Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

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.

1. Regulated Entity Name: TPC Town Plaza II						**2. Regulated Entity No.: RN102759537**			
3. Customer Name: Drago Development, LLC						**4. Customer No.:**			
5. Project Type: **(Please circle/check one)**	New		Modification			Extension		(Exception)	
6. Plan Type: **(Please circle/check one)**	(WPAP)	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: **(Please circle/check one)**	Residential		(Non-residential)			**8. Site (acres):**		2.71	
9. Application Fee:	$500		**10. Permanent BMP(s):**			Existing sedimentation/filtration basin			
11. SCS (Linear Ft.):			**12. AST/UST (No. Tanks):**						
13. County:	Bexar		**14. Watershed:**			Salado Creek Watershed			

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

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)	___Edwards Aquifer Authority ___Barton Springs/ Edwards Aquifer ___Hays Trinity ___Plum Creek	___Barton Springs/ Edwards Aquifer	NA
City(ies) Jurisdiction	___Austin ___Buda ___Dripping Springs ___Kyle ___Mountain City ___San Marcos ___Wimberley ___Woodcreek	___Austin ___Bee Cave ___Pflugerville ___Rollingwood ___Round Rock ___Sunset Valley ___West Lake Hills	___Austin ___Cedar Park ___Florence ___Georgetown ___Jerrell ___Leander ___Liberty Hill ___Pflugerville ___Round Rock

San Antonio Region					
County:	**Bexar**	**Comal**	**Kinney**	**Medina**	**Uvalde**
Original (1 req.)	_X_	___	___	___	___
Region (1 req.)	_X_	___	___	___	___
County(ies)	_X_	___	___	___	___
Groundwater Conservation District(s)	___ Edwards Aquifer Authority _X_Trinity-Glen Rose	___Edwards Aquifer Authority	___Kinney	___EAA ___Medina	___EAA ___Uvalde
City(ies) Jurisdiction	___Castle Hills ___Fair Oaks Ranch ___Helotes ___Hill Country Village ___Hollywood Park _X_San Antonio (SAWS) ___Shavano Park	___Bulverde ___Fair Oaks Ranch ___Garden Ridge ___New Braunfels ___Schertz	NA	___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.
Kevin W. Love, P.E.
Print Name of Customer/Authorized Agent
Signature of Customer/Authorized Agent — Date: 04-16-24

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: Kevin W. Love, P.E.

Date: 04-16-24

Signature of Customer/Agent:

Project Information

1. Regulated Entity Name: TPC Town Plaza II
2. County: Bexar
3. Stream Basin: Elm Waterhole Creek
4. Groundwater Conservation District (If applicable): Trinity Glen Rose
5. Edwards Aquifer Zone:

   ☒ Recharge Zone
   ☐ Transition Zone

6. Plan Type:

   ☒ WPAP
   ☐ SCS
   ☐ Modification
   ☐ AST
   ☐ UST
   ☒ Exception Request

7. Customer (Applicant):

   Contact Person: Jason Drago
   Entity: Drago Development, LLC
   Mailing Address: 16227 San Pedro
   City, State: Hollywood Park, TX Zip: 78232
   Telephone: 210-535-1401 FAX: _____
   Email Address: Jason@mtsawards.com

8. Agent/Representative (If any):

   Contact Person: Jackson Chapman
   Entity: KLove Engineering, LLC
   Mailing Address: 22610 US Hwy 281 N. Suite 204
   City, State: San Antonio, TX Zip: 78258
   Telephone: 210-485-5683 FAX: _____
   Email Address: jchapman@kloveengineering.com

9. Project Location:

   ☐ The project site is located inside the city limits of _____.
   ☒ The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of San Antonio.
   ☐ 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.

    4250 TPC Pkwy, San Antonio, TX 78261

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: _____

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.

Date: Feb 22, 2024, 2:40pm User ID: klove
File: K:\PROJECTS\1398-01 TPC 2.71 ac\TCEQ\WPAP Exception\2-general information\Aerial location map.dwg

SHEET NO.	1 OF 1
DATE:	02/22/24
SCALE:	N.T.S.
DRAWN BY:	JC
DESIGNED BY:	AB
FILENAME:	TPC PLAZA II
PROJECT NO.	1398-01

TPC TOWN PLAZA II

4250 TPC PKWY
SAN ANTONIO, TX 78261

LOCATION / AERIAL MAP

KLove ENGINEERING
Site Development Engineering Services
Firm No. 11042
www.kloveengineering.com (210) 485-5683

PROJECT NO. 1398–01 **DATE:** 02/22/24 **DRAWN BY:** JC **DESIGNED BY:** AB **SCALE:** N.T.S.	**TPC TOWN PLAZA II** 4250 TPC PKWY SAN ANTONIO, TEXAS 78261 **BULVERDE USGS MAP**	K Love ENGINEERING *Site Development Engineering Services* Firm No. 11042 www.kloveengineering.com (210) 485-5683

Attachment C – Project Narrative

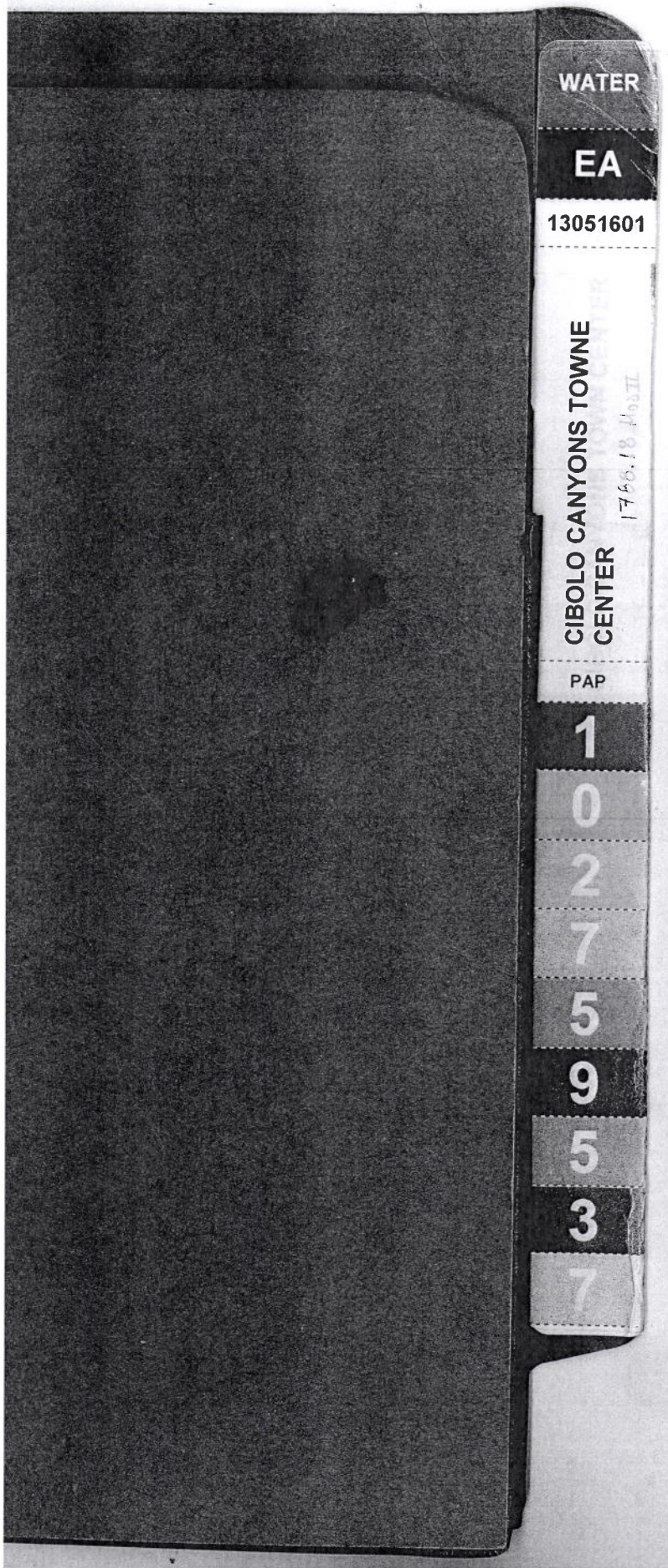
The subject project is located at 4250 TPC Pkwy, San Antonio, TX 78261. This location is within the ETJ of the City of San Antonio and the Salado Creek Watershed. This area is not in a mandatory detention area, is currently undeveloped and there is nothing onsite to be demolished. There are no offsite areas that will be negatively impacted by the proposed development.

The TPC Town Plaza II project consists of 2.71 acres and will be used for a commercial retail and fast-food restaurant building. The proposed impervious cover for the development onsite is approximately 2.17 acres.

To prevent pollution of storm water runoff originating on-site and potentially flowing across and off the site after construction, an existing sedimentation/filtration basin is the on-site permanent BMP. The original WPAP was approved on June 26, 2002, following with six WPAP modifications with approval dates of May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013, August 22, 2018, and October 9, 2019. The one existing (1) sedimentation/filtration basin constructed to treat storm water runoff from the proposed 13.75 acres of impervious cover of the overall development of 25.95 acres. The current amount of impervious cover being treated by the sedimentation/filtration basin is 11.67 acres. The previous approved WPAP includes treatment for the impervious cover of the TPC Town Plaza area being added. The impervious cover being added to the site of interest will have a total of 2.08 acres. Being this said, the overall site still has the capacity to treat the increase in impervious cover being added. The proposed site will also follow the same patterns of drainage of those approved back in 2002.

Geologic Assessment

The Geologic Assessment has been included from the previously approved WPAP modification.


WATER
EA
13051601
CIBOLO CANYONS TOWNE CENTER
PAP
1
0
2
7
5
9
5
3
7

GEOLOGIC ASSESSMENT

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

REGULATED ENTITY NAME: ***Cibolo Canyons Town Center***

TYPE OF PROJECT: √ WPAP __ AST __ SCS __ UST

LOCATION OF PROJECT: √ Recharge Zone __ Transition Zone __ Contributing Zone within the Transition Zone

PROJECT INFORMATION

1. √ Geologic or manmade features are described and evaluated using the attached **GEOLOGIC ASSESSMENT TABLE**.

2. 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.

Soil Units, Infiltration Characteristics & Thickness		
Soil Name	Group*	Thickness (feet)
Crawford and Bexar stoney soils (Cb)	***D***	***2-4***
Tarrant association, rolling (TaC	***C***	***1-2***

*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.

3. √ A **STRATIGRAPHIC COLUMN** is attached at the end of this form that shows formations, members, and thicknesses. The outcropping unit should be at the top of the stratigraphic column.

4. √ A **NARRATIVE DESCRIPTION OF SITE SPECIFIC GEOLOGY** is attached at the end of this form. The description must include a discussion of the potential for fluid movement to the Edwards Aquifer, stratigraphy, structure, and karst characteristics of the site.

5. √ Appropriate **SITE GEOLOGIC MAP(S)** are attached:

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" = ***100'***
Site Geologic Map Scale	1" = ***100'***
Site Soils Map Scale (if more than 1 soil type)	1" = ***500'***

6. Method of collecting positional data:
   - √ Global Positioning System (GPS) technology.
   - __ Other method(s).

7. √ The project site is shown and labeled on the Site Geologic Map.

8. √ Surface geologic units are shown and labeled on the Site Geologic Map.

9. √ 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.

10. √ The Recharge Zone boundary is shown and labeled, if appropriate.

11. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.):

   __ There is ____ wells present on the project site and the location is 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 well is in use and complies with 16 TAC Chapter 76.

   √ There are no wells or test holes of any kind known to exist on the project site.

ADMINISTRATIVE INFORMATION

12. √ 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.

Date(s) Geologic Assessment was performed: ***August 15, 2000 - January 26, 2001***
Date(s)

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.

Philip C. Pearce, P.G.
Print Name of Geologist

210-375-9000
Telephone

210-375-9010
Fax

Signature of Geologist

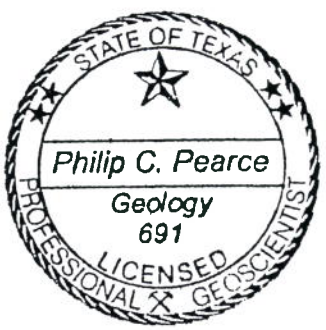
9-13-2012
Date

Representing: ***Pape-Dawson Engineers, Inc.***
(Name of Company) *Texas Board of Professional Engineers, Firm Registration # 470*
Texas Board of Professional Geoscientists, Firm Registration # 50351

The following attachments are included and complete this submittal.
**** Attachment A - Geologic Assessment Table***
**** Attachment B - Site Geologic Map***
**** Attachment C - Stratigraphic Column***
**** Attachment D - Narrative Description***
**** Attachment E - Site Soils Map***
**** Attachment F - References***

If you have questions on how to fill out this form or about the Edwards Aquifer protection program, please contact us at 210/490-3096 for projects located in the San Antonio Region or 512/339-2929 for projects located in the Austin Region.

Individuals are entitled to request and review their personal information that the agency gathers on its forms. They may also have any errors in their information corrected. To review such information, contact us at 512/239-3282.



GEOLOGIC ASSESSMENT TABLE

PROJECT NAME: CIBOLO CANYONS TOWN CENTER

LOCATION			FEATURE CHARACTERISTICS												EVALUATION			PHYSICAL SETTING		
1A	1B *	1C*	2A	2B	3	4			5	5A	6	7	8A	8B	9	10		11		12
FEATURE ID	LATITUDE	LONGITUDE	FEATURE TYPE	POINTS	FORMATION	DIMENSIONS (FEET)			TREND (DEGREES)	DOM	DENSITY (NO/FT)	APERTURE (FEET)	INFILLING	RELATIVE INFILTRATION RATE	TOTAL	SENSITIVITY		CATCHMENT AREA (ACRES)		TOPOGRAPHY
						X	Y	Z		10						<40	≥40	<1.6	≥1.6	
S-43	29°39'32.4"	98°24'18.7"	F	20	Kek	424			N60°E	10			F	5	35	35			X	Hillside
S-44	29°39'29.9"	98°24'37.0"	F	20	Kek	1718			N13°E	0			F	5	25	25			X	Hillside
S-106	29°39'34.9"	98°24'24.9"	CD	5	Kek	5.5	7	1	N85°E	0			O,F	5	10	10		X		Hillside
S-107	29°39'37.4"	98°24'29.0"	CD	5	Kek	3	7	1	N25°W	0			O,F	5	10	10		X		Hillside
S-108	29°39'40.4"	98°24'34.9"	CD	5	Kek	3.5	6.2	1.7	N80°W	0			O,F	5	10	10		X		Hillside
S-109	29°39'37.1"	98°24'34.4"	CD	5	Kek	7.5	9.8	1	N60°W	0			O,F	5	10	10		X		Hillside
S-173	29°39'29.9"	98°24'32.2"	F	20	Kek	1722			N60°E	10			F	5	35	35			X	Hillside
S-174	29°39'37.2"	98°24'36.8"	F	20	Kek	1466			N61°E	10			F	5	35	35			X	Hillside
S-175	29°39'41.3"	98°24'41.0"	F	20	Kek	812			N13°E	0			F	5	25	25			X	Hillside

* DATUM: NAD 83

Note: Only those geologic and manmade features within that area of this assessment are included. Therefore, the features may not be numbered sequentially.

2A TYPE	TYPE	2B POINTS
C	Cave	30
SC	Solution cavity	20
SF	Solution-enlarged fracture(s)	20
F	Fault	20
O	Other natural bedrock features	5
MB	Manmade feature in bedrock	30
SW	Swallow hole	30
SH	Sinkhole	20
CD	Non-karst closed depression	5
Z	Zone, clustered or aligned features	30

8A INFILLING	
N	None, exposed bedrock
C	Coarse - cobbles, breakdown, sand, gravel
O	Loose or soft mud or soil, organics, leaves, sticks, dark colors
F	Fines, compacted clay-rich sediment, soil profile, gray or red colors
V	Vegetation. Give details in narrative description
FS	Flowstone, cements, cave deposits
X	Other materials

12 TOPOGRAPHY
Cliff, Hilltop, Hillside, Drainage, Floodplain, Streambed

STATE OF TEXAS
Philip C. Pearce
Geology
691
LICENSED PROFESSIONAL GEOSCIENTIST

I have read, I understood, and I have followed the Texas Commission on Environmental Quality's Instructions to Geologists.
The information presented here complies with that document and is a true representation of the conditions observed in the field.
My signature certifies that I am qualified as a geologist as defined by 30 TAC Chapter 213.

Date 9-13-2012

ATTACHMENT A

CIBOLO CANYONS TOWN CENTER

Stratigraphic Column

[Hydrogeologic subdivisions modified from Maclay and Small (1976); groups, formations, and members modified from Rose (1972); lithology modified from Dunham (1962); and porosity type modified from Choquette and Pray (1970); CU, confining unit; AQ, aquifer]

Hydrogeologic subdivision			Group, formation, or member			Hydrologic function	Thickness (feet)	Lithology	Field Identification	Cavern development	Porosity/ permeability type
Lower Cretaceous	V	*Edwards Aquifer*	*Edwards Group*	*Kainer Formation (Kek)*	Grainstone member	AQ	50-60	*Miliolid* grainstone; mudstone to wackestone; chert	White crossbedded grainstone	Few	Not fabric/ recrystallization reduces permeability
	VI				Kirschberg evaporite member	AQ	50-60	Highly altered crystalline limestone; chalky mudstone; chert	Boxwork voids, with neospar and travertine frame	Probably extensive cave development	Majority fabric/one of the most permeable
	VII				Dolomitic member	AQ	110 -130	Mudstone to grainstone; crystalline limestone; chert	Massively bedded light gray, *Toucasia* abundant	Caves related to structure or bedding planes	Mostly not fabric; some bedding plane-fabric/water-yielding
	VIII				Basal nodular member	Karst AQ; not karst CU	50-60	Shaly, nodular limestone mudstone and *miliolid* grainstone	Massive, nodular and mottled, *Exogyra texana*	Large lateral caves at surface; a few caves near Cibolo Creek	Fabric; stratigraphically controlled large conduit flow at surface; no permeability in subsurface
	Lower confining unit		Upper member of the Glen Rose Limestone (Kgru)			CU; evaporite beds AQ	350-500	Yellowish tan, thinly bedded limestone and marl	Stair-step topography; alternating limestone and marl	Some surface cave development	Some water production at evaporite beds / relatively impermeable

(Modified from Stein and Ozuna, 1995)

ATTACHMENT C

CIBOLO CANYONS TOWN CENTER

Narrative Description

The overall potential for fluid movement to the Edwards Aquifer for the site is low. No karst or other sensitive geologic features were identified onsite. Five (5) faults were identified that cross the subject site. The dominant trend for the site is N 60° E, based on an average of the trends of faults on site and in the surrounding Cibolo Canyons area.

The site is located within the dolomitic member (Kekd) of the Kainer Formation of the Edwards Group. The Kekd is characterized as massively bedded, mudstone to grainstone, crystalline limestone. In general, karst development in the Kekd is characterized by few small sinkholes, and caves developed primarily as vertical shafts. No caves or sinkholes were identified on site.

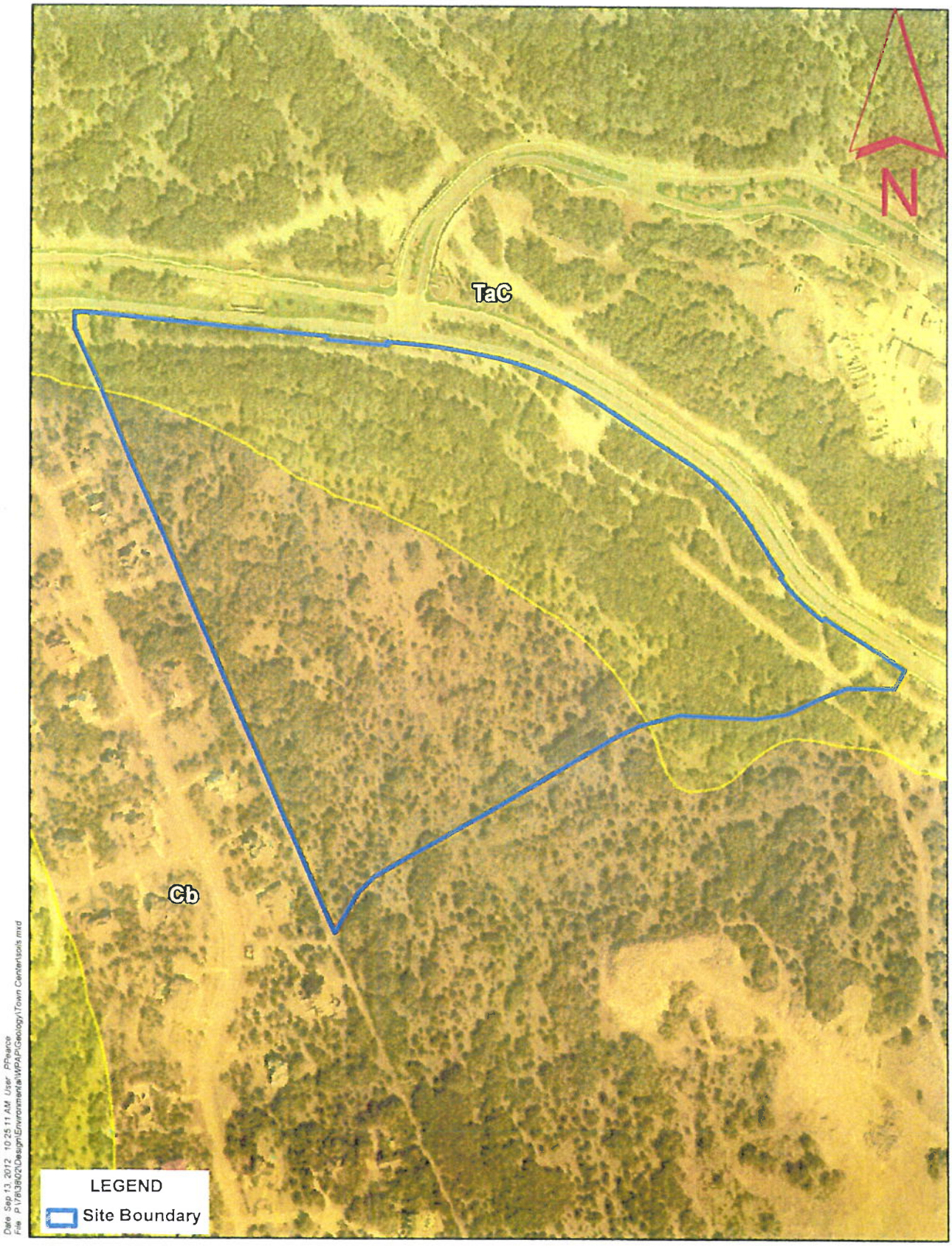
Features S-43, S-44, S-173, 2-174 and S-175

Features S-43, S-44, S-173, 2-174 and S-175 are faults identified by review of aerial photographs and previous mapping of the Cibolo Canyons and J.W. Marriott resort property. Soil development and fine infilling are present. No areas of enhanced permeability along the faults were observed within the limits of this project. Therefore, the probability of rapid infiltration is low.

Features S-106, S-107, S-108 and S-109

Features S-106, S-107, S-108 and S-109 are non-karst closed depressions. The non-karst closed depressions appear to be a result of animal burrowing and tree clearing. Due to fine infilling and lack of karst origin, the probability for rapid infiltration is low.

CIBOLO CANYONS TOWN CENTER



Date Sep 13, 2012 10:25:11 AM User PPearce
File P:\78380\Design\Environmental\WPAP\Geology\Town Center\soils.mxd

ATTACHMENT E

2004 BEXAR COUNTY SOIL SURVEY
2010 AERIAL PHOTOGRAPH
SCALE: 1"= 500'

PAPE-DAWSON ENGINEERS

CIBOLO CANYONS TOWN CENTER

References

Arnow, Ted, 1959, Groundwater Geology of Bexar County, Texas: Texas Board of Water Engineers, Bulletin 5911, 62 pp., 18 figs.

Barnes, V.L., 1983, Geologic Atlas of Texas, San Antonio Sheet, Bureau of Economic Geology, The University of Texas at Austin, Texas.

Federal Emergency Management Agency (FEMA), September 29, 2010, Bexar County, Texas and Incorporated Areas, Flood Insurance Rate Map (FIRM), Panel 48029C0145 G, FEMA, Washington, D.C.

Maclay, R.W., and Small, T.A., 1976, Progress Report on the Geology of the Edwards Aquifer, San Antonio Area, Texas and Preliminary Interpretation of Borehole Geophysical and Laboratory Data on Carbonate Rocks: U.S. Geol. Survey open file rept., 76-627, 62 pp., 20 figs.

Rose, P.R., 1972, Edwards Group, Surface and Subsurface, Central Texas: Bur. Econ. Geol., Rep of Invest. 74, 198 pp.

Stein, W.G., and Ozuna, G.B., 1995, Geologic Framework and Hydrogeologic Characteristics of the Edwards Aquifer Recharge Zone, Bexar County, Texas: U.S. Geol. Survey, Water - Resources Investigations 95-4030, 8 pp., 2 figs.

Texas National Resource Conservation Commission, 1999, Edwards Aquifer Recharge Zone Map, Bulverde Quadrangle, TNRCC, San Antonio, Texas.

United States Department of Agriculture, 1991, Soil Survey - Bexar County, Texas, USDA.

United States Geologic Survey, 1988, (USGS), Bulverde Quadrangle, USGS, Denver, Colorado.

Veni, G., 1988, The Caves of Bexar County, Second Edition, The Texas Memorial Museum, University of Texas, Austin, Texas.

Veni, George, and Associates, 1994, Geologic Controls in Cave Development and the Distribution of Cave Fauna in the San Antonio, Texas, Region: Report for the Texas Parks and Wildlife Department and U.S. Fish & Wildlife Service, 99 pp.

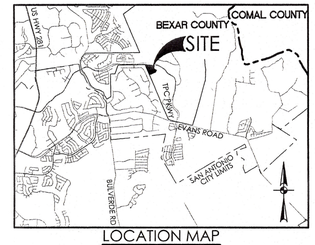
PROJECT LIMITS
(63.43 ACRES)

TPC PARKWAY

S-108
S-107
S-109
S-106
S-175
S-174
S-173
S-43
S-44

Kek

U
D



LOCATION MAP
NOT-TO-SCALE

SCALE: 1"= 100'
0' 100' 200' 300'

LEGEND

Qal	ALLUVIUM
Kbu	BUDA LIMESTONE
Kdr	DEL RIO CLAY
Kgt	GEORGETOWN FORMATION
Kep	PERSON FORMATION
Kek	KAINER FORMATION
Kgru	GLEN ROSE FORMATION (UPPER)
S-1	POTENTIAL RECHARGE FEATURE
	DRAINAGE PATHWAY
	CONTACT, LOCATED APPROXIMATELY
	FAULT, LOCATED APPROXIMATELY (D, downthrown side; U, upthrown side)
	FAULT, EXISTENCE UNCERTAIN
	POSSIBLE FAULT (as located by aerial photographs)
	STRIKE AND DIP OF BEDDING
	STRIKE AND DIP OF JOINTS
	STRIKE OF VERTICAL JOINTS
	CAVE
	NON-KARST CLOSED DEPRESSION
	SINKHOLE
	SOLUTION CAVITY
	OTHER NATURAL BEDROCK FEATURES: VUGGY ROCK, REEF DEPOSITS
	ZONE
MB	MAN-MADE FEATURE IN BEDROCK
W	WATER WELL
	SANITARY SEWER LINE

NOTE:
ONLY THOSE GEOLOGIC AND MAN-MADE FEATURES WITHIN THAT AREA OF THIS ASSESSMENT ARE INCLUDED, THEREFORE, THE FEATURES MAY NOT BE NUMBERED SEQUENTIALLY.

NOTE: THE GEOSCIENTIST SEAL HAS BEEN AFFIXED TO THIS SHEET ONLY FOR PURPOSES OF GEOLOGIC INFORMATION. ALL OTHER INFORMATION SHOULD BE ACQUIRED FROM THE APPROPRIATE SIGNED AND SEALED CIVIL ENGINEERING DRAWINGS.

STATE OF TEXAS
Philip C. Pearce
Geology
691
LICENSED
PROFESSIONAL GEOSCIENTIST
5-7-13

NO.	REVISION	DATE
1	SITE BOUNDARY REVISED	04/29/2013

PAPE-DAWSON ENGINEERS
555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000 FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

CIBOLO CANYONS TOWN CENTER
SAN ANTONIO, TEXAS
WATER POLLUTION ABATEMENT PLAN MODIFICATION II
SITE GEOLOGIC MAP

JOB NO. 7838-02
DATE MAY 2013
GEOLOGIST RCP
CHECKED PCP DRAWN RCP

ATTACHMENT B

Recharge and Transition Zone Exception Request Form

Texas Commission on Environmental Quality
30 TAC §213.9 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 **Recharge and Transition Zone Exception Request Form** is hereby submitted for TCEQ review and executive director approval. The request was prepared by:

Print Name of Customer/Agent: Kevin W. Love, P.E.
Date: 04-16-24
Signature of Customer/Agent:

Regulated Entity Name: TPC Town Plaza II

Exception Request

1. ☒ **Attachment A - Nature of Exception**. A narrative description of the nature of each exception requested is attached. All provisions of 30 TAC §213 Subchapter A for which an exception is being requested have been identified in the description.
2. ☒ **Attachment B - Documentation of Equivalent Water Quality Protection**. Documentation demonstrating equivalent water quality protection for the Edwards Aquifer is attached.

Administrative Information

3. ☒ 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.
4. ☒ The applicant understands that no exception will be granted for a prohibited activity in Chapter 213.
5. ☒ The applicant understands that prior approval under this section must be obtained from the executive director for the exception to be authorized.

Attachment A – Nature of Exception

Requestor Information:
Drago Development LLC, 16227 San Pedro Ave, Hollywood Park, TX 78232, 210-535-1401

The subject project is located northwest of the intersection Cibolo Canyons St and TPC Parkway. This location is within the ETJ of the City of San Antonio and the Salado Creek Watershed. This area is not in a mandatory detention area, is currently undeveloped and there is nothing onsite to be demolished. There are no offsite areas that will be negatively impacted by the proposed development. The TPC Town Plaza II project consists of 2.71 acres, and will be used for a commercial retail building. The proposed impervious cover for the development onsite is approximately 2.08 acres.

The proposed site is TPC Town Plaza II and was proposed as Cibolo Canyons Town Center by Pape-Dawson Engineers and was approved by TCEQ. TPC Town Plaza II is now being proposed with less impervious cover (proposed 53% impervious cover), than what was approved (approved 66% impervious cover), in the last WPAP modification for the Cibolo canyons Town Center which has already been approved by TCEQ. The existing sedimentation/filtration basin has the capacity to treat our proposed site's increase in impervious cover. Therefore, we request an exception from submitting a WPAP for the TPC Town Plaza since there is an existing permanent BMP with the capacity to treat our proposed site.

To prevent pollution of storm water runoff originating on-site and potentially flowing across and off the site after construction, an existing sedimentation/filtration basin is the on-site permanent BMP. The original WPAP was approved on June 26, 2002, following with six WPAP modifications with approval dates of May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013, August 22, 2018, and October 9, 2019. The one existing (1) sedimentation/filtration basin constructed to treat storm water runoff from the proposed 17.2 acres of impervious cover of the overall development of 25.95 acres. The current amount of impervious cover being treated by the sedimentation/filtration basin is 11.67 acres. The previous approved WPAP includes treatment for the impervious cover of the TPC Town Plaza II area being added. The impervious cover being added to the site of interest will be a total of 2.08 acres. Being this said, the overall site still has the capacity to treat the increase in impervious cover being added. The proposed site will also follow the same patterns of drainage of those approved back in 2002.

Attachment B

The previously approved WPAP modification with supporting calculations has been included. Water Quality Treatment is already being provided for the proposed site.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 26, 2019

Mr. Beau Block
23518 Seven Winds
San Antonio, Texas 78258

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Cibolo Canyons Town Center; Located at the intersection of TPC Parkway and Cibolo Canyons Street; ETJ of San Antonio, Texas

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

Regulated Entity No. RN102759537; Additional ID. No. 13000974

Dear Mr. Block:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification Application for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of Mr. Beau Block on August 7, 2019. Final review of the WPAP Modification was completed after additional material was received on September 23, 2019. 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.*

BACKGROUND

The area under modification is a portion of the Cibolo Canyon Resort Community which is a 2,852.4-acre mixed use development that has been previously approved by TCEQ letters dated June 26, 2002 and subsequently modified on May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013, August 22, 2018 and October 9, 2018. Other WPAPs have been submitted and approved within the Cibolo Canyon Resort Community.

PROJECT DESCRIPTION

This project proposes the construction of a commercial development with buildings, associated parking, driveways and hardscapes on approximately 14.19 acres with 9.13 acres (64.34 percent) of impervious cover. In addition, this project proposes the expansion of the existing sand filter basin #2. Project wastewater will be disposed of by conveyance to the Steven M. Clouse Water Recycling Center owned and operated by the San Antonio Water System.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or up-gradient of the site and potentially flowing across and off the site after construction, the expanded sand filter basin #2, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 7,450 pounds of TSS generated from the 9.13 acres of impervious cover. The approved measure meets the required 80 percent removal of the increased load in TSS caused by the project.

GEOLOGY

According to the geologic assessment included with the application, the site lies within the Kirschberg evaporite member and dolomitic member of the Kainer Formation. Five (5) non-sensitive geologic features and four (4) sensitive manmade features (existing sewer lines and storm drains) were noted by the project geologist. The site assessment conducted on September 5, 2019 revealed that the site was generally as described in the application.

SPECIAL CONDITION

I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated June 26, 2002 and subsequent modifications dated May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013, August 22, 2018 and October 9, 2018.

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.

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.

<u>During Construction:</u>

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 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 the 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 Dianne Pavlicek-Mesa, P.G., of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4074.

Sincerely,

Robert Sadlier, Section Manager
Edwards Aquifer Protection Program
Texas Commission on Environmental Quality

RCS/dpm

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

cc: Mr. Trey Dawson, P.E., Pape-Dawson Engineers, Inc.
Ms. Renee Green, P.E., Bexar County Public Works
Mr. Scott Halty, San Antonio Water System
Mr. Roland Ruiz, Edwards Aquifer Authority
Mr. George Wissmann, Trinity Glen Rose Groundwater Conservation District

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

October 9, 2018

Mr. John Garcia
Alpha Facilities Solutions, LLC
11503 NW Military Highway, Suite 300
San Antonio, Texas 78231-4896

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Alpha Facilities at Cibolo Canyon; Located southeast corner of TPC Parkway and Cibolo Canyon, San Antonio, Texas

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

Regulated Entity No. RN102759537; Program ID No. 13000746

Dear Mr. Garcia:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of Alpha Facilities Solutions, LLC on August 7, 2018. Final review of the WPAP was completed after additional material was received on September 27, 2018. 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.*

BACKGROUND

This area under modification is a portion of the Cibolo Canyons Town Center development that has been previously approved by TCEQ letters dated June 26, 2002 and subsequently modified on May 21, 2004, March 29, 2007, December 21, 2012 and July 16, 2013. Other water pollution abatement plans have been submitted and approved within the Cibolo Canyon Resort Community.

PROJECT DESCRIPTION

The proposed commercial project will have an area of approximately 4.95-acres. It will include clearing, grading, installation of utilities and drainage improvements, construction of a commercial building, retaining wall, earthen channel, sidewalks, parking, connecting drives and one batch detention basin. The impervious cover will be 1.61 acres (32.5 percent). Project wastewater will be disposed of by conveyance to the existing Dos Rios Water Recycling Center owned by the San Antonio Water System.

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 batch detention 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 1,314 pounds of TSS generated from the 1.61 acres of impervious cover. The individual treatment measure consists of a batch detention basin with a capture volume of 8,238-cubic feet (7,857-cubic feet required), logic controller with solar powered battery back-up and electric actuated valve with manual override. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

GEOLOGY

According to the geologic assessment included with the application, the site is located on the Kirschberg evaporite member and the dolomitic member of the Kainer formations. A site investigation conducted by a representative of the San Antonio Regional Office on September 14, 2018 revealed the site was generally as described in the geologic assessment. Two sensitive manmade features (existing sewer main and existing storm sewer drain) and four non-sensitive geologic features were noted by the project geologist.

SPECIAL CONDITIONS

I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated June 26, 2002 and subsequent modifications dated May 21, 2004, March 29, 2007, December 21, 2012 and July 16, 2013.

II. The permanent pollution abatement measure shall be operational prior to occupancy of the facility.

III. 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.

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 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 well exists 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.

<u>After Completion of Construction:</u>

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 Don Vandertulip, PE, BCEE of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4057.

Sincerely,

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

LB/DV/eg

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

cc: Mr. Trey Dawson, PE, Pape-Dawson Engineers, Inc.
Ms. Renee Green, PE, Bexar County Public Works
Mr. Roland Ruiz, Edwards Aquifer Authority
Mr. Scott Halty, San Antonio Water System
Mr. George Wissmann, Trinity Glen Rose Groundwater Conservation District

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 22, 2018

Mr. Bernardo Pana
Dolce Vita at Cibolo Canyon, LLC
500 Throckmorton Street, Unit 1701
Fort Worth, Texas 76102

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Dolce Vita at Cibolo Canyons; Located approximately 900 feet west of TPC Parkway and Cibolo Canyons Street T Intersection; San Antonio, Texas

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

Regulated Entity No. RN102759537; Additional ID No. 13000690

Dear Mr. Pana:

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 Pape-Dawson Engineers, Inc. on behalf of Dolce Vita at Cibolo Canyon, LLC on May 30, 2018. Final review of the WPAP was completed after additional material was received on August 13, 2018 and August 20, 2018. 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.*

BACKGROUND

The Dolce Vita at Cibolo Canyons was previously approved by letter dated June 26, 2002 and subsequently modified on May 21, 2004, March 29, 2007, December 21, 2012, and July 16, 2013.

Other water pollution abatement plans have been submitted and approved within the Cibolo Canyon Resort Community.

This application will modify the Cibolo Canyons Town Center (13-13051601) WPAP modification approved by letter dated July 16, 2013. The 63.43-acre project included clearing, grading, installation of utilities and drainage improvements, and construction of a 400-unit multi-family complex (Lot 1), 600-unit multi-family complex (Lot 5), and four sand filter basins, sidewalks, parking, driveways, and private streets. The project also included Cibolo Canyons and TPC Parkway road improvements with proposed turn lanes at both intersections. Lots 2, 3, and 4 located on the north and east sides of the 63.43-acre site were anticipated to be future commercial/multifamily sites. The site plans for those lots had not been finalized and remain unfinalized at the time of the current application. Future modifications will be submitted for the development on these lots. The impervious cover was approved to be 22.80 acres (35.95 percent).

PROJECT DESCRIPTION

The proposed commercial project for Lot 5 of the development will have an area of approximately 11.43 acres within the previously approved 63.43 acres. Due to re-platting of Lots 4 and 5, this modification will reduce the overall site area from 63.43 acres to 51.40 acres. Specifically, the size of Lot 5 has been reduced and Lot 4 has been removed from the overall commercial development as it is now intended for residential development. As a result of these changes, the previously approved sedimentation/filtration basin 4 will no longer be constructed. The project will include clearing, grading, installation of utilities and drainage improvements, and construction of a 250-unit multi-family complex, with associated sidewalks, parking, and connecting drives. The impervious cover within the 11.43-acre site will be 5.61 acres (50.00 percent). The overall impervious cover within the 51.40-acre development will be 17.46 acres (33.97 percent). Project wastewater will be disposed of by conveyance to the existing Dos Rios Water Recycling Center owned by the San Antonio Water System. Updated impervious cover details for the overall development are listed below:

Impervious Cover Summary

Lot Number	Intended Use	Impervious Cover (ft^2)	Impervious Cover (ac)	Lot Acreage
Cibolo Canyons	Streets and Turn Lanes	122,403.6	2.81	2.92
1	Multi-Family	393,782.4	9.04	19.38
2	Clearing and Grading	0	0	4.23
3	Clearing and Grading	0	0	13.44
5	Multi-Family	244,420	5.61	11.43
TOTALS		760,606	17.46	51.40

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 existing sedimentation/filtration basin (Basin 2), one new natural vegetative filter strip (VFS), and one new

engineered VFS, 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 the current 11.43-acre project is 4,578 pounds of TSS generated from the 5.61 acres of impervious cover. The new required TSS treatment for the overall 51.40-acre development is 14,247 pounds of TSS generated from 17.46 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project. Updated BMP Summary for the overall development are listed below:

BMP Summary								
Watershed Area	Total Area (ac)	Impervious Cover (ac)	Req. WQV (ft^3)	Design WQV (ft^3)	Req. Sand Filter Area (ft^2)	Design Sand Filter Area (ft^2)	Req. TSS Removal (lb/yr)	Design TSS Removal (lb/yr)
Sedimentation/Filtration Basin 1								
A	7.45	4.12	22,702	24,621	2,270	3,454	3,362	3,525
Sedimentation/Filtration Basin 2								
B	25.95	8.09	42,990	43,268	4299.6	6,636	6,601	6,765
Sedimentation/Filtration Basin 3								
C	10.05	4.32	20,256	22,704	2025.6	3,616	3,525	3,525
Natural VFS								
DV-B	1.93	0.48					392	392
Engineered VFS								
DV-C	0.05	0.05					41	41
Uncaptured Areas								
E*	0.17	0.17					139	
F**	0.14	0.14					114	
G**	0.09	0.09					73	
TOTALS	**45.83**	**17.46**					**14,247**	**14,248**

*Basin 1 is oversized to account for Area E and 0.03 acres (24 lbs) of Area G
**Basin 2 is oversized to account for Area F and 0.06 acres (49 lbs) of Area G

There are no proposed physical modifications or alterations for the previously approved Sand Filter Basins.

The engineered vegetative filter strip will have a uniform slope of less than 20 percent, will be a minimum of 15 feet wide (in the direction of flow), maintain a vegetated cover of at least 80 percent or more, and extend along the entire length of the contributing area.

The proposed natural VFS shall be a minimum of 50 feet in the direction of flow, remain in its natural state, and have a slope of less than 10 percent, and extend along the entire length of the contributing area.

GEOLOGY

According to the geologic assessment included with the application, the site lies on the Kainer Formation. Two non-sensitive geologic features and two sensitive manmade features, an existing sewer line and a storm drain. The San Antonio Regional Office site assessment conducted on July 17, 2018 revealed the site was generally as described in the geologic assessment.

SPECIAL CONDITIONS

I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated June 26, 2002, and subsequent modifications dated May 21, 2004, March 29, 2007, December 21, 2012, and July 16, 2013.

II. All permanent pollution abatement measures shall be operational prior to occupancies of the facilities within their respective drainage areas.

III. 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.

IV. For any future modifications to this WPAP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

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.

<u>During Construction:</u>

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 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

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

cc: Mr. Trey Dawson, P.E., Pape-Dawson Engineers, Inc.
Ms. Renee Green, P.E., Bexar County Public Works
Mr. Roland Ruiz, Edwards Aquifer Authority
Mr. Scott Halty, San Antonio Water System
Mr. George Wissmann, Trinity Glen Rose Groundwater Conservation District

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 20, 2015

Mr. John Lowery
Whole Life Cibolo Canyons, LLC
820 N.E. 63rd Street
Oklahoma City, OK 73105-6441

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Whole Life–Cibolo Canyons (aka Cibolo Canyons Town Center); located approximately 1.3 miles north of the intersection of Evans Road and TPC Parkway, San Antonio, Texas.

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

Investigation No. 1184338; Regulated Entity No. RN102759537; Additional ID No. 13-14071801

Dear Mr. Lowery,

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of Whole Life Cibolo Canyons, LLC on July 18, 2014. Final review was completed after additional material was received December 23, 2014, and January 15, 2015. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

Whole Life-Cibolo Canyons was previously approved by letter dated June 26, 2002, and subsequently modified on May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013 and April 9, 2014. Other water pollution abatement plans have been submitted and approved within the

Cibolo Canyon Resort Community. Cibolo Canyons Town Center WPAP Modification I (MOD I) was approved on December 21, 2012 (EAPP ID No. 1788.16) and authorized the construction of 31.13 acres of impervious cover. The 63.43-acre site consisted of five (5) lots proposed for mixed-use development. Cibolo Canyons Town Center WPAP Modification II (MOD II) was approved on July 16, 2013 (EAPP ID No. 1788.18) and proposed revisions to the basin footprint of Water Quality Basin 1. WPAP MOD II also proposed to construct Water Quality Basin 2 in two phases, where the first phase would treat a 7.28 acre area comprised of Cibolo Canyons Road and portions of Lot 1 and Lot 5; the second phase would be construction of Lots 2, 3, and 4 and would provide treatment for those lots.

Cibolo Canyons Town Center WPAP Modification III (MOD III) was a mixed used commercial/residential development with a total project area of 50.30 acres. The boundaries of Lots 4 and 5 were revised from the previously approved WPAP MOD II. The western 12.38 acres of Lot 5 was converted from a 400 unit multi-family residential development to a 154 single-family residential development and was incorporated into the Campanas Subdivision to the south. Construction activities with MOD III included the associated clearing, grading, and installation of utilities, drainage improvements including an amenity center, associated parking, sidewalks, and connecting drives. The impervious cover associated with this Campanas Subdivision area within the project limits (identified as Cibolo Canyons Unit-11) was 4.95 acres.

The Resort Parkway extension and its associated turn- lane improvements with the TPC Parkway right-of-way added an additional 1.56 acres to the project limits and is treated by a Jellyfish Filter System. This system also treats a portion of Lot 5.

The drainage area and impervious cover assumptions for the first phase of Water Quality Basin 2 included minor revisions to the watershed. The second phase of Basin 2 will be constructed with the development on lots 3 and 4 as previously approved. Modification to the drainage area and impervious cover assumptions to the Water Quality Basin 3 included a secondary access road and fire lane that serves Lot 1. Water Quality Basin 4 was relocated and redesigned to treat the revised watershed and impervious area for Lot 5 site plan and boundary.

PROJECT DESCRIPTION

This modification of the WPAP proposes the following revisions: The total number of multifamily residential units in Lot 5 will increase from 154 units to 156 units. The layout size and location of buildings and internal driveways will be revised. Sand Filter Water Quality Basin 5 will be added to treat a portion of Lot 5. An engineered vegetated filter strip (VFS) will also be added to treat a portion of Lot 5. The drainage area and impervious cover assumptions for the first phase of Water Quality Basin 2 will be modified. Phased construction is still proposed for Basin 2. The drainage area and impervious cover assumptions for Water Quality Basin 4 will be modified. The drainage area and impervious cover assumptions for the Jellyfish Filter System will be modified. Construction activities proposed with this modification include clearing, grading, installation of utilities, drainage improvements, and construction of a 156-unit multifamily complex (Lot 5) including an amenity center, associated parking, sidewalks, and connecting drives.

PERMANENT POLLUTION ABATEMENT MEASURES

The proposed Permanent Best Management Practices (PBMPs) for this modification are two (2) sand filter water quality basins (Basins 4 and 5), one (1) Jellyfish Filter System (Model No. JF10-12-3) and an engineered vegetated filter strip (VFS). A portion of the project limits drain to Basin 2 which was previously approved with MOD II and is currently under construction. Basin 2 has

adequate capacity to treat the portions of the site that drain to it. The proposed PBMPs have been designed to provide overtreatment for turn lane improvements at the intersection of Resort Parkway and TPC Parkway. The overall PBMPs for the Town Center site including the Whole Life-Cibolo Canyons MOD III revisions include a total of four (4) single-chamber sand filtration basins (Basins 1, 2, 3, and 4) and one (1) Jellyfish Filter System (Model No. JF10-12-3). These PBMPs have been designed in accordance with the TCEQs Technical Guidance (TGM) RG-348 (2005) to remove 80% of the increased TSS from the site.

The table listed below describes the capture and treatment of all drainage areas within this development.

Drainage Area	Treatment method	Total Drainage Area (Ac)	Impervious Cover Within Drainage Area (Ac)	80% Required TSS Removal (lbs)	Design TSS Removal (lbs)
A	Sand Filter Basin 1	7.45	4.12	3,362	3,854
B	Sand Filter Basin 2	5.71	3.88	3,166	3,610
C	Sand Filter Basin 3	10.27	4.45	3,631	4,195
D	Sand Filter Basin 4	18.94	10.57	8,625	9,885
E*	Uncaptured	0.17*	0.17	139*	--
F**	Uncaptured	0.14**	0.14	114**	--
G***	Uncaptured	0.09***	0.09	73***	--
H	Jellyfish Filter System JF10-13-3	2.99	1.93	1,575	1,636
I****	Uncaptured	0.43****	0.43	351****	--
J	Sand Filter Basin 5	6.42	4.07	3,321	3,794
K****/*****	Uncaptured	0.49****/*****	0.49 (0.19 ac ****/ 0.30 ac *****)	399 (155 ****/ 244 *****)	--
L	Engineered Vegetated Filter Strip	1.58	0.79	645	645
Total		**54.68**	**31.13**	**25,401**	**27,619**

* Treatment will be provided by Sand Filter Basin 1
** Treatment will be provided by Sand Filter Basin 2
*** Treatment will be provided by Sand Filter Basin 3
**** Treatment will be provided by Sand Filter Basin 4
***** Treatment will be provided by Sand Filter Basin 5

GEOLOGY

According to the geologic assessment included with the application, the site is located over the dolomitic member of the Kainer Formation of the Edwards Group. Five (5) non-sensitive features, four (4) faults and one (1) non-karst closed depression, were identified during the assessment. The San Antonio Regional Office site assessment conducted on December 4, 2014 revealed that the site was generally as described in the geologic assessment.

SPECIAL CONDITIONS

I. This modification is subject to all Special and Standard Conditions listed in the initial WPAP approval letter dated June 26, 2002, and subsequent modifications dated May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013 and April 9, 2014.

II. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.

III. 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.

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.

<u>During Construction:</u>

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 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. There are no wells at this 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.

<u>After Completion of Construction:</u>

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. Ricardo A. Macias of the Edwards Aquifer Protection Program, San Antonio Regional Office at (210) 403-4065

Sincerely,

Lynn M. Bumguardner, Water Section Manager
San Antonio Regional Office
Texas Commission on Environmental Quality

LMB/RAM/eg

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

cc: Ms. Cara C. Tackett, P.E., Pape-Dawson Engineers, Inc.
Mr. Roland Ruiz, Edward Aquifer Authority
Mr. Scott Halty, San Antonio Water System
Ms. Renee Green, P.E., Bexar County Public Works
Mr. George Wissmann, Trinity Glen Rose GCD
TCEQ Central Records, Building F, MC 212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

April 9, 2014

Mr. John K. Pierret
Forestar (USA) Real Estate Group, Inc.
14755 Preston Road, Suite 710
Dallas, Texas 75254-7898

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: WholeLife–Cibolo Canyons (aka Cibolo Canyons Town Center); located approximately 1.3 miles north of the intersection of Evans Road and TPC Parkway, San Antonio, Texas.

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

Investigation No. 1134547; Regulated Entity No. RN102759537; Additional ID No. 13-13112602

Dear Mr. Pierret,

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of Forestar (USA) Real Estate Group, Inc. on November 26, 2013. Final review was completed after additional material was received on February 20, 2014 and March 12, 2014. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

WholeLife-Cibolo Canyons was previously approved by letter dated June 26, 2002, and subsequently modified on May 21, 2004, March 29, 2007, December 21, 2012 and July 16, 2013. Other water pollution abatement plans have been submitted and approved within the Cibolo

Canyon Resort Community. Cibolo Canyons Town Center WPAP Modification I (MOD I) was approved on December 21, 2012 (EAPP ID No. 1788.16) and authorized the construction of 31.13 acres of impervious cover. The 63.43-acre site consisted of five (5) lots proposed for mixed-use development. Cibolo Canyons Town Center WPAP Modification II (MOD II) was approved on July 16, 2013 (EAPP ID No. 1788.18) and proposed revisions to the basin footprint of Water Quality Basin 1. WPAP MOD II also proposed to construct Water Quality Basin 2 in two phases, where the first phase would treat a 7.28 acre area comprised of Cibolo Canyons Road and portions of Lot 1 and Lot 5; the second phase would be construction of Lots 2, 3, and 4 and would provide treatment for those lots.

PROJECT DESCRIPTION

The proposed WPAP Modification III (MOD III) is a mixed used commercial/residential development with a total project area of 50.30 acres. This involves revising the boundary of Lots 4 and 5 from the previously approved WPAP MOD II. The western 12.38 acres of Lot 5 will convert from a 400 unit multi-family residential development to a 154 single-family residential development and will now be incorporated into the Campanas Subdivision to the south. Construction activities proposed with this modification include the associated clearing, grading, and installation of utilities, drainage improvements including an amenity center, associated parking, sidewalks, and connecting drives. The impervious cover associated with this Campanas Subdivision area within the project limits (identified as Cibolo Canyons Unit-11) is 4.95 acres.

The Resort Parkway extension and its associated turn- lane improvements with the TPC Parkway right-of-way will add an additional 1.56 acres to the project limits and will be treated by a Jellyfish Filter System. This system will also treat a portion of Lot 5.

The drainage area and impervious cover assumptions for the first phase of Water Quality Basin 2 will include minor revisions to the watershed. The second phase of Basin 2 will be constructed with the development on lots 3 and 4 as previously approved. Modification to the drainage area and impervious cover assumptions to the Water Quality Basin 3 will include a secondary access road and fire lane that serves Lot 1. No changes are proposed to the design. Water Quality Basin 4 will be relocated and redesigned to treat the revised watershed and impervious area for the new Lot 5 site plan and boundary.

PERMANENT POLLUTION ABATEMENT MEASURES

The proposed Permanent Best Management Practices (PBMPs) for this modification are one (1) sand filter water quality basin (Basin 4) and one (1) Jellyfish Filter System. A portion of the project limits drain to Basin 2 which was previously approved with MOD II and is currently under construction. Basin 2 has adequate capacity to treat the portions of the site that drain to it. The proposed PBMPs have been designed to provide overtreatment for turn lane improvements at the intersection of Resort Parkway and TPC Parkway. The overall PBMPs for the Town Center site including the WholeLife-Cibolo Canyons MOD III revisions include a total of four (4) single-chamber sand filter basins (Basins 1, 2, 3, and 4) and one (1) Jellyfish Filter System. These PBMPs have been designed in accordance with the TCEQs Technical Guidance (TGM) RG-348 (2005) to remove 80% of the increased TSS from the site.

The table listed below describes the capture and treatment of all drainage areas within this development.

Drainage Area	Treatment method	Total Drainage Area (Ac)	Impervious Cover Within Drainage Area (Ac)	TSS Generated Annually (lbs)	80% Required TSS Removal (lbs)	Design TSS Removal (lbs)
A	Sand Filter Basin 1	7.45	4.12	4,202.5	3,362	3,854
B	Sand Filter Basin 2	13.31	7.81	7,966.25	6,373	7,294
C	Sand Filter Basin 3	10.27	4.45	4,538.75	3,361	4,195
D	Sand Filter Basin 4	20.78	11.68	11,913.75	9,531	10,921
E	Uncaptured	0.17*	0.17	173.75	139*	--
F	Uncaptured	0.14**	0.14	142.50	114**	--
G	Uncaptured	0.09**	0.09	91.25	73**	--
H	Jellyfish Filter System	4.02	2.19	2,243.75	1,795	1,878
I	Uncaptured	0.45***	0.45	458.75	367***	--
Total		56.68	31.10	28,795	23,036	26,264

*Treatment will be provided by Sand Filter Basin 1
**Treatment will be provided by Sand Filter Basin 2
***Treatment will be provided by Sand Filter Basin 4

GEOLOGY

According to the geologic assessment included with the application, the site is located over the dolomitic member (KeKd) of the Kainer Formation of the Edwards Group. Five non-sensitive features, four faults and one non-karst closed depression, were identified during the assessment. The San Antonio Regional Office site assessment conducted on March 18, 2014 revealed that the site was generally as described in the geologic assessment.

SPECIAL CONDITIONS

I. This modification is subject to all Special and Standard Conditions listed in the initial WPAP approval letter dated June 26, 2002, and subsequent modifications dated May 21, 2004, March 29, 2007, December 21, 2012 and July 16, 2013.

II. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.

III. 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.

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 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. There are no wells at this 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.

<u>After Completion of Construction:</u>

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. Ricardo A. Macias of the Edwards Aquifer Protection Program, San Antonio Regional Office at (210) 403-4065

Sincerely,

Lynn M. Bumguardner, Water Section Manager
San Antonio Regional Office
Texas Commission on Environmental Quality

LMB/RAM/eg

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

cc: Mr. Jason Diamond, P.E., Pape-Dawson Engineers, Inc.
Mr. Roland Ruiz, Edward Aquifer Authority
Mr. Scott Halty, San Antonio Water System
Ms. Renee Green, P.E., Bexar County Public Works
Mr. George Wissmann, Trinity Glen Rose GCD
TCEQ Central Records, Building F, MC 212

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 16, 2013

Mr. John K. Pierret
Forestar (USA) Real Estate Group, Inc.
14755 Preston Road, Suite 710
Dallas, Texas 75254

Re: Edwards Aquifer, Bexar County

Name of Project: Cibolo Canyons Town Center; Located on the west side of TPC Parkway approximately 1.3 miles north of the intersection of Evans Road and TPC Parkway; San Antonio, Texas

Type of Plan: Request for Modification of an approved Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Edwards Aquifer Protection Program ID No. 1788.18; Investigation No. 1093215; Regulated Entity No. RN102759537; Additional ID No. 13-13051601

Dear Mr. Pierret:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of Forestar (USA) Real Estate Group, Inc. on May 16, 2013. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

Background

The Cibolo Canyons Town Center was previously approved by letter dated June 26, 2002 and subsequently modified on May 21, 2004, March 29, 2007 and December 21, 2012. Other water pollution abatement plans have been submitted and approved within the Cibolo Canyon Resort

Community.

Modifications

The proposed modification will revise the designs for sand filter basins 1 and 2 and update both basins watershed. The sand filter basin design for watershed "A" was updated to a more efficient design. The sand filter basin designed for watershed "B" will now be constructed in 2 phases which requires alteration of the overflow design. The first phase will provide treatment for Cibolo Canyons street as well as portions of Lot 1 and Lot 5. The second phase will be constructed concurrently with future improvements within Lots 2, 3 and 4. Sand filter basins #3 and #4 will remain unchanged from the previous approval.

Project Description

The proposed project will have an area of approximately 63.43 acres. It will include clearing, grading, installation of utilities and drainage improvements, and construction of a 400 unit multi-family complex (Lot 1), 600 unit multi-family complex (Lot 5), four (4) sand filter basins, sidewalks, parking, driveways and private streets. This project also included Cibolo Canyons and TPC Parkway road improvements with proposed turn lanes at both intersections. Lots 2, 3 and 4 located on the north and east sides of the 63.43 acre site are anticipated to be future commercial/multifamily sites. The site plans for these lots have not been finalized and will be submitted as future modifications. The impervious cover will be 22.80 acres (35.95 percent). The impervious cover details are listed below:

Impervious Cover Summary				
Lot Number	Intended Use	Impervious Cover (SF)	Impervious Cover (AC)	Lot Acreage
Cibolo Canyons	Streets and Turn Lanes	122,403.6	2.81	2.92
1	Multi-Family	393,782.4	9.04	19.38
2	Commercial/Multi-Family	0	0	4.23
3, 4	Clearing and Grading	0	0	16.71
5	Multi-Family	476,982	10.95	20.19
TOTALS		**993,168**	**22.80**	**63.43**

Project wastewater will be disposed of by conveyance to the existing Dos Rios Water Recycling Center owned by the San Antonio Water System.

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, four (4) sand filter water quality basins, 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 18,604.80 pounds of TSS generated from the 22.80 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project. The individual treatment measures are listed below:

BMP Summary								
Watershed Area	Total Area (ac)	Impervious Cover (ac)	Req. WQV (ft3)	Design WQV (Ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Sedimentation/Filtration Basin 1								
A	7.45	4.12	22,702	24,621	2,270	3,454	3,361.92	3,500.64
Sedimentation/Filtration Basin 2								
B	28.43	7.28	41,849	43,268	4,185	6,636	5,940.48	6,128.16
Sedimentation/Filtration Basin 3								
C	9.88	4.15	18,800	22,704	1,880	3,616	3,386.40	3,386.40
Sedimentation/Filtration Basin 4								
D	11.81	6.85	30,098	32,944	2,508	5,331	5,589.60	5,589.60
Uncaptured Areas								
E*	0.17	0.17					138.72	
F**	0.14	0.14					114.24	
G**	0.09	0.09					73.44	
TOTALS	**57.97**	**22.80**					**18,604.80**	**18,604.80**

* Basin #1 is oversized to account for area E.
** Basin #2 has been oversized to account for area F and G.

Geology

According to the geologic assessment included with the application, the site is located within the Dolomitic member of the Kainer Formation of the Edwards Group. According to the assessment five (5) faults and four (4) non-karst closed depressions were discovered within the project boundaries. None of the discovered features were classified as sensitive. The San Antonio Regional Office did not conduct a site assessment.

Special Conditions

I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated June 26, 2002 and subsequent modifications dated May 21, 2004, March 29, 2007 and December 21, 2012.

II. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.

III. All sediment and/or media removed from the water quality basins during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.

IV. Since this project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.5(b)(D)(i).

V. For any future modifications to this WPAP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

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 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 Alex Grant of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4035.

Sincerely,

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

LMB/AG/eg

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

cc: Mr. Jason Diamond, P.E., Pape-Dawson Engineers
Ms. Renee Green, P.E., Bexar County Public Works
Mr. George Wissmann, Trinity Glen Rose GCD
Mr. Roland Ruiz, Edwards Aquifer Authority
Mr. Scott Halty, San Antonio Water System
TCEQ Central Records, Building F, MC 212

Receipt# 1735372

GERARD C. RICKHOFF
COUNTY CLERK
BEXAR COUNTY
100 DOLOROSA SUITE 104
SAN ANTONIO, TX
78205
(210) 335-2216

Doc#: 20130016700 Pgs: 14
Type: AFFIDAVIT
Book: 15914 Pages: 278-291

RECORDING	$	57.00
RECORDS ARCHIVE	$	5.00
RECORDS MANAGEMENT	$	5.00
COURTHOUSE SECURITY	$	1.00

Total	$	68.00
Cash Tendered	$	68.00
Balance	$	0.00

Total Documents: 1
Total Fees: 4

Client Name GENERAL PUBLIC
Filed By PAPE=DAWSON ENGINEERS
Jan 28 2013 9:39:19 AM

Cashier: PETER

Comment:
WALK-IN

PAPE-DAWSON ENGINEERS
555 East Ramsey
San Antonio, Texas 78216

SCANNED

DEED RECORDATION AFFIDAVIT
Edwards Aquifer Protection Plan

THE STATE OF TEXAS §

County of Bexar §

PI2-20130016700-14

BEFORE ME, the undersigned authority, on this day personally appeared John K. Pierret who, being duly sworn by me, deposes and says:

(1) That my name is John K. Pierret and that I own the real property described below.

(2) That said real property is subject to an EDWARDS AQUIFER PROTECTION PLAN which was required under the 30 Texas Administrative Code (TAC) Chapter 213.

(3) That the EDWARDS AQUIFER PROTECTION PLAN for said real property was approved by the Texas Commission on Environmental Quality (TCEQ) on December 21, 2012.

A copy of the letter of approval from the TCEQ is attached to this affidavit as Exhibit A and is incorporated herein by reference.

(4) The said real property is located in Bexar County, Texas, and the legal description of the property is as follows:

See Exhibit B, attached hereto and made a part hereof.

John K. Pierret EVP

LANDOWNER-AFFIANT

SWORN AND SUBSCRIBED TO before me, on this 17th day of JANUARY, 2013

NOTARY PUBLIC

Book 15914 Page 278 14pgs

THE STATE OF TEXAS '

County of Bexar '

BEFORE ME, the undersigned authority, on this day personally appeared John K. Pierret 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 17th day of JANUARY, 2013.

Richard Olivarez

NOTARY PUBLIC

RICHARD OLIVAREZ

Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 10-18-2013

RICHARD OLIVAREZ
MY COMMISSION EXPIRES
October 18, 2013

TCEQ-0625 (Rev. 10/01/04)

DOC. ID

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 21, 2012

Mr. John K. Pierrett
Forestar(USA) Real Estate Group, Inc.
14755 Preston Road, Suite 710
Dallas, Texas 75254

Re: Edwards Aquifer, Bexar County

Name of Project: Cibolo Canyons Town Center; Located approximately 3,000 east of Bulverde Road, on the south side of Cibolo Canyon Blvd; San Antonio, Texas

Type of Plan: Request for Modification of an Approved Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Edwards Aquifer Protection Program ID No. 1788.16; Investigation No. 1034446; Regulated Entity No. RN105205819

Dear Mr. Pierrett:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification for the above-referenced project submitted to the San Antonio Regional Office by Pape-Dawson Engineers, Inc. on behalf of Forestar (USA) Real Estate Group, Inc. on September 13, 2012. Final review of the WPAP was completed after additional material was received on December 5, 2012 and December 18, 2012. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

Background

The Cibolo Canyons Town Center was previously approved by letter dated June 26, 2002, and subsequently modified on May 21, 2004 and March 29, 2007. Other water pollution abatement plans have been submitted and approved within the Cibolo Canyon Resort Community.

Project Description

The proposed Cibolo Canyons Town Center (known as Cibolo Canyons, Unit 14) was originally approved with 21.68 acres (33 percent) of the impervious cover of the 65.59 acre site. The project limits shown in this application has been revised and the project will have an area of approximately 63.43 acres. It will include clearing, grading, installation of utilities and drainage improvements, construction of a 400-unit multi-family complex (Lot 1), 600-unit multi-family complex (Lot 5), sidewalks, parking, connecting driveways and private streets. This proposed construction also includes Cibolo Canyons and TPC Parkway road improvements with proposed turn lanes at both intersections. Additionally, Lots 2, 3, and 4 located on the north and east sides of the 63.43 acre site are anticipated for future commercial/multifamily use and site plans for these lots have not been finalized. This modification also includes clearing and mass grading activities for future Lots 3 and 4. Lot 2 will not be cleared or disturbed. A separate modification to this WPAP will be submitted to the TCEQ for review and approval for the development of these lots. The impervious cover for this project is provided in a table below:

Impervious Cover Summary			
Lot Number	Intended Use	Impervious Cover (AC)	Acreage
Cibolo Canyons	Streets and turn lanes	2.75	2.92
1	Multi-family	9.07	19.38
2	Commercial/Multi-family	0	4.23
3, 4	Commercial/Multi-family	8.36	16.71
5	Multi-family	10.95	20.19
Total		31.13	63.43

Project wastewater will be disposed of by conveyance to the existing Dos Rios Water Recycling Center owned by the San Antonio Water System.

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, four (4) sand filter water quality basins, 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 25,402.08 pounds of TSS generated from the 31.13 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures are described below:

BMP Summary								
Watershed Area	Total Area (ac)	Impervious Cover I/C (ac)	Req. WQV (ft3)	Design WQV (ft3)	Req. sand filter area (ft2)	Design sand filter area (ft2)	Req. TSS removal (lb/yr)	Design TSS removal (lb/yr)
Sedimentation/Filtration Basin 1								
A	7.11	4.01	22,056	23,494	2,206	3,270	3,272.16	3,419.04
Sedimentation/Filtration Basin 2								
B	28.60	15.68	76,872	79,884	7,687	13,155	12,794.88	13,007.04
Sedimentation/Filtration Basin 3								
C	9.88	4.15	18,800	22,704	1,880	3,616	3,386.40	3,386.40
Sedimentation/Filtration Basin 4								
D	11.81	6.85	30,098	32,944	2,508	5,331	5,589.60	5,589.60
Uncaptured Areas*								
UE*	0.18	0.18					146.88	146.88
UF**	0.17	0.18					138.72	138.72
UG**	0.09	0.09					73.44	73.44
Un***	5.59	0					------	------
Total project	63.43	31.13					25,402.08	25,402.08

*The Basin 1 is oversized to account for the uncaptured area UE
**The Basin 2 is oversized to account for the uncaptured areas UF and UG
***The uncaptured area Un also includes 4.23 acres of uncleared/undisturbed area (Lot 2)

All water quality basins will utilize a concrete liner and sand filtration system consisting of 18 inch thick, ASTM C-33 sand beds and underdrain piping system covered with a minimum two inch gravel layer.

The mass grading on Lots 3 and 4 is for future development. At this time, construction plans for this development have not been developed. Once those plans are finalized a modification to this WPAP will be required. The mass grading will have no impervious cover and generate no wastewater. Temporary erosion and sedimentation controls will remain in place until completion of the mass grading. If the mass grading is completed before the future commercial development is approved by the TCEQ, the following permanent stabilization measures will be provided:

- The topsoil (approximately 6 inches) will be placed over the disturbed areas which have not already exhibited sufficient re-establishment of vegetation.
- The topsoil areas will be hydraulically mulched with grass seed to establish vegetation.

- Irrigation will be provided until sufficient vegetation has been established (approximately 80% vegetated cover density).

Geology

According to the geologic assessment included with the application, the site is located within the Dolomitic Member of the Kainer Formation of the Edwards group. The geologic assessment identified five (5) faults and four (4) non-karst closed. None of the features were rated as sensitive. The San Antonio Regional Office site assessment conducted on November 6, 2012 revealed that the site is generally as described.

Special Conditions

I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letters dated June 26, 2002, May 21, 2004 and March 29, 2007.

II. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.

III. 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.

IV. Since the project proposes mass grading activities, the applicant shall assure that any permanent soil stabilization performed is in accordance with the Technical Guidance Manual (RG-348, 2005) and shall be implemented in accordance with 30 TAC 213.5(b)(D)(i).

V. For any future modifications to this WPAP, the summary tables in this letter must be updated and included in the application. It is the responsibility of the applicant to maintain this information and keep it current.

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 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 Yuliya Dunaway of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210-403-4077.

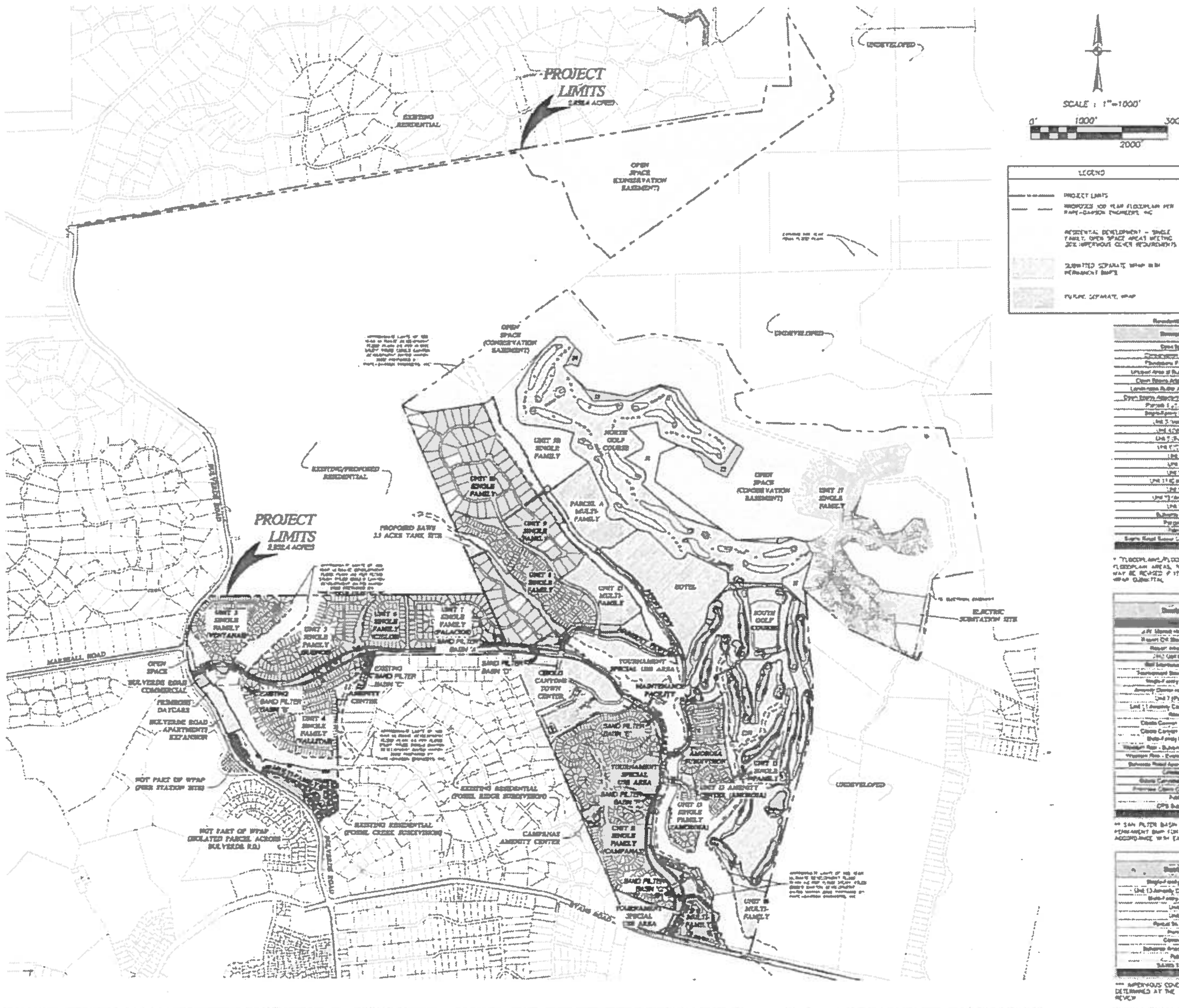
Sincerely,

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

LMB/YD/eg

Enclosures: Deed Recordation Affidavit, Form TCEQ-0625
Change in Responsibility for Maintenance of Permanent BMPs, Form TCEQ-10263
Exhibit of Cibolo Canyon Resort Community (1 page)
Table of Impervious Cover for Cibolo Canyon Resort Community (3 pages)

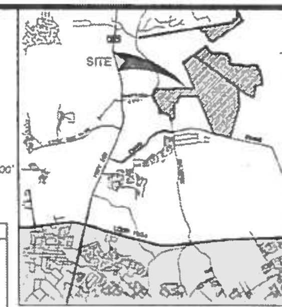
cc: Ms. Cara Tackett, P.E., Pape-Dawson Engineers
Ms. Renee Green, P.E., Bexar County Public Works
Mr. George Wissmann, Trinity Glen Rose GCD
Mr. Roland Ruiz, Edwards Aquifer Authority
Mr. Scott Halty, San Antonio Water System
TCEQ Central Records, Building F, MC 212



SCALE : 1"=1000'

0' 1000' 2000' 3000'

LEGEND	
	PROJECT LIMITS
	PROPOSED 100 YEAR FLOODPLAIN PER PAPE-DAWSON ENGINEERS, INC
	RESIDENTIAL DEVELOPMENT - SINGLE FAMILY, OPEN SPACE AREAS MEETING 20% IMPERVIOUS COVER REQUIREMENTS
	SUBMITTED SEPARATE WPAP WITH PERMANENT BMPS
	FUTURE SEPARATE WPAP



LOCATION MAP

NOT TO SCALE

Residential Development - Single Family & Open Space

Description	Area (ac)	Impervious Cover (%)	Impervious Cover (ac)	[illegible]
Open Space				
Conservation Easement	[illegible]	[illegible]	[illegible]	
"Floodplains/Floodways*"	[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	
Open Space Adjacent to Unit 7	[illegible]	[illegible]	[illegible]	
Landscape Buffer Along TPC Pkwy	[illegible]	[illegible]	[illegible]	
Open Space Adjacent to CPS Substation	[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	
Single-Family Residential				
Unit 3 (Ventana)	[illegible]	[illegible]	[illegible]	[illegible]
Unit 4 ([illegible])	[illegible]	[illegible]	[illegible]	[illegible]
Unit 5 ([illegible])	[illegible]	[illegible]	[illegible]	[illegible]
Unit 6 (Cielo)	[illegible]	[illegible]	[illegible]	[illegible]
Unit 8	[illegible]	[illegible]	[illegible]	[illegible]
Unit 9	[illegible]	[illegible]	[illegible]	[illegible]
Unit 10	[illegible]	[illegible]	[illegible]	[illegible]
Unit 11 (Campanas)	[illegible]	[illegible]	[illegible]	[illegible]
Unit 12	[illegible]	[illegible]	[illegible]	[illegible]
Unit 13 (Amorosa)	[illegible]	[illegible]	[illegible]	[illegible]
Unit 17	[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	
Parcel 28	[illegible]	[illegible]	[illegible]	[illegible]
Public				
[illegible] Road Sewer Lift Station Easement	[illegible]	[illegible]	[illegible]	

* "FLOODPLAINS/FLOODWAYS" REPRESENTS UNPLATTED/UNDEVELOPED FLOODPLAIN AREAS. THE TOTAL AREA SHOWN FOR FLOODPLAINS/FLOODWAYS MAY BE REVISED IF IT IS INCLUDED IN THE PROJECT LIMITS OF A SEPARATE WPAP SUBMITTAL.

Submitted Separate WPAPs

Description	Area (ac)	Impervious Cover (%)	Impervious Cover (ac)
Resort			
JW Marriott Hotel & Resort	[illegible]	[illegible]	[illegible]
Resort Off-Site Easements	[illegible]	[illegible]	[illegible]
Resort Infrastructure	[illegible]	[illegible]	[illegible]
[illegible] Golf Courses	[illegible]	[illegible]	[illegible]
[illegible] Maintenance Facility	[illegible]	[illegible]	[illegible]
Tournament Special Use Areas	[illegible]	[illegible]	[illegible]
Single-Family Residential			
Amenity Center and "TPC Pkwy"	[illegible]	[illegible]	[illegible]
Unit 7 (Palacios)	[illegible]	[illegible]	[illegible]
Unit 11 Amenity Center (Campanas)	[illegible]	[illegible]	[illegible]
Roads			
Cibolo Canyon Blvd Phase 1	[illegible]	[illegible]	[illegible]
Cibolo Canyon Blvd Phase 2	[illegible]	[illegible]	[illegible]
Multi-Family Residential			
[illegible] - Bulverde Road Apartments	[illegible]	[illegible]	[illegible]
[illegible] - Evans Road Apartments	[illegible]	[illegible]	[illegible]
Bulverde Road Apartments Expansion	[illegible]	[illegible]	[illegible]
Commercial			
Cibolo Canyons Town Center	[illegible]	[illegible]	[illegible]
Primrose [illegible]	[illegible]	[illegible]	[illegible]
Public			
CPS Substation	[illegible]	[illegible]	[illegible]

** SAND FILTER BASIN "A" IN UNIT 7 SERVES AS [illegible] PERMANENT BMP FOR AMENITY AND ENTER [illegible] IN ACCORDANCE WITH EAPP ID NO. [illegible] AND [illegible]

Future Separate WPAPs

Description	Area (ac)	Impervious Cover (%)	Impervious Cover (ac)
Single-Family Residential			
Unit 13 Amenity Center (Amorosa)	[illegible]	[illegible]	[illegible]
Multi-Family Residential			
Unit 15	[illegible]	[illegible]	[illegible]
Unit 16	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]
Commercial			
Bulverde Area Commercial	[illegible]	[illegible]	[illegible]
Public			
SAWS Tank Site	[illegible]	[illegible]	[illegible]

*** IMPERVIOUS COVER FOR FUTURE SEPARATE WPAPS TO BE DETERMINED AT THE TIME EACH WPAP IS SUBMITTED TO TCEQ FOR REVIEW.

REVISIONS:

PAPE-DAWSON ENGINEERS

CIBOLO CANYONS RESORT COMMUNITY

SINGLE FAMILY, OPEN SPACE AREAS

JOB NO. [illegible]

DATE FEBRUARY 2012

DESIGNER [illegible]

CHECKED [illegible]

SHEET 1 OF 1

CIBOLO CANYONS RESORT COMMUNITY
Overall WPAP Summary

Residential Development - Single Family & Open Space

Description	Area	Impervious Cover		
	(AC)	(%)	(AC)	# Lots
Open Space				
Conservation Easement	768.00	0.0%	0.00	
Floodplains/Floodways*	151.03	0.0%	0.00	
Unused Area at Bulverde Entrance	1.51	0.0%	0.00	
Open Space Adjacent to Unit 5	5.37	0.0%	0.00	
Landscape Buffer Along TPC Pkwy	2.22	0.0%	0.00	
Open Space Adjacent to CPS Substation	10.93	0.0%	0.00	
Parcels I, J1, J2, J3, J4	40.86	0.0%	0.00	
Single-Family Residential				
Unit 3 (Ventanas)	47.80	47.9%	22.90	206
Unit 4 (Vallitas)	66.19	47.2%	31.21	236
Unit 5 (Suenos)	52.91	40.2%	21.28	134
Unit 6 (Cielos)	22.70	63.2%	14.34	65
Unit 8	53.65	40.0%	21.46	260
Unit 9	35.01	20.0%	7.00	20
Unit 10	99.73	20.0%	19.95	60
Unit 11 (Campanas)	135.76	35.0%	47.52	325
Unit 12	7.85	20.0%	1.57	10
Unit 13 (Amorosa)	70.07	42.0%	29.43	225
Unit 17	141.03	10.0%	14.10	50
Bulverde Green	1.97	81.0%	1.60	
Parcel 9B	41.88	15.0%	6.28	63
Public				
Evans Road Sewer Lift Station Easment	0.15	31.8%	0.05	
TOTAL:	**1756.62**	**13.6%**	**238.68**	**1,654**

* "Floodplains/Floodways" represents unplatted/undeveloped floodplain areas. The total area shown for floodplains/floodways may be revised if it is included in the project limits of a separate WPAP submittal.

CIBOLO CANYONS RESORT COMMUNITY
Overall WPAP Summary

Submitted Separate WPAPs

Description	Area	Impervious Cover	
	(AC)	(%)	(AC)
Resort			
J.W. Mariott Hotel & Resort	74.42	50.9%	37.86
Resort Off-Site Easements	0.43	0.0%	0.00
Resort Infrastructure	47.64	27.8%	13.24
TPC Golf Courses	532.71	2.8%	14.91
Golf Maintenance Facility	6.36	39.2%	2.49
Tournament Special Use Areas	39.16	4.8%	1.89
Single-Family Residential			
Amenity Center (on TPC Pkwy)**	10.03	19.9%	2.00
Unit 7 (Palacios)	85.97	50.0%	31.71
Unit 11 Amenity Center (Campanas)	5.69	19.7%	1.12
Roads			
Cibolo Canyon Blvd Phase 1	23.23	43.3%	10.07
Cibolo Canyon Blvd Phase 2	33.14	51.2%	16.97
Multi-Family Residential			
Western Rim - Bulverde Road Apartments	30.72	49.2%	15.12
Western Rim - Evans Road Apartments	31.71	44.4%	14.07
Bulverde Road Apartments Expansion	8.31	47.4%	3.94
Commercial			
Cibolo Canyons Town Center	63.28	49.75%	31.48
Primrose Cibolo Canyons Daycare	2.31	39.0%	0.90
Public			
CPS Substation	10.17	20.2%	2.05
TOTAL:	**1005.28**	**19.9%**	**199.82**

**Sand Filter Basin 'A' in Unit 7 serves as equivalent permanent BMP for Amenity Center (on TPC Pkwy) in accordance EAPP ID Nos. 2648.00 and 2712.00.

CIBOLO CANYONS RESORT COMMUNITY
Overall WPAP Summary

Future Separate WPAPs

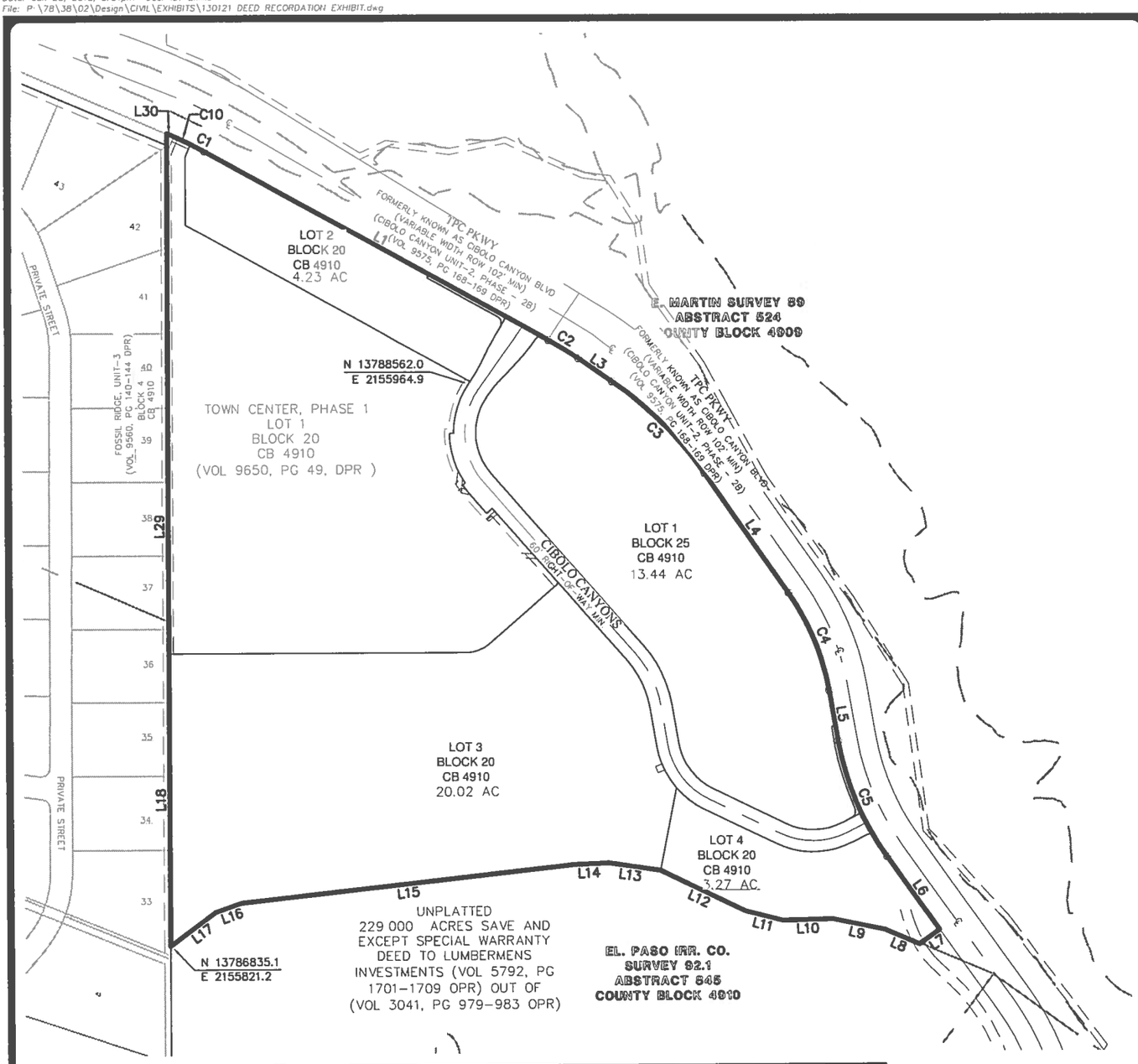
Description	Area	Impvervious Cover	
	(AC)	(%)	(AC)
Single-Family Residential			
Unit 13 Amenity Center (Amorosa)	1.91	20.0%	0.38
Multi-Family Residential			
Unit 15	29.38	30.0%	8.81
Unit 16	12.04	30.0%	3.61
Parcel 9A (Condos)	37.22	24.7%	9.18
Parcel H	5.64	20.0%	1.13
Commercial			
Bulverde Road Commercial	1.75	95.0%	1.66
Public			
SAWS Tank Site	2.56	15.0%	0.38
TOTAL:	**90.50**	**27.8%**	**25.16**

*** Impervious cover for future separate WPAPs to be determined at the time each WPAP is submitted to TCEQ for review.

OVERALL WPAP TOTALS:	**2852.40**	**16.3%**	**463.67**

H:\3538\00\Excel\Impervious Cover WPAP\[121210 Impervious Cover WPAP.xls]Sheet1

Date: Jan 25, 2013, 3:51pm User ID: EMills
File: P:\78\38\02\Design\CIVIL\EXHIBITS\130121 DEED RECORDATION EXHIBIT.dwg



LINE TABLE		
LINE #	BEARING	LENGTH
L1	N84°40'12"W	1063.22'
L3	N79°01'03"W	110.19'
L4	N58°07'32"W	397.34'
L5	N33°12'04"W	139 28'
L6	N58°42'14"W	243.45'
L7	N31°17'46"E	67.41'
L8	S90°00'00"E	100 46'
L9	N78°19'59"E	143.85'
L10	N65°00'00"E	134.55'
L11	N81°00'00"E	103.80'
L12	S87°34'30"E	253.70'
L13	N75°00'00"E	140.93'
L14	N64°00'00"E	94.90'
L15	N60°12'29"E	908.75'
L16	N47°00'00"E	74.10'
L17	N30°00'00"E	151.94'
L18	S23°31'11"E	791 00'
L29	S23°31'11"E	1354.36'
L30	N89°24'58"E	12.30'

CURVE TABLE					
CURVE #	RADIUS	DELTA	CHORD BEARING	CHORD	LENGTH
C1	968.00'	002°25'38"	N85°53'00"W	41.00'	41.01'
C2	968.00'	005°39'09"	N81°50'37"W	95.46'	95 50'
C3	968.00'	020°53'30"	N68°34'17"W	351.01'	352.96'
C4	668.00'	024°55'28"	N45°39'48"W	288.30'	290.59'
C5	770.00'	025°30'10"	S45°57'09"E	339.91'	342.73'
C10	968.00'	003°29'13"	N88°50'26"W	58.90'	58.91'

SCALE: 1"= 400'

400' 0' 200' 400'

JOB NO. 7838-02
DATE FEBRUARY 2013
DESIGNER EM
CHECKED JD DRAWN EP
SHEET Exhibit B

TOWN CENTER
SAN ANTONIO, TEXAS
DEED RECORDATION EXHIBIT

PAPE-DAWSON ENGINEERS
555 EAST RAMSEY | SAN ANTONIO, TEXAS 78216 | PHONE: 210.375.9000 FAX: 210.375.9010
TEXAS BOARD OF PROFESSIONAL ENGINEERS, FIRM REGISTRATION # 470

Any provision herein which restricts the sale, or use of the described real property because of race is invalid and unenforceable under Federal law
STATE OF TEXAS, COUNTY OF BEXAR
I hereby Certify that this Instrument was FILED in File Number Sequence on this date and at the time stamped hereon by me and was duly RECORDED in the Official Public Record of Real Property of Bexar County, Texas on:

JAN 28 2013

COUNTY CLERK BEXAR COUNTY, TEXAS

RECORDER'S MEMORANDUM
AT THE TIME OF RECORDATION, THIS INSTRUMENT WAS FOUND TO BE INADEQUATE FOR THE BEST PHOTOGRAPHIC REPRODUCTION BECAUSE OF ILLEGIBILITY, CARBON OR PHOTO COPY, DISCOLORED PAPER ETC.

Doc# 20130016700 Fees: $68.00
01/28/2013 9:39AM # Pages 14
Filed & Recorded in the Official
Public Records of BEXAR COUNTY
GERARD C. RICKHOFF COUNTY CLERK

8/1/2019

POLLUTANT LOAD AND REMOVAL CALCULATIONS

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: **CC Town Center**
Date Prepared: **8/5/2019**

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spr

1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$

where:

$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of i
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

Site Data: Determine Required Load Removal Based on the Entire Project

County =	**Bexar**	
Total project area included in plan * =	**14.19**	acres
Predevelopment impervious area within the limits of the plan * =	**0.00**	acres
Total post-development impervious area within the limits of the plan* =	**9.13**	acres
Total post-development impervious cover fraction * =	**0.64**	
P =	**30**	inches
$L_{M\ TOTAL\ PROJECT}$ =	**7450**	lbs.

*** The values entered in these fields should be for the total project area.**

Number of drainage basins / outfalls areas leaving the plan area = **1**

2. Drainage Basin Parameters (This information should be provided for each basin):

Drainage Basin/Outfall Area No. =	**Basin 2**	
Total drainage basin/outfall area =	**25.95**	acres
Predevelopment impervious area within drainage basin/outfall area =	**0.00**	acres
Post-development impervious area within drainage basin/outfall area =	**17.20**	acres
Post-development impervious fraction within drainage basin/outfall area =	**0.66**	
$L_{M\ THIS\ BASIN}$ =	**14035**	lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP =	**Sand Filter**	
Removal efficiency =	**89**	percent

Aqualogic Cartridge Filt
Bioretention
Contech StormFilter
Constructed Wetland
Extended Detention
Grassy Swale
Retention / Irrigation
Sand Filter
Stormceptor
Vegetated Filter Strips
Vortechs
Wet Basin
Wet Vault

4. Calculate Maximum TSS Load Removed (L_R) for this Drainage Basin by the selected BMP Type.

RG-348 Page 3-33 Equation 3.7: L_R = (BMP efficiency) x P x (A_I x 34.6 + A_P x 0.54)

where:

A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C =	25.95	acres
A_I =	17.20	acres
A_P =	8.75	acres
L_R =	16016	lbs

5. Calculate Fraction of Annual Runoff to Treat the drainage basin / outfall area

Desired $L_{M\ THIS\ BASIN}$ =	14215	lbs.
F =	0.89	

6. Calculate Capture Volume required by the BMP Type for this drainage basin / outfall area. Calculations from RG-348 Pages 3-

Rainfall Depth =	1.60	inches
Post Development Runoff Coefficient =	0.47	
On-site Water Quality Volume =	70934	cubic feet

Calculations from RG-348 Pages 3-36 to 3-37

Off-site area draining to BMP =	0.00	acres
Off-site Impervious cover draining to BMP =	0.00	acres
Impervious fraction of off-site area =	0	
Off-site Runoff Coefficient =	0.00	
Off-site Water Quality Volume =	0	cubic feet
Storage for Sediment =	14187	
Total Capture Volume (required water quality volume(s) x 1.20) =	85121	cubic feet

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System Designed as Required in RG-348 Pages 3-42 to 3-46

Required Water Quality Volume for retention basin =	NA	cubic feet

Irrigation Area Calculations:

Soil infiltration/permeability rate =	**0.1**	in/hr	**Enter determined permeability rate or assu**
Irrigation area =	**NA**	square feet	
	NA	acres	

8. Extended Detention Basin System — Designed as Required in RG-348 — Pages 3-46 to 3-51

Required Water Quality Volume for extended detention basin =	**NA**	cubic feet

9. Filter area for Sand Filters — Designed as Required in RG-348 — Pages 3-58 to 3-63

9A. Full Sedimentation and Filtration System

Water Quality Volume for sedimentation basin =	**85121**	cubic feet	
Minimum filter basin area =	**3941**	square feet	
Maximum sedimentation basin area =	**35467**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**8867**	square feet	**For maximum water depth of 8 feet**

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	**85121**	cubic feet	
Minimum filter basin area =	**7093**	square feet	
Maximum sedimentation basin area =	**28374**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**1773**	square feet	**For maximum water depth of 8 feet**

10. Bioretention System — Designed as Required in RG-348 — Pages 3-63 to 3-65

Required Water Quality Volume for Bioretention Basin =	**NA**	cubic feet

Cibolo Canyons Town Center

Treatment Summary by Watershed

Watershed	Total Watershed Area (ac.)	Proposed Impervious Cover (ac.)	Approved Impervious cover (ac)	Total Impervious Cover (ac)	PBMP	Required TSS Removal Annually (lbs)	TSS Removed Annually (lbs)
B*	25.95	9.11	8.09	17.20	Proposed Expanded Sand Filter Basin #2	14,035	14,215
H-Uncaptured		0.02	0.20	0.22	Overtreatment Sand Filter Basin #2	180	
TOTAL	**25.95**	**9.13**	**8.29**	17.42	---	**14,215**	**14,215**

*onsite watershed for these proposed improvements is 13.04 ac. within the overall 25.95 acres

Lot Number	*Intended Use*	*Impervious Cover (SF)*	*Impervious Cover (AC)*	*Lot Acreage*
Cibolo Canyons	*Streets and Turn Lanes*	*122,404*	*2.81*	*2.92*
1	*Multi-Family*	*393,782.40*	*9.04*	*19.38*
2	*Clearing and grading*	*0*	*0*	*4.23*
3	*Commercial*	*397,703*	*9.13*	*13.04*
5	*Multi-Family*	*244,420.00*	*5.61*	*11.43*
Total	*---*	*1,158,309*	*26.59*	*51*

Lot 5 has been replatted and the remainder as well as lot 4 will be future single family with Campanas Subdivision

****Lot area is 11.43 ac but only 11.22 ac project limits due to Basin #3 location***

BMP Summary								
Watershed Area for Basin	**Total Area (ac)**	**Impervious Cover (ac)**	**Required Capture Volume (cf)**	**Designed Capture Volume (cf)**	**Required Sand Area (sf)**	**Designed Sand Area (sf)**	**Required TSS (lb/yr)**	**Designed TSS w uncaptured (lb/yr)**
Sedimentation/Filtration Basin 1								
A	7.45	4.12	22,702	24,621	2,270	3,454	3,362	3,525
Sedimentation/Filtration Basin 2								
B	25.95	17.2	85,121		4,729	6,636	14,035	14,215
Sedimentation/Filtration Basin 3								
C***	10.05	4.32	20,256	22,704	2,026	3,616	3,525	3,525
Sedimentation/Filtration Basin 4 - no longer required								
Natural VFS DV-B								
DV-B	1.93	0.48					392	392
Engineered VFS DV-C								
DV-C	0.05	0.05					41	41
Uncaptured Areas								
E*	0.17	0.17					139	
F**	0.14	0.14					114	
G**	0.09	0.09					73	
H-uncaptured	0.02	0.02					16	
Totals	45.83	28.05					21,697	21,697

*Basin #1 is oversized to account for area E and 0.03 ac (24 lbs) of TSS from G

**Basin #2 is oversized to account for area F and 0.06 (49 lbs) of TSS from G

***a portion of the driveway previously within watershed D was constructed and drains to existing Basin 3

Cibolo Canyons Town Center

Treatment Summary by Watershed

Watershed	Total Watershed Area (ac.)	Proposed Impervious Cover (ac.)	Approved Impervious cover (ac)	Total Impervious Cover (ac)	PBMP	Required TSS Removal Annually (lbs)	TSS Removed Annually (lbs)
B*	25.95	9.11	8.09	17.20	Proposed Expanded Sand Filter Basin #2	14,035	14,215
H-Uncaptured		0.02	0.20	0.22	Overtreatment Sand Filter Basin #2	180	
TOTAL	**25.95**	**9.13**	**8.29**	17.42	---	**14,215**	**14,215**

*onsite watershed for these proposed improvements is 13.04 ac. within the overall 25.95 acres

Lot Number	*Intended Use*	*Impervious Cover (SF)*	*Impervious Cover (AC)*	*Lot Acreage*
Cibolo Canyons	*Streets and Turn Lanes*	*122,404*	*2.81*	*2.92*
1	*Multi-Family*	*393,782.40*	*9.04*	*19.38*
2	*Clearing and grading*	*0*	*0*	*4.23*
3	*Commercial*	*397,703*	*9.13*	*13.04*
5	*Multi-Family*	*244,420.00*	*5.61*	*11.43*
Total	---	*1,158,309*	*26.59*	*51*

Lot 5 has been replatted and the remainder as well as lot 4 will be future single family with Campanas Subdivision

****Lot area is 11.43 ac but only 11.22 ac project limits due to Basin #3 location***

BMP Summary								
Watershed Area for Basin	**Total Area (ac)**	**Impervious Cover (ac)**	**Required Capture Volume (cf)**	**Designed Capture Volume (cf)**	**Required Sand Area (sf)**	**Designed Sand Area (sf)**	**Required TSS (lb/yr)**	**Designed TSS w uncaptured (lb/yr)**
Sedimentation/Filtration Basin 1								
A	7.45	4.12	22,702	24,621	2,270	3,454	3,362	3,525
Sedimentation/Filtration Basin 2								
B	25.95	17.2	85,121	85,273	4,729	6,636	14,035	14,215
Sedimentation/Filtration Basin 3								
C***	10.05	4.32	20,256	22,704	2,026	3,616	3,525	3,525
Sedimentation/Filtration Basin 4 - no longer required								
Natural VFS DV-B								
DV-B	1.93	0.48					392	392
Engineered VFS DV-C								
DV-C	0.05	0.05					41	41
Uncaptured Areas								
E*	0.17	0.17					139	
F**	0.14	0.14					114	
G**	0.09	0.09					73	
H-uncaptured	0.02	0.02					16	
Totals	45.83	28.05					21,697	21,697

*Basin #1 is oversized to account for area E and 0.03 ac (24 lbs) of TSS from G

**Basin #2 is oversized to account for area F and 0.06 (49 lbs) of TSS from G

***a portion of the driveway previously within watershed D was constructed and drains to existing Basin 3

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 28, 2022

Ms. Sarah Teel
Drago Properties, LLC.
16227 San Pedro
San Antonio, Texas 78216

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: TPC Town Plaza; Located at the southwest corner of Cibolo Canyons street and TPC Parkway intersection; San Antonio, Texas

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

Regulated Entity No. RN102759537; Additional ID No. 13001451

Dear Ms. Teel:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Exception request application for the above-referenced project submitted to the San Antonio Regional Office by KLove Engineering, LLC. on behalf of Drago Properties, LLC. on December 22, 2021. Final review of the WPAP Exception request application was completed after additional material was received on January 21, 2022. As presented to the TCEQ, the Exception Request proposed in the submittal is in general compliance with the requirements of 30 TAC Chapter 213. Therefore, the request for exception is 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.*

BACKGROUND

This area under modification is a portion of the Cibolo Canyons Town Center development that has been previously approved by TCEQ letters dated June 26, 2002, and subsequentially modified on May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013, August 22, 2018, October 9, 2019, and September 26, 2019. Other WPAPs have been submitted and approved within the Cibolo Canyon Resort Community.

PROJECT DESCRIPTION

This project proposes the construction of a commercial retail building on approximately 2.50-acres with 1.44-acres (58.0 percent) of impervious cover. Project wastewater will be disposed of by conveyance to the Steven M. Clouse Water Recycling Center owned and operated by the San Antonio Water System.

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, an existing sedimentation/filtration basin (Additional ID: 13000974), designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), has been constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 1,175 pounds of TSS generated from the 1.44-acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

GEOLOGY

According to the geologic assessment included with the application, the Site is located within the dolomitic member (Kekd) of the Kainer Formation of the Edwards Group. Five (5) non-sensitive geologic features (faults) and four (4) non-karst natural bedrock features (animal burrows and tree clearing) were noted by the project geologist. The site assessment conduced on January 12, 2022, revealed that the site was generally as described in the application.

EQUIVALENT WATER QUALITY PROTECTION

The applicant requests an exception to submitting an Edwards Aquifer protection plan or modification required by 30 TAC 213.5. However, the applicant proposes an exception under 30 TAC 213.9. The proposed development demonstrates enhanced water quality protection for the Edwards Aquifer.

SPECIAL CONDITIONS

1. This exception request is subject to all Special and Standard Conditions listed in the WPAP approval letter dated June 26, 2002, and subsequent modifications dated May 21, 2004, March 29, 2007, December 21, 2012, July 16, 2013, August 22, 2018, October 9, 2019, and September 26, 2019.
2. 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.

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 Exception 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 Exception 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 Exception, 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 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. 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.

<u>After Completion of Construction:</u>

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. Hunter Patterson of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4026.

Sincerely,

Lillian Butler

Lillian Butler, Section Manager
Edwards Aquifer Protection Program
Texas Commission on Environmental Quality

LIB/hhp

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

cc: Mr. Jackson Chapman, KLove Engineering, LLC.

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: Kevin W. Love, P.E.

Date: 04-16-24

Signature of Customer/Agent:

Regulated Entity Name: TPC Town Plaza II

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: Elm Waterhole Creek

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.

K Love ENGINEERING
www.kloveengineering.com
Firm #11042

Temporary Stormwater Section

Attachment A – Spill Response Actions

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 storm water 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, and 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.

Cleanup

(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 BMPs 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 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 Police Department, County Sheriff Office, Fire Departments, etc.

More information on spill rules and appropriate responses is available on the TCEQ website at:
http://www.tnrcc.state.tx.us/enforcement/emergency_response.html.

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 runon 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 03 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 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 runon 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.

Spill Response Actions

In the event that a spill of hydrocarbons or hazardous substances does occur, the contractor shall be required to maintain a sufficient stockpile of sand material in the staging area. This sand material shall be used to immediately isolate and provide containment of the spill by constructing dikes. Furthermore, this sand material shall act as an absorbent material that can be disposed of offsite and out of the Recharge Zone during clean-up operations. The contractor, in the event of a spill, shall also notify the owner who shall contact TCEQ. All contaminated soils resulting from an accidental release will be required to be removed and disposed of in accordance with all local, state and federal regulations.

Attachment B – Potential Sources Contamination

Potential Source	Oil, grease, fuel and hydraulic fluid contamination from construction equipment and vehicle dripping.
Preventive Measure	Vehicle maintenance, when possible, will be performed within a construction staging area specified by the General Contractor.
Potential Source	Miscellaneous trash and litter from construction workers and material wrappings.
Preventive Measure	Trash containers will be placed throughout the site to encourage proper trash disposal.
Potential Source	Construction debris.
Preventive Measure	Construction debris will be monitored daily by contractor. Debris will be collected weekly and placed in disposal bins. Situations requiring immediate attention will be addressed on a case by case basis.
Potential Source	Stormwater contamination from excess application of fertilizers, herbicides and pesticides.
Preventive Measure	Fertilizers, herbicides and pesticides will be applied only when necessary and in accordance with manufacturer's directions.
Potential Source	Soil and mud from construction vehicle tires as they leave the site.
Preventive Measure	A temporary construction entrance/exit shall be utilized as vehicles leave the site. Any soil, mud, etc. carried from the project onto public roads shall be cleaned up within 24 hours.
Potential Source	Sediment from soil, sand, gravel and excavated materials stockpiled on site.

Preventive Measure	Silt fence shall be installed on the down gradient side of all stockpiled materials. Reinforced rock berms shall be installed at all downstream discharge locations.
Potential Source	Portable toilet spill.
Preventive Measure	Toilets on the site will be emptied on a regular basis by the contracted toilet company.

Attachment C – Sequence of Major Activities

The sequence of major activities which disturb soil during construction on this site will be divided into stages. The first stage is site preparation that will include clearing and grubbing of vegetation, where applicable. This will disturb approximately 2.70 acres. The second is construction that will include installation of utilities, construction of the proposed building, parking lot, landscaping and site cleanup. This will disturb approximately 2.70 acres**.**

Sequence Item	Description
1.	**Install TBMP's as required. (Silt Fence, etc.)**
2.	**Clearing of Disturbed Areas**
3.	**Grading of Disturbed Areas**
4.	**Construction of Permanent BMP's**
5.	**Complete Construction**
6.	**Soil Stabilization and/or re-vegetation**
7.	**Clean site**
8.	**Remove TBMP's**

Attachment D – Temporary Best Management Practices and Measures

1. Temporary Construction Entrance/Exit – A stabilized pad of crushed stone located at any point where traffic will be entering or leaving the construction site from a public R.O.W., street, alley, sidewalk or parking area. It shall be a minimum of 50 feet long, 12 feet wide and 8 inches thick. The rock shall be 4" to 8" in size.

2. Silt Fence – A barrier consisting of geotextile fabric supported by metal posts to prevent soil and sediment loss from a site. Silt fences shall be installed on the down gradient side of the proposed areas to be disturbed that have a drainage area of ¼ acres per 100 feet of fence.

3. Rock Berms – A sediment trap consisting of 3" to 5" diameter rock wrapped in a woven wire sheathing. The berm shall have a minimum height of 36" and a minimum top width

of 2 feet. A rock berm shall be placed at locations of the concentrated flows where the drainage area is between 2 and 5 acres.

4. Inlet Protection – Placed around inlets to catch and stop sediment from entering the storm drain system before filtration systems are in place.

5. Concrete Washout Pit – Designed to trap and store waste from concrete and similar activities. This allows for safe storage and removal from the site by not allowing contaminants to enter the storm water. Contaminants can be kept in a location that will not allow storm water to mix and flow off the site.

Sequence of installation during construction process

1. The Temporary Construction Entrance/Exit (Item 1) shall be installed prior to disturbing any soil except at the location of the Temporary Construction Entrance/Exit. It shall stay in place and be maintained until the end of the infrastructure construction.

2. Silt fence (Item 2) shall be installed along the western boundary of the site prior to any disturbance of the site

3. Rock berms (Item 4) shall be installed around the perimeter of the project at natural low points following rough grading of the site and shall be removed once grading to the on-site stormwater drainage system with bagged gravel inlet filters in sump is complete. Rock berms will also be utilized at the outlet of the pond while it is being constructed.

The TBMPs and measures utilized for the proposed project to prevent pollution of storm water, groundwater, and surface water during the construction phase are the following:

1. Temporary Construction Entrance/Exit
2. Silt Fence
3. Concrete Washout Pit
4. Rock Berm
5. Inlet Protection

Attachment E – Request to Temporarily Seal a Feature

No sensitive features will be sealed in this project site.

Attachment F – Structural Practices

The following structural measures will be installed prior to the initiation of site preparation activities:

- Erection of silt fences along the downgradient boundary of construction activities and rock berms with silt fence for secondary protection, as located on Exhibit 1 and illustrated in Exhibit 3.
- Installation of stabilized construction entrance/exit(s) and construction staging area(s), as located on Exhibit 1, and illustrated on Exhibit 3.

The following structural measures will be installed at the initiation of construction activities or as appropriate based on the construction sequencing:

- Installation of concrete truck washout pit(s), as required and located on Exhibit 1 and illustrated on Exhibit 3.

Attachment G – Drainage Area Map

Drainage Area Map attached at the end of these attachments.

Attachment H – Temporary Sediment Pond(s) Plans and Calculations

No temporary sediment pond required.

Attachment I – Inspection and Maintenance for TBMPs

Inspections

Designated and qualified person(s) shall inspect Pollution Control Measures weekly and within 24 hours after a storm event greater than 0.5 inches of rainfall. An inspection report that summarizes the scope of the inspection, names and qualifications of personnel conducting the inspection, date of the inspection, major observations, and actions taken as a result of the inspection shall be recorded and maintained as part of Storm Water TPDES data for a period of three years after the date o the inspection. A copy of the Inspection Report Form is provided in this Storm Water Pollution Prevention Plan.

As a minimum, the inspector shall observe: (1) significant disturbed areas for evidence of erosion, (2) storage areas for evidence of leakage from the exposed stored materials, (3) structural controls (rock berm outlets, silt fences, drainage swales, etc.) for evidence of failure or excess siltation (over 6 inches deep), (4) vehicle exit point for evidence of off-site sediment tracking, (5) vehicle storage areas for signs of leaking equipment or spills, and (6) concrete truck rinse-out pit for signs of potential failure. Deficiencies noted during the inspection will be corrected and documented within seven (7) calendar days following the inspection or before the next anticipated storm event if practicable.

Pollution Prevention Measure	Inspected	Corrective Action	
		Description	Date Completed
General			
Revegetation			
Erosion/Sediment Controls			
Vehicle Exits			
Material Areas			
Equipment Areas			
Concrete Rinse			
Construction Debris			
Trash Receptacles			
Infrastructure			
Roadway Clearing			
Utility Clearing			
Roadway Grading			
Utility Construction			
Drainage Construction			
Roadway Base			
Roadway Surfaces			
Site Cleanups			
Building			
Clearing for Building			
Foundation Grading			
Utility Construction			
Foundation Construction			
Building Construction			
Site Grading			
Site Cleanup			

**Indicate N/A where measure does not apply.*

By my signature below, I certify that all items are acceptable and the project site is in compliance with SWPPP.

_____ _____

Inspector's Name Inspector's Signature

_____ _____

Name of Owner/Operator (Firm) Date

Note: Inspector is to attach a brief statement of his qualifications to this report.

PROJECT MILESTONE DATES

Date when major site grading activities begin:

Construction Activity	Date

Dates when construction activities temporarily or permanently cease on all or a portion of the project:

Construction Activity	Date

Date when stabilization measures are initiated:

Stabilization Activity	Date

Attachment I (con't) – Inspection and Maintenance for TBMPs

Temporary Sediment Control Fences

1. Inspect all fencing weekly, and after any rainfall.
2. Remove sediment when buildup reaches 6 inches.
3. Replace any torn fabric or install a second line of fencing parallel to the torn section.
4. Replace or repair any sections crushed or collapsed in the course of construction activity. If a section of fence is obstructing vehicular access, consider relocating it to a spot where it will provide equal protection, but will not obstruct vehicles. A triangular filter dike may be preferable to a silt fence at common vehicle access points.
5. When construction is complete, the sediment should be disposed of in a manner that will not cause additional siltation and the prior location of silt fence should be revegetated. The fence itself should be disposed of in an approved landfill.

Rock Berm/High Service Rock Berm

1. Inspections should be made weekly and after each rainfall by the responsible party.
2. Remove sediment and other debris when buildup reaches 6 inches and dispose of the accumulated silt of in an approved manner.
3. Repair any loose wire sheathing.
4. The berm should be reshaped as needed during inspection.
5. The berm should be replaced when the structure ceases to function as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
6. The rock berm should be left in place until all upstream areas are stabilized and accumulated silt removed.

Temporary Construction Entrance and Exits

1. The entrance should be maintained in a condition, which will prevent tracking or following of sediment onto public rights-of-way. This may require periodic top dressing with additional stone as conditions demand and repair and/or cleanout of any measures used to trap sediment.
2. All sediment spilled, dropped, washed or tracked on to public rights-of-ways should be removed immediately by contractor.
3. When necessary, wheels should be cleaned to remove sediment prior to entrance onto public right-of-way.
4. When washing is required, it should be done on an area stabilized with crushed stone that drains into an approved sediment trap or sediment basin.
5. All sediment should be prevented from entering ant storm drain, ditch, or water course by using approved methods.

Bagged Gravel Inlet Filters

1. Inspections should be made weekly and after each rainfall. Repair or replacement should be made promptly as needed by the contractor.
2. Remove sediment when buildup reached a depth of 3 inches. Removed sediment should be deposited in a suitable area and in such a manner that it will not eride.
3. Check placement of device to prevent gaps between device and curb.

4. Inspect filter fabric and patch or replace if torn or missing.
5. Structures should be removed and the area stabilized only after the remaining drainage area has been properly stabilized.

Temporary Sedimentation Basin

1. Inspection should be made weekly and after each rainfall. Check the embankment, spillways, and outlet for erosion damage, and inspect the embankment for piping and settlement. Repair should be made promptly as needed by contractor.
2. Trash and other debris should be removed after each rainfall to prevent clogging out fo the outlet structure.
3. Accumulated silt should be removed and the basin should be re-graded to its original dimensions at such point that the capacity of the impoundment has been reduced to 75% of its original storage capacity.
4. The removed sediment should be stockpiled or redistributed in areas that are protected from erosion.

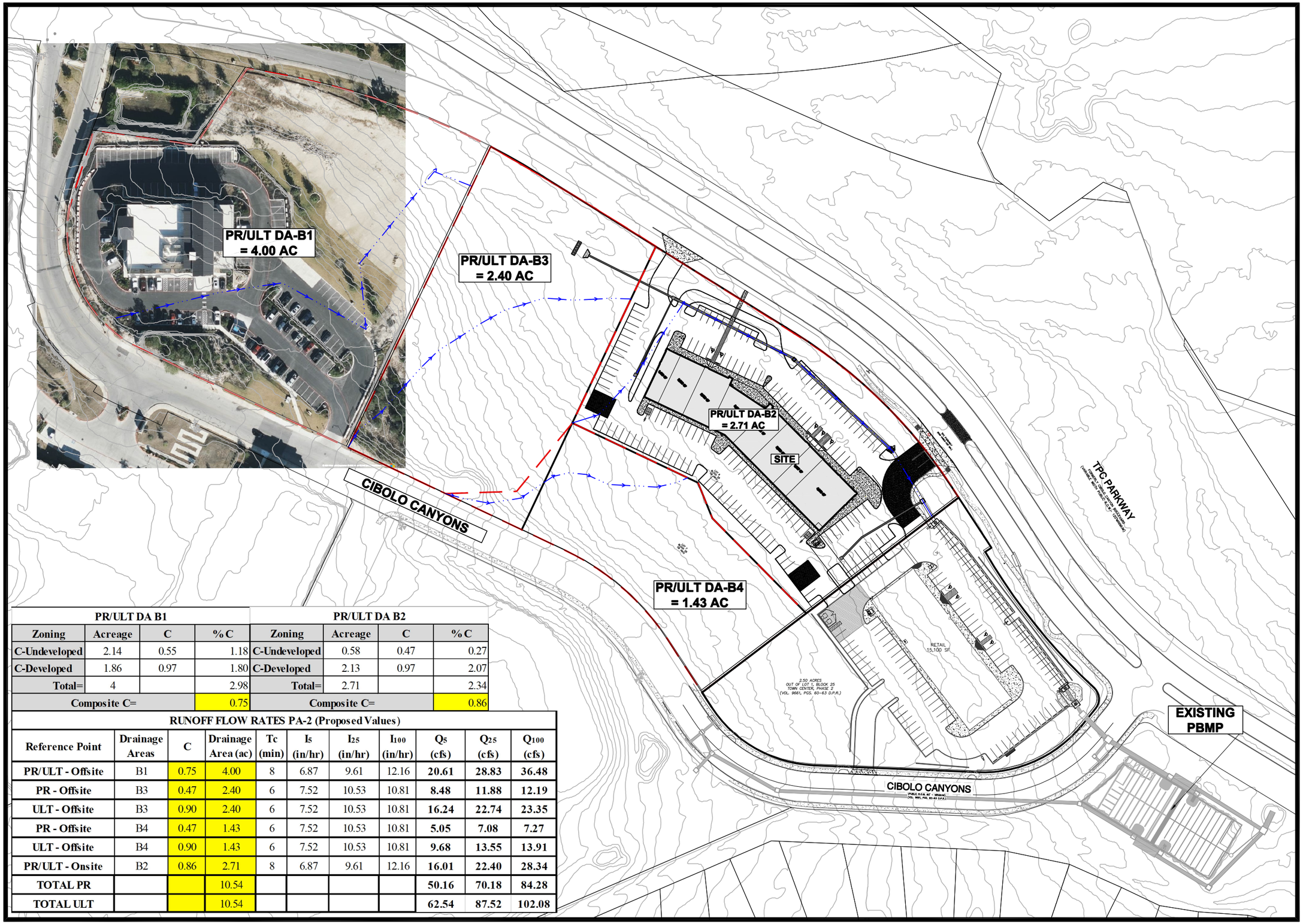
Documentation Procedures

1. A copy of the inspection report is located on the following page.
2. The inspection report must be maintained on site at all times.
3. The inspection report is incorporated as part of the WPAP. The contractor is responsible for completing and updating the form in compliance with TCEQ rules.

Attachment J – Schedule of Interim and Permanent Soil Stabilization

Interim on-site stabilization measures, which are continuous, will include minimizing soil disturbances by exposing only the smallest practical area of land required for the shortest period of time and maximizing use of natural vegetation. As soon as practical, all disturbed soil will be stabilized as per project specifications in accordance with pages 1-35 to 1-60 of TCEQ's Technical Guidance Manual (TGM) RG-348 (2005). Mulching, netting, erosion blankets and seeding are acceptable.

Stabilization measures will be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and except as provided below, will be initiated no more than fourteen (14) days after the construction activity in that portion of the site has temporarily or permanently ceased. Where construction activity on a portion of the site is temporarily ceased, and earth disturbing activities will be resumed within twenty-one (21) days, temporary stabilization measures do not have to be initiated on that portion of site. In areas experiencing droughts where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonably arid conditions, stabilization measures must be initiated as soon as practicable.



PR/ULT DA B1				PR/ULT DA B2			
Zoning	Acreage	C	%C	Zoning	Acreage	C	%C
C-Undeveloped	2.14	0.55	1.18	C-Undeveloped	0.58	0.47	0.27
C-Developed	1.86	0.97	1.80	C-Developed	2.13	0.97	2.07
Total=	4		2.98	Total=	2.71		2.34
Composite C=			0.75	Composite C=			0.86

RUNOFF FLOW RATES PA-2 (Proposed Values)

Reference Point	Drainage Areas	C	Drainage Area (ac)	Tc (min)	I_5 (in/hr)	I_{25} (in/hr)	I_{100} (in/hr)	Q_5 (cfs)	Q_{25} (cfs)	Q_{100} (cfs)
PR/ULT - Offsite	B1	0.75	4.00	8	6.87	9.61	12.16	**20.61**	**28.83**	**36.48**
PR - Offsite	B3	0.47	2.40	6	7.52	10.53	10.81	**8.48**	**11.88**	**12.19**
ULT - Offsite	B3	0.90	2.40	6	7.52	10.53	10.81	**16.24**	**22.74**	**23.35**
PR - Offsite	B4	0.47	1.43	6	7.52	10.53	10.81	**5.05**	**7.08**	**7.27**
ULT - Offsite	B4	0.90	1.43	6	7.52	10.53	10.81	**9.68**	**13.55**	**13.91**
PR/ULT - Onsite	B2	0.86	2.71	8	6.87	9.61	12.16	**16.01**	**22.40**	**28.34**
TOTAL PR			10.54					**50.16**	**70.18**	**84.28**
TOTAL ULT			10.54					**62.54**	**87.52**	**102.08**

KLove ENGINEERING
Site Development Engineering Services
Firm No. 11042
www.kloveengineering.com (210) 485-5683

TPC TOWN PLAZA II

4250 TPC PKWY
SAN ANTONIO, TX 78261

PROPOSED/ULTIMATE DRAINAGE AREA MAP

PROJECT NO.	1398-00
FILENAME:	TOWN PLAZA
DESIGNED BY:	KL
DRAWN BY:	JC
SCALE:	1"=100'
DATE:	01/18/24
SHEET NO.	1 OF 1

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: Kevin W. Love, P.E.

Date: 09-16-24

Signature of Customer/Agent

Regulated Entity Name: TPC Town Plaza II

Permanent Best Management Practices (BMPs)

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

1. ☐ Permanent BMPs and measures must be implemented to control the discharge of pollution from regulated activities after the completion of construction.

   ☒ N/A

2. ☐ 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

Date: Feb 27, 2024, 1:44pm User ID: klove
File: K:\PROJECTS\1398-01 TPC 2.71 ac\TCEQ\WPAP Exception\01 02-19-24 TCEQ docs\IMP COVER 25.95 ac EX 02-27-24.dwg

TPC TOWN PLAZA

CIBOLO CANYONS
SAN ANTONIO, TX 78261

EXISTING IMPERVIOUS COVER MAP

PROJECT NO.	1346-00
FILENAME:	TPC RETAIL
DESIGNED BY:	JC
DRAWN BY:	JC
SCALE:	1"=150'
DATE:	06/24/21
SHEET NO.	1 OF 1

KLove ENGINEERING
Site Development Engineering Services
Firm No. 11042
www.kloveengineering.com (210) 485-5683

K Love ENGINEERING
Site Development Engineering Services
Firm No. 11042
www.kloveengineering.com (210) 485-5683

TPC TOWN PLAZA

CIBOLO CANYONS
SAN ANTONIO, TX 78261

PROPOSED IMPERVIOUS COVER MAP

PROJECT NO.	1346-00
FILENAME:	TPC RETAIL
DESIGNED BY:	JC
DRAWN BY:	JC
SCALE:	1"=150'
DATE:	06/24/21
SHEET NO.	1 OF 1

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: TPC Town Plaza II
Date Prepared: 3/26/2024

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.
Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.
Characters shown in red are data entry fields.
Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

1. The Required Load Reduction for the total project: Calculations from RG-348 Pages 3-27 to 3-30

Page 3-29 Equation 3.3: $L_M = 27.2(A_N \times P)$

where:
$L_{M\ TOTAL\ PROJECT}$ = Required TSS removal resulting from the proposed development = 80% of increased load
A_N = Net increase in impervious area for the project
P = Average annual precipitation, inches

Site Data: Determine Required Load Removal Based on the Entire Project

County =	Bexar	
Total project area included in plan * =	25.95	acres
Predevelopment impervious area within the limits of the plan * =	0.00	acres
Total post-development impervious area within the limits of the plan * =	13.75	acres
Total post-development impervious cover fraction * =	0.53	
P =	30	inches
$L_{M\ TOTAL\ PROJECT}$ =	**11220**	lbs.

* The values entered in these fields should be for the total project area.

Number of drainage basins / outfalls areas leaving the plan area = 1

2. Drainage Basin Parameters (This information should be provided for each basin):

Drainage Basin/Outfall Area No. = 1

Total drainage basin/outfall area =	25.95	acres
Predevelopment impervious area within drainage basin/outfall area =	0.00	acres
Post-development impervious area within drainage basin/outfall area =	13.75	acres
Post-development impervious fraction within drainage basin/outfall area =	0.53	
$L_{M\ THIS\ BASIN}$ =	**11220**	lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP = Sand Filter
Removal efficiency = **89** percent

Aqualogic Cartridge Filter
Bioretention
Contech StormFilter
Constructed Wetland
Extended Detention
Grassy Swale
Retention / Irrigation
Sand Filter
Stormceptor
Vegetated Filter Strips
Vortechs
Wet Basin
Wet Vault

4. Calculate Maximum TSS Load Removed (L_R) for this Drainage Basin by the selected BMP Type.

RG-348 Page 3-33 Equation 3.7: $L_R = (\text{BMP efficiency}) \times P \times (A_I \times 34.6 + A_P \times 0.54)$

where:
A_C = Total On-Site drainage area in the BMP catchment area
A_I = Impervious area proposed in the BMP catchment area
A_P = Pervious area remaining in the BMP catchment area
L_R = TSS Load removed from this catchment area by the proposed BMP

A_C =	25.95	acres
A_I =	17.20	acres
A_P =	8.75	acres
L_R =	**16016**	lbs

5. Calculate Fraction of Annual Runoff to Treat the drainage basin / outfall area

Desired $L_{M\ THIS\ BASIN}$ = 11220 lbs.

F = **0.70**

6. Calculate Capture Volume required by the BMP Type for this drainage basin / outfall area. Calculations from RG-348 Pages 3-34 to 3-36

Rainfall Depth =	**0.78**	inches
Post Development Runoff Coefficient =	**0.47**	
On-site Water Quality Volume =	**34403**	cubic feet

Calculations from RG-348 Pages 3-36 to 3-37

Off-site area draining to BMP =	0.00	acres
Off-site Impervious cover draining to BMP =	0.00	acres
Impervious fraction of off-site area =	**0**	
Off-site Runoff Coefficient =	**0.00**	
Off-site Water Quality Volume =	**0**	cubic feet

Storage for Sediment =	**6881**		
Total Capture Volume (required water quality volume(s) x 1.20) =	**41283**	cubic feet	

The following sections are used to calculate the required water quality volume(s) for the selected BMP.
The values for BMP Types not selected in cell C45 will show NA.

7. Retention/Irrigation System — Designed as Required in RG-348 — Pages 3-42 to 3-46

Required Water Quality Volume for retention basin =	**NA**	cubic feet	
Irrigation Area Calculations:			
Soil infiltration/permeability rate =	**0.1**	in/hr	**Enter determined permeability rate or assumed value of 0.1**
Irrigation area =	**NA**	square feet	
	NA	acres	

8. Extended Detention Basin System — Designed as Required in RG-348 — Pages 3-46 to 3-51

Required Water Quality Volume for extended detention basin =	**NA**	cubic feet	

9. Filter area for Sand Filters — Designed as Required in RG-348 — Pages 3-58 to 3-63

9A. Full Sedimentation and Filtration System

Water Quality Volume for sedimentation basin =	**41283**	cubic feet	
Minimum filter basin area =	**1911**	square feet	
Maximum sedimentation basin area =	**17201**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**4300**	square feet	**For maximum water depth of 8 feet**

9B. Partial Sedimentation and Filtration System

Water Quality Volume for combined basins =	**41283**	cubic feet	
Minimum filter basin area =	**3440**	square feet	
Maximum sedimentation basin area =	**13761**	square feet	**For minimum water depth of 2 feet**
Minimum sedimentation basin area =	**860**	square feet	**For maximum water depth of 8 feet**

10. Bioretention System — Designed as Required in RG-348 — Pages 3-63 to 3-65

Required Water Quality Volume for Bioretention Basin =	**NA**	cubic feet	

11. Wet Basins — Designed as Required in RG-348 — Pages 3-66 to 3-71

Required capacity of Permanent Pool =	**NA**	cubic feet	**Permanent Pool Capacity is 1.20 times the WQV**
Required capacity at WQV Elevation =	**NA**	cubic feet	**Total Capacity should be the Permanent Pool Capacity plus a second WQV.**

12. Constructed Wetlands — Designed as Required in RG-348 — Pages 3-71 to 3-73

Required Water Quality Volume for Constructed Wetlands =	**NA**	cubic feet	

13. AquaLogic™ Cartridge System — Designed as Required in RG-348 — Pages 3-74 to 3-78

**** 2005 Technical Guidance Manual (RG-348) does not exempt the required 20% increase with maintenance contract with AquaLogic™.**

Required Sedimentation chamber capacity =	**NA**	cubic feet
Filter canisters (FCs) to treat WQV =	**NA**	cartridges
Filter basin area (RIA_F) =	**NA**	square feet

14. Stormwater Management StormFilter® by CONTECH

Required Water Quality Volume for Contech StormFilter System =	**NA**	cubic feet

THE SIZING REQUIREMENTS FOR THE FOLLOWING BMPs / LOAD REMOVALS ARE BASED UPON FLOW RATES - NOT CALCULATED WATER QUALITY VOLUMES

15. Grassy Swales — Designed as Required in RG-348 — Pages 3-51 to 3-54

Design parameters for the swale:

Drainage Area to be Treated by the Swale = A =	8.00	acres
Impervious Cover in Drainage Area =	4.00	acres
Rainfall intensity = i =	1.1	in/hr
Swale Slope =	0.01	ft/ft
Side Slope (z) =	3	
Design Water Depth = y =	0.33	ft
Weighted Runoff Coefficient = C =	0.54	
A_{CS} = cross-sectional area of flow in Swale =	13.17	sf
P_W = Wetted Perimeter =	40.62	feet
R_H = hydraulic radius of flow cross-section = A_{CS}/P_W =	0.32	feet
n = Manning's roughness coefficient =	0.2	

15A. Using the Method Described in the RG-348

Manning's Equation: $Q = \frac{1.49}{n} A_{CS} R_H^{2/3} S^{0.5}$

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

I Jason Drago,
Print Name

Owner,
Title - Owner/President/Other

of Drago Development, LLC,
Corporation/Partnership/Entity Name

have authorized Kevin W. Love, P.E.
Print Name of Agent/Engineer

of KLove Engineering, LLC
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:

Charles Draco
Applicant's Signature

4/16/2024
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared Charles Draco 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 16 day of April 2024.

NOTARY PUBLIC

CARRIE A ARMSTRONG
Notary ID #12149891
My Commission Expires
March 28, 2026

Carrie A Armstrong
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 3/28/26

Application Fee Form

Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: TPC Town Plaza II
Regulated Entity Location: 4250 TPC Parkway, San Antonio, TX 78261
Name of Customer: Drago Development, LLC
Contact Person: Jason Drago Phone: 210-535-1401
Customer Reference Number (if issued):CN _____
Regulated Entity Reference Number (if issued):RN 102759537

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
☐ Mailed to: TCEQ - Cashier
Revenues Section
Mail Code 214
P.O. Box 13088
Austin, TX 78711-3088

☒ San Antonio Regional Office
☐ Overnight Delivery to: TCEQ - Cashier
12100 Park 35 Circle
Building A, 3rd Floor
Austin, TX 78753
(512)239-0357

Site Location (Check All That Apply):

☒ Recharge Zone ☐ Contributing Zone ☐ Transition Zone

Type of Plan	***Size***	***Fee Due***
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	Acres	$
Sewage Collection System	L.F.	$
Lift Stations without sewer lines	Acres	$
Underground or Aboveground Storage Tank Facility	Tanks	$
Piping System(s)(only)	Each	$
Exception	1 Each	$ 500
Extension of Time	Each	$

Signature: Chad Drago Date: 4/16/2024

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

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

Organized Sewage Collection Systems and Modifications

Project	*Cost per Linear Foot*	*Minimum Fee-Maximum Fee*
Sewage Collection Systems	$0.50	$650 - $6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

Project	*Cost per Tank or Piping System*	*Minimum Fee-Maximum Fee*
Underground and Aboveground Storage Tank Facility	$650	$650 - $6,500

Exception Requests

Project	*Fee*
Exception Request	$500

Extension of Time Requests

Project	*Fee*
Extension of Time Request	$150

TCEQ Core Data Form

TCEQ Use Only

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

SECTION I: General Information

1. Reason for Submission (*If other is checked please describe in space provided.*)

☒ New Permit, Registration or Authorization (*Core Data Form should be submitted with the program application.*)

☐ Renewal (*Core Data Form should be submitted with the renewal form*) ☐ Other

2. Customer Reference Number *(if issued)*	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number *(if issued)*
CN		RN 102759537

SECTION II: Customer Information

4. General Customer Information	5. Effective Date for Customer Information Updates (mm/dd/yyyy)	11/15/2021

☒ New Customer ☐ Update to Customer Information ☐ Change in Regulated Entity Ownership

☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)

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).

6. Customer Legal Name (*If an individual, print last name first: eg: Doe, John*) *If new Customer, enter previous Customer below:*

Drago Development, LLC

7. TX SOS/CPA Filing Number	8. TX State Tax ID (11 digits)	9. Federal Tax ID (9 digits)	10. DUNS Number (if applicable)
0805237176	32091723489		

11. Type of Customer: ☐ Corporation ☐ Individual Partnership: ☐ General ☐ Limited

Government: ☐ City ☐ County ☐ Federal ☐ State ☐ Other ☐ Sole Proprietorship ☒ Other: Limited Liability Company

12. Number of Employees
☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher

13. Independently Owned and Operated?
☒ Yes ☐ No

14. Customer Role (Proposed or Actual) – *as it relates to the Regulated Entity listed on this form. Please check one of the following*

☒ Owner ☐ Operator ☐ Owner & Operator
☐ Occupational Licensee ☐ Responsible Party ☐ Voluntary Cleanup Applicant ☐ Other:

15. Mailing Address:							
	16227 San Pedro						
	City	Hollywood Park	State	TX	ZIP	78247	ZIP + 4

16. Country Mailing Information (if outside USA)	17. E-Mail Address (if applicable)
	Jason@mtsawards.com

18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)
(210) 535-1401		( ) -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (*If 'New Regulated Entity" is selected below this form should be accompanied by a permit application*)

☒ 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 Agency 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.*)

TPC Town Plaza II

23. Street Address of the Regulated Entity: *(No PO Boxes)*	4250 TPC Parkway							
	City	San Antonio	**State**	TX	**ZIP**	78261	**ZIP + 4**	
24. County	Bexar							

Enter Physical Location Description if no street address is provided.

25. Description to Physical Location:	NORTHEAST LOT OF CIBOLO CANYONS ST AND TPC PKWY INTERSECTION

26. Nearest City	**State**	**Nearest ZIP Code**
San Antonio	TX	78261

27. Latitude (N) In Decimal:	29.660883	**28. Longitude (W) In Decimal:**	-98.406689

Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
29	39	39.18	-98	24	24.08

29. Primary SIC Code (4 digits)	**30. Secondary SIC Code** (4 digits)	**31. Primary NAICS Code** (5 or 6 digits)	**32. Secondary NAICS Code** (5 or 6 digits)
5331	5812	455219	722513

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

Commercial Retail and Fast Food Restaurant

34. Mailing Address:	**4250 TPC Parkway**							
	City	**San Antonio**	**State**	**TX**	**ZIP**	**78261**	**ZIP + 4**	

35. E-Mail Address:	**Jason@mtsawards.com**

36. Telephone Number	**37. Extension or Code**	**38. Fax Number** *(if applicable)*
(210) 535-1401		**( ) -**

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.

☐ Dam Safety	☐ Districts	☒ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☐ Waste Water	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	Kevin W. Love, P.E.	**41. Title:**	Engineer

42. Telephone Number	**43. Ext./Code**	**44. Fax Number**	**45. E-Mail Address**
(210) 485-5683		( ) -	klove@kloveengineering.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.

Company:	KLove Engineering, LLC	**Job Title:**	Engineer
Name *(In Print):*	Kevin W. Love, P.E.	**Phone:**	(210) 485- **5683**
Signature:		**Date:**	04-16-24