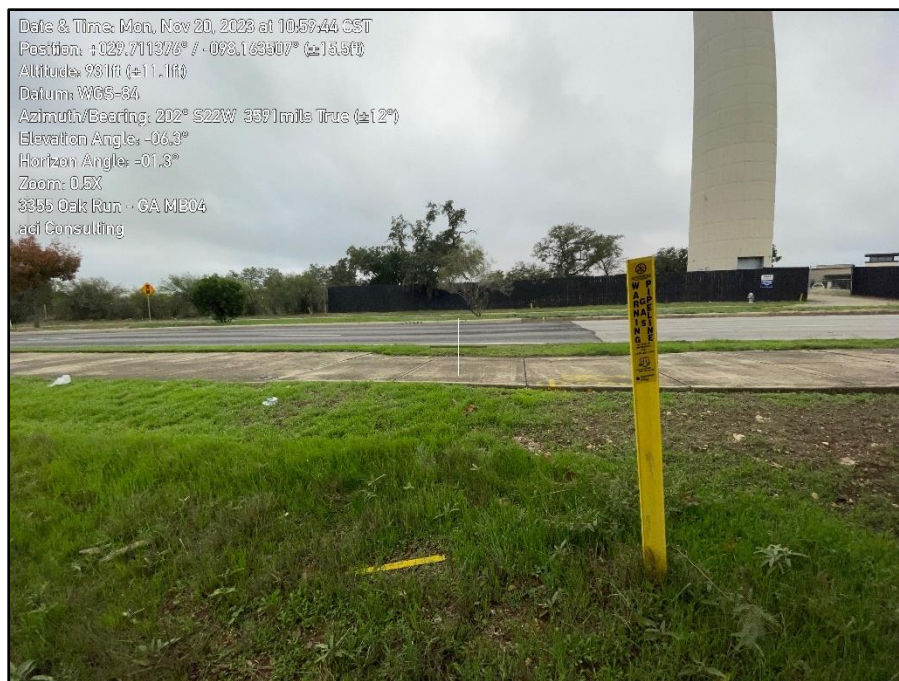


Photo of MB-04

## ATTACHMENT C

### Historic Aerial Photographs



**Prepared for:**

ACI CONSULTING  
1001 Mopac Circle  
Austin, TX 78746



# Historical Aerial Photographs

3355 Oak Run Pkwy GA

3355 Oak Run Parkway

New Braunfels, TX 78132

Comal County

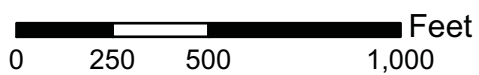
PO #: 22-23-125

ES-143112

Monday, November 27, 2023



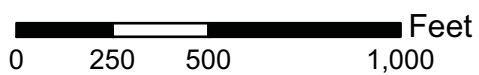
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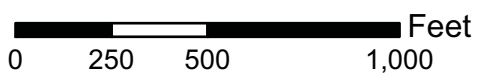
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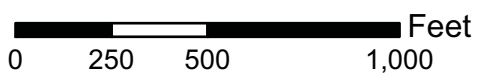
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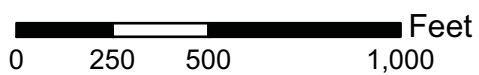
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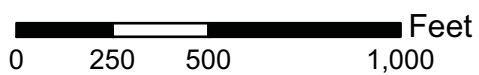
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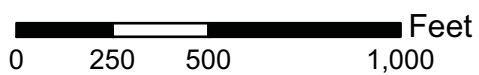
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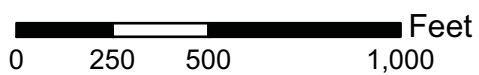
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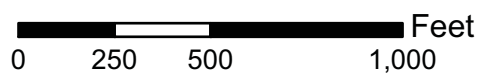
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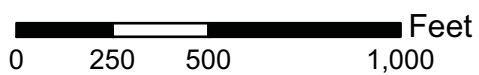
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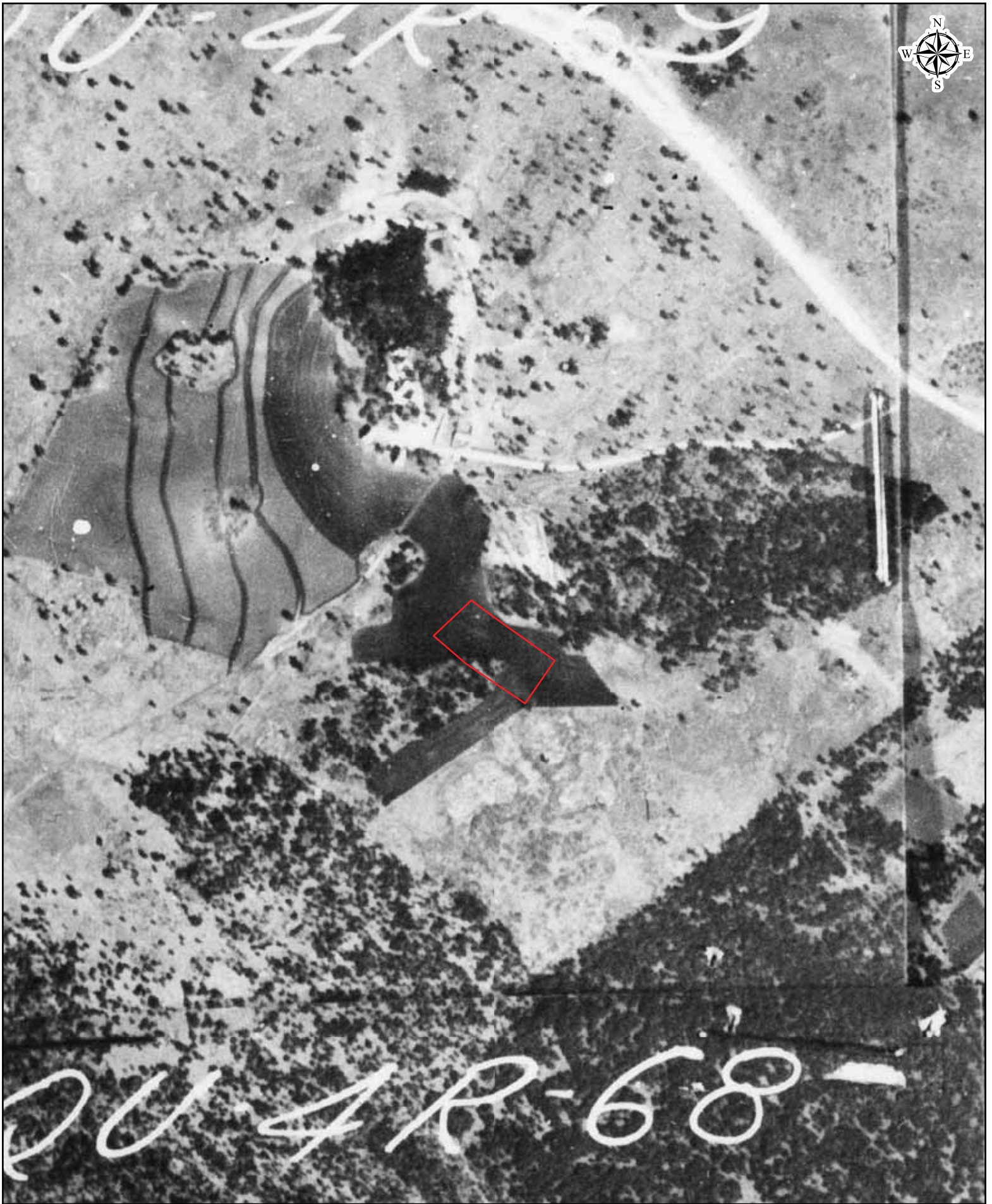




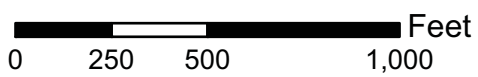
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Source: AMS







Date: 1938  
Source: ASCS





## AERIAL SOURCE DEFINITIONS

| Acronym          | Agency  |
|------------------|---|
| <b>NASA</b>      | National Aeronautics & Space Administration       |
| <b>AMS</b>       | Army Mapping Service                              |
| <b>ASCS</b>      | Agricultural Stabilization & Conservation Service |
| <b>SCS</b>       | Soil Conservation Service                         |
| <b>USBR</b>      | United States Bureau of Reclamation               |
| <b>Fairchild</b> | Fairchild Aerial Surveys                          |
| <b>TXDOT</b>     | Texas Department of Transportation                |
| <b>BLM</b>       | Bureau of Land Management                         |
| <b>USAF</b>      | United States Air Force                           |
| <b>USCOE</b>     | United States Corps of Engineers                  |
| <b>USDA</b>      | United States Department of Agriculture           |
| <b>USGS</b>      | United States Geological Survey                   |
| <b>WALLACE</b>   | Wallace-Zingery Aerial Surveys                    |
| <b>TNRIS</b>     | Texas Natural Resources Information System        |



|                               |                   |
|-------------------------------|-------------------|
| HISTORICAL AERIAL PHOTOGRAPHS |                   |
| ES-143112                     | November 27, 2023 |



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# TCEQ Core Data Form

For detailed instructions on completing this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

|  |   |   |
|--|---|---|
| <b>1. Reason for Submission</b> (If other is checked please describe in space provided.)   |   |   |
| <input checked="" type="checkbox"/> New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.) |   |   |
| <input type="checkbox"/> Renewal (Core Data Form should be submitted with the renewal form)  | <input type="checkbox"/> Other  |   |
| <b>2. Customer Reference Number</b> (if issued)  | <a href="#">Follow this link to search for CN or RN numbers in Central Registry**</a> | <b>3. Regulated Entity Reference Number</b> (if issued) |
| CN   |   | RN  |

## SECTION II: Customer Information

|  |                                       |  |  |   |
|--|---------------------------------------|--|--|---|
| <b>4. General Customer Information</b>   |                                       | <b>5. Effective Date for Customer Information Updates</b> (mm/dd/yyyy) |  |   |
| <input checked="" type="checkbox"/> New Customer <input type="checkbox"/> Update to Customer Information <input type="checkbox"/> Change in Regulated Entity Ownership<br><input type="checkbox"/> Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts) |                                       |  |  |   |
| <i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>  |                                       |  |  |   |
| <b>6. Customer Legal Name</b> (If an individual, print last name first: eg: Doe, John)   |                                       |  | <i>If new Customer, enter previous Customer below:</i>   |   |
| Shamblin, Brandon  |                                       |  |  |   |
| <b>7. TX SOS/CPA Filing Number</b>   | <b>8. TX State Tax ID</b> (11 digits) |  | <b>9. Federal Tax ID</b><br>(9 digits)                   | <b>10. DUNS Number</b> (if applicable)  |
| <b>11. Type of Customer:</b>   |                                       |  |  |   |
| <input type="checkbox"/> Corporation   |                                       | <input type="checkbox"/> Individual                                    |  | Partnership: <input checked="" type="checkbox"/> General <input type="checkbox"/> Limited |
| Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> Local <input type="checkbox"/> State <input type="checkbox"/> Other  |                                       | <input type="checkbox"/> Sole Proprietorship                           |  | <input type="checkbox"/> Other:   |
| <b>12. Number of Employees</b>   |                                       |  | <b>13. Independently Owned and Operated?</b>             |   |
| <input checked="" type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher   |                                       |  | <input type="checkbox"/> Yes <input type="checkbox"/> No |   |
| <b>14. Customer Role</b> (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following   |                                       |  |  |   |
| <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner & Operator <input type="checkbox"/> Other:<br><input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> VCP/BSA Applicant                  |                                       |  |  |   |
| <b>15. Mailing Address:</b>  | 2810 Oak Run Parkway, Suite 300       |  |  |   |
|  | <b>City</b>                           | New Braunfels  | <b>State</b>   | TX  |
|  |                                       | <b>ZIP</b>   | 78132  | <b>ZIP + 4</b>  |
| <b>16. Country Mailing Information</b> (if outside USA)  |                                       |  | <b>17. E-Mail Address</b> (if applicable)                |   |
|  |                                       |  |  |   |
| <b>18. Telephone Number</b>  |                                       | <b>19. Extension or Code</b>   |  | <b>20. Fax Number</b> (if applicable)   |
|  |                                       |  |  |   |



**SECTION III: Regulated Entity Information****21. General Regulated Entity Information** (If 'New Regulated Entity' is selected, a new permit application is also required.)
 New Regulated Entity     Update to Regulated Entity Name     Update to Regulated Entity Information

*The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).*

**22. Regulated Entity Name** (Enter name of the site where the regulated action is taking place.)

Treetop Pediatric Dentistry

**23. Street Address of the Regulated Entity:**

3355 Oak Run Parkway

(No PO Boxes)

|             |               |              |    |            |       |                |  |
|-------------|---------------|--------------|----|------------|-------|----------------|--|
| <b>City</b> | New Braunfels | <b>State</b> | TX | <b>ZIP</b> | 78132 | <b>ZIP + 4</b> |  |
|-------------|---------------|--------------|----|------------|-------|----------------|--|

**24. County**

Comal

If no Street Address is provided, fields 25-28 are required.

**25. Description to****Physical Location:****26. Nearest City****State****Nearest ZIP Code**

*Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).*

**27. Latitude (N) In Decimal:****28. Longitude (W) In Decimal:**

Degrees

Minutes

Seconds

Degrees

Minutes

Seconds

**29. Primary SIC Code****30. Secondary SIC Code****31. Primary NAICS Code****32. Secondary NAICS Code**

(4 digits)

(4 digits)

(5 or 6 digits)

(5 or 6 digits)

**33. What is the Primary Business of this entity?** (Do not repeat the SIC or NAICS description.)**34. Mailing**

2810 Oak Run Parkway, Suite 300

**Address:**

|             |               |              |    |            |       |                |  |
|-------------|---------------|--------------|----|------------|-------|----------------|--|
| <b>City</b> | New Braunfels | <b>State</b> | TX | <b>ZIP</b> | 78132 | <b>ZIP + 4</b> |  |
|-------------|---------------|--------------|----|------------|-------|----------------|--|

**35. E-Mail Address:**

drbrandon@treetopdental.com

**36. Telephone Number****37. Extension or Code****38. Fax Number** (if applicable)

( 830 ) 515-5365

( ) -

**39. TCEQ Programs and ID Numbers** Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.


|  |  |   |  |   |
|--|--|---|--|---|
| <input type="checkbox"/> Dam Safety            | <input type="checkbox"/> Districts             | <input checked="" type="checkbox"/> Edwards Aquifer | <input type="checkbox"/> Emissions Inventory Air | <input type="checkbox"/> Industrial Hazardous Waste |
| <input type="checkbox"/> Municipal Solid Waste | <input type="checkbox"/> New Source Review Air | <input type="checkbox"/> OSSF                       | <input type="checkbox"/> Petroleum Storage Tank  | <input type="checkbox"/> PWS                        |
| <input type="checkbox"/> Sludge                | <input type="checkbox"/> Storm Water           | <input type="checkbox"/> Title V Air                | <input type="checkbox"/> Tires                   | <input type="checkbox"/> Used Oil                   |
| <input type="checkbox"/> Voluntary Cleanup     | <input type="checkbox"/> Wastewater            | <input type="checkbox"/> Wastewater Agriculture     | <input type="checkbox"/> Water Rights            | <input type="checkbox"/> Other:                     |

**SECTION IV: Preparer Information**

|                             |                      |                       |                           |                  |
|-----------------------------|----------------------|-----------------------|---------------------------|------------------|
| <b>40. Name:</b>            | Brittany Beisert, PE |                       | <b>41. Title:</b>         | Project Engineer |
| <b>42. Telephone Number</b> | <b>43. Ext./Code</b> | <b>44. Fax Number</b> | <b>45. E-Mail Address</b> |                  |
| ( 830 ) 625-8555            | N/A                  | ( N/A ) -             | Brittanyb@hmtnb.com       |                  |

**SECTION V: Authorized Signature**

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

|                         |   |                   |                   |
|-------------------------|---|-------------------|-------------------|
| <b>Company:</b>         | HMT Engineering & Surveying   | <b>Job Title:</b> | Project Engineer  |
| <b>Name (In Print):</b> | Brittany Beisert, PE  | <b>Phone:</b>     | ( 830 ) 625- 8555 |
| <b>Signature:</b>       |  | <b>Date:</b>      | 2/23/2024         |



# Modification of a Previously Approved Plan

Texas Commission on Environmental Quality

for Regulated Activities on the Edwards Aquifer Recharge Zone and Transition Zone and Relating to 30 TAC 213.4(j), Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This request for a **Modification of a Previously Approved Plan** is hereby submitted for TCEQ review and executive director approval. The request was prepared by:

Print Name of Customer/Agent: Brittany Beisert, PE (agent)

Date: 10-9-2023

Signature of Customer/Agent:

  
\_\_\_\_\_

## Project Information

1. Current Regulated Entity Name: Westpointe Village Apartments & Commercial 13.646 Acres  
Original Regulated Entity Name: \_\_\_\_\_  
Regulated Entity Number(s) (RN): 109470468  
Edwards Aquifer Protection Program ID Number(s): 13000295  
 The applicant has not changed and the Customer Number (CN) is: \_\_\_\_\_  
 The applicant or Regulated Entity has changed. A new Core Data Form has been provided.
2.  **Attachment A: Original Approval Letter and Approved Modification Letters.** A copy of the original approval letter and copies of any modification approval letters are attached.

3. A modification of a previously approved plan is requested for (check all that apply):
- Physical or operational modification of any water pollution abatement structure(s) including but not limited to ponds, dams, berms, sewage treatment plants, and diversionary structures;
  - Change in the nature or character of the regulated activity from that which was originally approved or a change which would significantly impact the ability of the plan to prevent pollution of the Edwards Aquifer;
  - Development of land previously identified as undeveloped in the original water pollution abatement plan;
  - Physical modification of the approved organized sewage collection system;
  - Physical modification of the approved underground storage tank system;
  - Physical modification of the approved aboveground storage tank system.
4.  Summary of Proposed Modifications (select plan type being modified). If the approved plan has been modified more than once, copy the appropriate table below, as necessary, and complete the information for each additional modification.

| <i><b>WPAP Modification</b></i> | <i><b>Approved Project</b></i>       | <i><b>Proposed Modification</b></i>  |
|---------------------------------|--------------------------------------|--------------------------------------|
| <i><b>Summary</b></i>           |                                      |                                      |
| Acres                           | <u>13.646</u>                        | <u>13.646</u>                        |
| Type of Development             | <u>Commercial &amp; Multi-Family</u> | <u>Commercial &amp; Multi-Family</u> |
| Number of Residential Lots      | <u>0</u>                             | <u>          </u>                    |
| Impervious Cover (acres)        | <u>9.250</u>                         | <u>9.05</u>                          |
| Impervious Cover (%)            | <u>67.8%</u>                         | <u>66.3%</u>                         |
| Permanent BMPs                  | <u>sand filter</u>                   | <u>sand filter</u>                   |
| Other                           | <u>          </u>                    | <u>          </u>                    |

| <i><b>SCS Modification</b></i> | <i><b>Approved Project</b></i> | <i><b>Proposed Modification</b></i> |
|--------------------------------|--------------------------------|-------------------------------------|
| <i><b>Summary</b></i>          |                                |                                     |
| Linear Feet                    | <u>          </u>              | <u>          </u>                   |
| Pipe Diameter                  | <u>          </u>              | <u>          </u>                   |
| Other                          | <u>          </u>              | <u>          </u>                   |



| <i>AST Modification</i> | <i>Approved Project</i> | <i>Proposed Modification</i> |
|-------------------------|-------------------------|------------------------------|
| <b>Summary</b>          |                         |                              |
| Number of ASTs          | _____                   | _____                        |
| Volume of ASTs          | _____                   | _____                        |
| Other                   | _____                   | _____                        |

| <i>UST Modification</i> | <i>Approved Project</i> | <i>Proposed Modification</i> |
|-------------------------|-------------------------|------------------------------|
| <b>Summary</b>          |                         |                              |
| Number of USTs          | _____                   | _____                        |
| Volume of USTs          | _____                   | _____                        |
| Other                   | _____                   | _____                        |

5.  **Attachment B: Narrative of Proposed Modification.** A detailed narrative description of the nature of the proposed modification is attached. It discusses what was approved, including any previous modifications, and how this proposed modification will change the approved plan.
  
6.  **Attachment C: Current Site Plan of the Approved Project.** A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is attached. A site plan detailing the changes proposed in the submitted modification is required elsewhere.
  - The approved construction has not commenced. The original approval letter and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.
  - The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.
  - The approved construction has commenced and has been completed. Attachment C illustrates that the site was **not** constructed as approved.
  - The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was constructed as approved.
  - The approved construction has commenced and has **not** been completed. Attachment C illustrates that, thus far, the site was **not** constructed as approved.
  
7.  The acreage of the approved plan has increased. A Geologic Assessment has been provided for the new acreage.
  - Acreage has not been added to or removed from the approved plan.
  
8.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 31, 2017

Mr. Mark Wauford  
Westpointe Commercial, LTD.  
6700 Court Yard Road  
Chester, Virginia 23831

Re: Edwards Aquifer, Comal County

NAME OF PROJECT: Westpointe Village Apartments & Commercial; Located on Oak Run Parkway off Loop 337; New Braunfels, Texas

TYPE OF PLAN: Request for Approval of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Regulated Entity No. RN109470468; Additional ID No. 13000295

Dear Mr. Wauford:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP application for the above-referenced project submitted to the San Antonio Regional Office by HMT Engineering & Surveying on behalf of Westpointe Commercial, LTD. on December 30, 2016. Final review of the WPAP was completed after additional material was received on March 23, 2017 and March 28, 2017. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected 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

The proposed commercial project will have an area of approximately 13.646 acres. It will include the construction of six multi-family apartment buildings, one apartment office building, one retail building, and associated parking and driveways. The impervious cover will be 9.350 acres (68.52 percent). Project wastewater will be disposed of by conveyance to the existing North Kuehler Water Recycling Center owned by New Braunfels Utilities.



### PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, one partial sedimentation/filtration basin, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 8,303 pounds of TSS generated from the 9.350 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The partial sedimentation/filtration basin will have a drainage area of 12.463 acres with 9.250 acres of impervious cover, a total capture volume of 49,855 cubic feet (47,855 cubic feet required), and a sand filter area of 3,990 square feet (3,988 square feet required). The basin is designed to provide overtreatment for 0.100 acres of uncaptured impervious cover.

### GEOLOGY

According to the geologic assessment included with the application, the site lies on the Edwards Limestone and Del Rio Clay. Eight geologic features, six sensitive and two non-sensitive were identified in the geologic assessment. The San Antonio Regional Office site assessment conducted on February 10, 2017 revealed the site was generally as described in the geologic assessment.

Natural buffers are proposed as a permanent protection measure to prevent pollutants from entering any of the six sensitive geologic features. No regulated activities (such as construction or soil disturbing activities) will take place within the natural buffers. The design of the buffers are generally based on the contributing drainage area for each of the sensitive features. The buffer dimensions for the features are described in Table 1. Construction personnel will be educated on the location and design of the permanent natural buffers.

| Identification No. | Type                       | Buffer Description                        |
|--------------------|----------------------------|---|
| F-1                | Sinkhole                   | 50 foot natural buffer in all directions. |
| F-2                | Solution-enlarged Fracture | 50 foot natural buffer in all directions. |
| F-3                | Solution Cavity            | 50 foot natural buffer in all directions. |
| F-4                | Sinkhole                   | 50 foot natural buffer in all directions. |
| F-5                | Sinkhole                   | 50 foot natural buffer in all directions. |
| F-6                | Sinkhole                   | 50 foot natural buffer in all directions. |

### SPECIAL CONDITIONS

- I. The partial sedimentation filtration basin shall be operational prior to occupancy of any structure of the facility.
- II. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.
- III. No regulated activities shall take place within any of the natural buffer areas identified.
- IV. As proposed, prior to commencing soil disturbing activities near the features, fencing will be installed a minimum of 50 feet from each feature. In addition, silt fencing will be installed on

the up-gradient side of each feature where soil disturbing activities are planned. This silt fencing shall be properly installed a minimum of 50 feet from the feature.

#### STANDARD CONDITIONS

1. Pursuant to Chapter 7 Subchapter C of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.
2. The holder of the approved Edwards Aquifer protection plan must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the approved plan. Additional and separate approvals, permits, registrations and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, UIC) can be required depending on the specifics of the plan.
3. In addition to the rules of the Commission, the applicant may also be required to comply with state and local ordinances and regulations providing for the protection of water quality.

#### Prior to Commencement of Construction:

4. Within 60 days of receiving written approval of an Edwards Aquifer Protection Plan, the applicant must submit to the San Antonio Regional Office, proof of recordation of notice in the county deed records, with the volume and page number(s) of the county deed records of the county in which the property is located. A description of the property boundaries shall be included in the deed recordation in the county deed records. A suggested form (Deed Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.
5. All contractors conducting regulated activities at the referenced project location shall be provided a copy of this notice of approval. At least one complete copy of the approved WPAP and this notice of approval shall be maintained at the project location until all regulated activities are completed.
6. Modification to the activities described in the referenced WPAP application following the date of approval may require the submittal of a plan to modify this approval, including the payment of appropriate fees and all information necessary for its review and approval prior to initiating construction of the modifications.
7. The applicant must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the San Antonio Regional Office no later than 48 hours prior to commencement of the regulated activity. Written notification must include the date on which the regulated activity will commence, the name of the approved plan and program ID number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person. The executive director will use the notification to determine if the approved plan is eligible for an extension.
8. Temporary erosion and sedimentation (E&S) controls, i.e., silt fences, rock berms, stabilized construction entrances, or other controls described in the approved WPAP, must be installed prior to construction and maintained during construction. Temporary E&S controls may be removed when vegetation is established and the construction area is stabilized. If a water quality pond is proposed, it shall be used as a sedimentation basin during construction. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.
9. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of



the hole must be backfilled with cuttings from the boring. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation. Voids may be filled with gravel.

During Construction:

10. During the course of regulated activities related to this project, the applicant or agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
11. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 6, above.
12. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the <Austin/San Antonio> Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.
13. No wells exist on site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
14. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
15. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
16. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
17. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

18. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the San Antonio Regional Office within 30 days of site completion.

19. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. The regulated entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.
20. Upon legal transfer of this property, the new owner(s) is required to comply with all terms of the approved Edwards Aquifer protection plan. If the new owner intends to commence any new regulated activity on the site, a new Edwards Aquifer protection plan that specifically addresses the new activity must be submitted to the executive director. Approval of the plan for the new regulated activity by the executive director is required prior to commencement of the new regulated activity.
21. An Edwards Aquifer protection plan approval or extension will expire and no extension will be granted if more than 50 percent of the total construction has not been completed within ten years from the initial approval of a plan. A new Edwards Aquifer protection plan must be submitted to the San Antonio Regional Office with the appropriate fees for review and approval by the executive director prior to commencing any additional regulated activities.
22. At project locations where construction is initiated and abandoned, or not completed, the site shall be returned to a condition such that the aquifer is protected from potential contamination.

This action is taken under authority delegated by the Executive Director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Mr. Joshua Vacek of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4028.

Sincerely,



Lynn Bumguardner, Water Section Manager  
San Antonio Region  
Texas Commission on Environmental Quality

LB/JV/eg

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

cc: Mr. Christopher Crim, P.E., HMT Engineering & Surveying  
Mr. Robert Camareno, City of New Braunfels  
Mr. Roland Ruiz, Edwards Aquifer Authority  
Mr. Thomas H. Hornseth, P.E., Comal County Engineer  
Mr. H. L. Sauer, Comal Trinity Groundwater Conservation District





290 S. Castell Avenue, Ste 100  
New Braunfels, TX 78130  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

October 9, 2023

Texas Commission on Environmental Quality (TCEQ)  
San Antonio Regional Office  
Edwards Aquifer Protection Program  
14250 Judson Rd,  
San Antonio, TX 78233

**RE: Modification of a Previously Approved Plan**

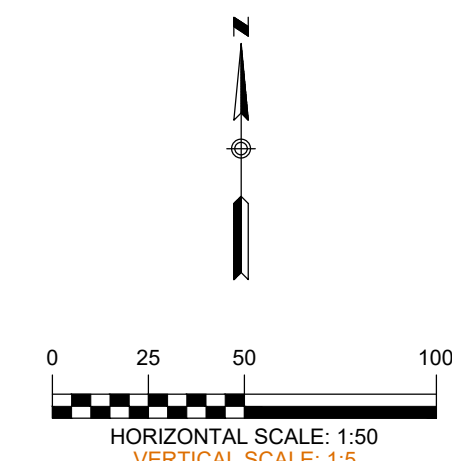
### **Attachment C: Narrative of Proposed Modification**

The original Westpoint Village Apartments and Commercial WPAP (sealed 2016) accounted for 13.64 acres of project area where approximately 3.6 acres was for office space and the remaining 10 acres was for multifamily use. In 2018 this WPAP was modified to allow for 2.2 acres of office space and the rest of the property to be for multifamily development.

This WPAP modification seeks to analysis and show compliance with the WPAP on record to prove the 2.2 acres allowed for office space complies with the original impervious cover assumptions to size the onsite water quality treatment, specifically the sand filter.

The 2.2 acres property now proposes a 8,575 square foot dental office building, a 10,00 square foot medical office building, and approximately 120 parking spaces. The medical office building is to be built by others in the future but has been included with this Water Pollution Abatement Plan modification application and drainage compliance analysis. There is an existing underground storm system that was built with multifamily development in 2018-2019, in the southeast corner of the project property that includes a tabletop inlet originally provided and constructed with the Westpointe Apartments. This provides stormwater conveyance to the detention pond downstream acting as our existing permanent BMP.





- LEGEND**
- B.L. BUILDING SETBACK LINE
  - U.E. UTILITY EASEMENT
  - D.E. DRAINAGE EASEMENT
  - PROPOSED FENCE (REF ARCH. PLANS)
  - SENSITIVE FEATURES DO NOT DISTURB!!!
  - CURRENT APPROVED SITE PLAN
  - PROPOSED SITE PLAN FOR WPAP MODIFICATION



# Water Pollution Abatement Plan Application

Texas Commission on Environmental Quality

for Regulated Activities on the Edwards Aquifer Recharge Zone and Relating to 30 TAC §213.5(b), Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **Water Pollution Abatement Plan Application Form** is hereby submitted for TCEQ review and Executive Director approval. The form was prepared by:

Print Name of Customer/Agent: Brittany Beisert, P.E. (agent)

Date: 10/9/2023

Signature of Customer/Agent:

  
\_\_\_\_\_

Regulated Entity Name: \_\_\_\_\_

## Regulated Entity Information

1. The type of project is:

- Residential: Number of Lots: \_\_\_\_\_
- Residential: Number of Living Unit Equivalents: \_\_\_\_\_
- Commercial
- Industrial
- Other: \_\_\_\_\_

2. Total site acreage (size of property): 2.27

3. Estimated projected population: \_\_\_\_\_

4. The amount and type of impervious cover expected after construction are shown below:

12.  Maintenance and repair of existing roadways that do not require approval from the TCEQ Executive Director. Modifications to existing roadways such as widening roads/adding shoulders totaling more than one-half (1/2) the width of one (1) existing lane require prior approval from the TCEQ.

**Stormwater to be generated by the Proposed Project**

13.  **Attachment B - Volume and Character of Stormwater.** A detailed description of the volume (quantity) and character (quality) of the stormwater runoff which is expected to occur from the proposed project is attached. The estimates of stormwater runoff quality and quantity are based on the area and type of impervious cover. Include the runoff coefficient of the site for both pre-construction and post-construction conditions.

**Wastewater to be generated by the Proposed Project**

14. The character and volume of wastewater is shown below:

|                               |                         |
|-------------------------------|-------------------------|
| <u>100</u> % Domestic         | <u>1470</u> Gallons/day |
| <u>   </u> % Industrial       | <u>   </u> Gallons/day  |
| <u>   </u> % Commingled       | <u>   </u> Gallons/day  |
| TOTAL gallons/day <u>1470</u> |                         |

15. Wastewater will be disposed of by:

- On-Site Sewage Facility (OSSF/Septic Tank):
- Attachment C - Suitability Letter from Authorized Agent.** An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.
  - Each lot in this project/development is at least one (1) acre (43,560 square feet) in size. The system will be designed by a licensed professional engineer or registered sanitarian and installed by a licensed installer in compliance with 30 TAC Chapter 285.
- Sewage Collection System (Sewer Lines):
- Private service laterals from the wastewater generating facilities will be connected to an existing SCS.
  - Private service laterals from the wastewater generating facilities will be connected to a proposed SCS.
  - The SCS was previously submitted on    .
  - The SCS was submitted with this application.
  - The SCS will be submitted at a later date. The owner is aware that the SCS may not be installed prior to Executive Director approval.



- 22.  The drainage patterns and approximate slopes anticipated after major grading activities.
- 23.  Areas of soil disturbance and areas which will not be disturbed.
- 24.  Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.
- 25.  Locations where soil stabilization practices are expected to occur.
- 26.  Surface waters (including wetlands).  
 N/A
- 27.  Locations where stormwater discharges to surface water or sensitive features are to occur.  
 There will be no discharges to surface water or sensitive features.
- 28.  Legal boundaries of the site are shown.

***Administrative Information***

- 29.  Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.
- 30.  Any modification of this WPAP will require Executive Director approval, prior to construction, and may require submission of a revised application, with appropriate fees.



290 S. Castell Avenue, Ste 100  
New Braunfels, TX 78130  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

October 9, 2023

Texas Commission on Environmental Quality (TCEQ)  
San Antonio Regional Office  
Edwards Aquifer Protection Program  
14250 Judson Rd,  
San Antonio, TX 78233

**RE:     *Water Pollution Abatement Plan Application***

**Attachment A: Factors Affecting Surface Water Quality**

The Treetop Dental project, which is considered approximately half of the remaining 2.2 acre property, includes the construction of an 8,750-sf medical office building with 48 parking spaces.

This 2.2-acre property is under a condo regime and assumes that the ultimate build out of this property will also include an additional 10,000 medical office and ultimately 72 surface parking spaces. This totals 70,000 sf of impervious cover. The factors affecting water quality are runoff from the construction work being performed and impervious cover improvements. Temporary BMP measures are being installed to ensure water quality is not impaired during construction. These temporary BMPs are silt fences, filter dams, and curb inlet protection. After construction is complete, water quality will be ensured by an existing sand filter basin on the adjacent property that was constructed as a part of the Westpointe Village Apartments & Commercial property.

**Attachment B: Volume and Character of Stormwater**

The Treetop Dental property covers approximately 2.2 acres within the original 13.646 acres that was included with the Westpointe Village Apartments & Commercial Property drainage analysis and WPAP drainage basin. In the current conditions, the 2.2 acres is undeveloped and flows away from Independence Drive to the back of the “Tacara Westpointe Village” apartments, in a south-east direction. There is an existing 4-way inlet on this 2.2-acre property on the most south-east property corner near Oak Run Pkwy, but a majority of the site sheet flows by this inlet. The proposed, ultimate development of this 2.2 acres utilizes the 4-way inlet to direct the majority of the developed flow to this existing storm drain line. This existing storm drain line deposits water into the water filter basin to the north-east built with the Tacara Westpointe Village Apartments.



# Temporary Stormwater Section

Texas Commission on Environmental Quality

for Regulated Activities on the Edwards Aquifer Recharge Zone and Relating to 30 TAC §213.5(b)(4)(A), (B), (D)(I) and (G); Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **Temporary Stormwater Section** is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Print Name of Customer/Agent: Brittany Beisert, P.E. (agent)

Date: 10/9/2023

Signature of Customer/Agent:

  
\_\_\_\_\_

Regulated Entity Name: Treetop Pediatric Dentistry

## Project Information

### Potential Sources of Contamination

*Examples: Fuel storage and use, chemical storage and use, use of asphaltic products, construction vehicles tracking onto public roads, and existing solid waste.*

1. Fuels for construction equipment and hazardous substances which will be used during construction:

The following fuels and/or hazardous substances will be stored on the site: \_\_\_\_\_

These fuels and/or hazardous substances will be stored in:

- Aboveground storage tanks with a cumulative storage capacity of less than 250 gallons will be stored on the site for less than one (1) year.

- Aboveground storage tanks with a cumulative storage capacity between 250 gallons and 499 gallons will be stored on the site for less than one (1) year.
- Aboveground storage tanks with a cumulative storage capacity of 500 gallons or more will be stored on the site. An Aboveground Storage Tank Facility Plan application must be submitted to the appropriate regional office of the TCEQ prior to moving the tanks onto the project.
- Fuels and hazardous substances will not be stored on the site.
- 2.  **Attachment A - Spill Response Actions.** A site specific description of the measures to be taken to contain any spill of hydrocarbons or hazardous substances is attached.
- 3.  Temporary aboveground storage tank systems of 250 gallons or more cumulative storage capacity must be located a minimum horizontal distance of 150 feet from any domestic, industrial, irrigation, or public water supply well, or other sensitive feature.
- 4.  **Attachment B - Potential Sources of Contamination.** A description of any activities or processes which may be a potential source of contamination affecting surface water quality is attached.

### ***Sequence of Construction***

- 5.  **Attachment C - Sequence of Major Activities.** A description of the sequence of major activities which will disturb soils for major portions of the site (grubbing, excavation, grading, utilities, and infrastructure installation) is attached.
  - For each activity described, an estimate (in acres) of the total area of the site to be disturbed by each activity is given.
  - For each activity described, include a description of appropriate temporary control measures and the general timing (or sequence) during the construction process that the measures will be implemented.
- 6.  Name the receiving water(s) at or near the site which will be disturbed or which will receive discharges from disturbed areas of the project: \_\_\_\_\_

### ***Temporary Best Management Practices (TBMPs)***

*Erosion control examples: tree protection, interceptor swales, level spreaders, outlet stabilization, blankets or matting, mulch, and sod. Sediment control examples: stabilized construction exit, silt fence, filter dikes, rock berms, buffer strips, sediment traps, and sediment basins. Please refer to the Technical Guidance Manual for guidelines and specifications. All structural BMPs must be shown on the site plan.*

- 7.  **Attachment D – Temporary Best Management Practices and Measures.** TBMPs and measures will prevent pollution of surface water, groundwater, and stormwater. The construction-phase BMPs for erosion and sediment controls have been designed to retain sediment on site to the extent practicable. The following information is attached:



- A description of how BMPs and measures will prevent pollution of surface water, groundwater or stormwater that originates upgradient from the site and flows across the site.
  - A description of how BMPs and measures will prevent pollution of surface water or groundwater that originates on-site or flows off site, including pollution caused by contaminated stormwater runoff from the site.
  - A description of how BMPs and measures will prevent pollutants from entering surface streams, sensitive features, or the aquifer.
  - A description of how, to the maximum extent practicable, BMPs and measures will maintain flow to naturally-occurring sensitive features identified in either the geologic assessment, TCEQ inspections, or during excavation, blasting, or construction.
8.  The temporary sealing of a naturally-occurring sensitive feature which accepts recharge to the Edwards Aquifer as a temporary pollution abatement measure during active construction should be avoided.
- Attachment E - Request to Temporarily Seal a Feature.** A request to temporarily seal a feature is attached. The request includes justification as to why no reasonable and practicable alternative exists for each feature.
  - There will be no temporary sealing of naturally-occurring sensitive features on the site.
9.  **Attachment F - Structural Practices.** A description of the structural practices that will be used to divert flows away from exposed soils, to store flows, or to otherwise limit runoff discharge of pollutants from exposed areas of the site is attached. Placement of structural practices in floodplains has been avoided.
10.  **Attachment G - Drainage Area Map.** A drainage area map supporting the following requirements is attached:
- For areas that will have more than 10 acres within a common drainage area disturbed at one time, a sediment basin will be provided.
  - For areas that will have more than 10 acres within a common drainage area disturbed at one time, a smaller sediment basin and/or sediment trap(s) will be used.
  - For areas that will have more than 10 acres within a common drainage area disturbed at one time, a sediment basin or other equivalent controls are not attainable, but other TBMPs and measures will be used in combination to protect down slope and side slope boundaries of the construction area.
  - There are no areas greater than 10 acres within a common drainage area that will be disturbed at one time. A smaller sediment basin and/or sediment trap(s) will be used in combination with other erosion and sediment controls within each disturbed drainage area.

- There are no areas greater than 10 acres within a common drainage area that will be disturbed at one time. Erosion and sediment controls other than sediment basins or sediment traps within each disturbed drainage area will be used.
11.  **Attachment H - Temporary Sediment Pond(s) Plans and Calculations.** Temporary sediment pond or basin construction plans and design calculations for a proposed temporary BMP or measure have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer. All construction plans and design information must be signed, sealed, and dated by the Texas Licensed Professional Engineer. Construction plans for the proposed temporary BMPs and measures are attached.
- N/A
12.  **Attachment I - Inspection and Maintenance for BMPs.** A plan for the inspection of each temporary BMP(s) and measure(s) and for their timely maintenance, repairs, and, if necessary, retrofit is attached. A description of the documentation procedures, recordkeeping practices, and inspection frequency are included in the plan and are specific to the site and/or BMP.
13.  All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections by the applicant or the executive director, or other information indicate a control has been used inappropriately, or incorrectly, the applicant must replace or modify the control for site situations.
14.  If sediment escapes the construction site, off-site accumulations of sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain).
15.  Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50%. A permanent stake will be provided that can indicate when the sediment occupies 50% of the basin volume.
16.  Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges (e.g., screening outfalls, picked up daily).

### ***Soil Stabilization Practices***

*Examples: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, or preservation of mature vegetation.*

17.  **Attachment J - Schedule of Interim and Permanent Soil Stabilization Practices.** A schedule of the interim and permanent soil stabilization practices for the site is attached.



18.  Records must be kept at the site of the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
19.  Stabilization practices must be initiated as soon as practicable where construction activities have temporarily or permanently ceased.

### ***Administrative Information***

20.  All structural controls will be inspected and maintained according to the submitted and approved operation and maintenance plan for the project.
21.  If any geologic or manmade features, such as caves, faults, sinkholes, etc., are discovered, all regulated activities near the feature will be immediately suspended. The appropriate TCEQ Regional Office shall be immediately notified. Regulated activities must cease and not continue until the TCEQ has reviewed and approved the methods proposed to protect the aquifer from any adverse impacts.
22.  Silt fences, diversion berms, and other temporary erosion and sediment controls will be constructed and maintained as appropriate to prevent pollutants from entering sensitive features discovered during construction.

TEMPORARY STORMWATER SECTION  
ATTACHMENT A  
Spill Response Actions

Contractor to notify all appropriate authorities if more than 25 gallons of hydrocarbons are spilled. The construction plans include the required notes regarding appropriate spill response actions as directed by TCEQ. There will be no temporary storage vessels of fuel or hydrocarbons to be stored on site.

If spills of any hydrocarbons occur, construction must contain spills by immediate action. Earthen materials must be kept readily available to provide a Dike. Sand should be used to help soak fuels. Property disposal of any materials used will be required.

Contractor must promote job site awareness to all employees involved. All employees must be made aware of the provisions in this report.

**Spill Prevention and Control**

The objective of this section is to describe measures to prevent or reduce the discharge of pollutants to drainage systems or watercourses from leaks and spills by reducing the chance for spills, stopping the source of spills, containing and cleaning up spills, properly disposing of spill materials, and training employees.

The following steps will help reduce the stormwater impacts of leaks and spills:

***Education***

- (1) Be aware that different materials pollute in different amounts. Make sure that each employee knows what a “significant spill” is for each material they use, and what is the appropriate response for “significant” and “insignificant” spills. Employees should also be aware of when spill must be reported to the TCEQ. Information available in 30 TAC 327.4 and 40 CFR 302.4
- (2) Educate employees and subcontractors on potential dangers to humans and the environment from spills and leaks.
- (3) Hold regular meetings to discuss and reinforce appropriate disposal procedures (incorporate into regular safety meetings).
- (4) Establish a continuing education program to indoctrinate new employees.
- (5) Have contractor’s superintendent or representative oversee and enforce proper spill prevention and control measures.



### ***General Measures***

- (1) To the extent that the work can be accomplished safely, spills of oil, petroleum products, substances listed under 40 CFR parts 110, 117, and 302, and sanitary and septic wastes should be contained and cleaned up immediately.
- (2) Store hazardous materials and wastes in covered containers and protect from vandalism.
- (3) Place a stockpile of spill cleanup materials where it will be readily accessible.
- (4) Train employees in spill prevention and cleanup.
- (5) Designate responsible individuals to oversee and enforce control measures.
- (6) Spills should be covered and protected from stormwater runoff during rainfall to the extent that it doesn't compromise cleanup activities.
- (7) Do not bury or wash spills with water.
- (8) Store and dispose of used clean up materials, contaminated materials, and recovered spill material that is no longer suitable for the intended purpose in conformance with the provisions in applicable BMPs.
- (9) Do not allow water used for cleaning and decontamination to enter storm drains or watercourses. Collect and dispose of contaminated water in accordance with applicable regulations.
- (10) Contain water overflow or minor water spillage and do not allow it to discharge into drainage facilities or watercourses.
- (11) Place Material Safety Data Sheets (MSDS), as well as proper storage, cleanup, and spill reporting instructions for hazardous materials stored or used on the project site in an open, conspicuous, and accessible location.
- (12) Keep waste storage areas clean, well-organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers, and liners should be repaired or replaced as needed to maintain proper function

### ***Clean up***

- (1) Clean up leaks and spills immediately.
- (2) Use a rag for small spills on paved surfaces, a damp mop for general cleanup, and absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be disposed of as hazardous waste.

- (3) Never hose down or bury dry material spills. Clean up as much of the material as possible and dispose of properly. See the waste management BMP's in this section for specific information.

### ***Minor Spills***

- (1) Minor spills typically involve small quantities of oil, gasoline, paint, etc. which can be controlled by the first responder at the discovery of the spill.
- (2) Use absorbent materials on small spills rather than hosing down or burying the spill.
- (3) Absorbent materials should be promptly removed and disposed of properly.
- (4) Follow the practice below for a minor spill:
  - (a) Contain the spread of the spill.
  - (b) Recover spilled materials.
  - (c) Clean the contaminated area and properly dispose of contaminated materials.

### ***Semi-Significant Spills***

Semi-significant spills still can be controlled by the first responder along with the aid of other personnel such as laborers and the foreman, etc. This response may require the cessation of all other activities.

Spills should be cleaned up immediately:

- (1) Contain spread of the spill.
- (2) Notify the project foreman immediately.
- (3) If the spill occurs on paved or impermeable surfaces, clean up using "dry" methods (absorbent materials, cat litter and/or rags). Contain the spill by encircling with the absorbent materials and do not let the spill spread widely.
- (4) If the spill occurs in dirt areas immediately contain the spill by constructing an earthen dike. Dig up and properly dispose of contaminated soil.
- (5) If the spill occurs during rain, cover spill with tarps or other material to prevent contaminating runoff.

### ***Significant/Hazardous Spills***

For significant or hazardous spills that are in reportable quantities:

- (1) Notify the TCEQ by telephone as soon as possible and within 24 hours at 512-339-2929 (Austin) or 210-490-3096 (San Antonio) between 8 AM and 5 PM. After hours, contact



the Environmental Release Hotline at 1-800-832-8224. It is the contractor's responsibility to have all emergency phone numbers at the construction site.

- (2) For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110, 119 and 302, the contractor should notify the National Response Center at (800) 424-8802.
- (3) Notification should first be made by telephone and followed up with a written report.
- (4) The services of a spills contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
- (5) Other agencies which may need to be consulted include, but are not limited to, the City of Police Department, County Sheriff Office, Fire Departments, etc.

More information on spill rules and appropriate responses is available on the TCEQ website at:

#### ***Vehicle and Equipment Maintenance***

- (1) If maintenance must occur onsite, use a designated area and a secondary containment, located away from drainage courses, to prevent the runoff of stormwater and the runoff of spills.
- (2) Regularly inspect onsite vehicles and equipment for leaks and repair immediately.
- (3) Check incoming vehicles and equipment (including delivery trucks, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
- (4) Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
- (5) Place drip pans or absorbent materials under paving equipment when not in use.
- (6) Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.
- (7) Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around.
- (8) Oil filters disposed of in trashcans or dumpsters can leak oil and pollute stormwater. Place the oil filter in a funnel over a waste oil-recycling drum to drain excess oil before disposal. Oil filters can also be recycled. Ask the oil supplier or recycler about recycling oil filters.

- (9) Store cracked batteries in a non-leaking secondary container. Do this with all cracked batteries even if you think all the acid has drained out. If you drop a battery, treat it as if it is cracked. Put it into the containment area until you are not sure it is not leaking.

***Vehicle and Equipment Fueling***

- (1) If fueling must occur on site, use designated areas, located away from drainage courses, to prevent the runoff of stormwater and the runoff of spills.
- (2) Discourage “topping off” of fuel tanks.
- (3) Always use secondary containment, such as a drain pan, when fueling to catch spills/leaks.



TEMPORARY STORMWATER SECTION  
ATTACHMENT B  
Potential Sources of Contamination

The Treetop Pediatric Dentistry proposes in Phase 1 the construction of a 8,575 sf medical building, 48 parking spaces, and some sidewalk. Ultimate build out assumed with this WPAP modification will also include a 10,000 sf medical use commercial building, and a total of 120 parking spaces. This will be approximately 70,000 sf of impervious cover on 2.2 acres of undeveloped land.

The possible sources of contamination include sediment transport from runoff and fuel spills by the Contractor while refueling equipment. Other small quantities of solvent for construction may be present. Contractor shall keep all fuel transfers and any other contaminants used secure. Silt Fences, rock berms, and filter curb inlet protection will aid in the removal of transported sediment from the runoff.

Please see Attachment "A" for response actions.

TEMPORARY STORMWATER SECTION  
ATTACHMENT C  
Sequence of Major Activities

Construction sequencing- The construction will be performed in one phase. **All contractors/sub-contractors must be educated on the importance of not disturbing sensitive features.**

1. Call New Braunfels Utilities and TCEQ 48-hours prior to beginning any work.  
Call Dig TESS for utilities locations.
2. Install fencing a minimum of 50 feet from sensitive features.
3. Install tree protection measures as necessary.
4. Install temporary erosion controls prior to any clearing and grubbing.
5. Begin site clearing and grubbing. (13.646 acres disturbed)
6. Inspect erosion controls at weekly intervals, before and after significant rainfall events to insure they are functioning properly.
7. Install onsite sewer laterals. (13.646 acres already disturbed)
8. Install water lines. (13.646 acres already disturbed)
9. Construct drainage improvements. (13.646 acres already disturbed)
10. Complete fill and compaction on site to match subgrade elevations. (13.646 acres already disturbed)
11. Construct curb inlet protection at the time of curb inlet installation. (13.646 acres already disturbed)
12. Complete all construction per approved plans and stabilize all disturbed areas.
13. Install landscaping improvements.
14. Contact project engineer to inspect site. Schedule final inspection.
15. Complete any necessary final dress up of areas that were disturbed.
16. Remove and dispose of temporary erosion controls after site re-vegetation has occurred.



TEMPORARY STORMWATER SECTION  
ATTACHMENT D  
Temporary Best Management Practices and Measures

Temporary erosion controls are proposed for this project to include silt fence, rock berms, concrete wash out area, filter curb inlet protection, filter dams at the outlet structure of the proposed sand filter system, and a stabilized construction entrances and exits. These TBMPs will be used in combination to protect down slope and side slope boundaries of the construction area.

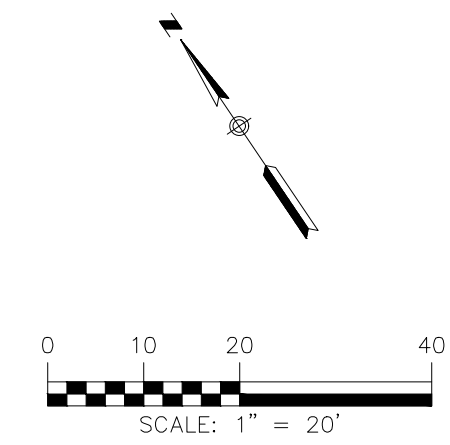
Approximately 1,121 linear feet of silt fence will be used. This will be placed down gradient of all proposed construction, and upstream of the existing sensitive features to ensure contamination prevention. A stabilized construction entrance at the beginning of the project will be required. There are no known surface streams or ground water that originate on this site.

From the TCEQ RG 348 dated July, 2005, silt fences provide temporary erosion protection. In addition, the contractor has been directed to minimize disturbance to just the project site and reasonable working space.

Drawing Name: N:\Projects\502 - Treemap Dental at Westpointe - Commercial Construction Documents\CDs\Reports\WPAP\502.001\_SITE.dwg User: reid Jan 31, 2024 - 8:48am

WPAP NOTES:

- ITEM 23 AREAS OF SOIL DISTURBANCE INCLUDES THE ENTIRE SITE.
- ITEM 25 LOCATIONS WHERE SOIL STABILIZATION PRACTICES ARE EXPECTED TO OCCUR INCLUDES THE ENTIRE SITE.

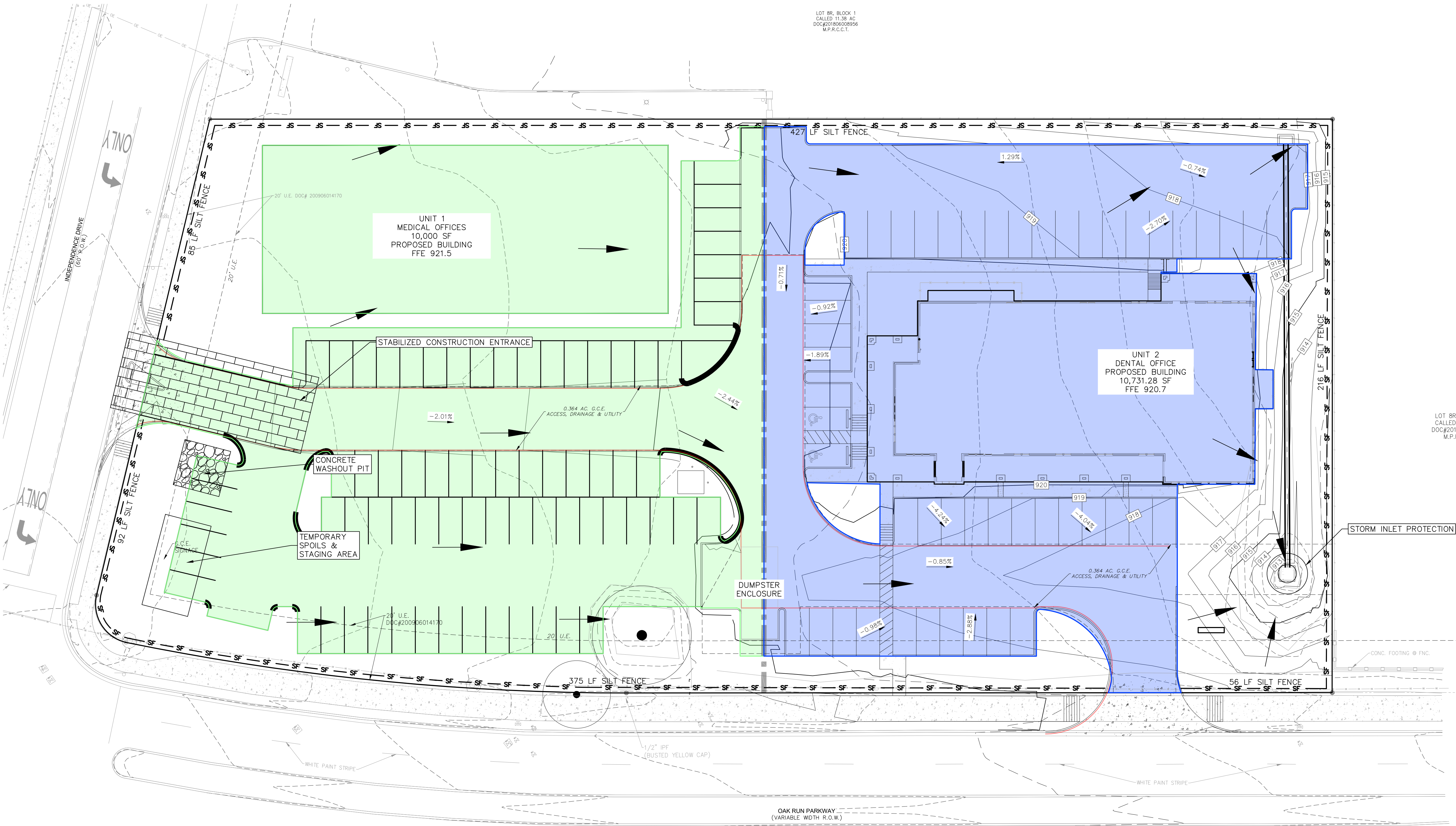


**LEGEND**

|  |                                  |
|--|----------------------------------|
|  | PROPERTY BOUNDARY                |
|  | UTILITY EASEMENT                 |
|  | BUILDING LINE                    |
|  | EDGE OF PAVEMENT                 |
|  | PROPOSED FIRE LANE               |
|  | PROPOSED FIRE HYDRANT            |
|  | A.D.A. RAMPS                     |
|  | A.D.A. PARKING                   |
|  | WATER VALVE                      |
|  | SILT FENCE                       |
|  | LIMITS OF CONSTRUCTION           |
|  | STABILIZED CONSTRUCTION ENTRANCE |
|  | EXISTING TREES                   |
|  | IMPERVIOUS COVER SLATE           |
|  | IMPERVIOUS COVER TREETOP         |
|  | CONDO PROPERTY LINE              |

LOT RR, BLOCK 1  
CALLED 11.38 AC  
DOC#201806008956  
M.P.R.C.C.T.

LOT RR, BLOCK 1  
CALLED 11.38 AC  
DOC#201806008956  
M.P.R.C.C.T.



P&P INVESTMENTS IMPERVIOUS COVER  
0.85 ACRES  
37,174.37 SF

TREETOP IMPERVIOUS COVER  
0.81 AC  
35,135.37 SF

290 S. CASTELL AVE., STE. 100  
NEW BRAUNFELS, TX 78130  
TBPE FIRM F-10961  
TBPLS FIRM 1053600

**HMT**  
ENGINEERING & SURVEYING



12/27/2023

**IMPERVIOUS COVER EXHIBIT**  
TREETOP DENTAL AT WESTPOINTE

| NO. | REVISION DESCRIPTION | REVISION DATE |
|-----|----------------------|---------------|
|     |                      |               |
|     |                      |               |
|     |                      |               |

DATE: SEPTEMBER 2023  
DRAWN BY: JMM  
DESIGNED BY: RCD  
REVIEWED BY: BDB  
HMT PROJECT NO.: 502.001

**SHEET**  
**EX**



TEMPORARY STORMWATER SECTION  
ATTACHMENT I  
Inspection and Maintenance of BMPs

The Contractor will be directed to inspect and maintain all temporary BMPs. The design engineer will also make regular visits to the project and will provide visual inspections as well. Any deficiency noted must be corrected immediately by the contractor.

Maintenance:

1. Inspect all silt fence, rock berms, concrete wash out areas, filter dams, and stabilized concrete entrances and exits weekly and after any rainfalls. Inspect the filter curb inlet protection daily.
2. Remove sediment when buildup reaches 6 inches on silt fences and rock berms or install a second line of silt fence parallel. Remove sediment when buildup reaches 2 inches in filter curb inlet protection.
3. Replace any torn fabric in the silt fence, filter dams, or filter curb inlet protection.
4. Replace or repair any sections crushed or collapsed in the course of construction.
5. See stormwater pollution plan details as shown in the construction plans for proper size and installation.
6. Contractor to maintain a daily log and note any deficiencies to temporary BMPs and corrective action taken. Rainfall events shall also be noted.

TEMPORARY STORMWATER SECTION  
ATTACHMENT J  
Schedule of Interim and Permanent Soil Stabilization Practices

Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14<sup>th</sup> day after construction activity temporary or permanently cease is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of site.

If after 21 days, and construction activity will not resume, hydromulch shall be applied to all disturbed areas except in drainage channels or where slopes exceed 3:1. In areas experiencing droughts where the initiation of stabilization measures by the 14<sup>th</sup> day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.

All erosion control measures must remain in place until such stabilization has successfully occurred.

Owner shall consult with design engineer to determine all necessary measures to stabilize the site if construction does not resume.

TCEQ RG 348 dated July 2005 shall be used as a guide in determining these areas that may require stabilization.



# Permanent Stormwater Section

Texas Commission on Environmental Quality

for Regulated Activities on the Edwards Aquifer Recharge Zone and Relating to 30 TAC §213.5(b)(4)(C), (D)(ii), (E), and (5), Effective June 1, 1999

*To ensure that the application is administratively complete, confirm that all fields in the form are complete, verify that all requested information is provided, consistently reference the same site and contact person in all forms in the application, and ensure forms are signed by the appropriate party.*

*Note: Including all the information requested in the form and attachments contributes to more streamlined technical reviews.*

## Signature

To the best of my knowledge, the responses to this form accurately reflect all information requested concerning the proposed regulated activities and methods to protect the Edwards Aquifer. This **Permanent Stormwater Section** is hereby submitted for TCEQ review and executive director approval. The application was prepared by:

Print Name of Customer/Agent: Brittany Beisert, PE (agent)

Date: 12-27-2023

Signature of Customer/Agent



Regulated Entity Name: Treetop Pediatric Denistry

## Permanent Best Management Practices (BMPs)

*Permanent best management practices and measures that will be used during and after construction is completed.*

- Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.  
 N/A
- These practices and measures have been designed, and will be constructed, operated, and maintained to insure that 80% of the incremental increase in the annual mass loading of total suspended solids (TSS) from the site caused by the regulated activity is removed. These quantities have been calculated in accordance with technical guidance prepared or accepted by the executive director.  
 The TCEQ Technical Guidance Manual (TGM) was used to design permanent BMPs and measures for this site.

A technical guidance other than the TCEQ TGM was used to design permanent BMPs and measures for this site. The complete citation for the technical guidance that was used is: \_\_\_\_\_

N/A

3.  Owners must insure that permanent BMPs and measures are constructed and function as designed. A Texas Licensed Professional Engineer must certify in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the appropriate regional office within 30 days of site completion.

N/A

4. Where a site is used for low density single-family residential development and has 20 % or less impervious cover, other permanent BMPs are not required. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

The site will be used for low density single-family residential development and has 20% or less impervious cover.

The site will be used for low density single-family residential development but has more than 20% impervious cover.

The site will not be used for low density single-family residential development.

5. The executive director may waive the requirement for other permanent BMPs for multi-family residential developments, schools, or small business sites where 20% or less impervious cover is used at the site. This exemption from permanent BMPs must be recorded in the county deed records, with a notice that if the percent impervious cover increases above 20% or land use changes, the exemption for the whole site as described in the property boundaries required by 30 TAC §213.4(g) (relating to Application Processing and Approval), may no longer apply and the property owner must notify the appropriate regional office of these changes.

**Attachment A - 20% or Less Impervious Cover Waiver.** The site will be used for multi-family residential developments, schools, or small business sites and has 20% or less impervious cover. A request to waive the requirements for other permanent BMPs and measures is attached.

The site will be used for multi-family residential developments, schools, or small business sites but has more than 20% impervious cover.

The site will not be used for multi-family residential developments, schools, or small business sites.

6.  **Attachment B - BMPs for Upgradient Stormwater.**



- A description of the BMPs and measures that will be used to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site is attached.
  - No surface water, groundwater or stormwater originates upgradient from the site and flows across the site, and an explanation is attached.
  - Permanent BMPs or measures are not required to prevent pollution of surface water, groundwater, or stormwater that originates upgradient from the site and flows across the site, and an explanation is attached.
7.  **Attachment C - BMPs for On-site Stormwater.**
- A description of the BMPs and measures that will be used to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff from the site is attached.
  - Permanent BMPs or measures are not required to prevent pollution of surface water or groundwater that originates on-site or flows off the site, including pollution caused by contaminated stormwater runoff, and an explanation is attached.
8.  **Attachment D - BMPs for Surface Streams.** A description of the BMPs and measures that prevent pollutants from entering surface streams, sensitive features, or the aquifer is attached. Each feature identified in the Geologic Assessment as sensitive has been addressed.
- N/A
9.  The applicant understands that to the extent practicable, BMPs and measures must maintain flow to naturally occurring sensitive features identified in either the geologic assessment, executive director review, or during excavation, blasting, or construction.
- The permanent sealing of or diversion of flow from a naturally-occurring sensitive feature that accepts recharge to the Edwards Aquifer as a permanent pollution abatement measure has not been proposed.
  - Attachment E - Request to Seal Features.** A request to seal a naturally-occurring sensitive feature, that includes, for each feature, a justification as to why no reasonable and practicable alternative exists, is attached.
10.  **Attachment F - Construction Plans.** All construction plans and design calculations for the proposed permanent BMP(s) and measures have been prepared by or under the direct supervision of a Texas Licensed Professional Engineer, and are signed, sealed, and dated. The plans are attached and, if applicable include:
- Design calculations (TSS removal calculations)
  - TCEQ construction notes
  - All geologic features
  - All proposed structural BMP(s) plans and specifications
- N/A

11.  **Attachment G - Inspection, Maintenance, Repair and Retrofit Plan.** A plan for the inspection, maintenance, repairs, and, if necessary, retrofit of the permanent BMPs and measures is attached. The plan includes all of the following:
- Prepared and certified by the engineer designing the permanent BMPs and measures
  - Signed by the owner or responsible party
  - Procedures for documenting inspections, maintenance, repairs, and, if necessary retrofit
  - A discussion of record keeping procedures
- N/A
12.  **Attachment H - Pilot-Scale Field Testing Plan.** Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.
- N/A
13.  **Attachment I -Measures for Minimizing Surface Stream Contamination.** A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that results in water quality degradation.
- N/A

### ***Responsibility for Maintenance of Permanent BMP(s)***

***Responsibility for maintenance of best management practices and measures after construction is complete.***

14.  The applicant is responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.
- N/A
15.  A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.
- N/A



PERMANENT STORMWATER SECTION  
ATTACHMENT B  
BMPs for Upgradient Stormwater

Upgradient stormwater BMPs for the Westpointe Village Apartments & Commercial site are not necessary due to existing features diverting upstream/offsite runoff away from the site.

PERMANENT STORMWATER SECTION  
ATTACHMENT C  
BMPs for On-Site Stormwater

A sand filter system is the proposed on-site storm water permanent BMP for the West Village Apartments & Commercial site. This basin will remove 80% of the incremental increase in the annual mass loading of total suspended solids (TSS). The permanent BMP will be constructed according to TCEQ standards. The design plans and details can be found on sheets F5 and F6 in Attachment F of the West Village Apartments & Commercial Permanent Stormwater Section.



PERMANENT STORMWATER SECTION  
ATTACHMENT D  
BMPs for Surface Streams

A sand filter system is the proposed on-site storm water permanent BMP for the West Village Apartments & Commercial site. This basin will remove 80% of the incremental increase in the annual mass loading of total suspended solids (TSS). The permanent BMP will be constructed according to TCEQ standards. The design plans and details can be found on sheets F5 and F6 in Attachment F of the West Village Apartments & Commercial Permanent Stormwater Section.

PERMANENT STORMWATER SECTION  
ATTACHMENT F  
Construction Plans

A sand filter system is the proposed on-site storm water permanent BMP for the West Village Apartments & Commercial site. The permanent BMP will be constructed according to TCEQ standards. The design plans and details can be found on sheets F5 and F6 of the West Village Apartments & Commercial Civil Site Construction Plans, following this page.



PERMANENT STORMWATER SECTION  
ATTACHMENT I  
Measures for Minimizing Surface Stream Contamination

A sand filter system is the proposed on-site storm water permanent BMP for the West Village Apartments & Commercial site. The permanent BMP will be constructed according to TCEQ standards. The design plans and details can be found on sheets F5 and F6 in Attachment F of the West Village Apartments & Commercial Permanent Stormwater Section.

The sand filter system will reduce the velocity of the runoff therefore reducing the chance of erosion from the site. The BMP will also filter out runoff sediment meeting TCEQ standards. The sand filter system will retain water until after the peak of the storm therefore not increasing stream flashing. The storm water from the proposed site will enter into the surface stream system as sheet flow, thereby further reducing the likelihood of erosion.

# Application Fee Form

**Texas Commission on Environmental Quality**

Name of Proposed Regulated Entity: Treetop Pediatric Dentistry

Regulated Entity Location: 3355 Oak Run Parkway

Name of Customer: Brandon Shamblin

Contact Person: Brittany Beisert, P.E.

Phone: 830.625.8555

Customer Reference Number (if issued):CN \_\_\_\_\_

Regulated Entity Reference Number (if issued):RN \_\_\_\_\_

**Austin Regional Office (3373)**

Hays

Travis

Williamson

**San Antonio Regional Office (3362)**

Bexar

Medina

Uvalde

Comal

Kinney

Application fees must be paid by check, certified check, or money order, payable to the **Texas Commission on Environmental Quality**. Your canceled check will serve as your receipt. **This form must be submitted with your fee payment.** This payment is being submitted to:

Austin Regional Office

San Antonio Regional Office

Mailed to: TCEQ - Cashier

Overnight Delivery to: TCEQ - Cashier

Revenues Section

12100 Park 35 Circle

Mail Code 214

Building A, 3rd Floor

P.O. Box 13088

Austin, TX 78753

Austin, TX 78711-3088

(512)239-0357

**Site Location (Check All That Apply):**

Recharge Zone

Contributing Zone

Transition Zone

| <i>Type of Plan</i>   | <i>Size</i> | <i>Fee Due</i> |
|---|-------------|----------------|
| Water Pollution Abatement Plan, Contributing Zone<br>Plan: One Single Family Residential Dwelling       | Acres       | \$             |
| Water Pollution Abatement Plan, Contributing Zone<br>Plan: Multiple Single Family Residential and Parks | Acres       | \$             |
| Water Pollution Abatement Plan, Contributing Zone<br>Plan: Non-residential                              | 2.27 Acres  | \$ 4,000       |
| Sewage Collection System  | L.F.        | \$             |
| Lift Stations without sewer lines   | Acres       | \$             |
| Underground or Aboveground Storage Tank Facility  | Tanks       | \$             |
| Piping System(s)(only)  | Each        | \$             |
| Exception   | Each        | \$             |
| Extension of Time   | Each        | \$             |

Signature: 

Date: 10/9/2023



# Application Fee Schedule

Texas Commission on Environmental Quality

Edwards Aquifer Protection Program 30 TAC Chapter 213 (effective 05/01/2008)

## ***Water Pollution Abatement Plans and Modifications***

### ***Contributing Zone Plans and Modifications***

| <i>Project</i>  | <i>Project Area in Acres</i> | <i>Fee</i> |
|---|------------------------------|------------|
| One Single Family Residential Dwelling  | < 5                          | \$650      |
| Multiple Single Family Residential and Parks  | < 5                          | \$1,500    |
|   | 5 < 10                       | \$3,000    |
|   | 10 < 40                      | \$4,000    |
|   | 40 < 100                     | \$6,500    |
|   | 100 < 500                    | \$8,000    |
|   | ≥ 500                        | \$10,000   |
| Non-residential (Commercial, industrial, institutional, multi-family residential, schools, and other sites where regulated activities will occur) | < 1                          | \$3,000    |
|   | 1 < 5                        | \$4,000    |
|   | 5 < 10                       | \$5,000    |
|   | 10 < 40                      | \$6,500    |
|   | 40 < 100                     | \$8,000    |
|   | ≥ 100                        | \$10,000   |

### ***Organized Sewage Collection Systems and Modifications***

| <i>Project</i>            | <i>Cost per Linear Foot</i> | <i>Minimum Fee-<br/>Maximum Fee</i> |
|---------------------------|-----------------------------|-------------------------------------|
| Sewage Collection Systems | \$0.50                      | \$650 - \$6,500                     |

### ***Underground and Aboveground Storage Tank System Facility Plans and Modifications***

| <i>Project</i>                                    | <i>Cost per Tank or Piping System</i> | <i>Minimum Fee-<br/>Maximum Fee</i> |
|---|---------------------------------------|-------------------------------------|
| Underground and Aboveground Storage Tank Facility | \$650                                 | \$650 - \$6,500                     |

### ***Exception Requests***

| <i>Project</i>    | <i>Fee</i> |
|-------------------|------------|
| Exception Request | \$500      |

### ***Extension of Time Requests***

| <i>Project</i>            | <i>Fee</i> |
|---------------------------|------------|
| Extension of Time Request | \$150      |



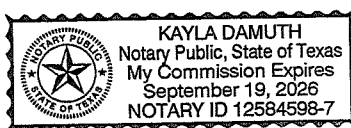


SIGNATURE PAGE:

[Handwritten Signature]  
Applicant's Signature

9/27/2023  
Date

THE STATE OF Texas §  
County of Comal §



BEFORE ME, the undersigned authority, on this day personally appeared Brandon Shansin known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 27<sup>th</sup> day of September, 2023

Kayla Damuth  
NOTARY PUBLIC

Kayla Damuth  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 9-19-2026

September 26, 2023

Texas Commission of Environmental Quality (TCEQ)  
Edwards Aquifer Program  
San Antonio Regional Office  
14350 Judson Rd, San Antonio, TX 78233  
210-490-3096

Re: 3355 Oak Run Pkwy (“The Property”) -WPAP Modification  
(No. 1300295)

I, Slate Angel, the “property owner,” authorize Brandon Shamblin, “the Applicant” for the right to control and possess the property known as Westpointe Tract D, Block 1, Lot 1B at 3355 Oak Run Pkwy for the purpose of coordinating and representing for this Water Pollution Abatement Plan Modification application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

Sincerely,  
P&P Angel Investments, LLC



---

Slate Angel, Title



**Agent Authorization Form**  
For Required Signature  
Edwards Aquifer Protection Program  
Relating to 30 TAC Chapter 213  
Effective June 1, 1999

I \_\_\_\_\_  
Slate Angel  
Print Name  
\_\_\_\_\_  
Owner  
\_\_\_\_\_  
Title - Owner/President/Other  
of \_\_\_\_\_  
P&P Angel Investments, LLC  
Corporation/Partnership/Entity Name  
have authorized \_\_\_\_\_  
Brandon Shamblin  
Print Name of Agent/Engineer  
of \_\_\_\_\_  
Print Name of Firm

to represent and act on the behalf of the above named Corporation, Partnership, or Entity for the purpose of preparing and submitting this plan application to the Texas Commission on Environmental Quality (TCEQ) for the review and approval consideration of regulated activities.

I also understand that:

1. The applicant is responsible for compliance with 30 Texas Administrative Code Chapter 213 and any condition of the TCEQ's approval letter. The TCEQ is authorized to assess administrative penalties of up to \$10,000 per day per violation.
2. For those submitting an application who are not the property owner, but who have the right to control and possess the property, additional authorization is required from the owner.
3. Application fees are due and payable at the time the application is submitted. The application fee must be sent to the TCEQ cashier or to the appropriate regional office. The application will not be considered until the correct fee is received by the commission.
4. A notarized copy of the Agent Authorization Form must be provided for the person preparing the application, and this form must accompany the completed application.
5. No person shall commence any regulated activity on the Edwards Aquifer Recharge Zone, Contributing Zone or Transition Zone until the appropriate application for the activity has been filed with and approved by the Executive Director.

SIGNATURE PAGE:

[Handwritten Signature]  
Applicant's Signature

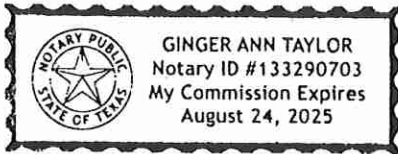
3-22-24  
Date

THE STATE OF Texas §

County of Comal §

BEFORE ME, the undersigned authority, on this day personally appeared Slate Angel known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that (s)he executed same for the purpose and consideration therein expressed.

GIVEN under my hand and seal of office on this 22 day of March, 2024.



[Handwritten Signature]  
NOTARY PUBLIC

Ginger Ann Taylor  
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 8/24/25