WATER POLLUTION ABATEMENT PLAN MODIFICATION

FOR

STONE OAK MERCANTILE

March 28, 2024

MBC Job. No. 33346-1378

PREPARED BY:



JOSEPH M. FRIESENHAHN JOSEPH M. FRIESENHAHN 132150 ROCCENSE SSONAL CHORE 14046463

MACINA · BOSE · COPELAND AND ASSOCIATES, INC. dba MBC Engineers Texas Registered Engineering Firm F-784 | SBE Certified #214046463 TBPLS Firm Registration No. 10011700 1035 Central Parkway North | San Antonio, Texas 78232 (210) 545-1122 Phone | (210) 545-9302 Fax www.mbcengineers.com

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 <u>30 TAC 213</u>.

Administrative Review

1. <u>Edwards Aquifer applications</u> 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: <u>http://www.tceq.texas.gov/field/eapp</u>.

- 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

- 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 N	ame: <i>Stone</i> C	Dak Mei	2. Regulated Entity No.:								
3. Customer Name: (/ Devel	4. Cu	4. Customer No.:								
5. Project Type: (Please circle/check one)	New	Modif	ication	\supset	Exter	nsion	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-r	residen	tial	•	8. Sit	e (acres):	11.42			
9. Application Fee:	\$6,500	10. P	ermar	nent E	BMP(s):	One (1) Batch Detention Pond				
11. SCS (Linear Ft.):	Zero (0)	12. A	ST/US	ST (No	o. Tar	nks):	None				
13. County:	Bexar	14. W	/aters	hed:			Salado Creek				

Application Distribution

Г

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.)								
Region (1 req.)								
County(ies)								
Groundwater Conservation District(s)	_√_ Edwards Aquifer Authority _√_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 √_San Antonio (SAWS) Shavano Park	Bulverde Fair Oaks Ranch Garden Ridge New Braunfels Schertz	NA	San Antonio ETJ (SAWS)	NA			

ustin Region

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.

Joe Friesenhahn/Macina, Bose, Copeland & Asscociates

Print Name of Customer/Authorized Agent M

Signature of Customer/Authorized Agent

<u>3-28-24</u> Date

FOR TCEQ INTERNAL USE ONLY							
Date(s)Reviewed:	Date Administratively Complete:						
Received From:	Correct Number of Copies:						
Received By:	Distribution Date:						
EAPP File Number:	Complex	x:					
Admin. Review(s) (No.):	No. AR J	Rounds:					
Delinquent Fees (Y/N):	Review Time Spent:						
Lat./Long. Verified:	SOS Cus	stomer Verification:					
Agent Authorization Complete/Notarized (Y/N):	Fee	Payable to TCEQ (Y/N):					
Core Data Form Complete (Y/N):	Check:	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: Joe Friesenahn/Macina, Bose, Copeland & Associates

Date: 3-28-24

Signature of Customer/Agent:

Ture

Project Information

- 1. Regulated Entity Name: Stone Oak Mercantile
- 2. County: Bexar
- 3. Stream Basin: Salado Creek
- 4. Groundwater Conservation District (If applicable): <u>Edwards Aquifer Authoity, Trinity-Glen</u> <u>Rose</u>
- 5. Edwards Aquifer Zone:



6. Plan Type:

\times	WPAP
	SCS

Modification

TCEQ-0587 (Rev. 02-11-15)

UST UST

Exception Request

7. Customer (Applicant):

Contact Person: <u>Benjamin Dreszer</u> Entity: <u>Canyon Golf JV Developers, LTD.</u> Mailing Address: <u>10003 NW Military Highway, Suite 2205</u> City, State: <u>San Antonio, TX</u> Zip: <u>78231</u> Telephone: <u>(210) 593-0777</u> FAX: _____ Email Address: benjamin@fulcrumsa.com

8. Agent/Representative (If any):

Contact Person: Joe FriesenhahnEntity: Macina, Bose, Copeland & AssociatesMailing Address: 1035 Central Parkway NorthCity, State: San Antonio, TXTelephone: 210-545-1122Email Address: jfriesenhahn@mbcengineers.com

9. Project Location:

The project site is located inside the city limits of <u>San Antonino</u>.

- The project site is located outside the city limits but inside the ETJ (extra-territorial jurisdiction) of _____.
- The project site is not located within any city's limits or ETJ.
- 10. The location of the project site is described below. The description provides sufficient detail and clarity so that the TCEQ's Regional staff can easily locate the project and site boundaries for a field investigation.

Northwest corner of Stone Oak Pkwy & Canyon Golf Rd.

- 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. X 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:

 \boxtimes Project site boundaries.

 \boxtimes 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: when advised of TCEQ site visit
- 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:
 - \square Area of the site
 - Offsite areas
 - \boxtimes Impervious cover \boxtimes Permanent BMP(s)
 - \boxtimes Permanent BiviP(s) \boxtimes Proposed site use
 - \square Proposed site u
 - 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: Mar 28, 2024, 9:54am User ID: jfriesenhahn Layout: Layout1 File: P:\1378\33346-Fulcrum Canyon Golf Rd\Design\Exhibit\ex20 USGS Map-33346.dwg Layout name: Layout1



Date: Mar 28, 2024, 9:27am User ID: jfriesenhahn Layout: Layout1 File: P:\1378\33346-Fulcrum Canyon Golf Rd\Design\Exhibit\ex20 USGS Map-33346.dwg Layout name: Layout1



. Date: Mar 28, 2024, 9:26am User ID: jfriesenhahn Layout: Layout1 (2) File: P: \1378\33346-Fulcrum Canyon Golf Rd\Design\Exhibit\ex20 USGS Map-33346.dwg Layout name: Layout1 (2)

<u>GENERAL INFORMATION FORM (TCEQ-0587)</u> <u>ATTACHMENT C – PROJECT DESCRIPTION</u> Stone Oak Mercantile

Stone Oak Mercantile consists of a commercial/retail development, with a project area of 11.42 acres, located on the northwest corner of Stone Oak Parkway and Canyon Golf Road, within the City Limits of San Antonio, Bexar County. The site is undeveloped, and contains areas of trees and underbrush. The property has steep topography with average slopes of around greater than 15%, generally sloping from northwest to southeast. The site is located in the Edwards Aquifer Recharge Zone. The site will be developed into uses consistent with commercial development. As part of this project, drive lanes, sidewalks, utility and drainage infrastructure will be constructed. Storm water detention for this development will be provided by the proposed Bach Detention Pond located near the corner of Canyon Golf Road and Stone Oak Pkwy. The limits of construction associated with the proposed project cover an area of approximately 11.42 acres.

The Stone Oak Mercantile Water Pollution Abatement Modification is a modification to the Mesa Verde Water Pollution Abatement Plan Modification I approved September 3, 2020 (with latest extension approved March 8, 2024, EAPP ID: 13001182, RN106162563). The approved plan includes clearing and grading on approximately 21.16 acres with no increase in impervious cover or permanent BMPs. The proposed Stone Oak Mercantile Water Pollution Abatement Plan Modification covers an area of 11.42 acres of the 21.16 acres associated with the approved project and will include as increase in impervious cover and construction of one permanent BMP.

Runoff originating from the site naturally discharges to the adjacent streets, ultimately draining to an existing underground drainage system located near the intersection of Canyon Golf Road and Stone Oak Pkwy.

The site receives up-gradient runoff from approximately 4.9-acres of a mixture of residential and undeveloped land development northwest of the site. Of the approximately 4.9-acres of up-gradient area, 0.97 acres will drain to the proposed Batch Detention Pond with the remaining area by-passing the proposed pond. Off-site impervious areas of the existing single-family development considered in the pond design are based on an average impervious area of 38% of the total acreage amounting to 0.30 acres.

The proposed commercial project will have an increase in impervious area of approximately 6.77 acres. The proposed impervious surfaces will include the pavement, curbs, sidewalks, rooftops, driveways. One Batch Detention Pond will be constructed as part of this project. This pond has been designed to remove 80% of the increase of total suspended solids (TSS) resulting from the proposed development. Over-treatment for un-captured drainage areas is being provided by the proposed Batch Detention Pond. The pond will discharge to the existing underground storm drain located at the corner of Stone Oak Parkway and Canyon Golf Road.

GEOLOGIC ASSESSMENT (WPAP)

STONE OAK TERRACE +/- 21 ACRES SAN ANTONIO, TEXAS

FROST GEOSCIENCES, INC. PROJECT NO.: FGS-E23131 May 12, 2023

Prepared exclusively for

Fulcrum Development, LLC 10003 N.W. Military Highway, Suite 2205 San Antonio, Texas





Frost Geosciences, Inc. 13406 Western Oak Helotes, Texas 78023 Office (210)-372-1315 Fax (210)-372-1318 www.frostgeosciences.com TBPE Firm Registration # F-9227 TBPG Firm Registration # 50040

May 12, 2023

Fulcrum Development, LLC 10003 N.W. Military Highway, Suite 2205 San Antonio, Texas

Attn: Mr. Tom O. Turner

SUBJECT:

Geologic Assessment (WPAP) for the Regulated Activities / Development on the Edwards Aquifer Recharge / Transition Zone Stone Oak Terrace +/- 21 Acres San Antonio, Texas FGS Project N^o FGS-E23131

Dear Mr. Turner:

Frost GeoSciences, Inc., (FGS) is pleased to submit the enclosed Geologic Assessment completed for the above referenced project site as it relates to 30 TAC §213.5(b)(3), effective June 1, 1999. Our investigation was conducted, and this report was prepared in general accordance with the Texas Commission on Environmental Quality (TCEQ) "Instructions to Geologists", TCEQ-0585-Instructions (Rev. 10-1-04).

If you have any questions regarding this report, or if Frost GeoSciences, Inc. may be of additional assistance to you on this project, please feel free to call our office. It has been a pleasure to work with you and we wish to thank you for the opportunity to be of service to you on this project. We look forward to being of continued service.

We appreciate the opportunity to perform these services for Fulcrum Development, LLC. Please contact the undersigned if you have questions regarding this report.



Respectfully submitted, **Frost GeoSciences, Inc.**

Chris Wickman, P.G. Senior Geologist

Copies Submitted:

- (1) Tom O. Turner; Fulcrum Development, LLC
- (1) Pape Dawson Engineers
- (1) Electronic (pdf) Copy

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GEOLOGIC ASSESSMENT

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Geologist: <u>Chris Wickman, P.G.</u>

Telephone: (210) 372-1315

Date: May 12, 2023

Fax:<u>(210)372-1318</u>

Representing: <u>Frost GeoSciences, Inc. #50040</u> (Name of Company and TBPG or TBPE registration number)

Signature of the Geologist:

Regulated Entity Name: Stone Oak Terrace

Project Information

- 1. Date(s) Geologic Assessment was performed: May 3, 2023
- 2. Type of Project:

⊠ WPAP ☐ SCS

3.	Location of Project:

Recharge Zone
Transition Zone
Contributing Zone within the Transition Zone

TCEQ-0585 (Rev. 02-11-15)

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

Table 1 - Soil Units, InfiltrationCharacteristics and Thickness

Soil Name	Group*	Thickness(feet)
Tarrant	С	0 to 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
- 6. Xttachment B Stratigraphic Column. A stratigraphic column showing formations, members, and thicknesses is attached. The outcropping unit, if present, should be at the top of the stratigraphic column. Otherwise, the uppermost unit should be at the top of the stratigraphic column.
- 7. X Attachment C Site Geology. A narrative description of the site-specific geology including any features identified in the Geologic Assessment Table, a discussion of the potential for fluid movement to the Edwards Aquifer, stratigraphy, structure(s), and karst characteristics is attached.
- 8. Attachment D Site Geologic Map(s). The Site Geologic Map must be the same scale as the applicant's Site Plan. The minimum scale is 1": 400'

Applicant's Site Plan Scale: 1" = <u>60</u>' Site Geologic Map Scale: 1" = <u>60</u>' Site Soils Map Scale (if more than 1 soil type): 1" = <u>500</u>'

9. Method of collecting positional data:

☐ Global Positioning System (GPS) technology.
☐ Other method(s). Please describe method of data collection: <u>2022 Aerial Photograph</u>

- 10. 🖂 The project site and boundaries are clearly shown and labeled on the Site Geologic Map.
- 11. \square Surface geologic units are shown and labeled on the Site Geologic Map.

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2 of 3

FGS Project Nº FGS-E23131

12. Geologic or manmade features were discovered on the project site during the field investigation. They are shown and labeled on the Site Geologic Map and are described in the attached Geologic Assessment Table.

Geologic or manmade features were not discovered on the project site during the field investigation.

- 13. 🖂 The Recharge Zone boundary is shown and labeled, if appropriate.
- 14. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.): If applicable, the information must agree with Item No. 20 of the WPAP Application Section.

There are _____ (#) wells present on the project site and the locations are shown and labeled. (Check all of the following that apply.)

The wells are not in use and have been properly abandoned.

The wells are not in use and will be properly abandoned.

The wells are in use and comply with 16 TAC Chapter 76.

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

Administrative Information

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

TCEQ-0585 (Rev. 02-11-15)

STRATIGRAPHIC COLUMN

EXPLANATION OF HYDROSTRATIGRAPHIC UNITS

Group or Formation	Formal and informal member		Hydrologic unit or Informal hydrostratigraphic unit
Taylor Group (Pecan Gap) Austin Group Eagle Ford Group Buda Limestone Del Rio Clay		Kpg Ka Kef Kb Kdr	Upper Confining Unit (UCU)
Georgetown Formation		Kg	Ι
Derson	Cyclic and marine, undivided	Kpcm	II
Formation	Leached and collapsed	Kplc	III
	Regional dense member	Kprd	IV
	Grainstone	Kkg	V
Kainer	Kirschberg evaporite	Kkke	VI
Formation	Dolomitic	Kkd	VII
	Basal nodular	Kkbn	VIII
	Upper Glen Rose	Kgrc Kgrcb Kgrue	Cavernous Camp Bullis Upper evaporite
	Linestone	Kgruf Kgrlf	Fossiliferous Upper Lower
Clan Page	·	Kgrle	Lower evaporite
Limestone		Kgrb	Bulverde
		Kgrlb	Little Blanco
	Lower Glen Rose	Kgrts	Twin Sisters
	Limestone	Kgrd	Doeppenschmidt
		Kgrr	Rust
		Kgrhc	Honey Creek
Pearsall	Hensell Sand	Kheh	Hensell
Formation	Cow Creek Limestone	Kcccc	Cow Creek
	Hammett Shale	Khah	Hammett

1

GEOLOGIC ASSESSMENT TABLE

PROJECT NAME: Stone Oak Terrace

PROJECT NUMBER: FGS-E23131

	LOCATION		FEATURE CHARACTERISTICS EVALUATION PHYSI									PHYSICA	L SETTING							
1A	1B *	1C*	2A	2B	3		4		5	5A	6	7	8A	8B	9	1	10 [·]		11	12
FEATURE ID	LATITUDE	LONGITUDE	FEATURE TYPE	POINTS	FORMATIO N	DIMENSIONS (FEET)			NS TREND DOM DENSITY APERTURE (NO/FT) (FEET)		APERTURE (FEET)	INFILL	RELATIVE INFILTRATION RATE	TOTAL	SENSITIVITY		CAT AREA	CHMENT (ACRES)	TOPOGRAPHY	
						Х	Y	Ζ		10						<40	>40	<1.6	<u>>1.6</u>	
S-1	29° 38' 36.06"	-98° 28' 53.56"	MB	30	Kkd	0.33	0.33	?	-	-	-	-	FC	5	35	35		YES		HILLSIDE
S-2	29° 38' 35.86"	-98° 28' 52.41"	MB	30	Kkd	3	3	?	-	-	-	-	Х	5	35	35		YES		HILLSIDE
S-3	29° 38' 35.77"	-98° 28' 53.49"	MB	30	Kkd	3	3	?	-	-	-	-	Х	5	35	35		YES		HILLSIDE
S-4	29° 38' 35.98"	98° 28' 56.83"	MB	30	Kkd	0.33	0.33	?	-	-	-	-	FC	5	35	35		YES		HILLSIDE
S-5	29° 38' 38.53"	-98° 28' 54.14"	OVR	5	Kkd	15	50	-	-	-	1/1ft – 2ft	0.1 to 0.3	FC	10	15	15		YES		HILLSIDE
S-6	29° 38' 40.42"	-98° 28' 54.28"	SC	20	Kkd	1	2	1.5	-	-	-	-	FC	18	38	38		YES		HILLSIDE
S-7	29° 38' 45.87"	-98° 28' 53.85"	CD	5	Kkd	3	4	1	-	-	-	-	FC	15	30	30		YES		HILLSIDE
S-8	29° 38' 46.83"	-98° 28' 57.67"	MB	30	Kkd	3	3	?	-	-	-	-	х	5	35	35		YES		HILLSIDE
S-9	29° 38' 48.23"	-98° 28' 59.60"	MB	30	Kkd	3	3	?	-	-	-	-	Х	5	35	35		YES		HILLSIDE
S-10	29° 38' 48.36"	-98° 28' 59.41"	CD	5	Kkd	2	3	1.5	-	-	-	-	FC	10	15	15		YES		HILLSIDE
S-11	29° 38' 48.85"	-98° 28' 59.04"	MB	30	Kkd	3	3	?	-	1	-	-	Х	5	35	35		YES		HILLSIDE
S-12	29° 38' 51.80"	-98° 28' 57.06"	CD	5	Kkd	3	13	1	-	1	-	-	Х	10	15	15		YES		HILLSIDE
S-13	29° 38' 51.80"	-98° 28' 56.98"	MB	30	Kkd	3	3	?	-	-	-	-	Х	5	35	35		YES		HILLSIDE
atum: NAD 83																				
A TYPE		TYPE		2	B POINTS		8A INI	FILLIN	IG											
	Cave				30		Ν	I	None, expo	sed be	edrock									
С	Solution ca	ivity			20		С	(Coarse - co	bbles,	breakdown,	sand, gravel								
F	Solution-er	nlarged fracture(s)		20		0	l	Loose or so	ft mud	or soil, orga	nics, leaves,	sticks	, dark colors	alara					
	Other natu	ral bedrock featu	ires		20		г V	,	rines, comp Vegetation	Give	tetails in nar	rative descrir	ntion	gray or red c	olors					
IB	Manmade	feature in bedroo	ck		30		FS		Flowstone.	cemer	its. cave dep	osits								
W	Swallow ho	ble			30		Х	(Other mater	ials	, ,									
Н	Sinkhole				20											1				
D	Non-karst	closed depressio	n		5						12 TOPOG	RAPHY								
4	Zone, clust	ered or aligned	teatures		30	J			Cliff,	Hilltop	o, Hillside, Fl	oodplain, Str	eambe	d		l				
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LOCATION

The project site is located in the northwest corner of the intersection of Stone Oak Parkway and Canyon Golf Road in San Antonio, Texas. An overall view of the area is shown on copies of the site plan, a street map, the U.S.G.S. Topographic Map, the Edwards Aquifer Authority (EAA)-Edwards Aquifer Recharge Zone and Contributing Zone Map, the Federal Emergency Management Agena (FEMA) Flood insurance Rate Map (FIRM), the U.S. Geological Survey, Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers within Northern Bexar and Comal Counties, Texas, Science Investigations Map 3366, The U.S. Geological Survey Water Resources Investigations (WRI) 95-4030, and 2022 aerial photographs at a scale of 1"=500' and 1"=200', as well as an NRCS Web Soil Survey aerial photograph at a scale of 1"=500'. These maps are included as Figures 1 through 10 in Appendix A.

METHODOLOGY

The Geologic Assessment was performed by Chris Wickman, P.G., Senior Geologist with Frost GeoSciences, Inc. Mr. Wickman is a Licensed Professional Geoscientist in the State of Texas (License # 10403).

Frost GeoSciences, Inc. researched the geology of the area north and west of the intersection of Stone Oak Parkway and Canyon Golf Road. The research included, but was not limited to, the Geologic Atlas of Texas, San Antonio Sheet, FEMA maps, Edwards Aquifer Recharge Zone Maps, U.S.G.S. 7.5 Minute Quadrangle Maps, the Bureau of Economic Geology-Geologic Atlas of Texas, the U.S. Geological Survey, Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers within Northern Bexar and Comal Counties, Texas, Science Investigations Map 3366, the Geologic Map of the New Braunfels, Texas 30 X 60 Minute Quadrangle, the U.S.G.S. Water-Resources Investigations Report 95-4030, and the U.S.D.A. Soil Survey of Bexar County, Texas.

After reviewing the available information, a field investigation was performed to identify any geologic or manmade Potential Recharge Features (PRFs). A transect spacing of approximately 50 feet, or less depending on vegetation thickness, was used to inspect the project area. A 2022 aerial photograph, in conjunction with a handheld Garmin GPS 73 Global Positioning System with an Estimated Potential Error ranging from 8 to 12 feet, was used to navigate around the property and identify the locations of PRFs, as recommended in the "Instructions to Geologists", TCEQ-0585-Instructions (Rev. 10-1-04). The locations of any PRFs noted in the field were marked with blue and white flagging. The flagging is numbered with the same potential recharge feature I.D. # that is used on the Site Geologic Map. The Site Geologic Map, indicating the limits of the project site, and the locations of PRFs and rock outcrops noted on the project site, is included in the Attachments at the end of this report. A copy of a 2022 Aerial Photograph at an approximate scale of 1" =200' indicating the limits of the project site, and the locations of PRFs and rock outcrops noted on the project site, is included on Figure 10 in Appendix A. The Geologic Assessment Form TCEQ-0585, (Rev. 2-11-15), Stratigraphic Column, and the Geologic Assessment Table have been filled with the appropriate information for this project site and are included on pages 1 through 5.



RESEARCH & OBSERVATIONS

7.5 Minute Quadrangle Map Review

According to the U.S.G.S. 7.5 Minute Quadrangle Map, Bulverde, Texas Sheet (1988), the elevation across the project site ranges from 1090 to 1150 feet above mean sea level. The project site has a total relief of approximately 60 feet. Runoff from the project site flows radially to the north, northeast, east, southeast, and south into an unnamed tributary of Mud Creek and Mud Creek. The project site is depicted as vacant wooded land. The intersection of Canyon Golf Road and Stone Oak Parkway is located immediately southeast of the project site. A copy of the U.S.G.S. 7.5 Minute Quadrangle Map indicating the location of the project site is included on Figure 3 in Appendix A.

Bexar County Watersheds Map

According to the Bexar County Watersheds Map (2003), the project site is located within the Upper Salado Creek Watershed Area. A copy of the Bexar County Watersheds Map indicating the location of the project site is included on Figure 4 in Appendix A.

Recharge/Transition Zone

According to the E.A.A. Edwards Aquifer Recharge Zone and Contributing Zone Map, Bulverde, Texas (2014), the Official Edwards Aquifer Recharge Zone Map, Bulverde, Texas Sheet (1994), and the TCEQ website: Edwards Aquifer Viewer – https://tceq.maps.arcgis.com/apps/webappviewer/index.html, the project site is located within the Recharge Zone of the Edwards Aquifer. A copy of the E.A.A. Edwards Aquifer Recharge Zone and Contributing Zone Map indicating the location of the project site is included in Figure 5 in Appendix A.

100-Year Floodplain

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the Flood Insurance Map, Community Panel Number 48029C0140G, dated September 29, 2010, was reviewed to determine if the project site is located in areas prone to flooding. A review of the above-mentioned panel number indicates that the project site is located within "Zone X". According to the Panel Legend, Zone X represents areas determined to be outside the 0.2%annual chance floodplain. A copy of the above referenced FIRM panel indicating the location of the project site is included on Figure 6 in Appendix A.

Soils

According to the United States Department of Agricultural (USDA) Natural Resources Conservation Service (NRCS) Soil Survey of Bexar County (1966) and the USDA NRCS Web Soil Survey (WSS) website: https://websoilsurvey.nrcs.usda.gov, the project site is located on the Tarrant Association, hilly, 15 to 20 percent slopes (TaD). A copy of an aerial photo (approximate scale: 1"=500') obtained from the Web Soil Survey (WSS) website: https://websoilsurvey.nrcs.usda.gov has been included on Figure 7 in Appendix A

The Tarrant Association, hilly, 15 to 20 percent slopes (TaD), for the most part occurs as ridgetops and hilly to steep slopes in the northern third of the county. In some small areas outcrops of hard limestone form steep escarpments, and there are also draws and deep canyons. This association consists mostly of Tarrant soils. Outcrops of bedrock make up about 15 to 20 percent of the association. The surface layer of Tarrant soils is very dark grayish brown, calcareous clay loam and is about 10 inches thick. It has moderate, fine, subangular blocky

structure. This layer is crumbly and friable when moist. Limestone fragments that range from a quarter of an inch to 24 inches in diameter cover about 35 percent of the surface. The subsurface layer, about 8 inches thick, is hard fractured limestone. The cracks and spaces are filled with dark grayish brown clay loam. The bedrock is hard limestone. Tarrant soils have rapid surface drainage and good internal drainage. The capacity to hold water is low. Natural fertility is high. Water erosion is a hazard. This soil has a USDA Texture Classification of Clay Loam. The Unified Classification is CL or CH. The AASHO Classification is A-7. This soil has an average permeability from 1.0 to 1.5 inches/hour.

Narrative Description of the Site Geology

Based on a visual inspection of the ground surface, the overall potential for fluid flow from the project site into the Edwards Aquifer appears to be low. The locations of the PRFs are identified on the 2022 aerial photograph on Figure 10 in Appendix A, and on the Site Geologic Map provided in Appendix C. Color photos of the project site and some of the PRFs are included in Appendix B.

PRF #S-1 and #S-4 appear to be recently drilled geotechnical borings. The borings have been backfilled with fine soils and limestone drill cuttings to the ground surface. Frost Geosciences rates the features as low on figure 1 of the TCEQ-0585-Instructions (Rev. 10-01-04). The geotechnical borings scored a 35 on the sensitivity scale, column 10 of the Geologic Assessment Table included on page 5 of this report. Frost Geosciences, Inc. does not consider the former geotechnical soil borings to be sensitive features.

PRF #S-2 #S-3, #S-8, #S-9, #S-11, and #S-13 are manmade features in bedrock consisting of sanitary sewer manholes observed in the southern and northern portions of the project site. Frost Geosciences, Inc. rates the features as low on Figure 1 of the TCEQ-0585-Instructions (Rev. 10-01-04). The features score a 35 on the sensitivity scale, column 10 of the Geologic Assessment Table included on page 5 of this report. Frost Geosciences, Inc. does not consider the manhole covers to be sensitive features.

PRF #S-5 is a broad flat area of exposed featureless bedrock located on a vegetated hillside. The outcrop was approximately 15 feet wide and 50 feet long. The outcrop followed along the topography of the hillside. The observed fractures ranged in density from 1 to 2 fractures per 2 to 3 feet. The fractures ranged from less than 1 inch to 1 to 2 inches in width. Frost GeoSciences, Inc. rates this feature as low on Figure 1 of the TCEQ-0585-Instructions (Rev. 10-01-04). The outcrop scores a 15 on the sensitivity scale, column 10 of the Geologic Assessment Table included on page 5 of this report. Frost GeoSciences, Inc. does not consider the outcrop to be a sensitive feature.

PRF #S-6 is a solution cavity located between limestone boulders at the base of a small tree. The small cavity is approximately 1 foot wide, 2 feet long and appears to be 1.5 feet deep. The bottom of cavity is filled with fine soil and clay, coarse sand, and limestone cobbles. A small pile of loose soil and leaves were observed adjacent to the cavity indicating that the soil may have been removed from the cavity by a burrowing animal. Frost GeoSciences rates the feature as low on figure 1 of the TCEQ-0585-Instructions (Rev. 10-01-04). The feature scores 38 points on the sensitivity scale, column 10 of the Geologic Assessment Table included on page 5 of this report. Frost GeoSciences, Inc. considers the solution cavity to be sensitive.

PRF #S-7 appears to be a plunge pool and/or erosion scar observed at the base of a limestone ledge within an intermittent stream channel. The PRF #S-7 is approximately 3 feet wide, 4 feet long and 1 foot deep. The floor of the erosion scar/plunge pool is limestone covered in sand, gravel, and limestone fragments. Probing of the feature with a machete did not reveal any fractures or cavities that could potentially lead to the subsurface. Frost GeoSciences, Inc. rates the feature as low on Figure 1 of the TCEQ-0585-Instructions (Rev. 10-01-04). The feature scores a 30 on the sensitivity scale, column 10 in the Geologic Assessment Table on Page 5 in this report. Frost GeoSciences, Inc. does not consider the feature to be sensitive.

PRFs #S-10 and #S-12 consist of non-karst closed depressions partially infilled with clay and fill material. The features were observed in the vicinity of sanitary sewer manholes and may have resulted from loss of backfill material washing out and/or settling within trenched sewer lines. PRF #S-10 appeared to have been partially excavated by a burrowing animal. Frost GeoSciences, Inc. rates these features as low on Figure 1 of the TCEQ-0585-Instructions (Rev. 10-01-04). The features score 15 on the sensitivity scale, column 10 of the Geologic Assessment Table included on page 5 of this report. Frost GeoSciences, Inc. does not consider the non-karst closed depressions to be sensitive features.

The project site is covered by a moderately dense stand of vegetative cover with numerous open grassy areas. Site visit photos indicating the condition of the property at the time of the on-site inspection are included in Appendix B. Overall vegetation on the project site consists of ashe juniper (*Juniperus ashei*), live oak (*Quercus virginiana*), and cedar elm (*Ulmus crassifolia*), with Texas persimmon (*Diospyros texana*), agarita (*Berberis trifoliolata*), yucca (*Yucca treculeana*), and prickly pear cactus (*Opuntia lindheimeri*). The variations in the vegetative cover on the property are visible in the 2012 aerial photo on Figures 9 and 10 in Appendix A. A copy of the site layout indicating the boundary of the project site and the elevations is included on the Site Geologic Map in Appendix C of this report.

According to the U.S. Geological Survey, Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers within Northern Bexar and Comal Counties, Texas, Science Investigations Map 3366 and the U.S. Geological Survey Water Resources Investigations (WRI) 95-4030, Texas, the project site is located on the Cretaceous Edwards Kainer limestone (Kkd). The U.S. Geological Survey Water Resources Investigations (WRI) 95-4030, indicated portions of the eastern portion of the project site were located over the dolomitic and basal nodular members of the Edwards Kainer limestone. A copy of the U.S. Geological Survey, Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers within Northern Bexar and Comal Counties, Texas, Science Investigations Map 3366 and U.S. Geological Survey Water Resources Investigations (WRI) 95-4030, are included on Figures 8 and 8A in Appendix A. A copy of the Stratigraphic Column highlighting the outcropping formations is included on Page 3 of this report.

The Dolomitic Member of the Edwards Kainer Limestone is a hard dense to granular, dolomitic limestone that contains scattered cavernous layers. The lower three-fourths of the dolomitic member is composed of sucrosic dolomites and grainstones with hard dense limestones interspersed. The upper one-fourth of the dolomitic member is composed mostly of hard dense mudstone, wackestone, packstone, grainstone, and recrystallized dolomites with bioturbated beds. The lower 20 feet of the Dolomitic member does not contain chert and has alternating burrowed beds and limestone beds. Chert is found as beds and as nodules throughout the Edwards group above this lower 20 feet of the dolomitic member. The Dolomitic member is typically 90 to 120 feet thick.

The Basal Nodular Member of the Edwards Kainer Limestone consists of shaly, nodular limestone, mudstone, and milliolid grainstone. This member is massive, nodular, and mottled with fossils of Exogyra texana. This member typically forms large lateral caves at the surface.

According to the site plan provided by Pape Dawson Engineers, the surveyed elevations on the project site range from 1028 to 1150 feet. According to this survey, the total relief on the project site is approximately 122 feet. A copy of the site plan indicating the boundary of the project site and the elevations is included on the Site Plan on Figure 1 in Appendix A and the Site Geologic Map in Appendix C of this report.

BEST MANAGEMENT PRACTICES

Based on a visual inspection of the ground surface, the overall potential for fluid flow from the project site into the Edwards Aquifer appears to range from low to moderate. The potential always exists to encounter solution cavities within the subsurface during excavating activities. Frost GeoSciences, Inc. is of the opinion that it is very important for construction personnel to be informed of the potential to encounter cavities in the subsurface that lack a surface expression. Construction personnel should also be informed of the proper protocol to follow in the event a karst feature is encountered during the development of the project site.

DISCLAIMER

This report has been prepared in general accordance with the "Instructions to Geologists", TCEQ-0585-Instructions (Rev. 10-1-04) by a Licensed Texas Professional Geoscientist. All areas of the project site were carefully inspected for features that could contribute to the recharge of the Edwards Aquifer; however, this survey cannot preclude the presence of subsurface karst features that lack surface expression. This report is not intended to be a definitive investigation of all possible geologic or karst features at this site. All conclusions, opinions, and recommendations for Best Management Practices (BMP's) in this report are based on information obtained while researching the project and on the site conditions at the time of our field investigation.

This report has been prepared for the exclusive use of Fulcrum Development, LLC. This report is based on available known records, a visual inspection of the project site, and the work generally accepted for a Geologic Assessment for Regulated Activities / Developments on the Edwards Aquifer Recharge / Transition Zone, relating to 30 TAC §213.5(b)(3), effective June 1, 1999.

REFERENCES

- 1. USGS 7.5 Minute Topographic Quadrangle of Bulverde, Texas, 1988
- 2. E.A.A. Edwards Aquifer Recharge Zone and Contributing Zone Map, Bulverde, Texas (2014).
- 3. Official Edwards Aquifer Recharge Zone Map, Bulverde, Texas, 1994
- 4. The Texas Commission on Environmental Quality (TCEQ) website: Edwards Aquifer Viewer https://tceq.maps.arcgis.com/apps/webappviewer/index.html.
- 5. Clark, A.K., Golab, J.A. and Morris, R.R., 2016, Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers within Northern Bexar and Comal Counties, Texas, Science Investigations Map 3366, United States Geological Survey.
- 6. Clark, A.K., Golab, J.A. and Morris, R.R., 2016, Geologic Framework and Hydrostratigraphy of the Edwards and Trinity Aquifers within Northern Bexar and Comal Counties, Texas, United States Geological Survey.
- 7. Collins, Edward, W., 2000, Geologic Map of the New Braunfels 30 X 60 Minute Quadrangle, Bureau of Economic Geology, The University of Texas at Austin, Texas.
- 8. Stein, W.G. and Ozuna, G.B., 1995, Geologic Framework and Hydrogeologic Characteristics of the Edwards Aquifer Recharge Zone, Bexar County, Texas, U.S. Geological Survey Water Resources Investigations 95-4030.
- 9. Barnes, V.L., 1982, Geologic Atlas of Texas San Antonio Sheet, Bureau of Economic Geology and University of Texas at Austin, Geologic Atlas of Texas.
- 10. Federal Emergency Management Agency, Federal Insurance Administration, National Flood Insurance Program, Flood Insurance Map, Community Panel Number 48029C0140G, dated September 29, 2010
- 11. United States Department of Agriculture Soil Conservation Service Soil Survey of Bexar County 1966.
- 12. USDA NRCS Web Soil Survey (WSS) website: https://websoilsurvey.nrcs.usda.gov (2014)
- 13. TCEQ-0585-Instructions (Rev. 10-1-04), "Instructions to Geologists for Geologic Assessments on the Edwards Aquifer Recharge/Transition Zone".
- 14. San Antonio Water Systems, Bexar County Watersheds Map, 2004.

APPENDIX A

SITE LOCATION FIGURES

FGS Project Nº FGS-E23131











Geologic Site Assessment (WPAP) for Regulated Activities / Development on the Edwards Aquifer Recharge / Transition Zone Stone Oak Terrace San Antonio, Texas

EAA Recharge & Contributing Zone Map Bulverde, Texas (2014)

PROJECT NO.: FGS-E23131

DATE: May 12, 2023







for Regulated Activities / Development on the Edwards Aquifer Recharge / Transition Zone Stone Oak Terrace San Antonio, Texas

U.S.Geological Survey							
Scientific Investigations Map 3366							
Clarke (2016)							
PROJECT NO.:	DATE:						
FGS-E23131	May 12, 2023						


Geotechnical • Construction Materials • Geologic • Environmental



Geotechnical • Construction Materials • Geologic • Environmental



PROJECT NAME:

Geologic Site Assessment (WPAP) for Regulated Activities / Development on the Edwards Aquifer Recharge / Transition Zone Stone Oak Terrace San Antonio, Texas

Geotechnical • Construction Materials • Geologic • Environmental

2022 Aerial Photograph with PRFs Google Earth

DATE:

PROJECT NO.: FGS-E23131

May 12, 2023

Figure 10

APPENDIX B

SITE PHOTOGRAPHS

FGS Project Nº FGS-E23131

Geotechnical • Construction Materials • Geologic • Environmental



Photo #1 – Typical View of the vegetative cover observed in the southeastern portion of the project site.



Photo #2 – Typical View of the vegetative cover observed in the southern portion of the project site.



Photo #3 – Typical View of the vegetative cover observed in the central portion of the project site.



Photo #4 – Typical View of the vegetative cover observed in the eastern portion of the project site.



Photo #5 – Typical View of the vegetative cover observed in the northwestern portion of the project site.



Photo #6 – Typical View of the vegetative cover observed in the western portion of the project site.



Photo #7 – Typical View of the vegetative cover observed in the northeastern portion of the project site.



Photo #8 – Typical View of the vegetative cover observed in the northern portion of the project site.



Photo #9 – View of PRF #S-1.



Photo #10 – View of PRF #S-2.



Photo #11 – View of PRF #S-3.



Photo #12 – View of PRF #S-4.



Photo #13 – View of PRF #S-5.



Photo #14 – View of PRF #S-6.



Photo #15 – View of PRF #S-7.

Photo #16 – View of PRF #S-8.



Photo #17 - View of PRF #S-9



Photo #18 – View of PRF #S-10.



Photo #19 – View of PRF #S-11.



Photo #20 – View of PRF #S-12.



Photo #21 – View of PRF #S-13.

APPENDIX C

GEOLOGIC MAP

FGS Project Nº FGS-E23131

Geotechnical • Construction Materials • Geologic • Environmental





Modification of a Previously Approved Plan

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Customer/Agent: Joe Friesenahn/Macina, Bose, Copeland & Associates Date: 3-28-24

Signature of Customer/Agent:

Project Information

 Current Regulated Entity Name: <u>Stone Oak Mercantile</u> Original Regulated Entity Name: <u>Mesa Verde</u> Regulated Entity Number(s) (RN): <u>10G162563</u>

Edwards Aquifer Protection Program ID Number(s): <u>13001182</u>

The applicant has not changed and the Customer Number (CN) is: ____

The applicant or Regulated Entity has changed. A new Core Data Form has been provided.

2. Attachment A: Original Approval Letter and Approved Modification Letters. A copy of the original approval letter and copies of any modification approval letters are attached.

3. A modification of a previously approved plan is requested for (check all that apply):

Physical or operational modification of any water pollution abatement structure(s)
including but not limited to nonde, dame, horme, cowage treatment plants, and
including but not inflited to ponds, dams, bernis, sewaye treatment plants, and
diversionary structures;

- Change in the nature or character of the regulated activity from that which was originally approved or a change which would significantly impact the ability of the plan to prevent pollution of the Edwards Aquifer;
- Development of land previously identified as undeveloped in the original water pollution abatement plan;

Physical modification of the approved organized sewage collection system;

Physical modification of the approved underground storage tank system;

Physical modification of the approved aboveground storage tank system.

4. Summary of Proposed Modifications (select plan type being modified). If the approved plan has been modified more than once, copy the appropriate table below, as necessary, and complete the information for each additional modification.

WPAP Modification	Approved Project	Proposed Modification
Summary		
Acres	<u>21.16</u>	<u>11.42</u>
Type of Development	<u>N/A</u>	<u>Commercial</u>
Number of Residential	<u>N/A</u>	<u>N/A</u>
Lots		
Impervious Cover (acres)	<u>0</u>	<u>6.77</u>
Impervious Cover (%	<u>0</u>	<u>59.28</u>
Permanent BMPs	<u>N/A</u>	<u>1</u>
Other		
SCS Modification	Approved Project	Proposed Modification
Summary		
Linear Feet		
Pipe Diameter		
Other		

AST Modification	Approved Project	Proposed Modification
Summary		
Number of ASTs		
Volume of ASTs		
Other		
UST Modification	Approved Project	Proposed Modification
Summary		
Number of USTs		
Volume of USTs		
Other		

- 5. Attachment B: Narrative of Proposed Modification. A detailed narrative description of the nature of the proposed modification is attached. It discusses what was approved, including any previous modifications, and how this proposed modification will change the approved plan.
- 6. Attachment C: Current Site Plan of the Approved Project. A current site plan showing the existing site development (i.e., current site layout) at the time this application for modification is attached. A site plan detailing the changes proposed in the submitted modification is required elsewhere.
 - The approved construction has not commenced. The original approval letter and any subsequent modification approval letters are included as Attachment A to document that the approval has not expired.
 - The approved construction has commenced and has been completed. Attachment C illustrates that the site was constructed as approved.
 - The approved construction has commenced and has been completed. Attachment C illustrates that the site was not constructed as approved.

The approved construction has commenced and has not been completed. Attachment C illustrates that, thus far, the site was constructed as approved.

- The approved construction has commenced and has not been completed. Attachment C illustrates that, thus far, the site was not constructed as approved.
- 7. The acreage of the approved plan has increased. A Geologic Assessment has been provided for the new acreage.
 - \boxtimes Acreage has not been added to or removed from the approved plan.
- 8. Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.

Bryan W. Shaw, Ph.D., *Chairman* Buddy Garcia, *Commissioner* Carlos Rubinstein, *Commissioner* Mark R. Vickery, P.G., *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

August 31, 2011

Mr. Rick Sheldon RKS Texas Investments, Ltd. 601 Sonterra Road San Antonio, Texas 75258

Re: Edwards Aquifer, Bexar County

Name of Project: Mesa Verde Commercial Unit 2; Located near the northwest intersection of Canyon Golf Rd and Stone Oak Parkway; San Antonio, Texas

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

Edwards Aquifer Protection Program San Antonio File No. 2991.00; Investigation No. 934216; Regulated Entity No. RN106162563

Dear Mr. Sheldon:

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 Cude Engineers, LLC on behalf of RKS Texas Investments, Ltd. on June 16, 2011. Final review of the WPAP was completed after additional material was received on August 19, 2011. As presented to the TCEQ, the Temporary Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.

Project Description

The proposed commercial project will have an area of approximately 15.586 acres. It will include the clearing and mass grading of the referenced site in preparation for future development. There will be no impervious cover generated as a result of this project. No wastewater is generated by this project.

Reply To: Region 13 • 14250 Judson Rd. • San Antonio, Texas 78233-4480 • 210-490-3096 • Fax 210-545-4329

Permanent Pollution Abatement Measures

Impervious cover will not be installed during this project, therefore, no permanent best management practices (BMP) are proposed for this project. In lieu of permanent BMPs, temporary BMPs in conjunction with interim and permanent site stabilization practices will be provided.

Geology

According to the geologic assessment included with the application, the majority of the site is located within the Basal Nodular Member of the Edwards Kainer Formation and the Upper Glen Rose Formation, moving from west to east respectively, with a small portion of the site being located on the Quaternary Alluvium on northeast boundary. Six man-made features (sanitary sewer man-holes and a closed depression) and two geologic features (one close depression and a solution cavity) were noted and assesses as not sensitive. The San Antonio Regional Office did not conduct a site assessment.

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 storm 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.

If you have any questions or require additional information, please contact Mr. Javier Anguiano of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 490-3096.

Sincerely,

2 Mfor

Mark R. Vickery, P.G., Executive Director Texas Commission on Environmental Quality

MRV/JA/eg

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

cc: Mr. Joseph Tober, P.E. Cude Engineers, Inc. Mr. Scott Halty, San Antonio Water System Ms. Renee Green, P.E., Bexar County Public Works Mr. Karl J. Dreher, Edwards Aquifer Authority Mr. George Wissmann, Trinity Glen Rose Groundwater Conservation District TCEQ Central Records, Building F, MC 212 Jon Niermann, *Chairman* Emily Lindley, *Commissioner* Bobby Janecka, *Commissioner* Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

February 3, 2020

Mr. Sean Nooner Nooner Holdings LTD 4827 Quarry Run San Antonio, Texas 78249

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Mesa Verde Commercial, Unit 2; Located on Canyon Golf Road 600 feet north of Stone Oak Parkway; San Antonio, Texas

TYPE OF PLAN: Request for the Extension of Time to Commence Regulated Activities Authorized by a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer

Regulated Entity No. RN106162563; Additional ID No. 13-11061601

Dear Mr. Nooner:

On January 17, 2020, the Texas Commission on Environmental Quality (TCEQ) received your request for an extension of time to commence regulated activities related to the above referenced WPAP approval. The request has been reviewed for compliance with 30 TAC §213.4(h) and §213.13 which set forth the procedures for requesting an extension of time to commence regulated activities authorized by the approval and was found to be in general agreement with these procedures. Therefore, the request for an extension to the term of approval for the referenced project is granted. A summary of the dates of approval and expiration are shown below.

The request and fee were received in compliance with 30 TAC §213.4(h) and §213.13. As indicated in the rules, an extension may not be granted if the proposed regulated activities or approved plan for the regulated activities have changed. As understood, there will be no changes or modifications to the originally approved plan. This request for extension expires on August 31, 2020. Should construction not commence before the end of the six (6) month period, another request for extension would be required to keep the Edwards aquifer Protection Plan validated.

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Date of Original Approval:	August 31, 2011
Date of Expiration:	August 31, 2013
Date Extension Request Received	Date of Extension Expiration
July 11, 2013	February 28, 2014
January 17, 2014	August 31, 2014
July 11, 2014	February 28, 2015
February 13, 2015	August 31, 2015
July 24, 2015	February 28, 2016
December 28, 2015	August 31, 2016
July 15, 2016	February 28, 2017
December 29, 2016	August 31, 2017
July 13, 2017	February 28, 2018
January 11, 2018	August 31, 2018
July 13, 2018	February 28, 2019
January 22, 2019	August 31, 2019
July 8, 2019	February 28, 2020
January 17, 2020	August 31, 2020

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,

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

RCS/dv

cc: Ms. Shauna L. Weaver, 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 Wissman, Trinity Glen Rose Groundwater Conservation District

Jon Niermann, *Chairman* Emily Lindley, *Commissioner* Bobby Janecka, *Commissioner* Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 3, 2020

Mr. Sean Nooner Nooner Holdings, Ltd. 4827 Quarry Run San Antonio, Texas 78249 - 4499

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Mesa Verde; Located approximately 0.18 miles northwest of Stone Oak and Evans road 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. RN106162563; Additional ID No. 13001182

Dear Mr. Nooner:

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 Nooner Holdings, Ltd. on July 21, 2020. 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 original WPAP titled Mesa Verde Commercial Unit 2 (13-11061601) was approved by letter dated August 31, 2011. The project had an area of 15.586 acres for clearing and mass grading. No impervious cover was proposed at the time.

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Mr. Sean Nooner Page 2 September 3, 2020

PROJECT DESCRIPTION

The modification proposes to expand the project area to 21.16 acres. The modification includes clearing and mass grading the entire project limits in preparation for future development. No impervious cover is proposed. No wastewater is generated by this project.

PERMANENT POLLUTION ABATEMENT MEASURES

Impervious cover is not proposed during this project, therefore, no permanent best management practices (BMP) are required for this project. In lieu of permanent BMPs, temporary BMPs in conjunction with interim and permanent site stabilization practices will be provided.

GEOLOGY

According to the geologic assessment included with the application, the site is located within the Basal Nodular member of the Kainer Formation and the Upper Glen Rose Formation. The geologic assessment indicates that two (2) sensitive manmade feature (existing sewer lines), five (5) non-sensitive non-karst features and seven (7) non-sensitive geologic features were identified on the site. The site assessment conducted on August 21, 2020 revealed that the site was generally as described in the application.

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.

Mr. Sean Nooner Page 3 September 3, 2020

- 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.
- 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.

Mr. Sean Nooner Page 4 September 3, 2020

- 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.

Mr. Sean Nooner Page 5 September 3, 2020

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. Nima Ghahremani of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4034.

Sincerely,

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

RCS/ng

Enclosure: Deed Recordation Affidavit, Form TCEQ-0625

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

Jon Niermann, *Chairman* Emily Lindley, *Commissioner* Bobby Janecka, *Commissioner* Kelly Keel, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

September 8, 2023

Mr. Sean Nooner Nooner Holdings, Ltd. 4827 Quarry Run San Antonio, Texas 78249

Re: Approval for Extension of Time to Commence Regulated Activities Authorized by a Water Pollution Abatement Plan (WPAP) Mesa Verde; Located approximately 0.18 miles northwest of Stone Oak and Evans Road intersection; San Antonio, Bexar County, Texas Edwards Aquifer Protection Program ID: 13001182, Regulated Entity No. RN106162563

Dear Mr. Nooner:

The Texas Commission on Environmental Quality (TCEQ) has completed its review on the request for an extension of time for the above-referenced project submitted to the Edwards Aquifer Protection Program (EAPP) by Pape-Dawson Engineers, Inc. on behalf of the applicant, Nooner Holdings, Ltd. on August 17, 2023.

As presented to the TCEQ, the extension request was prepared in general compliance with the requirements of 30 Texas Administrative Code (TAC) Chapter §213 and there have been no modifications to the previously approved plan. The extension request is hereby **approved** subject to applicable state rules and the conditions of the approval letter dated September 3, 2020.

This extension expires on March 3, 2024.

If construction has not commenced by this date, another request for an extension must be received before the extension expires. The extension will expire and no extension will be granted if more than 50 percent of the project has not been completed within ten years from the date of the original approval letter.

This action is taken as 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 at 210-403-4074 or the regional office at 512-339-2929.

Sincerely. Lillian

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

LIB/dpm

cc: Mr. Thomas M. Carter, P.E., Pape-Dawson Engineers, Inc.

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Jon Niermann, *Chairman* Bobby Janecka, *Commissioner* Catarina R. Gonzales, *Commissioner* Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 8, 2024

Mr. Sean Nooner Nooner Holdings, Ltd. 4827 Quarry Run San Antonio, Texas, 78249

Re: Approval for Extension of Time to Commence Regulated Activities Authorized by a Water Pollution and Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213

NAME OF PROJECT: Mesa Verde; Located approximately 0.18 miles NW of Stone Oak and Evans Rd intersection; Hondo, Texas

Edwards Aquifer Protection Program ID: 13001182, Regulated Entity No. RN106162563

Dear Mr. Nooner:

The Texas Commission on Environmental Quality (TCEQ) has completed its review on the request for an extension of time for the above-referenced project submitted to the Edwards Aquifer Protection Program (EAPP) by Pape-Dawson Engineers, Inc. on behalf of the applicant, Nooner Holdings, Ltd. on February 6, 2024.

As presented to the TCEQ, the extension request was prepared in general compliance with the requirements of 30 Texas Administrative Code (TAC) Chapter §213 and there have been no modifications to the previously approved plan. The extension request is hereby **approved** subject to applicable state rules and the conditions of the approval letter dated September 3, 2020.

This extension expires on September 3, 2024.

If construction has not commenced by this date, another request for an extension must be received before the extension expires. The extension will expire and no extension will be granted if more than 50 percent of the project has not been completed within ten years from the date of the original approval letter.

This action is taken as delegated by the executive director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Ms. Neri B. Valdez of the Edwards Aquifer Protection Program at 210-403-4087 or the regional office at 512-339-2929.

Sincerely, Lillian Butter

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

LIB/nbv

cc: Mr. Thomas M. Carter, P.E., Pape-Dawson Engineers, Inc. TCEQ Region 11 • P.O. Box 13087 • Austin, Texas 78711-3087 • 512-339-2929 • Fax 512-339-3795

MODIFICATION OF A PREVIOUSLY APPROVED PLAN (TCEQ-0590) ATTACHMENT B – NARRATIVE OF PROPOSED MODIFICATION Stone Oak Mercantile

Stone Oak Mercantile consists of a commercial/retail development, with a project area of 11.42 acres, located on the northwest corner of Stone Oak Parkway and Canyon Golf Road, within the City Limits of San Antonio, Bexar County. The site is undeveloped, and contains areas of trees and underbrush. The property has steep topography with average slopes of around greater than 15%, generally sloping from northwest to southeast. The site is located in the Edwards Aquifer Recharge Zone. The site will be developed into uses consistent with commercial development. As part of this project, drive lanes, sidewalks, utility and drainage infrastructure will be constructed. Storm water detention for this development will be provided by the proposed Bach Detention Pond located near the corner of Canyon Golf Road and Stone Oak Pkwy. The limits of construction associated with the proposed project cover an area of approximately 11.42 acres.

The Stone Oak Mercantile Water Pollution Abatement Modification is a modification to the Mesa Verde Water Pollution Abatement Plan Modification I approved September 3, 2020 (with latest extension approved March 8, 2024, EAPP ID: 13001182, RN106162563). The approved plan includes clearing and grading on approximately 21.16 acres with no increase in impervious cover or permanent BMPs. The proposed Stone Oak Mercantile Water Pollution Abatement Plan Modification covers an area of 11.42 acres of the 21.16 acres associated with the approved project and will include as increase in impervious cover and construction of one permanent BMP.

Runoff originating from the site naturally discharges to the adjacent streets, ultimately draining to an existing underground drainage system located near the intersection of Canyon Golf Road and Stone Oak Pkwy.

The site receives up-gradient runoff from approximately 4.9-acres of a mixture of residential and undeveloped land development northwest of the site. Of the approximately 4.9-acres of up-gradient area, 0.97 acres will drain to the proposed Batch Detention Pond with the remaining area by-passing the proposed pond. Off-site impervious areas of the existing single-family development considered in the pond design are based on an average impervious area of 38% of the total acreage amounting to 0.30 acres.

The proposed commercial project will have an increase in impervious area of approximately 6.77 acres. The proposed impervious surfaces will include the pavement, curbs, sidewalks, rooftops, driveways. One Batch Detention Pond will be constructed as part of this project. This pond has been designed to remove 80% of the increase of total suspended solids (TSS) resulting from the proposed development. Over-treatment for un-captured drainage areas is being provided by the proposed Batch Detention Pond. The pond will discharge to the existing underground storm drain located at the corner of Stone Oak Parkway and Canyon Golf Road.





Water Pollution Abatement Plan Application

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Customer/Agent: Joe Friesenahn/Macina, Bose, Copeland & Associates

Date: 3-28-24

Signature of Customer/Agent:

Regulated Entity Name: Stone Oak Mercantile

Regulated Entity Information

- 1. The type of project is:
 - Residential: Number of Lots:____

Residential: Number of Living Unit Equivalents:_____

- 🔀 Commercial
- Industrial
- Other:_____
- 2. Total site acreage (size of property):<u>11.42</u>
- 3. Estimated projected population:N/A
- 4. The amount and type of impervious cover expected after construction are shown below:

Impervious Cover			
of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	43,250	÷ 43,560 =	0.99
Parking	60,804	÷ 43,560 =	1.40
Other paved surfaces	190,967	÷ 43,560 =	4.38
Total Impervious Cover	295,021	÷ 43,560 =	6.77

Table 1 - Impervious Cover Table

Total Impervious Cover 6.77 ÷ Total Acreage 11.42 X 100 = 59.28% Impervious Cover

- 5. Attachment A Factors Affecting Surface Water Quality. A detailed description of all factors that could affect surface water and groundwater quality that addresses ultimate land use is attached.
- 6. Only inert materials as defined by 30 TAC §330.2 will be used as fill material.

For Road Projects Only

Complete questions 7 - 12 if this application is exclusively for a road project.

7. Type of project:

TXDOT road project.

County road or roads built to county specifications.

City thoroughfare or roads to be dedicated to a municipality.

Street or road providing access to private driveways.

8. Type of pavement or road surface to be used:

Concrete Asphaltic concrete pavement Other:

9. Length of Right of Way (R.O.W.): _____ feet.

Width of R.O.W.: _____ feet. L x W = _____ $Ft^2 \div 43,560 Ft^2/Acre = _____ acres.$

10. Length of pavement area: _____ feet.

Width of pavement area: _____ feet. L x W = _____ $Ft^2 \div 43,560 Ft^2/Acre = _____ acres.$ Pavement area _____ acres \div R.O.W. area _____ acres x 100 = ____% impervious cover.

11. A rest stop will be included in this project.

A rest stop will not be included in this project.

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

Stormwater to be generated by the Proposed Project

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

Wastewater to be generated by the Proposed Project

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

<u>100</u> % Domestic	<u>18,000</u> Gallons/day
% Industrial	Gallons/day
% Commingled	Gallons/day
TOTAL gallons/day <u>18,000</u>	-

15. Wastewater will be disposed of by:

On-Site Sewage Facility (OSSF/Septic Tank):

Attachment C - Suitability Letter from Authorized Agent. An on-site sewage facility will be used to treat and dispose of the wastewater from this site. The appropriate licensing authority's (authorized agent) written approval is attached. It states that the land is suitable for the use of private sewage facilities and will meet or exceed the requirements for on-site sewage facilities as specified under 30 TAC Chapter 285 relating to On-site Sewage Facilities.

Each lot in this project/development is at least one (1) acre (43,560 square feet) in size. The system will be designed by a licensed professional engineer or registered sanitarian and installed by a licensed installer in compliance with 30 TAC Chapter 285.

Sewage Collection System (Sewer Lines):

- Private service laterals from the wastewater generating facilities will be connected to an existing SCS.
- Private service laterals from the wastewater generating facilities will be connected to a proposed SCS.

The SCS was previously submitted on_____.

- \square The SCS was submitted with this application.
 - The SCS will be submitted at a later date. The owner is aware that the SCS may not be installed prior to Executive Director approval.

The sewage collection system will convey the wastewater to the <u>Dos Rios</u> (name) Treatment Plant. The treatment facility is:

\ge	Existing.
	Proposed.

16. All private service laterals will be inspected as required in 30 TAC §213.5.

Site Plan Requirements

Items 17 – 28 must be included on the Site Plan.

17. \square The Site Plan must have a minimum scale of 1" = 400'.

Site Plan Scale: 1" = <u>60</u>'.

18. 100-year floodplain boundaries:

Some part(s) of the project site is located within the 100-year floodplain. The floodplain is shown and labeled.

 \boxtimes No part of the project site is located within the 100-year floodplain.

The 100-year floodplain boundaries are based on the following specific (including date of material) sources(s): <u>FEMA Map Panel No. 48029C0140G</u>, dated September 29, 2010

19. The layout of the development is shown with existing and finished contours at appropriate, but not greater than ten-foot contour intervals. Lots, recreation centers, buildings, roads, open space, etc. are shown on the plan.

The layout of the development is shown with existing contours at appropriate, but not greater than ten-foot intervals. Finished topographic contours will not differ from the existing topographic configuration and are not shown. Lots, recreation centers, buildings, roads, open space, etc. are shown on the site plan.

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

There are	(#) wells present on the pro	oject site and the locations are shown and
labeled. (C	Check all of the following that appl	lý)

] The wells are not in use and have been properly abandoned.

] The wells are not in use and will be properly abandoned.

The wells are in use and comply with 16 TAC §76.

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

- 21. Geologic or manmade features which are on the site:
 - All sensitive geologic or manmade features identified in the Geologic Assessment are shown and labeled.
 - No sensitive geologic or manmade features were identified in the Geologic Assessment.

Attachment D - Exception to the Required Geologic Assessment. A request and justification for an exception to a portion of the Geologic Assessment is attached.

- 22. 🖂 The drainage patterns and approximate slopes anticipated after major grading activities.
- 23. \square Areas of soil disturbance and areas which will not be disturbed.
- 24. Locations of major structural and nonstructural controls. These are the temporary and permanent best management practices.
- 25. \boxtimes Locations where soil stabilization practices are expected to occur.
- 26. Surface waters (including wetlands).

🖂 N/A

- 27. Locations where stormwater discharges to surface water or sensitive features are to occur.
 - \boxtimes There will be no discharges to surface water or sensitive features.
- 28. \boxtimes Legal boundaries of the site are shown.

Administrative Information

- 29. Submit one (1) original and one (1) copy of the application, plus additional copies as needed for each affected incorporated city, groundwater conservation district, and county in which the project will be located. The TCEQ will distribute the additional copies to these jurisdictions. The copies must be submitted to the appropriate regional office.
- 30. Any modification of this WPAP will require Executive Director approval, prior to construction, and may require submission of a revised application, with appropriate fees.
WATER POLLUTION APATEMENT PLAN APPLICATION (TCEQ-0584) <u>ATTACHMENTS A-D</u> Stone Oak Mercantile

ATTACHMENT "A" – FACTORS AFFECTING SURFACE WATER QUALITY

The major factors which may affect the water quality is oil and grease from the parking facilities. There is also the possibility for fertilizer runoff and litter. This is to be dealt with by the installation of the one (1) Batch Detention Pond as outlined in this Water Pollution Abatement Plan

ATTACHMENT "B" – VOLUME AND CHARACTER OF STORMWATER

The volume of storm water runoff is a function of rainfall rate, runoff rate, and the duration of time measurement. Storm water runoff generated from the site will come from roof tops, streets, sidewalks, parking areas, and from grassy areas and landscaping. Runoff will be treated by one Batch Detention Pond. No unusual contaminants other than oil and grease from streets and parking areas are expected.

Existing Conditions Runoff Coefficient: 0.55 (*Per City of San Antonio Unified Development Code*) Proposed Conditions Runoff Coefficient: 0.94 (*Per City of San Antonio Unified Development Code*) Existing Conditions 25-year flow rate: 74.4 cfs Proposed Conditions 25-year flow rate: 102.5 cfs

The permanent BMP's design allows for large events to bypass the system without causing a backwater effect. Bypass for both BMP's will discharge to the existing underground storm drain near the Canyon Golf and Stone Oak Pkwy intersection.

ATTACHMENT "C" – SUSTAINABILITY LETTER FROM AUTHORIZED AGENT

Not applicable.

ATTACHMENT "D" – EXCEPTION TO THE REQUIRED GEOLOGIC ASSESSMENT

Not applicable.

WATER POLLUTION APATEMENT PLAN APPLICATION (TCEQ-0584) SITE PLAN











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: Joe Friesenahn/Macina, Bose, Copeland & Associates

Date: 3-28-24

Signature of Customer/Agent:

Regulated Entity Name: Stone Oak Mercantile

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: <u>Salado Creek</u>

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 used in combination with other erosion and sediment controls within each 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 at one time.

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.

FORM 0602 ATTACHMENTS

ATTACHMENT "A" - SPILL RESPONSE

In the event of a spill involving hydrocarbons or other hazardous substances, the contractor will immediately notify TCEQ (at 210-490-3096) and the engineer (210 545-1122) explaining the type and nature of the spill. 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 cleanup operations. 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.

The objective of this attachment 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 is 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 storm-water runoff during rainfall to the extent that it doesn't compromise clean-up 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:

(5) Contain the spread of the spill.

(6) Recover spilled materials.

(7) 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:

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: <u>http://www.tnrcc.state.tx.us/enforcement/emergency_response.html</u>

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 run-on of storm-water 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, employee, and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.

(4) Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.

(5) Place drip pans or absorbent materials under paving equipment when not in use.

(6) Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.

(7) Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around.

(8) Oil filters disposed of in trashcans or dumpsters can leak oil and pollute storm-water. 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 run-on of storm-water 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.

ATTACHMENT "B" – POTENTIAL SOURCES OF CONTAMINATION

Other potential sources are:

- 1. Oil and gasoline leaks from construction equipment.
- 2. Vehicles tracking in and out of the project.
- 3. Asphaltic paving and associated materials.
- 4. Minor leakage or spillage of paints, lacquers, solvents, etc, used in conjunctions with building construction which may occur simultaneously with infrastructure construction.
- 5. Leakage from self contained portable toilet facilities.

ATTACHMENT "C" – SEQUENCE OF MAJOR ACTIVITIES

- 1. Install all Temporary BMP's (rock berms and silt fencing), construction entrance, and tree protection for on-site construction. (11.42 acres)
- 2. Clear site & prepare area for construction (11.42 acres)
- 3. Excavate and fill site as dictated by the grading plan (11.42 acres)
- 4. Cut road to grade (11.42 acres)
- 5. Install utilities; sewer mains and laterals, water mains and services, underground storm drains, and underground electric (11.42 acres)
- 6. Construct roads (11.42 acres)

- 7. Construct building pads (1.00 acres)
- 8. Install inlet protection on all curb and grate inlets (11.42 acres)
- 9. Fine grade site (11.42 acres)
- 10. Construct paved surfaces; concrete parking areas & sidewalks (11.42 acres)
- 11. Clean site (11.42 acres)
- 12. Remove temporary BMPs (11.42 acres)

ATTACHMENT "D" - TEMPORARY BEST MANAGEMENT PRACTICES

A) The erosion control barriers will be placed down gradient of the proposed disturbed area as shown on the site plan. These barriers will in turn filter the up gradient water preventing pollution.

B) All contractors, subcontractors, and builders shall endeavor to avoid the pollution of runoff water by using "best management practices" and reasonable foresight to avoid contact between runoff water and polluting materials.

Some best management practices to which all parties are expected to conform are as follows:

1. Prior to the beginning of the work listed in "Attachment C", the contractor will install the sediment control barriers as specified on the separate "Temporary Pollution Abatement Plan" which is attached at the end of this section. These barriers (silt fences, etc.) will be maintained during the entire time construction is in progress. Thus erodible material and pollution that might be generated during construction will be intercepted by these same barriers.

2. The silt fences specified on the "Temporary Pollution Abatement Plan" were positioned to be down-gradient of all construction zones. Thus, with proper installation and maintenance these barriers shall be effective in preventing potentially contaminated runoff from leaving the site.

3. The general contractor shall develop a written plan to control the generation of dust during construction phase and submit it to the developer.

4. Builders and their contractors shall clean equipment only onto areas protected by their silt fences or dikes. Set forth in the TBMP's plan is a location where a "Concrete Truck Washout Pit" will be constructed. The builder shall inform his concrete supplier that this Washout Pit is the only point in the project where washout and waste concrete mix may be discharged.

5. Stockpiles of erodible material (topsoil, sand, etc.) shall be placed in areas only protected by silt fences or other erosion barriers.

6. All contractors shall provide self-contained toilet facilities for their employees.

7. Chemicals, solvents, paints, and other potentially toxic materials must be stored in such a manner that they are protected from rainfall and surface runoff water.

8. All contractors shall provide waste receptacles at locations convenient to their construction area; to protect from leaching by rainfall; and provide regular collection.

C) Once site grading has commenced, swales will be constructed (shaped and sloped as depicted by the grading plan) to direct storm-water run-off to the various inlets located throughout the project. These swales will be used on a temporary and permanent basis. The location of theses swales once constructed will be permanent.

D) The proposed silt fences and rock berms should be adequate measures to maintain flow to any naturally occurring sensitive features downstream.

ATTACHMENT "E" – REQUEST TO TEMPORARILY SEAL A FEATURE

Not Applicable

ATTACHMENT "F" – STRUCTURAL PRACTICES

The proposed silt fences, rock berms, swales, and multiple inlet protection locations onsite should be adequate structural practices for this project.

ATTACHMENT "G" – DRAINAGE AREA MAP



- EXISTING CURB INLET ----DA-B 3.11 25' FRONT SETBACK -(VOL. 4361, PG. 617, O.P.R.)

										HYDROI	LOGY CAL	CULATI	ONS				
Inle t/Study	Structure/Description	Contributing	Area	Cw	Overland Flow (Equation 3-3, TR-55)Shallow Concentrated Flow (Figure 3-1, TR-55)Channel					hannel Flo)W						
Point	-	Areas			Surface		P2	L	S	Tt	Sunfage	L	S	Tsc	L	V	Tch
			(acres)		Condition	11	(in)	(ft)	(ft/ft)	(min)	Surface	(ft)	(ft/ft)	(min)	(ft)	(ft/s)	(min)
Existing Condi	tions																
1	Curn Inlet/Canyon Golf	DA-A	12.14	0.55	Bermudagrass	0.41	4.04	20	0.15	2.4	Unpaved	923	0.139	2.6	0	6	0.0
2	_	DA-B	3.11	0.55	Bermudagrass	0.41	4.04	22	0.17	2.5	Unpaved	513	0.16	1.3	240	6	0.7



ATTACHMENT "H"- TEMPORARY SEDIMENT POND PLANS AND CALCULATIONS

Not Applicable

ATTACHMENT "I" – INSPECTION AND MAINTENANCE

All TBMP'S shall be inspected by the contractor on a weekly basis and after all substantial rain events. The contractor shall keep records of all inspections that were made. Also the contractor shall repair or replace any damaged or dysfunctional TBMP's. The contactor shall insure that all TBMP's are maintained and inspected according to TCEQ's Technical Guidance Manual.

Inspection and Maintenance shall include but is not limited to:

For the Construction Entrance:

- The contractor shall maintain the entrance in a condition which will prevent tracking or flowing of sediment onto public right-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.
- The contractor shall immediately remove any and all sediment spilled, dropped, washed or tracked onto public rights-of-way.
- When necessary, the contractor shall clean wheels to remove sediment prior to entrance onto public rights-of-way.
- 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.
- The contractor shall prevent all sediment from entering any storm drain, ditch, or water course by using approved methods.
- Records will be kept with the construction site Superintendent of all inspection and maintenance actions. See maintenance record chart.

For Silt Fencing:

- The contractor shall inspect all silt fencing weekly and after any rainfall for sediment accumulation, torn fabric and crushed or collapsed sections throughout the duration of construction.
- Sediment shall be removed when sediment buildup reaches 6 inches, or a second line of fencing shall be installed parallel to the original fence.
- Torn fabric shall be replaced by the contractor; a second line of fencing shall be erected parallel to the torn section if replacement is not feasible.

- Contractor shall replace or repair any fence sections crushed or collapsed during the course of construction. Silt fence may be relocated by the contractor to a location where it will provide equal protection should the original/planned installation obstruct vehicular access to the site.
- When construction is complete, the sediment should be disposed of in a manner that will not cause additional siltation and the prior location of the silt fence should be revegetated. The fence itself should be disposed of in an approved landfill.
- Records will be kept with the construction site Superintendent of all inspection and maintenance actions. See maintenance record chart.

For Rock Berms:

- The contractor shall inspect all rock berms weekly and after any rainfall for sediment accumulation, debris building up, or damage throughout the duration of construction.
- Sediment and other debris shall be removed when sediment buildup reaches 6 inches. The accumulated silt and debris shall be disposed in an approved manner that will not cause any additional siltation.
- The contractor to repair any loose wire sheathing.
- The contractor shall reshape the berm as needed during inspection throughout the duration of construction.
- The contractor shall replace the berm when the structure ceases to function as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
- The rock berm shall remain in place until all upstream areas are stabilized and accumulated silt removed.
- Records will be kept with the construction site Superintendent of all inspection and maintenance actions. See maintenance record chart next.

For Grate and Curb Inlet Protection:

- The contractor shall inspect all inlet protection weekly and after any rainfall for sediment accumulation, debris building up, or damage throughout the duration of construction. Repair or replacement should be made promptly as needed by the contractor.
- Sediment and other debris shall be removed when sediment buildup reaches 3 inches. The removed sediment shall be deposited in a suitable area and in such a manner that it will not erode.
- The contractor shall check placement of inlet protection measures to prevent gaps between these measures and the curb.
- The contractor shall inspect the filter fabric and patch or replace if torn or missing.
- Records will be kept with the construction site Superintendent of all inspection and maintenance actions. See maintenance record chart next on the next page.

TEMPORARY STORMWATER SECTION ATTACHMENT "I" CONTINUED

ITEM #	DATE	DESCRIPTION OF ACTION(S) TAKEN	INITIALS
-			

ATTACHMENT "J" – INTERIM AND PERMANENT SOIL STABILIZATION

All disturbed permeable areas shall be stabilized. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, but in no case more than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. Where the initiation of stabilization measures by the 14th day after construction activity temporary or permanently cease is prevented by weather conditions, stabilization measures shall be initiated as soon as practicable. Where construction activity on a portion of a site is temporarily ceased, and the earth disturbing activities will be resumed within 21 days, temporary stabilization measures do not have to be initiated on that portion of the site. In areas experiencing droughts where the initiation of stabilization measures by the 14th day after the construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.

Examples of acceptable temporary and permanent soil stabilization measures are establishment of temporary vegetation, establishment of permanent vegetation, mulching, geo-textiles, sod stabilization, vegetative buffer strips, protection of trees, or preservation of mature vegetation. The soil stabilization method used in this project **SHALL** be an approved method within the TCEQ Technical Guidance Manuel and **MUST** be approved by MBC Engineers before it is implemented in the project. The method of soil stabilization approved for this project will be a combination of sod stabilization around the buildings and parking areas, tree protection, and hydro-mulching those areas disturbed away from the buildings which will not be landscaped.





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: Joe Friesenahn/Macina, Bose, Copeland & Associates

Date: <u>3-28-24</u>

Signature of Customer/Agent

Regulated Entity Name: Stone Oak Mercantile

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 multifamily 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. X 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.	\square	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.
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.
	\square	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

 \boxtimes Signed by the owner or responsible party

- Procedures for documenting inspections, maintenance, repairs, and, if necessary retrofit
- A discussion of record keeping procedures

N/A

12. Attachment H - Pilot-Scale Field Testing Plan. Pilot studies for BMPs that are not recognized by the Executive Director require prior approval from the TCEQ. A plan for pilot-scale field testing is attached.

🖂 N/A

13. Attachment I -Measures for Minimizing Surface Stream Contamination. A description of the measures that will be used to avoid or minimize surface stream contamination and changes in the way in which water enters a stream as a result of the construction and development is attached. The measures address increased stream flashing, the creation of stronger flows and in-stream velocities, and other in-stream effects caused by the regulated activity, which increase erosion that results in water quality degradation.

🖂 N/A

Responsibility for Maintenance of Permanent BMP(s)

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

14. The applicant is responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property (such as without limitation, an owner's association, a new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity. Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred.

N/A

15. A copy of the transfer of responsibility must be filed with the executive director at the appropriate regional office within 30 days of the transfer if the site is for use as a multiple single-family residential development, a multi-family residential development, or a non-residential development such as commercial, industrial, institutional, schools, and other sites where regulated activities occur.

N/A

PERMANENT STORMWATER SECTION (TCEQ-0600) ATTACHMENTS A-I Stone Oak Mercantile

ATTACHMENT "A" – 20% OR LESS IMPERVIOUS COVER WAIVER

Not applicable.

ATTACHMENT "B" – BMP FOR UPGRADIENT STORM WATER

The site receives up-gradient runoff from approximately 4.9-acres of a mixture of residential and undeveloped land development northwest of the site. Of the approximately 4.9-acres of up-gradient area, 0.97 acres will drain to the proposed Batch Detention Pond with the remaining area routed around the site, by-passing the proposed pond. Off-site impervious areas of the existing single-family development considered in the pond design are based on an average impervious area of 38% of the total acreage amounting to 0.30 acres impervious.

ATTACHMENT "C" – BMP FOR ON-SITE STORM WATER

This site will have one permanent BMP's consisting of a Batch Detention Pond. The Batch Detention Pond has been designed to serve as Permanent Best Management Practice (BMP) for the proposed development. The pond has been designed in accordance with the TCEQ Technical Guidance Manual RG-348 (2005) to remove 80% of the increased Total Suspended Solids (TSS) for the proposed improvements. The latest TCEQ calculation sheet was used for the design of this BMP and is included at the end of this attachment.

ATTACHMENT "D" – BMP FOR SURFACE STREAMS

Not applicable.

ATTACHMENT "E" – REQUEST TO SEAL FEATURES Not applicable.

PERMANENT STORMWATER SECTION (TCEQ-0600) ATTACHMENTS A-I Stone Oak Mercantile

ATTACHMENT "F" – TSS REMOVAL CALCULATIONS & CONSTRUCTION PLANS

STONE OAK MERCANTILE

	Area (acres)	Proposed Impervious Cover (acres)	Increase in Impervious Cover (acres)	Treatment Device	Required TSS Removal (lbs)	TSS Removal Provided (lbs)
Drainage Area "A"	8.82	6.37	6.37	Batch Detention Pond	5198	5660
Uncaptured Area "B"	6.56	0.40	0.40	Overtreatment provided by Batch Detention Pond	326	0
Total	15.38	6.77	6.77		5524	5660

TSS REMOVAL SUMMARY

JOSEPH M. FRIESENHAF 132150 SSICNAL E Wasy south a first

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Stone Oak Mercantile Date Preparèd: 3/28/2024

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;	C	Calculations	from RG-348	Pages 3-27 to 3-30
Page 3-29 Equation 3	3.3: L _M = 2	27.2(A _N x P)		
where: L _{M TOTAL}	PROJECT = F	Required TS	S removal resulting fro	om the proposed development = 80% of increased load
	$A_N = N$	let increase	in impervious area for	r the project
	P = A	Average ann	ual precipitation, inche	15
Site Data: Determine Required Load Removal Based on the Enti	re Project			
	County =	Bexar		
Total project area included in	plan * =	11.42	acres	
Predevelopment impervious area within the limits of the	e plan * =	0.00	acres	
Total post-development impervious area within the limits of th	e plan* =	6.77	acres	10/202
Total post-development impervious cover fra	action * =	0,59		2.24
	P =	30	inches	28-2
luran		5524	lbs	63 OF TEL
	PROJECT	0024	1001	A
 The values entered in these fields should be for the total project 	t area,			5
Number of drainage basins / outfalls areas leaving the pla	an area =	2		JOSEPH M. FRIESENHAHN
2. Drainage Basin Parameters (This information should be provide	ed for eacl	n basin):		132150
Drainage Basin/Outfall Ar	rea No. =	1		A CENSE
Total drainage basin/outf	all area =	8.82	acres	STONAL CAR
Predevelopment impervious area within drainage basin/outf	all area =	0.00	acres	CONTRACTOR OF CONTRACTOR
Post-development impervious area within drainage basin/outf	all area =	6.37	acres	
Post-development impervious fraction within drainage basin/outfa	all area =	0.72		1. tar
Цмп	HIS BASIN	5198	lbs.	Jun out
3. Indicate the proposed BMP Code for this basin.				0 0
Propose	d BMP = E	Batch Deter	tion Basin	
Removal eff	liciency =	91	percent	
			U U	Aqualogic Cartridge Filter Bioretention Contech StormFilter Constructed Wetland

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 (A₁ 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

$A_{c} =$	8.91	acres
$A_1 =$	6.37	acres
$A_p \equiv$	2.54	acres
$L_R =$	6054	lbs

DRAIMAGE AREA "H"

Extended Detention Grassy Swale Retention / Irrigation Sand Filter Stormceptor Vegetated Filter Strips Vortechs Wet Basin Wet Vault

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

Total

Desired L _{M THIS BASIN} =	5660	lbs.	
F=	0.93		
6. Calculate Capture Volume required by the BMP Type for this drainage basin	/ outfal	area.	Calculations from RG-348
Rainfall Depth =	2.20	inches	

Post Development Runoff Coefficient = 0.52 On-site Water Quality Volume = 37069 cubic feet

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

Off-site area draining to BMP =	0.97	acres	
Off-site Impervious cover draining to BMP =	0.30	acres	
Impervious fraction of off-site area =	0.31		
Off-site Runoff Coefficient =	0.26		
Off-site Water Quality Volume =	2036	cubic feet	
Storage for Sediment =	7821		
Capture Volume (required water quality volume(s) x 1.20) =	46927	cubic feet	



Pages 3-34 to 3-36

DRAINAGE AREA "A" 2/2

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: Stone Oak Mercantile Date Prepared: 3/28/2024

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 x P)		
where:	L _{M TOTAL PROJECT}	Required TS	S removal resulting fro	om the proposed development = 80% of increased load
	A _N =	Net increase	in impervious area fo	r the project
	P =	Average ann	ual precipitation, inche	38
Site Data: Determine Required L	oad Removal Based on the Entire Project			
	County =	Bexar		
	Total project area included in plan * =	11.42	acres	
Predevelopment imper	vious area within the limits of the plan * =	0.00	acres	
Total post-development imper	vious area within the limits of the plan" =	6.77	acres	
Total post-de	evelopment impervious cover fraction * =	0.59		
	P =	30	inches	all
				0-17
	L _{M TOTAL PROJECT} =	5524	lbs,	10
* The values entered in these fields	should be for the total project area.			3 company and a second
				TE OF TEL
Number of drainage basir	ns / outfalls areas leaving the plan area =	2		S. A TO
Hamber of aramage baon	is roundid droug loarning the plan area			
2 Drainage Basin Parameters (This	information should be provided for ea	ch baein):		DOCCOU N EDIESENHAHN
z. Dramage Dashi ratametera (1113	information should be provided for ear	un baanij.		a JOSEFIT M. PRIESENT MIN
	Drainage Basin/Outfall Area No. =	2		132150
	Total drainage basin/outfall area =	6.56	acres	CENS ST
Predevelopment impervious	area within drainage basin/outfall area =	0.00	acres	State
Post-development impervious	area within drainage basin/outfall area =	0.40	acres	SONAL COMPANY
Post-development impervious fra	action within drainage basin/outfall area =	0.06		CAREACEBORE SEA
	L _{M THIS BASIN} =	326	lbs.	A Curr
				no the

DRAILAREA "B" 1/1











BATCH DETENTION POND DESIGN DATA

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 EXISTING CONCRETE AREAS WHEELSTOP EXISTING FENCE PROPOSED FENCE PROPOSED FENCE EXISTING OVERHEAD ELECTRIC RETAINING WALL - MODULAR OR GRAVITY (REF. STRUCTURAL DWGS) CONCRETE RETAINING WALL (REF. STRUCTURAL DWGS) CONCRETE RETAINING WALL (REF. STRUCTURAL DWGS) SAWTOOTH CURB LIGHT POLE PROPOSED CONTOUR (REPRESENT FINISHED TOP OF PAVEMENT OR TOPSOIL) 950 - EXISTING CONTOUR PROPOSED RIDGE DEFINED SWALE OVERLAND FLOW DIRECTION BENCHMARK GRATE TOPOSED TOP OF RETAINING WALL T98.73B PROPOSED BOTTOM OF RETAINING WALL T98.73B FLATWORK TOP OF CURB TOP OF CURB TOP OF CURB TOP OF CURB 	= = = = = = = = = = = = = = = = = = =	PROPOSED CONCRETE HEADER CURB PROPOSED CONCRETE CURB EXISTING CONCRETE CURB EXISTING FIRE HYDRANT PROPOSED FIRE HYDRANT MISC. TRAFFIC SIGN GUARD POST EXISTING WATER VALVE PROPOSED WATER VALVE LIGHT POLE POWER POLE EXISTING MANHOLE PROPOSED MANHOLE GRATE TRAFFIC LIGHT GUY WIRE ANCHOR
SAWTOOTH CURB 		EXISTING CONCRETE AREAS WHEELSTOP - EXISTING FENCE - PROPOSED FENCE EXISTING OVERHEAD ELECTRIC RETAINING WALL - MODULAR OR GRAVITY (REF. STRUCTURAL DWGS) CONCRETE RETAINING WALL (REF. STRUCTURAL DWGS)
○-□ LIGHT POLE 100 PROPOSED CONTOUR (REPRESENT FINISHED TOP OF PAVEMENT OR TOPSOIL) -950 EXISTING CONTOUR PROPOSED RIDGE DEFINED SWALE OVERLAND FLOW DIRECTION BENCHMARK Image: Base of the system GRATE 100.00 INV PROPOSED POND INVERT PROPOSED TOP OF RETAINING WALL T98.82T PROPOSED BOTTOM OF RETAINING WALL TOP OF CURB 798.83F FLATWORK 798.741 ASPHALT CONCRETE GRASS ETC		SAWTOOTH CURB
 — 950 — EXISTING CONTOUR PROPOSED RIDGE DEFINED SWALE OVERLAND FLOW DIRECTION BENCHMARK GRATE GRATE 100.00 INV PROPOSED POND INVERT PROPOSED TOP OF RETAINING WALL 798.82T PROPOSED BOTTOM OF RETAINING WALL TOP OF CURB 798.83F FLATWORK ASPHALT CONCRETE GRASS ETC 	⊶ [100]	LIGHT POLE PROPOSED CONTOUR (REPRESENT FINISHED TOP OF PAVEMENT OR TOPSOIL)
◆ BENCHMARK □ GRATE □ GRATE □ PROPOSED POND INVERT ▼ 798.82T PROPOSED TOP OF RETAINING WALL ▼ 798.73B PROPOSED BOTTOM OF RETAINING WALL ▼ 798.85 TOP OF CURB ▼ 798.83F FLATWORK ▼ 798.74		EXISTING CONTOUR PROPOSED RIDGE DEFINED SWALE OVERLAND FLOW DIRECTION
 TOP OF CURB TOP State TOP OF CURB TOP State TOP OF CURB TOP	◆ 100.00 INV (798.82T) (798.73B)	BENCHMARK GRATE PROPOSED POND INVERT PROPOSED TOP OF RETAINING WALL PROPOSED BOTTOM OF RETAINING WALL
*	798.85 (798.83F) (798.74	TOP OF CURB FLATWORK ASPHALT, CONCRETE, GRASS, ETC.








PERMANENT STORMWATER SECTION (TCEQ-0600) ATTACHMENTS A-I

Stone Oak Mercantile

ATTACHMENT "G" –INSPECTION, MAINTENANCE, REPAIR AND RETROFIT PLAN

PROJECT NAME	Stone Oak Mercantile	

ADDRESS Northwest corner of Stone Oak Pkwy & Canyon Golf Rd

CITY, STATE ZIP San Antonio, Texas 78258

BATCH DETENTION PONDS

<u>Monthly</u> Inspect structural integrity and silt accumulation of the batch detention basin. The basin, basin side-slopes, and embankment of the basin must be mowed to prevent woody growth and control weeds. A mulching mower should be used, or the grass clippings should be caught and removed. Mowing should take place at least twice a year, or more frequently if vegetation exceeds 18 inches in height. More frequent mowing to maintain aesthetic appeal may be necessary in landscaped areas.

<u>Quarterly</u> The level of accumulated silt shall be checked. If depth of silt exceeds 6 inches, or is such that it impedes the capture volume of the basins, it shall be removed and disposed of.

The batch detention basin in the water quality pond shall be checked for accumulation of debris and trash. The debris and trash shall be removed if excessive.

The batch detention basin shall be inspected at least twice a year **Bi-Annually** (once during or immediately following wet weather) to evaluate the facility operation. With each inspection, any damage to the structural elements of the system must be identified and repaired immediately and all debris and trash shall be removed. Standing water or soggy conditions may occur in the basin. Some standing water may occur after a storm event since the valve may close with 2 to 3 inches of water in the basin. Some flow into the basin may also occur between storms due to spring flow and residential water use that enters the storm sewer system. Twice a year, the facility should be evaluated in terms of nuisance control (insects, weeds, odors, algae, etc.). Inspect the Logic Controller, verifying that the external indicators (active, cycle in progress) are operating properly controller off and on, and by initiating a cycle by triggering the level sensor in the basin. The valve should be manually opened and closed using the open/close switch to verify valve operation and to assist in inspecting the valve for debris. The solar panel should be inspected and any dust or debris on the panel should be carefully removed. The controller and all other circuitry and wiring should be inspected for

PERMANENT STORMWATER SECTION (TCEQ-0600)

ATTACHMENTS A-I

Stone Oak Mercantile

	signs of corrosion, damage from insects, water leaks, or other
	damage. At the end of the inspection, the controller should be reset.
<u>Annually</u>	Sediment shall be removed from the inlet and outlet structure when
	it is impaired or when the basin does not drain within 48 hours and
	at least once a year.
Five Years	All sediment shall be removed at a minimum of every 5 years.

With each inspection, remove sediment from the inlet structure and sedimentation chamber when sediment buildup reaches a depth of 6 inches or when the proper functioning of inlet and outlet structures is impaired.

With each inspection, any damage to the structural elements of the system (pipes retaining walls, etc.) must be identified and repaired immediately. Erosion areas inside and downstream of the Batch Detention Pond must be identified and repaired or revegetated immediately during each inspection.

"Proper" disposal of accumulated silt shall be accomplished following Texas Commission on Environmental Quality specifications. BMP maintenance frequently requires the disposal of accumulated sediment and other material. These materials are normally classified as special wastes when disposed of in municipal landfills. A Type 1 Municipal Solid Waste (MSW) landfill can accept household waste; anything else is a special waste as defined in 30TAC 330.2 (137). Special waste is a waste that requires special handling at a Type 1 MSW landfill. Labeling a filter media or sediment as a waste is not a waste characterization. The process to obtain authorization to dispose of a special waste begins with a request for approval called the "Request for Authorization for Disposal Waste, TCEQ Form 0152." The request is completed by the generator and submitted to the MSW permits section of the TCEQ for Executive Director review/approval. The MSW permits section performs the review described in 30 TAC 330.136.

An amended copy of this document will be provided to the Texas Commission on Environmental Quality within thirty (30) days of any changes in the following information. After all inspections results shall be written and records maintained and made available on request by TCEQ officials.

Upon transfer of ownership or maintenance responsibility: The seller must inform the buyer of all requirements of the basin maintenance. TCEQ must be notified and receive the form "TCEQ -10623 change in responsibility for maintenance on permanent Best Management Practices and Measures". In addition, TCEQ and SAWS Resource Protection Division shall receive a signed, dated copy of this maintenance plan from the new owner.

[Signatures on following page]

PERMANENT STORMWATER SECTION (TCEQ-0600) ATTACHMENTS A-I Stone Oak Mercantile

Responsible Party for Maintenance:

Address:

City, State Zip:

Telephone Number:

Signature of Responsible Party:

Print name of Responsible Party:

CANYON GOLF JV DEVELOPERS. LTD., a Texas limited partnership

10003 NW Military Highway, Suite 2205

San Antonio, Texas 78231

(210) 593-0777

- P

Benjamin Dreszer

PERMANENT STORMWATER SECTION (TCEQ-0600) ATTACHMENTS A-I Stone Oak Mercantile

PERMANENT STORMWATER SECTION ATTACHMENT "G" CONTINUED

SAMPLE MAINTENANCE TABLE

ITEM #	DATE	DESCRIPTION OF ACTION(S) TAKEN	INITIALS

PERMANENT STORMWATER SECTION (TCEQ-0600) ATTACHMENTS A-I Stone Oak Mercantile

ATTACHMENT "H" – PILOT-SCALE FIELD TESTING PLAN

Not applicable.

<u>ATTACHMENT "I" – MEASURE FOR MINIMIZING SURFACE STREAM</u> <u>CONTAMINATION</u>

The western pond will discharge directly to an existing underground storm drain system located adjacent to the proposed pond outfall.

	Agent Authorization Form For Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213 Effective June 1, 1999
	,
1	BENJAMIN DRESZER
	Print Name
	Manager of General Partner Title - Owner/President/Other
of	CANYON GOLF JV DEVELOPERS, LTD., Corporation/Partnership/Entity Name
have authorized	MACINA, BOSE, COPELAND & ASSOCIATES Print Name of Agent/Engineer
of	MACINA, BOSE, COPELAND & ASSOCIATES Print Name of Firm
to represent and a	ct on the behalf of the above named Corporation, Partnership, or Entity

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.

Applicant's Signature

24

Date

THE STATE OF TEXAS \$ County of Beyar §

BEFORE ME, the undersigned authority, on this day personally appeared <u>Benjamin Mester</u> 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 27th day of <u>flarch</u>, 2024

PILAR HELFERICH My Notary ID # 133961961 Expires September 15, 2026

Helferic nr

Typed or Printed Name of Notary

MY COMMISSION EXPIRES: ____9-15-2026___

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

I	SEAN NOONER
	Print Name
	PRESIDENT
	Title - Owner/President/Other
of	NOONER HOLDINGS, LTD. Corporation/Partnership/Entity Name
have authorized	MACINA, BOSE, COPELAND & ASSOCIATES Print Name of Agent/Engineer
of	MACINA, BOSE, COPELAND & ASSOCIATES Print Name of Firm
to represent and a	ct on the behalf of the above named Corporation. Partnership, or Entity

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.

Applicant's Signature

<u>3-25-2024</u> Date

THE STATE OF TEXAS §

County of BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared $\underline{\leq k \wedge N } \otimes \underline{\leq k} \times N \otimes \underline{\leq k} \times N$

GIVEN under my hand and seal of office on this <u>25</u> day of <u>March</u>, <u>2024</u>



ABBIE STEVENS My Notary ID # 12337063 Expires September 30, 2027

Abbie Stevens Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 09/30/2027

Owner Authorization Form

Texas Commission on Environmental Quality for Required Signature Edwards Aquifer Protection Program Relating to 30 TAC Chapter 213 Effective June 1, 1999

Land Owner Authorization

I, Sean Nooner of Land Owner Signatory Name

Nooner Holdings, LTD.

Land Owner Name (Legal Entity or Individual)

am the owner of the property located at

1.148 Ac., out of Lot 5, Block 16, NCB 19217, Mesa Verde Commercial Unit 2

Legal description of the property referenced in the application

and am duly authorized in accordance with §213.4(c)(2) and §213.4(d)(1) or §213.23(c)(2) and §213.23(d) relating to the right to submit an application, signatory authority, and proof of authorized signatory.

I do hereby authorize Canyon Golf JV Developers, LTD.

Applicant Name (Legal Entity or Individual)

to conduct Clearing, Grading, Utility and drainage work

Description of the proposed regulated activities at West side of Canyon Golf Rd, +/-700' north of Stone Oak Pkwy, San Antonio Texas

Precise location of the authorized regulated activities

Land Owner Acknowledgement

Lunderstand that Nooner Holdings, LTD.

Land Owner Name (Legal Entity or Individual)

Is ultimately responsible for compliance with the approved or conditionally approved Edwards Aguifer protection plan and any special conditions of the approved plan through all phases of plan implementation even if the responsibility for compliance and the right to possess and control the property referenced in the application has been contractually assumed by another legal entity. I further understand that any failure to comply with any condition of the executive director's approval is a violation is subject to administrative rule or orders and penalties as provided under §213.10 (relating to Enforcement). Such violation may also be subject to civil penalties and injunction.

Land Owner Signature

Land Owner Signature

<u>4-29-2024</u>

THE STATE OF & TEXAS

County of § BEXAR

BEFORE ME, the undersigned authority, on this day personally appeared $\underline{Sea \cup N}_{boover}$ 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 29th day of ______



NOTARY PUBLIC <u>Hbbie Stevens</u> Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 9 - 30 - 2027

Attached: (Mark all that apply)

🗌 Lease Agreement

Signed Contract

Deed Recorded Easement

] Other legally binding document

Applicant Acknowledgement

_{I,} Benjamin Dreszer of	Canyon Golf JV Developers, LTD.	
Applicant Signatory Name	Applicant Name (Legal Entity or Individual)	
acknowledge that Nooner Holdings, LTD.		
Land Owner Name (Legal	Entity or Individual)	
has provided Canyon Golf JV Developers, LTD.		
Applicant Name (Legal Entity or Individual)		
with the right to possess and control the property referenced in the Edwards Aquifer protection plan. I understand that Canyon Golf JV Developers, LTD.		

Applicant Name (Legal Entity or Individual)

is contractually responsible for compliance with the approved or conditionally approved Edwards Aquifer protection plan and any special conditions of the approved plan through all phases of plan implementation. I further understand that failure to comply with any condition of the executive director's approval is a violation is subject to administrative rule or orders and penalties as provided under §213.10 (relating to Enforcement). Such violation may also be subject to civil penalties and injunction.

Applicant Signature

Applicant Signature

THE STATE OF § <u>Fexas</u> County of § <u>Bexar</u>

4/29/24

BEFORE ME, the undersigned authority, on this day personally appeared <u>Before</u> 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 _____day of

PILAR HELFERICH My Notary ID # 133961961 Expires September 15, 2026

NOTARY PUBLIC PILAR HELFERICH

Typed or Printed Name of Notary MY COMMISSION EXPIRES: 9-15-26

TCEQ-XXXXX



MACINA • BOSE • COPELAND and ASSOCIATES, INC. CONSULTING ENGINEERS AND LAND SURVEYORS

1035 Central Parkway North, San Antonio, Texas 78232 (210) 545-1122 Fax (210) 545-9302 TBPE Firm Registration #784 | TBPLS Firm Registration #10011700 | SBE Certified #214046463 www.mbcengineers.com

METES AND BOUNDS DESCRIPTION TO ACCOMPANY A BOUNDARY EXHIBIT

A 1.148 ACRE (50,029 SQUARE FEET) TRACT OF LAND, OUT OF LOT 5, BLOCK 16, BLOCK 19217, MESA VERDE COMMERCIAL, UNIT 2, ACCORDING TO PLAT RECORDED IN VOLUME 9574, PAGE 35, DEED AND PLAT RECORDS BEXAR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-Inch Iron Rod Found on the Westerly right of way line of Canyon Golf Road (formerly Evans Road), a 86 foot public right of way, marking the Northeasterly corner of a 9.644 Acre Tract described in a Special Warranty Deed recorded in Document Number 20230221386, Official Public Records, Bexar County, Texas, and being the Northeasterly corner of Lot 4, Block 16, New City Block 19217, Mesa Verde Commercial, Unit 1, according to plat recorded in Volume 9574, Page 61, Deed and Plat Records, Bexar County, Texas;

THENCE N 88° 39' 06" W a distance of 70.10 feet, departing the Westerly right of way line of said Canyon Golf Road, along the Northerly boundary line of said 9.644 Acre Tract and said Lot 4, to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set at a Point of curve to the right;

THENCE departing the Northerly boundary line of said Lot 4, continuing along the Northerly boundary line of said 9.644 Acre Tract, and along said curve to the right having the following Parameters: Radius = 87.50 feet, Arc Length = 25.16 feet, Delta = 16° 28' 30", Chord Bearing = N 35° 27' 30" W and a Chord Distance = 25.07 feet to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set at a Point of curve to the left;

THENCE along the Northerly boundary line of said 9.644 Acre Tract, and along said curve to the left having the following Parameters: Radius = 162.50 feet, Arc Length = 246.78 feet, Delta = 87° 00' 37", Chord Bearing = N 70° 43' 33" W and a Chord Distance = 223.74 feet to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set;

THENCE S 89° 59' 14" W a distance of 150.00 feet, continuing along the Northerly boundary line of said 9.644 Acre Tract to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set, on the Westerly boundary line of Lot 24, Block 13, New City Block 19217, Hidden Mesa Subdivision, P.U.D., according to plat recorded in Volume 9544, Pages 197-200, Deed and Plat Records, Bexar County, Texas, and marking the Northwesterly corner of said 9.644 Acre Tract;

THENCE N 00° 00' 46" W a distance of 60.00 feet, along the Westerly boundary line of said Lot 24, to a Point bearing S 00° 00' 46" E a distance of 333.19 feet from a 1/2-Inch Iron Rod Found marking the Northwesterly corner of Lot 27, Block 13, New City Block 19217, Hidden Valley Subdivision P.U.D. Volume 9544, Pages 197-200, Deed and Plat Records, Bexar County, Texas;

THENCE departing the Westerly boundary line of said Lot 24, across said Lot 5, Block 16, the following calls:

N 89° 59' 14" E a distance of 138.18 feet to Point of curve to the right;

Along said curve to the right having the following Parameters: Radius = 222.50 feet, Arc Length = 311.05 feet, Delta = 80° 05' 55", Chord Bearing = S 70° 37' 06" E and a Chord Distance = 286.33 feet to a Point;

S 88° 39' 06" E a distance of 8.45 feet to Point of curve to the left;

Along said curve to the left having the following Parameters: Radius = 2921.98 feet, Arc Length = 95.49 feet, Delta = $01^{\circ} 52' 21''$, Chord Bearing = N $00^{\circ} 40' 57''$ W and a Chord Distance = 95.48 feet to a Point;

N 01° 36' 59" W a distance of 602.97 feet to a Point on the Northeasterly boundary line of said Lot 5, Block 16, and being the Southerly boundary line of Lot 901, Block 10, New City Block 19217, Hidden Canyon Subdivision, Unit 1B, P.U.D. according to plat recorded in Volume 9678, Page 177-183, Deed and Plat Records, Bexar County, Texas, and bearing S 52° 21' 08" E a distance of 466.76 feet from a 1/2-Inch Iron Rod Found;

THENCE S 52° 21' 08" E a distance of 38.75 feet, along the common boundary line of said Lot 901 and said Lot 5, to a 1/2-Inch Iron Rod found on the Westerly right of way line of said Canyon Golf Road, marking the Northeasterly corner of said Lot 5 and being the Southeasterly corner of said Lot 901;

THENCE S 01° 36' 59" E a distance of 578.44 feet, along the Westerly right of way line of said Canyon Golf Road, to a 1/2-Inch Iron Rod Found at a Point of curve to the right;

THENCE along the Westerly right of way line of said Canyon Golf Road, and said curve to the right having the following Parameters: Radius = 2951.98 feet, Arc Length = 157.05 feet, Delta = $03^{\circ} 02' 53''$, Chord Bearing = S $00^{\circ} 05' 41''$ E and a Chord Distance = 157.03 feet to the **POINT OF BEGINNING** and containing 1.148 Acres more or less as surveyed by Macina, Bose, Copeland and Associates.

Note: A Survey Sketch that is made a part hereof and shall accompany this instrument.

Joel Christian Johnson, R.P.L.S. TBPLS Firm Registration 10011700

Date: April 25, 2024 Job No: 33346-1378







Date: Apr 26, 2024, 8:01am User ID: JChavez Layout: Sheet 1 File: P:\1378\33346-Fulcrum Canyon Golf Rd\Design\Exhibit\Ex40-1.148 Ac Boundary-33346.dwg Layout name: Sheet 1



Date: Apr 26, 2024, 8:01am User ID: JChavez Layout: Sheet 2 File: P:\1378\33346-Fulcrum Canyon Golf Rd\Design\Exhibit\Ex40-1.148 Ac Boundary-33346.dwg Layout name: Sheet 2

Application Fee Form

Texas Commission on Environme	Texas Commission on Environmental Quality		
Name of Proposed Regulated Entity: Stone Oak Mercantile			
Regulated Entity Location: Northy	vest corner of Stone Oa	ak Pkwy & Canyon Golf	Rd
Name of Customer: CANYON GOL	F JV DEVELOPERS, LTD	<u>.</u>	
Contact Person: Benjamin Dreszer	<u>r</u> Phor	ne: <u>210-593-0777</u>	
Customer Reference Number (if is	sued):CN		
Regulated Entity Reference Numb	er (if issued):RN	2	
Austin Regional Office (3373)			
Hays	Travis	W	illiamson
San Antonio Regional Office (336	2)		
Bexar	Medina		valde
Comal	Kinney		
Application fees must be paid by a	check, certified check,	or money order, payab	le to the Texas
Commission on Environmental Q	uality. Your canceled o	check will serve as you	r receipt. This
form must be submitted with you	ur fee payment. This p	ayment is being submi	itted to:
Austin Regional Office	\boxtimes s	an Antonio Regional C	office
Mailed to: TCEQ - Cashier		کر Dvernight Delivery to: ٦	CEQ - Cashier
Revenues Section	1	12100 Park 35 Circle	
Mail Code 214	E	Building A, 3rd Floor	
P.O. Box 13088	ŀ	Austin, TX 78753	
Austin, TX 78711-3088 (512)239-0357			
Site Location (Check All That App	ly):		
🔀 Recharge Zone	Contributing Zone	🗌 Transi	tion Zone
Type of Pla	n	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		11.42 Acres	\$ 6,500
Sewage Collection System		L.F.	\$
Lift Stations without sewer lines		Acres	\$
Underground or Aboveground Sto	orage Tank Facility	Tanks	\$
Piping System(s)(only)		Each	\$
Exception		Each	\$
Extension of Time Each \$			

Date: <u>3-28-24</u> Signature:

TCEQ-0574 (Rev. 02-24-15)

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

Organized Sewage Collection Systems and Modifications		
	Cost per Linear	Minimum Fee-
Project	Foot	Maximum Fee
Sewage Collection Systems	\$0.50	\$650 - \$6,500

Underground and Aboveground Storage Tank System Facility Plans and Modifications

	Cost per Tank or	Minimum Fee-
Project	Piping System	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

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

SECTION I: General Information

e describe in space provided.)	
Data Form should be submitted with	the program application.)
th the renewal form)	Other
2. Customer Reference Number (if issued) Follow this link to search	
Central Registry**	RN
	e describe in space provided.) Data Form should be submitted with ith the renewal form) Follow this link to search for CN or RN numbers in Central Registry**

SECTION II: Customer Information

4. General Customer Information 5. Effective Date for Custome					er Information	n Updates (mm/d	d/yyyy)			
New Custor	mer egal Name	(Verifiable with	Update to Custom the Texas Secretary of	ner Informa State or Te	tion xas Corr	Cha Cha	ange in Regulated E lic Accounts)	intity Ow	nership	
The Custome (SOS) or Texc	r Name s Is Compti	ubmitted here oller of Public	may be updated au Accounts (CPA).	tomatical	ly base	d on what is	current and activ	ve with I	the Texas Se	cretary of State
6. Customer	Legal Nar	ne (If an individu	ial, print last name firs	t: eg: Doe, J	lohn)		If new Custome	r, enter p	revious Custor	ner below:
CANYON GOLF	JV DEVELO	OPERS, LTD., a Te	xas limited partnership)						
7. TX SOS/CP 0805205176	A Filing N	lumber	8. TX State T 32091446693	ах ID (11 d	ligits)		9. Federal Tax (9 digits)	(ID	10. DUNS applicable)	Number (if
11. Type of C	ustomer:		prporation			Indiv	idual	Partn	ership: 🗌 Ge	neral 🔀 Limited
Government: [City 🗌	County 🗌 Fede	ral 🗌 Local 🔲 State	Other		Sole	le Proprietorship 🔲 Other:			
2. Number	of Employ	/ees					13. Independently Owned and Operated?			
⊠ 0-20 □	21-100	101-250	251-500 🗌 501 a	nd higher			🛛 Yes 🗌 No			
4. Custome	Role (Pro	posed or Actual) – as it relates to the F	legulated E	ntity list	ed on this form	n. Please check one	of the fol	lowing	
Owner Occupation	al Licensee	Operator	⊠ Owr ble Party □ V	ner & Opera CP/BSA App	itor blicant		C Othe	r:		
15. Mailing	10003 N	W Military Highy	vay, Suite 2205							
Address:	City	San Antonio		State	тх	ZIP	78231		ZIP + 4	1890
L6. Country M	Mailing In	formation (if o	utside USA)			17. E-Mail A	Address (if applica	ble)	1.200	
										ï
8. Telephon	e Numbe	r	19). Extensio	on or Co	ode	20. Fax	Number	(if applicable,	

(210) 593-0777	
---	-----	------------	--

SECTION III: Regulated Entity Information

SECTION III.	Neguia		ILY THIOTH	latio	<u>L</u>				
21. General Regulated Entity Information (If 'New Regulated Entity" is selected, a new permit application is olso required.)									
🛛 New Regulated Entity 🗌 Update to Regulated Entity Name 🔲 Update to Regulated Entity Information									
The Regulated Entity Name submitted may be updated, in order to meet TCEQ Core Data Standards (removal of organizational endings such as Inc, LP, or LLC).									
22. Regulated Entity Nan	ne (Enter nam	e of the site whe	re the regulated action	n is taking p	lace.)				
Stone Oak Mercantile									
23. Street Address of the Regulated Entity:									
<u>(No PO Boxes)</u>	City		State		ZIP			ZIP + 4	
24. County		1		1		I		L	I
	1	If no Stree	et Address is provid	led, fields	25-28 are red	quired.			
25. Description to	Northwest c	ornor of Stope O	ak Dkuw & Canyon Go	lf pd					
Physical Location:	Northwest c	omer of stone o	ak Pkwy & Canyon Gu	ii Ku					
26. Nearest City			1			State		Nea	rest ZIP Code
San Antonio						тх		7825	8
Latitude/Longitude are r used to supply coordinat	equired and es where no	may be added, ne have been p	/updated to meet T provided or to gain	「CEQ Core accuracy).	Data Standa	rds. (Geou	coding of th	he Physical	Address may be
27. Latitude (N) In Decim	al:	29.643703		28.	Longitude (W	/) In Decir	nal:	98.48198	9
Degrees	Minutes		Seconds	Degr	ees	M	inutes	-1	Seconds
29		38	37.33		98		28		55.16
29. Primary SIC Code	30.	Secondary SIC	Code	31. Prima	ary NAICS Cod	de	32. Seco	ndary NAIC	S Code
(4 digits)	(4 di	gits)		(5 or 6 dig	;its)		(5 or 6 dig	gits)	
8748				531120					
33. What is the Primary I	Business of t	his entity? (D	o not repeat the SIC o	r NAICS desc	cription.)				
Commercial Retail Busisness									
34. Mailing	10003 NW	Military Highwa	y, Suite 2205						
Address:									
	City	San Antonio	State	тх	ZIP	78231		ZIP + 4	1890
35. E-Mail Address:	benj	amin@fulcrums	a.com	••••••			I		
36. Telephone Number	36. Telephone Number 37. Extension or Code 38. Fax Number (if applicable)								
(210) 593-0777					()	-			

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		Petroleum Storage Tank	D PWS
Sludge	Storm Water	Title V Air	Tires	Used Oil
Voluntary Cleanup	U Wastewater	Wastewater Agriculture	Water Rights	Other:

SECTION IV: Preparer Information

40. Name:	Joe Friesenh	ahn		41. Title:	Civil Engineer	
42. Telephon	e Number	43. Ext./Code	44. Fax Number	45. E-Mail	Address	
(210)545-112	22		(210) 545-9302	jfriesenhah	n@mbcengineers.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:	Macina, Bose, Copeland & Associates Job Title: Civil E		Civil Engineer	
Name (In Print):	Joe Friesenhahn	Phone:	(210) 545- 1122	
Signature:	for Jan	Date:	3-28-24	

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

SPECIAL WARRANTY DEED

THE STATE OF TEXAS

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF BEXAR

Effective Date: December 1, 2023

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Grantor: NOONER HOLDINGS, LTD., a Texas limited partnership

Grantor's Mailing Address:

4827 Quarry Run San Antonio, Texas 78249

Grantee: CANYON GOLF JV DEVELOPERS, LTD., a Texas limited partnership

Grantee's Mailing Address:

10003 NW Military Highway, Suite 2205 San Antonio, Texas 78231

Consideration: Good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements): See <u>Exhibit A</u> attached hereto and incorporated herein for all purposes, save and except the Supplemental Property which is otherwise conveyed herein.

Reservations from and Exceptions to Conveyance and Warranty: This conveyance is made and accepted subject only to those certain matters set forth on Exhibit B attached hereto and made a part hereof for all purposes.

This conveyance is further made and accepted subject to the following agreement on proration of taxes and assessments: taxes having been prorated at closing, all real property taxes and assessments as to the Property for the current year and subsequent years are the responsibility of Grantee and are assumed by Grantee.

Grantor, for the Consideration and subject only to the Reservations from and Exceptions to Conveyance and Warranty, hereby grants, sells, and conveys unto Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors, and assigns forever. Grantor binds

Grantor and Grantor's heirs and successors to warrant and forever defend all and singular the Property to Grantee and Grantee's successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof when the claim is by, through, or under Grantor but not otherwise, except as to the Reservations from and Exceptions to Conveyance and Warranty.

As a material part of the consideration for this deed, AND EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES OF GRANTOR EXPRESSLY CONTAINED IN THE CONTRIBUTION AGREEMENT DATED EFFECTIVE MARCH 1, 2023 AND THE SPECIAL WARRANTY OF TITLE SET FORTH HEREIN, IT IS UNDERSTOOD AND AGREED THAT GRANTOR HAS NOT MADE AND IS NOT MAKING AND HEREBY SPECIFICALLY DISCLAIMS, AND GRANTEE HEREBY SPECIFICALLY WAIVES, ANY WARRANTIES, REPRESENTATIONS OR GUARANTEES OF ANY KIND OR CHARACTER, EXPRESS OR IMPLIED (OR ARISING BY OPERATION OF LAW), ORAL OR WRITTEN. PAST. PRESENT OR FUTURE, WITH RESPECT TO OR IN ANY WAY RELATED TO OR CONCERNING THE PROPERTY OR ITS SUITABILITY FOR ANY PARTICULAR PURPOSE OR USE, INCLUDING BUT NOT LIMITED TO, WARRANTIES OR REPRESENTATIONS AS TO MATTERS OF TITLE, ZONING, TAX CONSEQUENCES, PHYSICAL OR ENVIRONMENTAL CONDITIONS, AVAILABILITY OF ACCESS OR INGRESS OR EGRESS, DRAINAGE, OPERATING HISTORY OR UTILITIES. PROJECTIONS, VALUATION, GOVERNMENTAL APPROVALS, GOVERNMENTAL **REGULATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING** THE PROPERTY, INCLUDING WITHOUT LIMITATION, THE FOLLOWING: (I) THE NATURE AND CONDITION OF THE PROPERTY, INCLUDING BUT NOT BY WAY OF LIMITATION, THE WATER, SOIL, GEOLOGY, AND ENVIRONMENTAL CONDITION OF THE PROPERTY, AND THE SUITABILITY THEREOF, AND OF THE PROPERTY, FOR ANY AND ALL ACTIVITIES AND USES WHICH GRANTEE MAY ELECT TO CONDUCT THEREON OR ANY IMPROVEMENTS GRANTEE MAY ELECT TO CONSTRUCT THEREON, INCOME TO BE DERIVED THEREFROM OR EXPENSES TO BE INCURRED WITH RESPECT THERETO, OR ANY OBLIGATIONS OR ANY OTHER MATTER OR THING RELATING TO OR AFFECTING THE SAME; (II) THE MANNER OR OUALITY OF CONSTRUCTION (OR OF ANY MATERIALS INCORPORATED INTO) AND CONDITION AND STATE OF REPAIR OR LACK OF REPAIR OF ANY IMPROVEMENTS LOCATED THEREON; (III) THE NATURE AND EXTENT OF ANY RIGHT-OF-WAY, LEASE, POSSESSION, LIEN, ENCUMBRANCE, EASEMENT. LICENSE, RESERVATION, CONDITION OR OTHERWISE; (IV) THE COMPLIANCE OF THE PROPERTY OR THE OPERATION OF THE PROPERTY WITH ANY LAWS, RULES, CODES, ORDINANCES OR REGULATIONS OF ANY GOVERNMENT OR OTHER BODY; CONDITION, MERCHANTABILITY, MARKETABILITY. (V) THE VALUE. PROFITABILITY, SUITABILITY, HABITABILITY, OR FITNESS FOR A PARTICULAR USE OR PURPOSE OF THE PROPERTY; AND/OR (VI) THE MANNER OR QUALITY OF THE PROPERTY: AND GRANTEE HEREBY RELEASES GRANTOR FROM ANY LIABILITY WITH RESPECT TO SUCH MATTERS. GRANTEE ACKNOWLEDGES THAT (A) IT IS GENERALLY FAMILIAR WITH THE PROPERTY AND IS A SOPHISTICATED PURCHASER OF REAL ESTATE; (B) IT IS RELYING AND SHALL RELY UPON ITS OWN EXPERTISE AND THAT OF ITS CONSULTANTS IN ASSESSING THE PROPERTY

AND THAT IT HAS CONDUCTED SUCH INSPECTIONS AND INVESTIGATIONS AS IT DEEMED AND DEEMS NECESSARY INCLUDING, BUT LIMITED TO, THE PHYSICAL AND ENVIRONMENTAL CONDITIONS THEREOF AND SHALL RELY UPON THE SAME; AND (C) IT SHALL LOOK SOLELY TO THE EXPERTS AND PROFESSIONALS SELECTED OR APPROVED BY GRANTEE TO ADVISE GRANTEE WITH RESPECT TO THE CONDITION OF THE PROPERTY AND, WITHOUT LIMITATION OF THE GRANTOR FOREGOING. WILL NOT HOLD RESPONSIBLE FOR ANY CONDITIONS ENVIRONMENTAL OR ANY REMEDIATION ACTIVITIES IN CONNECTION THEREWITH, AND HEREBY RELEASES GRANTOR FROM ANY SUCH LIABILITY. THE PROPERTY IS BEING CONVEYED TO GRANTEE ON AN "AS IS, WHERE IS, AND WITH ALL FAULTS" BASIS, WITH ANY AND ALL LATENT AND PATENT DEFECTS, WITHOUT REPRESENTATION OR WARRANTY (ALL OF WHICH GRANTOR DISCLAIMS), AND THAT THERE IS NO WARRANTY BY GRANTOR THAT THE PROPERTY IS FIT FOR A PARTICULAR PURPOSE. GRANTEE TAKES THE PROPERTY UNDER THE EXPRESS UNDERSTANDING THAT THERE ARE NO WARRANTIES. GRANTEE ACKNOWLEDGES THAT IT IS NOT RELYING UPON ANY REPRESENTATION, STATEMENT OR OTHER ASSERTION WITH RESPECT TO THE PROPERTY CONDITION, ORAL, WRITTEN OR OTHERWISE, BUT IS RELYING UPON ITS OWN EXAMINATION OF THE PROPERTY. EXCEPT FOR THE REPRESENTATIONS AND WARRANTIES OF GRANTOR EXPRESSLY CONTAINED IN THE CONTRIBUTION AGREEMENT DATED EFFECTIVE MARCH 1, 2023 AND THE SPECIAL WARRANTY OF TITLE SET FORTH HEREIN, TO THE MAXIMUM EXTENT PERMITTED BY APPLICABLE LAW, THIS DEED IS MADE AND ACCEPTED WITHOUT RECOURSE ON GRANTOR, AND WITHOUT REPRESENTATION OR WARRANTY OF ANY KIND (WHETHER EXPRESS, IMPLIED, OR STATUTORY) BY GRANTOR.

Further, Grantor (subject to the Reservations from and Exceptions to Conveyance and Warranty), hereby BARGAINS, SELLS, AND CONVEYS unto the Grantee all of Grantor's right, title and interest in and to: (a) any and all rights and appurtenances belonging or pertaining to the Property, (b) all rights, title and interests of Grantor in and to all strips and gores, and any easements, licenses, right-of-way, rights of ingress or egress or other interests in, on or to any land, highway, street, road or avenue, open or proposed, in, on, in front of, abutting, adjoining or benefiting the Property, (c) all assignable licenses, permits, appurtenances, and development rights appurtenant to the Property, and (d) all rights, title and interests of Grantor in and to all utilities, sewer treatment capacity and water capacity, if any, to serve or which will serve the Property (collectively, the "Supplemental Property"), TO HAVE AND TO HOLD it unto Grantee, and Grantee's heirs, successors, and assigns forever, together with all and singular, the rights and appurtenances thereto in anywise belonging, without express or implied warranty. All warranties that might arise by common law as well as the warranties in Section 5.023 of the Texas Property Code (or its successor) are excluded from the conveyance of the Supplemental Property.

When the context requires, singular nouns and pronouns include the plural.

[SIGNATURE PAGE FOLLOWS]

EXECUTED to be effective as of the Effective Date.

GRANTOR:

NOONER HOLDINGS, LTD., a Texas limited partnership

By: Trollistigen, Inc., a Texas corporation, its General Partner

By: Sean Nooner, President

STATE OF TEXAS ş ş COUNTY OF BEXAR §

BEFORE ME, the undersigned authority, on this day personally appeared Sean Nooner, President of Trollistigen, Inc., a Texas corporation, general partner of NOONER HOLDINGS, LTD., a Texas limited partnership, known by me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed and in the capacity therein expressed.

Given under my hand and seal of office, this <u>30</u>th day of <u>November</u>, 2023.



Li With BOVY eggs Notary Public, in and for the State of Texas

After recording, please return to:

Doc# 20230221386 12/06/2023 09:33 AM Page 5 of 10 Lucy Adame-Clark, Bexar County Clerk

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

A 9.644 ACRE TRACT OF LAND BEING ALL OF LOT 1, LOT 2 AND THE REMAINING PORTION OF LOT 3 AND LOT 4, BLOCK 16, NEW CITY BLOCK 19217, MESA VERDE COMMERCIAL, UNIT 1, ACCORDING TO PLAT RECORDED IN VOLUME 9574, PAGE 61, DEED AND PLAT RECORDS, BEXAR COUNTY, TEXAS; AND A PORTION OF LOT 5, BLOCK 16, NEW CITY BLOCK 19217, MESA VERDE COMMERCIAL, UNIT 2, ACCORDING TO PLAT RECORDED IN VOLUME 9574, PAGE 35, DEED AND PLAT RECORDS BEXAR COUNTY, TEXAS; AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2-inch iron Rod Found in the Northerly right of way line of Stone Oak Parkway, a 110 foot public right of way, marking the Southeasterly comer of Lot 6, Block 16, New City Block 19217, Stone Oak Parkway Office Park, according to plat recorded in Volume 9610, Page 77, Deed and Plat records, Bexar County, Texas, and being the Southeasterly comer of said Lot 1;

THENCE N 09° 09' 06" W a distance of 465.01 feet, along the common boundary line of said Lot 6, and said Lot 1, to a 1/2-lnch Iron Rod with cap stamped "M.W. Cude" Found on the Southeasterty boundary line of Lot 20, Block 13, New City Block 19217, Hidden Mesa Subdivision P.U.D., according to plat recorded in Volume 9544, Pages 197-200, Deed and Plat Records, Bexar County, Texas;

THENCE N 50° 04' 05" E a distance of 53.94 feet, along the Southeasterly boundary line of said Lot 20 to a 1/2-Inch Iron Rod with cap stamped "M.W. Cude" Found, marking the most Easterly corner of said Lot 20, and marking the most Southerly corner of Lot 21, Block 13, New City Block 19217, created by said Hidden Mesa Subdivision, P.U.D. plat;

THENCE N 50° 10° 55° E a distance of 277.62 feet, along the Easterly boundary line of said Hidden Mesa, Subdivision, P.U.D., to a 1/2-Inch Iron Rod Found, marking the Easterly comer of Lot 23, Block 13, New City Block 19217, created by said Hidden Mesa Subdivision, P.U.D. plat;

THENCE N 00° 00° 46" W a distance of 60.00 feet, continuing along the Easterly boundary line of said Hidden Mesa Subdivision, P.U.D., to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set on the Easterly boundary line of Lot 24, Block 13, New City Block 19217, created by said Hidden Mesa Subdivision, P.U.D. plat, and bearing S 00° 00° 46" E a distance of 339.19 feet from a 1/2-Inch Iron Rod Found marking the Northeasterly corner of Lot 27, Block 13, New City Block 19217, created by said Hidden Mesa Subdivision, P.U.D. plat,

THENCE departing the Easterly boundary line of said Lot 23, across said Lot 5, the following calls:

N 89° 59/ 14" E a distance of 150.00 feet to 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set at a Point of curve to the right;

Along said curve to the right having the following Parameters: Radius = 162.50 feet, Arc Length = 246.78 feet, Delta = 87° 00' 37", Chord Bearing = S 70° 43' 33" E and a Chord Distance = 223.74 feet to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set at a Point of curve to the left;

Along said curve to the left having the following Parameters: Radius = 87.50 feet, Arc Length = 25.16 feet, Delta = 16° 28' 30", Chord Bearing = S 35° 27' 30" E and a Chord Distance = 25.07 feet to a 1/2-Inch Iron Rod with cap stamped "MBC Engineers" Set on the Northerty boundary line of said Lot 4 and the Southerty boundary line of said Lot 5, bearing S 88° 39' 06" E a distance of 178.07 feet, from a 1/2-Inch Iron Rod Found marking the Northwesterly comer of said Lot 4;

THENCE S 88" 39' 06" E a distance of 70.10 feet, along the common boundary line of said Lot 4 and said Lot 5, to a 1/2-Inch Iron Rod Found on the Westerly right of way line of Golf Canyon Road, a variable width public right of way, marking the Southwesterly comer of said Lot 5, and the Northwesterly comer of said Lot 4, and being at a point of curve to the right,

THENCE along the Westerty right of way line of said Golf Canyon Road, the following calls:

Along said curve to the right having the following Parameters: Radius = 2951.98 feet, Arc Length = 157.92 feet, Delta = 03° 03' 55", Chord Bearing = S 02° 57' 43" W and a Chord Distance = 157.90 feet to a 1/2-lnch iron Rod Found at a point of curve to the left;

Along said curve to the left having the following Parameters: Radius = 1816.41 feet, Arc Length = 100.30 feet, Delta = 03" 09' 50", Chord Bearing = S 02" 53' 52" W and a Chord Distance = 100.29 feet to a 1/2-Inch Iron Rod Found;

S 08° 25' 45" W a distance of 81.32 feet to a 1/2-Inch Iron Rod Found;

S 01" 02" 30" E a distance of 19.25 feet to a 1/2-Inch Iron Rod with cap stamped "M.W. Cude" Found at a Point of curve to the left;

Along said curve to the left having the following Parameters: Radius = 1841.38 feet, Arc Length = 200.51 feet, Delta = 06° 14' 21*, Chord Bearing = S 04° 58' 40* E and a Chord Distance = 200.42 feet to a 1/2-inch from Rod Found at a point of curve to the right;

THENCE along said curve to the right having the following Parameters: Radius = 28.00 feet, Arc Length = 44.29 feet, Delta = 90° 37' 33", Chord Bearing = S 37° 23' 48" W and a Chord Distance = 39.81 feet to a Mag Nail with washer marked "PD". Found on the Northerly right of way line of said Stone Oak Pkwy and being a point of curve to the right,

THENCE along the Northerty right of way line of said Stone Oak Pkwy, and along said curve to the right having the following Parameters: Radius = 2445.00 feet, Arc Length = 262.39 feet, Delta = 06° 08' 56°, Chord Bearing = S 85° 53' 21". W and a Chord Distance = 262.26 feet to a 1/2-inch Iron Rod with cap stamped "MBC Engineers" Set,

THENCE continuing along said curve to the left having the following Parameters: Radius = 2555.00 feet, Arc Length = 334.68 feet, Delta = 07° 30' 19°, Chord Bearing = S 85° 12' 16° W and a Chord Distance = 334.44 feet to the POINT OF BEGINNING and containing 9.644 Acres more or less as surveyed by Macina, Bose, Copeland and Associates.

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EXHIBIT B

PERMITTED EXCEPTIONS

1. The following restrictive covenants of record itemized below:

Volume 8554, Page 211, Volume 11591, Page 374, Volume 11789, Page 769, Volume 11831, Page 2355, Volume 12121, Page 1707, Volume 12251, Page 1414, Volume 12307, Page 1993, Volume 13310, Page 1084, Volume 13310, Page 1092, Volume 13602, Page 1099, Volume 13834, Page 1277, Volume 13921, Page 1574, Volume 14533, Page 1058, Volume 14729, Page 1630, Volume 15220, Page 854, Volume 15336, Page 2333, Volume 15428, Page 2241, Volume 15720, Page 538, Volume 16351, Page 275, Volume 16388, Page 1094, Volume 16466, Page 1275, Volume 16874, Page 2431, Volume 17025, Page 2302, Volume 17194, Page 1308, Volume 17645, Page 1367, Volume 17693, Page 1723, Volume 18131, Page 199, Volume 18070, Page 2491, Volume 18316, Page 750, Real Property Records, Bexar County, Texas.

Document Number 20210024475, Document Number 20210055079, Document Number 20210245362, Document Number 20190050931, Document Number 20220017150, Document Number 20220144564, Document Number 20220270087, Document Number 20220281960, Document Number 20230027183, Official Public Records, Bexar County, Texas. (Stone Oak)

Volume 18432, Page 1268, Real Property Records, Bexar County, Texas.

2. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat:

Purpose:	10' Drainage Easement
^	20' Sanitary Sewer, Water, and Electric, Gas, Telephone and Cable
	TV Easement
	20' Drainage Sanitary Sewer, Water and Electric, Gas, Telephone
	and Cable TV Easement
	1' Non Access Easement
	5' Water Easement
Affects:	As depicted thereon.
Recording No:	Volume 9574, Page 61, Deed and Plat Records, Bexar County,
-	Texas.

- 3. 25' Building Setback Line as depicted on plat recorded in Volume 9574, Page 61, Deed and Plat Records, Bexar County, Texas.
- 4. Easement(s) for the purpose(s) shown below and rights incidental thereto as delineated or as offered for dedication, on the map of said tract/plat:

Purpose: Variable Width Drainage Easement

	20' Water and Electric, Gas, Telephone and Cable TV Easement
	16' Sanitary Sewer Easement
	16' Sewer Easement
Affects:	As depicted thereon.
Recording No:	Volume 9574, Page 35, Deed and Plat Records, Bexar County,
U	Texas.

5. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	City of San Antonio
Purpose:	Electric Easement
Recording Date:	January 29, 1988
Recording No:	Volume 4227, Page 64, Real Property Records, Bexar County, Texas
Affects:	As described therein.

Depicted as 28' Electric w/Anchor Easement on plat recorded in Volume 9574, Page 35, Deed and Plat Records, Bexar County, Texas.

6. Easement(s) for the purpose(s) shown below and rights incidental thereto, as granted in a document:

Granted to:	Oak Stone (San Antonio) PIP III, L.P., Limited Liability Limited
	Partnership
Purpose:	Electric Easement
Recording Date:	February 4, 2000
Recording No:	Volume 8299, Page 1549, Real Property Records, Bexar County,
	Texas.
Affects:	As described therein.

Depicted as 28' Electric Easement on plat recorded in Volume 9574, Page 35, Deed and Plat Records, Bexar County, Texas.

- 7. Declaration Regarding Median Cuts for the purposes described in instrument filed November 19, 2008 and recorded in Volume 13761, Page 823, Real Property Records, Bexar County, Texas.
- 8. Site Approval and Development Agreement for the purposes described therein, filed March 31, 2017, and recorded in Volume 18432, Page 1268, Real Property Records, Bexar County, Texas. Partial Assignment and Assumption Agreement by and between RKS Texas Investments, LP, a Texas limited partnership, as Assignor, and Nooner Holdings, Ltd., a Texas limited partnership, as Assignee, filed October 7, 2019 and recorded in Document Number 20190153613, Official Public Records, Bexar County, Texas.

- 9. Assignment of Impervious Cover Credits by and between FC Properties One, Ltd., a Texas limited partnership, as Assignor, and Nooner Holdings, Ltd., a Texas limited partnership, as Assignee, filed August 7, 2019 and recorded in Document Number 20190153614, Official Public Records, Bexar County, Texas.
- 10. Edwards Aquifer Protection Plan filed September 23, 2020 and recorded in Document Number 20200223841, Official Public Records, Bexar County, Texas.
- 11. Utility Service Agreement by and between the San Antonio Water System Board of Trustees and Nooner Holdings for the purposed provided in instrument filed October 29, 2022 and recorded in Document Number 20220256943, Official Public Records, Bexar County, Texas.
- 12. Assessments, charges and liens as set forth in the document

Entitled:	Second Amended and Restated Master Plan of Stone Oak
Recording Date:	August 19, 2005
Recording No:	Volume 11591, Page 374, Real Property Records, Bexar County,
	Texas.

File Information

eFILED IN THE OFFICIAL PUBLIC eRECORDS OF BEXAR COUNTY LUCY ADAME-CLARK, BEXAR COUNTY CLERK

Document Number:	20230221386

Recorded Date: December 06, 2023

Recorded Time: 9:33 AM

Total Pages: 10

Total Fees: \$58.00

** THIS PAGE IS PART OF THE DOCUMENT **

** Do Not Remove **

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 eFILED in File Number Sequence on this date and at the time stamped hereon by me and was duly eRECORDED in the Official Public Record of Bexar County, Texas on: 12/6/2023 9:33 AM



Lucy Adame-Clark

Lucy Adame-Clark Bexar County Clerk