

Texas Commission on Environmental Quality

Edwards Aquifer Application Cover Page

Our Review of Your Application

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

Administrative Review

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

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

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

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

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

Technical Review

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

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

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

Mid-Review Modifications

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

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

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

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

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

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

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

1. Regulated Entity Name: Lot 14 Retail					2. Regulated Entity No.: TBD				
3. Customer Name: George J. Kennedy					4. Customer No.: 605254630				
5. Project Type: (Please circle/check one)	New	Modification			Extension	Exception			
6. Plan Type: (Please circle/check one)	WPAP	CZP	SCS	UST	AST	EXP	EXT	Technical Clarification	Optional Enhanced Measures
7. Land Use: (Please circle/check one)	Residential	Non-residential				8. Site (acres):		1.035	
9. Application Fee:	\$4,000		10. Permanent BMP(s):			Aqualogic Basin, Vegetative Filter Strip			
11. SCS (Linear Ft.):	N/A		12. AST/UST (No. Tanks):			N/A			
13. County:	Bexar		14. Watershed:			Mud Creek - Headwaters Salado Creek			

Application Distribution

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

http://www.tceq.texas.gov/assets/public/compliance/field_ops/eapp/EAPP%20GWCD%20map.pdf

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

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

San Antonio Region					
County:	Bexar	Comal	Kinney	Medina	Uvalde
Original (1 req.)	—	—	—	—	—
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

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.

Reese Conner, P.E.

Print Name of Customer/Authorized Agent

Reese H. Conner

09/25/2025

Signature of Customer/Authorized Agent

Date

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

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

General Information Form

Texas Commission on Environmental Quality

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

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

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

Signature

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

Print Name of Customer/Agent: Reese Conner, P.E.

Date: 09/25/2025

Signature of Customer/Agent:



Project Information

1. Regulated Entity Name: Lot 14 Retail
2. County: Bexar
3. Stream Basin: Mud Creek - Headwaters Salado Creek
4. Groundwater Conservation District (If applicable): n/a (Edwards Aquifer Authority)
5. Edwards Aquifer Zone:
☒ Recharge Zone
☐ Transition Zone
6. Plan Type:

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

7. Customer (Applicant):

Contact Person: George J. Kennedy
Entity: Star 7 Properties, LLC
Mailing Address: 27027 Bulverde Rd.
City, State: San Antonio, TX
Telephone: 210-394-1661
Email Address: zekekennedy@aol.com

Zip: 78260
FAX: _____

8. Agent/Representative (If any):

Contact Person: Reese Conner, PE
Entity: RK Engineering LLC
Mailing Address: PO Box 306
City, State: Comfort, TX
Telephone: 210.601.2132
Email Address: rconner@rkegr.com

Zip: 78013
FAX: _____

9. Project Location:

- ☒ The project site is located inside the city limits of City of San Antonio.
☐ 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.

Northeast corner of Summit Church Road and U.S. Hwy. 281, San Antonio, TX

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

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

- ☒ Project site boundaries.
☒ USGS Quadrangle Name(s).
☒ Boundaries of the Recharge Zone (and Transition Zone, if applicable).
☒ Drainage path from the project site to the boundary of the Recharge Zone.

13. ☒ **The TCEQ must be able to inspect the project site or the application will be returned.** Sufficient survey staking is provided on the project to allow TCEQ regional staff to locate the boundaries and alignment of the regulated activities and the geologic or manmade features noted in the Geologic Assessment.

☒ Survey staking will be completed by this date: 2025

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

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

15. Existing project site conditions are noted below:

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

Prohibited Activities

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

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

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

- (1) Waste disposal wells regulated under 30 TAC Chapter 331 (relating to Underground Injection Control);
- (2) Land disposal of Class I wastes, as defined in 30 TAC §335.1; and

- (3) New municipal solid waste landfill facilities required to meet and comply with Type I standards which are defined in §330.41 (b), (c), and (d) of this title.

Administrative Information

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

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



LOCATION MAP

SCALE: 1" = 2000'



AXIS
CIVIL CAD SERVICES

SHEET NO.

EX1

LOCATION EXHIBIT

LOT 14 RETAIL

23754 U.S. HIGHWAY 281 NORTH
SAN ANTONIO, TEXAS 78258

REVISIONS:

DATE

R|K ENGINEERING LLC

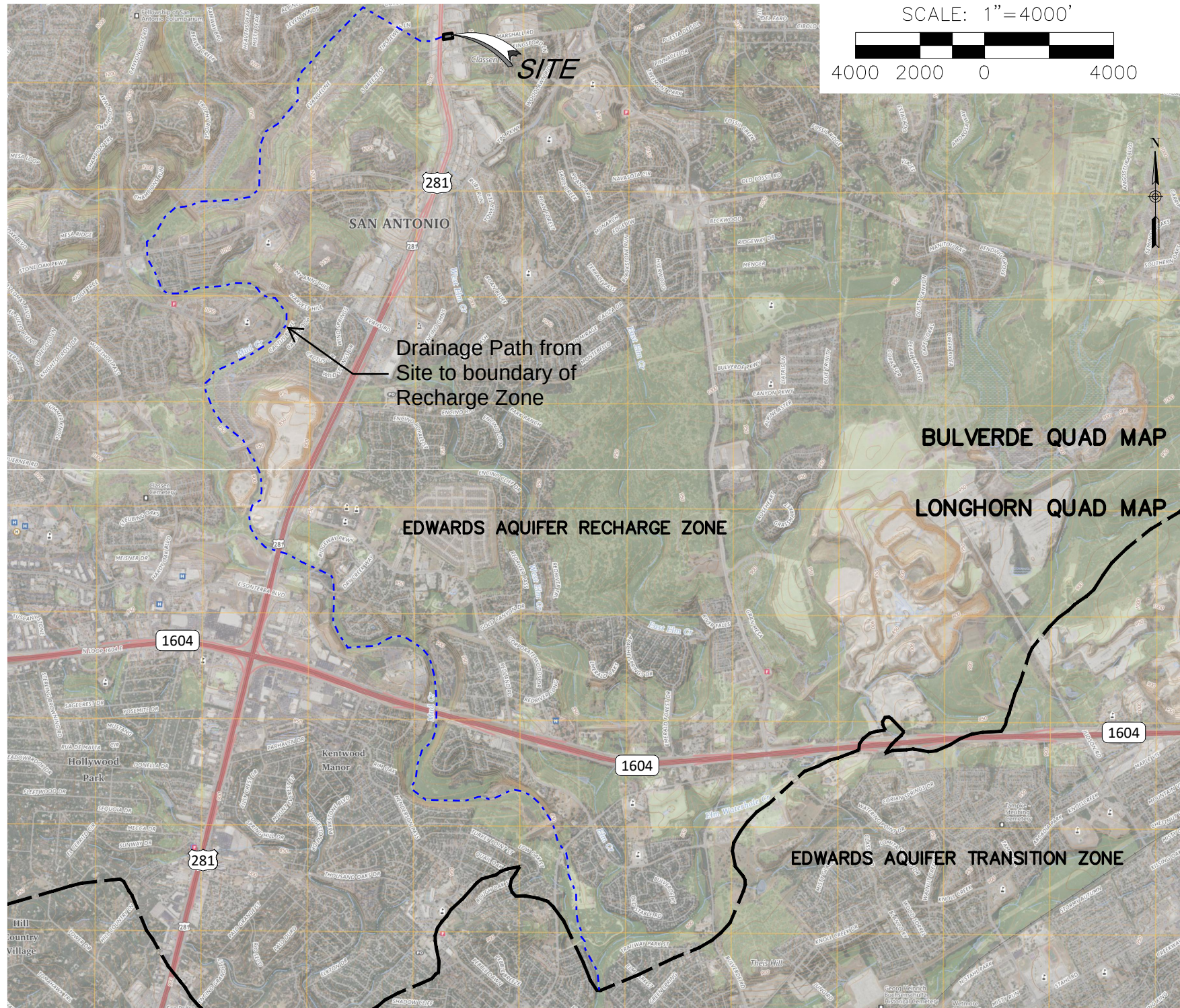
Firm No. 23430

(210) 601-2132

(210) 289-5574

P.O. BOX 306

COMFORT, TX 78013



R/K ENGINEERING LLC

Firm No. 23430

P.O. BOX 306

(210) 801-2132

COMFORT, TX 78013

REVISIONS

LOT 14 RETAIL

23754 U.S. HIGHWAY 281 NORTH

SAN ANTONIO, TEXAS 78258

ATTACHMENT B - USGS EXHIBIT

SHEET NO.

USGS

Attachment C – Project Description

Project Description – This project includes development of a 10,500 square foot retail building, parking lot, and associated utilities on Lot 14 the 1.035 acre site within the Marshall 281 Amending Subdivision. The utilities serving the project will be a single sanitary sewer lateral connecting to an existing SAWS sanitary sewer manhole, a 12" water main along the 281 frontage of the site and water service lines.

Location – The Lot 14 retail is located in North Bexar County at the Northeast corner of U.S. 281 North and Summit Church Road (formerly Marshall Road). Lot 14 retail is within the Edwards Aquifer Recharge Zone and within the City Limits of San Antonio, Texas. Access to the site will be from the existing driveway on U.S. 281 North.

History & Previous Development – The Marshall 281 Amending Subdivision (2.69 Ac) is a portion of the previously platted Marshall Place Subdivision (6.974 acres). Development of Marshall Place Subdivision began in 1999 and a WPAP was approved on March 22, 1999 for the entire 6.974 acre tract. The approved WPAP was modified as the developer sold or leased portions of the project. Approved projects within the original 6.974 acre tract include Noahs Ark (1.445 ac. – EAPP#1983.00), Willtex Convenience Store (1.436 ac. – EAPP# 1197.05), Braken Collision now Calliber Collision (1.401ac. – EAPP #1197.06), Oldcastle Custom Stone (2.469 Ac – EAPP # 1197.07), Braken Collision parking addition (0.224 ac. - #1197.08).

The most recent WPAP modification for which this submittal is to modify is the Marshall 281 Subdivision WPAP (2.69 ac.) approved on January 30, 2017. This last approved modification was for Lot 14 which was a proposed fast-food restaurant with .58 acres of impervious cover and Lot 15 an auto body repair shop with 1.32 Acres of impervious cover. The Lot 15 was developed as per the approved WPAP. However, Lot 14 was completed with respect to the permanent BMP's only. The fast food restaurant and associated impervious cover was never built.

Offsite Areas – The project site is bound by U.S. Highway 281 and to the south by Summit Church Rd., both having public right of way. All adjacent properties are fully developed commercial sites.

Impervious Cover – Lot 14 has an existing impervious cover of 0.159 acre. Lot 14's proposed total impervious cover will be 0.773 acres (74.7%).

Areas to be Demolished – Existing Concrete Curb and Pavement must be removed in order to make a contiguous drive aisle for the retail and surrounding businesses. Three Retaining walls and a fence will also be removed. An existing inlet and the sewer service & cleanout will be demoed before building new ones to better accommodate the site. A total of 0.034 acre will be demoed.

WPAP Modification – This modification is limited to the Lot 14 Retail site and its drainage area. The modifications are as follows:

1. Lot 14 platted area modified from 0.942 Ac to 1.035 Ac. The Marshall 281 Amending Subdivision plat relocated the interior lot line between Lot 14 & Lot 15 changing Lot 14 legal area from 0.942 acre to 1.035 acres.
2. Impervious cover area modified from 0.58 Ac to 0.773 Ac. The previously approved modification was for 0.58 acres of impervious cover on Lot 14. This modification will increase impervious cover to 0.773 acres.
3. BMP's modified from existing Aqualogic Basin to both Engineered Filter Strip and existing Aqualogic Basin. The previously approved existing Aualogic Basin A will remain unchanged in service to Lot 14 and a Engineered Filter Strip is being added to treat a portion of the Lot 14 impervious cover.

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: Timothy J. Dudit

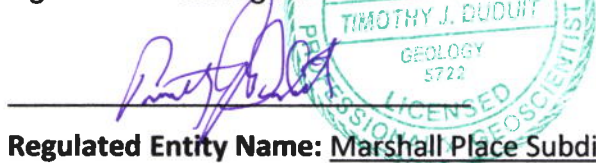
Telephone: 2108876676

Date: 05/25/16

Fax: 2109089881

Representing: Timothy Jay Dudit (Name of Company and TBPG or TBPE registration number)

Signature of Geologist: *



Regulated Entity Name: Marshall Place Subdivision

Project Information

1. Date(s) Geologic Assessment was performed: May 4, 2016

2. Type of Project:

☒ WPAP

☐ AST

☐ SCS

☐ UST

3. Location of Project:

☒ Recharge Zone

☐ Transition Zone

☐ Contributing Zone within the Transition Zone

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

Table 1 - Soil Units, Infiltration Characteristics and Thickness

Soil Name	Group*	Thickness(feet)
TaB Eckrant cobbly clay, 5 to 15 percent slopes	D	
Eckrant-Rock outcrop, 15 to 60 percent slopes	D	

Soil Name	Group*	Thickness(feet)

** Soil Group Definitions (Abbreviated)*

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

6. ☒ **Attachment B – Stratigraphic Column.** A stratigraphic column showing formations, members, and thicknesses is attached. The outcropping unit, if present, should be at the top of the stratigraphic column. Otherwise, the uppermost unit should be at the top of the stratigraphic column.
7. ☒ **Attachment C – Site Geology.** A narrative description of the site specific geology including any features identified in the Geologic Assessment Table, a discussion of the potential for fluid movement to the Edwards Aquifer, stratigraphy, structure(s), and karst characteristics is attached.
8. ☒ **Attachment D – Site Geologic Map(s).** The Site Geologic Map must be the same scale as the applicant's Site Plan. The minimum scale is 1" = 400'
 Applicant's Site Plan Scale: 1" = 30'
 Site Geologic Map Scale: 1" = 30'
 Site Soils Map Scale (if more than 1 soil type): 1" = 143'
9. Method of collecting positional data:
 - ☒ Global Positioning System (GPS) technology.
 - ☐ Other method(s). Please describe method of data collection: _____

10. ☒ The project site and boundaries are clearly shown and labeled on the Site Geologic Map.
11. ☒ Surface geologic units are shown and labeled on the Site Geologic Map.
12. ☒ Geologic or manmade features were discovered on the project site during the field investigation. They are shown and labeled on the Site Geologic Map and are described in the attached Geologic Assessment Table.
- ☐ Geologic or manmade features were not discovered on the project site during the field investigation.
13. ☒ The Recharge Zone boundary is shown and labeled, if appropriate.
14. All known wells (test holes, water, oil, unplugged, capped and/or abandoned, etc.): If applicable, the information must agree with Item No. 20 of the WPAP Application Section.
- ☒ There are 7 (#) wells present on the project site and the locations are shown and labeled. (Check all of the following that apply.)
- ☒ The wells are not in use and have been properly abandoned.
- ☐ The wells are not in use and will be properly abandoned.
- ☐ The wells are in use and comply with 16 TAC Chapter 76.
- ☐ There are no wells or test holes of any kind known to exist on the project site.

Administrative Information

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

GEOLOGIC ASSESSMENT TABLE						PROJECT NAME: MARSHALL PLACE SUBDIVISION															
LOCATION			FEATURE CHARACTERISTICS																		
1A	1B*	1C*	2A	2B	3	4			5	5A	6	7	8A	8B	9		10	11		12	
FEATURE ID	LATITUDE	LONGITUDE	FEATURE TYPE	POINTS	FORMATION	DIMENSIONS (FEET)			TREND (DEGREES)	DENSITY (NO/FT)	APERTURE (FEET)	INFILL	RELATIVE INFILTRATION RATE	TOTAL	SENSITIVITY	CATCHMENT AREA (ACRES)	TOPOGRAPHY				
						X	Y	Z													
S-1	29.6616	-98.4484	CD	5	Kep	60	3	1				F	5	5	10	X					
S-2	29.6621	-98.4484	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				
S-3	29.6621	-98.4489	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				
S-4	29.6618	-98.4489	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				
S-5	29.6618	-98.4489	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				
S-6	29.6617	-98.4487	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				
S-7	29.6615	-98.4487	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				
S-8	29.6613	-98.4486	MB	30	Kep	0.8	0.8	10				X	5	30	35		X				

* DATUM: NAD83

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

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

12 TOPOGRAPHY

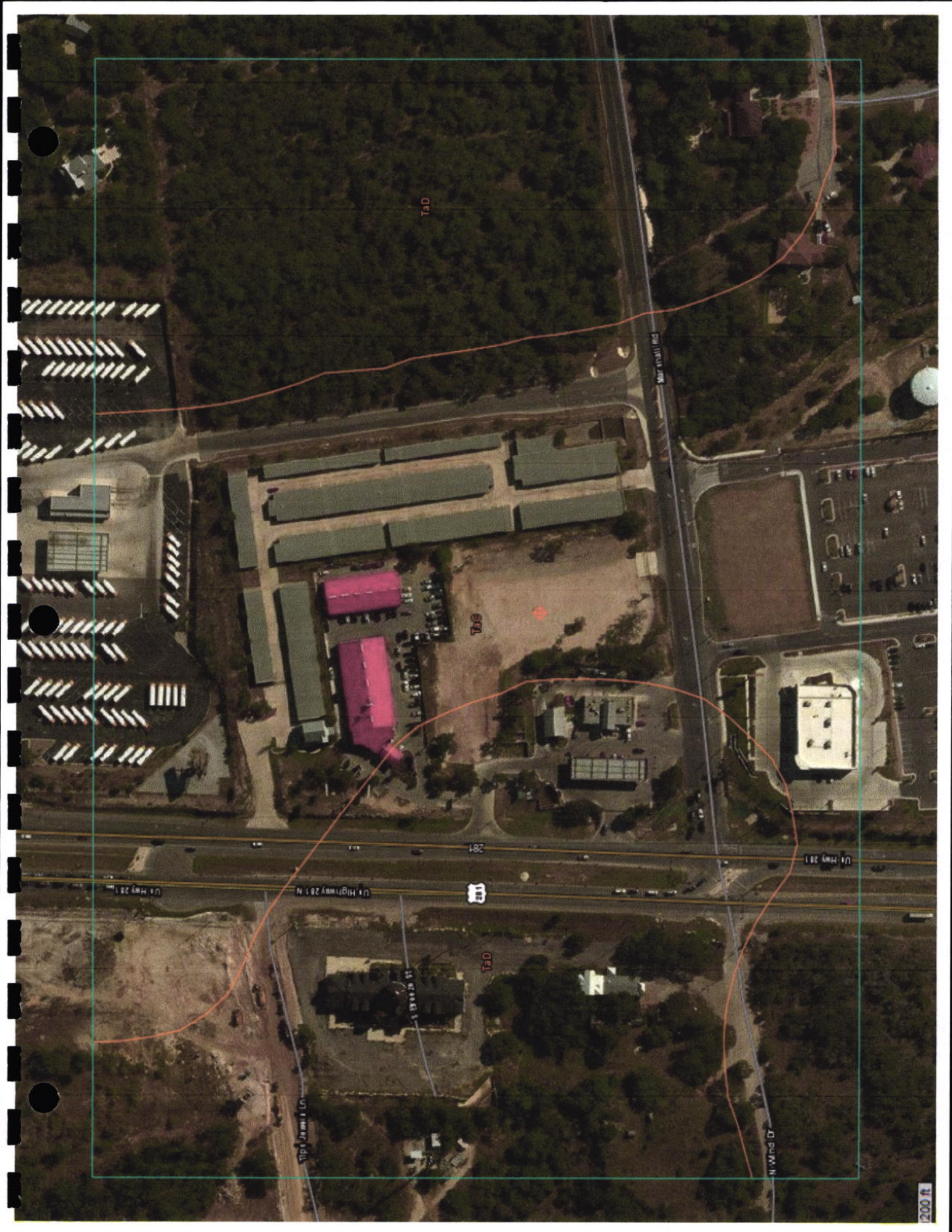
Cliff, Hilltop, Hillside, Drainage, Floodplain, Streambed

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

Date: MAY 4, 2016

Sheet 1 of 1





T-3D

T-6

281

LA Hwy 281

LA Hwy 281

LA Highway 281 N



LA Hwy 281

Tipi-James Ln

N Wind Dr

200 ft

SITE SPECIFIC STRATIGRAPHIC COLUMN

System	Group	Formation	Function	Member or Informal Unit	Function	Thickness Feet	Lithology	Hydrostratigraphy
Cretaceous	Edwards	Kainer (Edwards Aquifer)	AQ	Grainstone	AQ	50 - 60	Limestone, hard, millolid grainstone with associated beds of marly mudstones and wackestones.	Shallow water, lagoonal sediment deposited in a moderately high energy environment. A cavernous honeycombed layer commonly occurs near the middle of the subdivision. Interparticle porosity is locally significant.
				Dolomitic (includes Kirschberg evaporite)	AQ	150 - 200	Limestone, calcified dolomite, and dolomite. Leached, evaporitic rocks with breccias toward top. Dolomite occurs principally in the saline zone of the aquifer.	Supratidal deposits towards top. Mostly tidal to subtidal deposits below. Very porous and permeable zones formed by boxwork porosity in breccias or by burrowed zones.
				Basal Nodular Bed	CB	40 - 70	Limestone, hard, dense clayey; nodular, mottled, stylolitic.	Subtidal deposits. Negligible porosity and permeability.
	Trinity	Glen Rose	CB	Upper part of Glen Rose	CB	300 - 400	Limestone, dolomite, shale and marl. Alternating beds of carbonates and marls. Evaporites and dolomites toward top; variable bedding.	Supratidal and shoreline deposits towards top. Tidal to subtidal deposits below. Unit has little vertical permeability but has moderate lateral permeability.
				Lower part of Glen Rose	AQ	200 - 250	Massive limestone with few thin beds of marl.	Marine deposits - caprinid reef zones and porous and permeable honeycomb porosity near the base.

AQ - Aquifer

CB - Confining Bed

(Modified from U.S. Geological Survey Open-File Report 83-537, R. W. Maclay and T. A. Small, 1984)

Site Specific Geology and Soil Characteristics

Marshall 281 Subdivision, San Antonio, Texas

Area Geologic Setting

The site is located in the Balcones fault zone, which separates the Edwards Plateau from the Gulf Coastal Plain physiographic province. The Balcones fault zone is a series of steep angle, normal faults that generally strike northeast-southwest. Active movement in the Balcones fault zone ceased during the Miocene Epoch. The intense, close spaced faulting along the Balcones fault zone combined with the various rock types of the upper Cretaceous section exposed in central Texas makes rapid changes in rock and soil type the norm rather than the exception.

The depositional environment and lithology of the Edwards Group limestones changes from Kinney County in southwest Texas to Hays County east of San Antonio. The site is located in the San Marcos Arch depositional province.

The entire Edwards Formation is approximately 350 feet thick in the area. The rocks that comprise the Edwards Group include hard, dense calcium carbonate limestone and some magnesium carbonate limestone called dolomite. These limestones are made up of the shells of invertebrate animals that inhabited the shallow seas of the lower Cretaceous period. These shells range from large, reef forming clams to microscopic foraminifers that secrete shells of the mineral calcite or aragonite, which is composed of calcium carbonate. Aragonite shells are more soluble in water, especially the slightly acid, normal rainwater that contains a weak carbonic acid. The wide ranges of specific minerals making up the shells that compose the limestone are soluble in water in differing amounts. The preferential dissolution of fossil shells gives rise to many of the geologic features observed in rocks of the Edwards Group limestone.

The intense faulting and fracturing of the limestone rocks in the Balcones fault zone and the varying ability of minerals to be dissolved by groundwater lead to the formation of the geologic features that are mapped within the Edwards Aquifer Recharge Zone. The combination of faulting, fracturing, rock dissolution, mineral deposition, erosion, and geologic time produce the caves, closed depressions, fractured rock outcrops, fault zones, solution cavities, and vugular rock features which are mapped during a Geologic Assessment. The characteristics and physical settings of these geologic features are described to assign a relative infiltration rate and potential recharge ranking to assist in managing the resource of the Edwards Aquifer.

Site Geology

The project site is located in the outcrop of the Cretaceous-age Edwards Group, according to the Geologic Atlas of Texas, San Antonio Sheet by Virgil E. Barnes, Bureau of Economic Geology, Austin, Texas 1974. The map shows no faults in the area of the project site. A few small outcrops showed the project site to be underlain by the Cretaceous-age Kainer Formation. The project site is located in the outcrop of the Kainer Formation, according to Structure Map of the San Antonio Segment of the Edwards Aquifer and Balcones Fault Zone, South-Central Texas: Structural Framework, of a Major Limestone Aquifer: Kinney, Uvalde, Medina, Comal and Hays Counties by Susan D. Hovorka and Edward W. Collins, Bureau of Economic Geology Miscellaneous Map No. 38, 1997.

Geologic mapping of the project site confirmed the basic stratigraphy and aerial photographs and geologic mapping confirmed that no faults occurred on the project site. The Kainer Formation is exposed in several small outcrops on the project site.

The project site slopes gently to the west. The project site is covered by crushed limestone gravel fill material with a few oak trees.

The soils at the site include the *Eckrant cobbly clay, 5-15% slopes and Eckrant-Rock outcrop, 15-60% slopes*, according to the USDA Web soil survey. These soils were not observed on the project site.

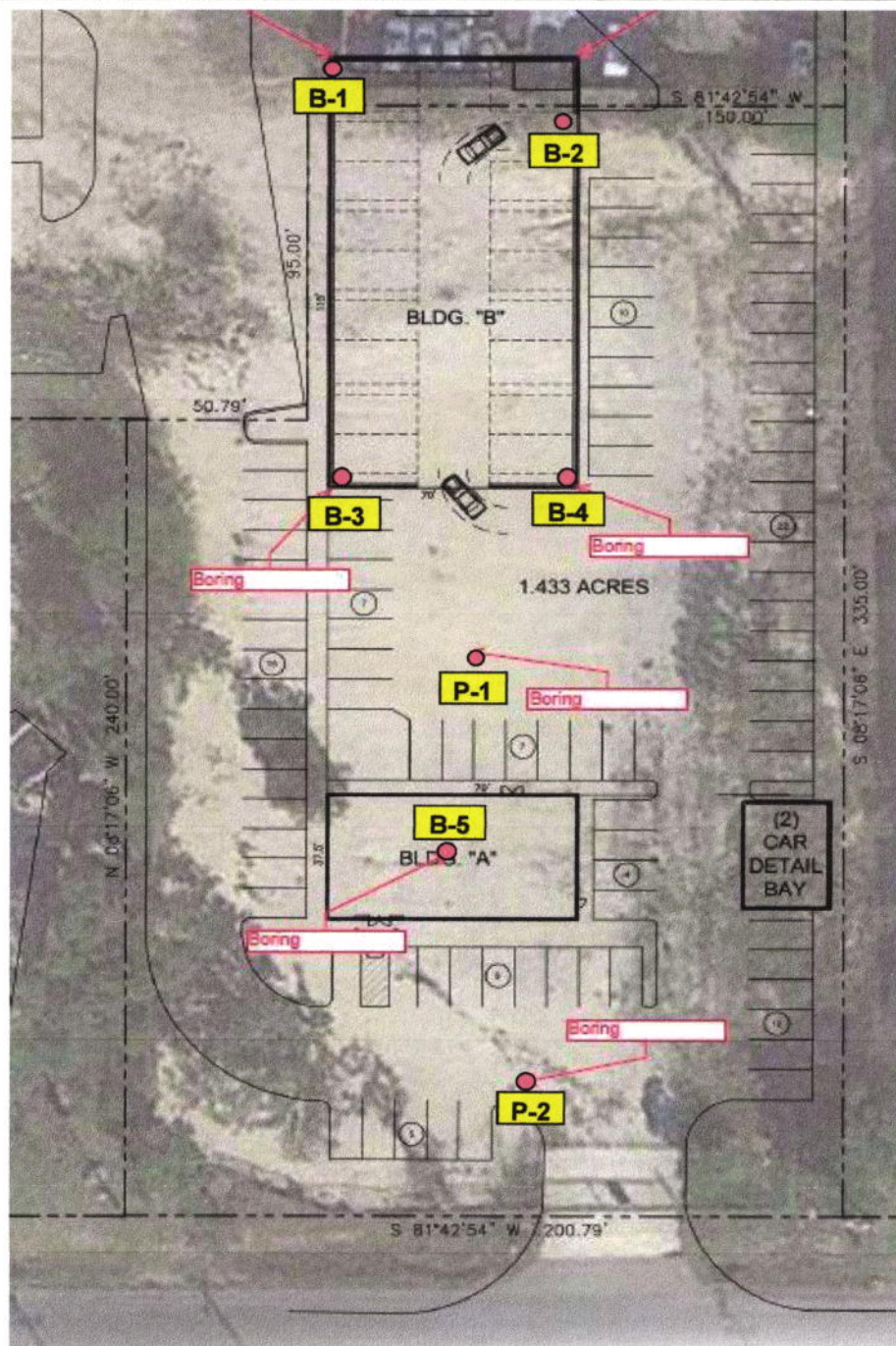
A geotechnical boring study was performed on the project site. The geotechnical borings are all 10 feet deep. They were observed to be properly plugged with bentonite clay during the site reconnaissance. The boring logs are attached to this section of the report and are represented by Geologic Features S-2 through S-8. The boring logs appear to show fill material on the site on the surface ranging from 1.5 to 3 feet thick.

Site Structural Geology

The project site appears to be unaffected by faulting, as no evidence of offset was noted over the site during the field mapping or aerial photograph review.

Geologic Features

There is one feature on the project site (S-1) which is a non-karstic closed depression. This closed depression appeared to be the result of grading the limestone gravel fill that is spread over the site. In addition, there are seven geotechnical borings (Geologic Features S-2 through S-8) on the project site. All of these borings were observed to be plugged with bentonite clay. In general, there appears to be no potential for fluid movement from the surface of the project site to the Edwards Aquifer due to the lack of karstic features, the features that are present having no connection with the subsurface, and the presence of thick, consistent surficial fill material at the project site.



P-x - pavement boring

B-x - building boring

BORING LOCATION PLAN

(Boring Locations are Approximate)

Project Name and Location

Proposed Caliber Collision
Highway 281 North and Marshall Road
San Antonio, Texas

Date

May 17, 2016

Project

0312-1326

Professional Service Industries, Inc.

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING B-1

LOCATION: See Boring Location Plan

DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF) 2.0 4.0 6.0			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
														PL 20	WC 40	LL 60		
				Elevation:														
				Potential Fill Material:														
				Clayey SAND (SC), with Gravel, dark gray-brown, STIFF to VERY HARD with depth	6			7			25	17	8					
				LIMESTONE, tan, HARD				50/10"										
					4			20/0"										
5					3			20/0"										
					2			20/0"										
					3			20/0"										
10																		
				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet

DATE: 4/28/16-4/28/16

PSI Information
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DEPTH TO GROUND WATER

SEEPAGE (ft.): NONE ENCOUNTERED

END OF DRILLING (ft.): NONE ENCOUNTERED

DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326.GPJ RBENNETT GW.GDT 5/11/16

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING B-2

LOCATION: See Boring Location Plan

DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF) 2.0 4.0 6.0			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
														PL 20	WC 40	LL 60		
				Elevation:														
				Clayey SAND (SC), with Gravel, light brown, DENSE	6	35	34	49										
				LIMESTONE, light tan, HARD	16			11 50/1"			52	17	35					
5					5			20/0"										
					4			20/0"										
10					4			20/0"										
				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet

DATE: 4/28/16-4/28/16

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DEPTH TO GROUND WATER

SEEPAGE (ft.): NONE ENCOUNTERED

END OF DRILLING (ft.): NONE ENCOUNTERED

DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326.GPJ RBENNETT GW.GDT 5/11/16

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING B-3

LOCATION: See Boring Location Plan

DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF) 2.0 4.0 6.0			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
														PL 20	WC 40	LL 60		
				Elevation:														
				Potential Fill Material:														
				Clayey SAND (SC), with Gravel, dark gray-brown and light brown, VERY STIFF to HARD with depth	5			20 50/1"			57	22	35					
				LIMESTONE, light tan, HARD	5			20/0"										
5					3			20/0"										
					4			20/0"										
					3			20/0"										
10				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet

DATE: 4/28/16-4/28/16

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DEPTH TO GROUND WATER

SEEPAGE (ft.): NONE ENCOUNTERED

END OF DRILLING (ft.): NONE ENCOUNTERED

DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326.GPJ RBENNETT GW.GDT 5/11/16

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING B-4

LOCATION: See Boring Location Plan

DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF) 2.0 4.0 6.0 PL WC LL 20 40 60			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
				Elevation:														
				Clayey SAND (SC), with Gravel, dark brown and light brown, LOOSE near ground surface, VERY DENSE with depth	11	19	45	8 50/3"										
				LIMESTONE, light tan, HARD	5			20/0"										
5					3			20/0"										
					3			20/0"										
10					3			20/0"										
				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet

DATE: 4/28/16-4/28/16

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DEPTH TO GROUND WATER

SEEPAGE (ft.): NONE ENCOUNTERED

END OF DRILLING (ft.): NONE ENCOUNTERED

DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326 GPJ RBENNETT GW.GDT 5/11/16

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING B-5

LOCATION: See Boring Location Plan

DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF) 2.0 4.0 6.0			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
														PL 20	WC 40	LL 60		
				Elevation:														
				Potential Fill Material:														
				Clayey GRAVEL (GC), with Sand, dark gray-brown and light brown, MEDIUM DENSE near ground surface, DENSE with depth	6	57	21	27 50/1"										
				LIMESTONE, light tan, HARD	3			20/0"										
5					3			20/0"										
					4			20/0"										
					2			20/0"										
10				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet
DATE: 4/28/16-4/28/16

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DEPTH TO GROUND WATER
SEEPAGE (ft.): NONE ENCOUNTERED
END OF DRILLING (ft.): NONE ENCOUNTERED
DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326.GPJ RBENNETT GW.GDT 5/11/16

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING P-1

LOCATION: See Boring Location Plan

DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF)			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
														2.0	4.0	6.0		
														PL 20	WC 40	LL 60		
				Elevation:														
				Potential Fill Material:	6	38	28	17										
				Clayey SAND (SC), some Gravel, dark gray-brown and light brown, MEDIUM DENSE near ground surface, DENSE with depth				50/4"										
				LIMESTONE, light tan, HARD	3			20/0"										
5					3			20/0"										
					3			20/0"										
					3			20/0"										
10					3			20/0"										
				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet

DATE: 4/28/16-4/28/16

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DEPTH TO GROUND WATER

SEEPAGE (ft.): NONE ENCOUNTERED

END OF DRILLING (ft.): NONE ENCOUNTERED

DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326 GPJ RBENNETT GW.GDT 5/11/16

Proposed Caliber Collision
Highway 281 North and Marshall Road, San Antonio, Texas
Project No. 0312-1326

BORING P-2

LOCATION: See Boring Location Plan

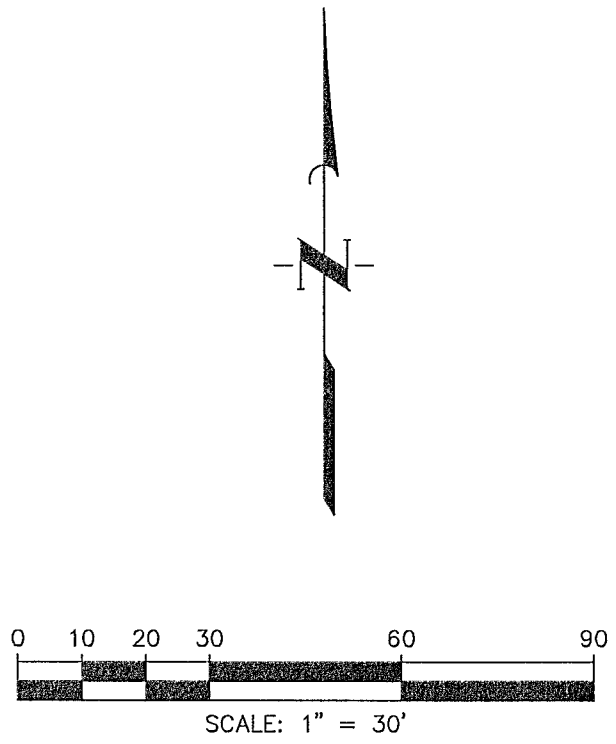
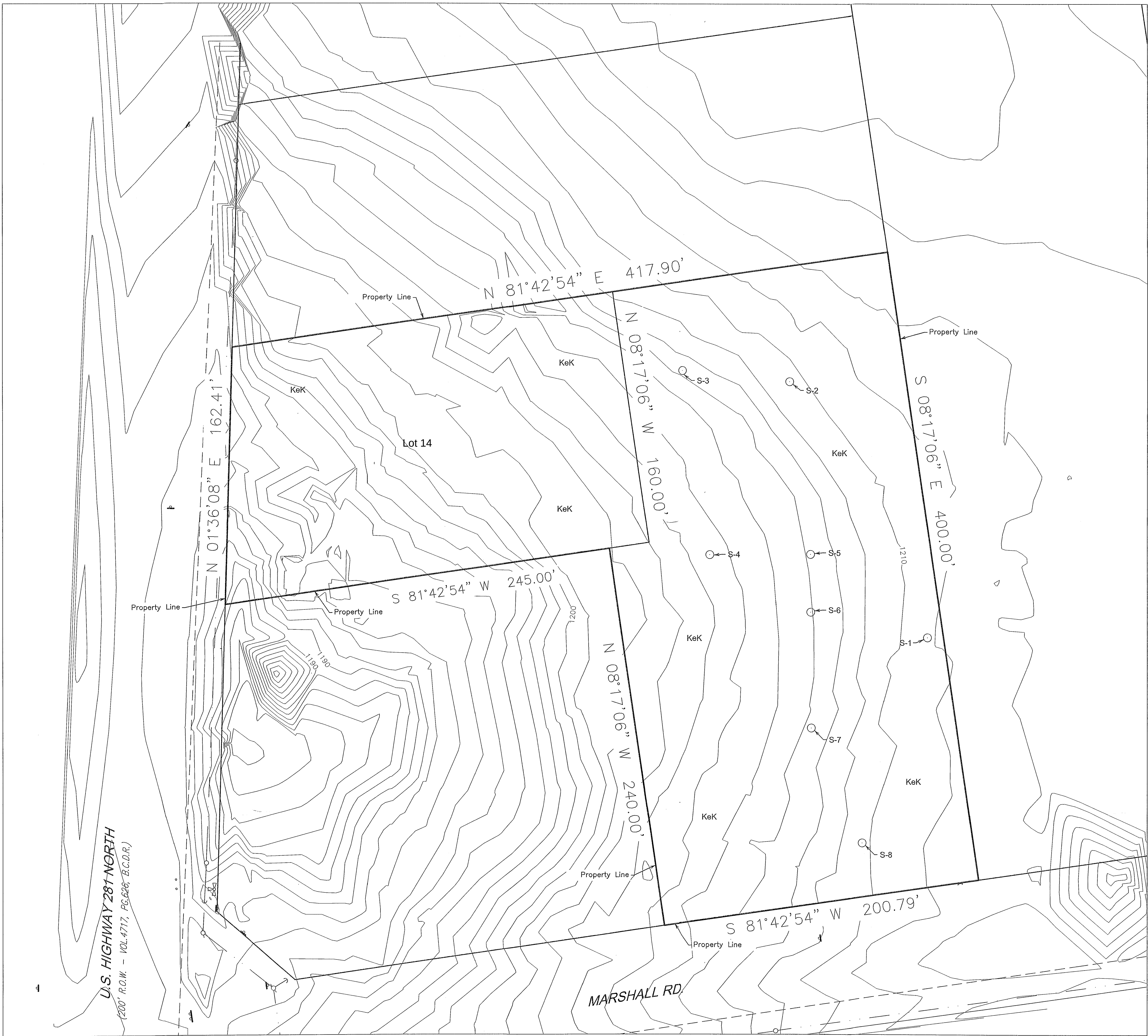
DEPTH, FT.	SYMBOL	SAMPLES	WATER	SOIL DESCRIPTION	MOISTURE CONTENT	% RETAINED #4	% PASSING #200	SPT (N) & TCP (T) VALUES	% REC	% RQD	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	○ HAND PEN (TSF) ● UNC CMP (TSF) 2.0 4.0 6.0 PL WC LL 20 40 60			UNCONF. COMP. (TSF)	UNIT DRY WT. (LB/CU FT)
				Elevation:														
				Potential Fill Material: Clayey SAND (SC), some Gravel, dark brown and light brown, MEDIUM DENSE	18			13										
				LIMESTONE, light tan, HARD	11			20/0"			72	22	50					
5					4			20/0"										
					4			20/0"										
10					4			20/0"										
				Boring terminated at a depth of approximately 10 feet.														
15																		
20																		
25																		
30																		

COMPLETION DEPTH: 10.0 Feet
DATE: 4/28/16-4/28/16

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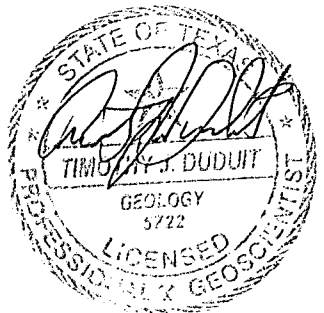
DEPTH TO GROUND WATER
SEEPAGE (ft.): NONE ENCOUNTERED
END OF DRILLING (ft.): NONE ENCOUNTERED
DELAYED WATER LEVEL (FT): N/A

GEO TESTS 0312-1326.GPJ RBENNETT GW.GDT 5/11/16



- LEGEND**
- EXISTING CONTOURS
 - KeK KAINER FORMATION
 - S-1 GEOLOGIC FEATURE

GEOLOGIC ASSESSMENT TABLE	
S-1	"CD" NON-KARST CLOSED DEPRESSION
S-2	"MB" MANMADE FEATURE IN BEDROCK
S-3	"MB" MANMADE FEATURE IN BEDROCK
S-4	"MB" MANMADE FEATURE IN BEDROCK
S-5	"MB" MANMADE FEATURE IN BEDROCK
S-6	"MB" MANMADE FEATURE IN BEDROCK
S-7	"MB" MANMADE FEATURE IN BEDROCK
S-8	"MB" MANMADE FEATURE IN BEDROCK



NO.	DATE	REVISIONS	APP.
STAR 7 PROPERTIES,LLC SAN ANTONIO, TX			
MARSHALL PLACE SUBDIVISION			
WPAP GEOLOGIC MAP			
JONES CARTER Texas Board of Professional Engineers Registration No. F-439 4350 Lockhill Selma Rd., Suite 100 • San Antonio, Texas 78249 • 210.494.5511			
SCALE: 1" = 30'		DGN. BY: CBA	
DATE: MAY 2016		DWN. BY: CBA	
JOB NO. S0128-020-00		DWG. NO. -	
SUBMITTED: RECEIVED		SURV. BY: F.B. NO.	
TCEQ R-13 (E7DP)			
NOV 09 2016			
SAN ANTONIO			
ORIGINAL			
SHEET NO. 1 OF 1			

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: Reese Conner, P.E.

Date: 09/25/2025

Signature of Customer/Agent:



Project Information

1. Current Regulated Entity Name: Lot 14 Retail
Original Regulated Entity Name: Marshall 281 Subdivision
Regulated Entity Number(s) (RN): 102772506
Edwards Aquifer Protection Program ID Number(s): 13-000286
☒ The applicant has not changed and the Customer Number (CN) is: 605254630
☐ The applicant or Regulated Entity has changed. A new Core Data Form has been provided.
2. ☒ **Attachment A: Original Approval Letter and Approved Modification Letters.** A copy of the original approval letter and copies of any modification approval letters are attached.

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

<i>WPAP Modification</i>	<i>Approved Project</i>	<i>Proposed Modification</i>
<i>Summary</i>		
Acres	<u>0.942</u>	<u>1.035</u>
Type of Development	<u>Commercial</u>	<u>Commercial</u>
Number of Residential Lots	<u>2</u>	<u>1</u>
Impervious Cover (acres)	<u>0.58</u>	<u>0.773</u>
Impervious Cover (%)	<u>61.6</u>	<u>74.7</u>
Permanent BMPs	<u>Aqualogic</u>	<u>Aqualogic/ Engineered Filter Strip</u>
Other	_____	_____
<i>SCS Modification</i>	<i>Approved Project</i>	<i>Proposed Modification</i>
<i>Summary</i>		
Linear Feet	_____	_____
Pipe Diameter	_____	_____
Other	_____	_____

**AST Modification
Summary**

Number of ASTs
Volume of ASTs
Other

Approved Project

Proposed Modification

**UST Modification
Summary**

Number of USTs
Volume of USTs
Other

Approved Project

Proposed Modification

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

ATTACHMENT A

Original Approval Letter and Approved Modification
Letters

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



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 30, 2017

Mr. George J. Kennedy
Star 7 Properties, LLC
27027 Bulverde Rd.
San Antonio, Texas 78260

Re: Edwards Aquifer, Bexar County

NAME OF PROJECT: Marshall 281 Subdivision; Located on the northeast corner of the Marshall Road and Highway 281 North intersection; San Antonio, Texas

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

Regulated Entity No. RN102772506; Additional ID No. 13000286

Dear Mr. Kennedy:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the WPAP Modification application for the above-referenced project submitted to the San Antonio Regional Office by Jones & Carter, Inc. on behalf of Star 7 Properties, LLC on November 9, 2016. Final review of the WPAP modification was completed after additional material was received on January 20, 2017, and January 24, 2017. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) were selected and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

Marshall Place Commercial WPAP (EAPP 1197.00) was approved March 22, 1999 for commercial development on 6.97 acres with 5.02 acres (72.02 percent) of impervious cover (IC). The development included commercial buildings consisting of a convenience store, carwash, fast food restaurant, motel, office building, second restaurant, associated underground storage tanks with fueling islands and associated parking. Three sedimentation filtration basins (Basin A, B & C) were proposed to treat the impervious cover.

An extension letter dated March 1, 2002 (EAPP 1196.02 & 1197.02) for Marshall Place Subdivision clarified construction had commenced for the WPAP and UST plan.

Marshall Place Subdivision WPAP Modification (EAPP 1197.03) was approved June 3, 2002 for commercial development on 6.974 acres with 4.88 acres (69.98 percent) of IC. The modification included a decrease in IC, repositioning of buildings, removing one sedimentation filtration basin (Basin C), adding a computer controlled cartridge filtration system (Aqualogic) to Basin A and Basin B, and adding a drainage swale for permanent treatment.

Noah's Ark WPAP (EAPP 1983.00) was approved July 5, 2003 for commercial development. Approximately 1.445 acres of Marshall Place Subdivision was sold to Noah's Ark. Marshall Place Subdivision remained with 5.529 acres with 3.718 acres (67.25 percent) of IC.

Marshall Place Subdivision (Braken Collision Center) WPAP Modification (EAPP 1197.06) was approved December 15, 2005 for a modification within the 5.529 acre site resulting in a total of 4.508 acres (81.53 percent) of IC. The modification included a change in nature or character of the approved development and the construction of two buildings for an automotive paint and body shop. Permanent treatment includes special conditions for hydrocarbons and hazardous substances related to the paint and body shop and redesigning and returning the originally approved Basin C into a computer controlled cartridge filtration system (Aqualogic).

Marshall Place Subdivision (Oldcastle Custom Stone Supply Marshall Yard) WPAP Modification (EAPP 1197.07) was approved on January 3, 2008 for commercial development within the 5.529 acre site resulting in a total of 4.296 acres (77.70%) of IC. Development included a retail stone yard, office building, a display area, drive-on scale, and associated parking. Permanent treatment included Basin B.

Marshall Place Subdivision (Braken Collision Center Parking Addition) WPAP Modification (EAPP 1197.08) was approved on July 3, 2008 for the construction of a parking lot (22 spaces) on 0.224 acres of undeveloped land; part of the original 6.974 acre parcel with 0.144 acres (64 percent) of IC. In addition, 0.031 acres of IC is added to 5.529 acre site. Permanent treatment included an engineered vegetative filter strip.

PROJECT DESCRIPTION

The proposed modification is a commercial development within the 5.529 acre site. The proposed modification will combine the previously approved Bracken Collision additional parking site (0.224 acres) and the Oldcastle Custom Stone site (2.469 acres) into two tracts, Lot 14 and Lot 15, by replat. Lot 14 will be approximately 0.94 acres and proposes a fast food restaurant with associated parking; 0.58 acres of impervious cover (61.57 percent). In addition, the existing Basin B on Lot 14 will be removed and runoff will be directed to existing Basin A. Lot 15 will be approximately 1.75 acres and proposes an auto body repair shop; 1.32 acres of impervious cover (75.42 percent). Project wastewater will be disposed of by conveyance to the Salado Creek Water Recycling Center owned by San Antonio Water Supply (SAWS).

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, the existing computer controlled cartridge filtration system (Basin A) and a proposed Storm Trooper Filtration System, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 1,550 pounds of TSS generated

from the 1.90 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The Storm Trooper Filtration System is a SWAQ-110 model designed to receive and treat stormwater runoff via gravity-flow at a rate of approximately 1.32 cubic feet per second (cfs)/ 592 gallons per minute (gpm). The required TSS removal for Lot 15 is 1,077 pounds and the TSS removal provided is 1,114 pounds.

Basin A is an existing computer controlled cartridge filtration system. Basin A consists of 15 filter cartridges within a concrete chamber providing a total capture volume of 6,373 cubic feet. The required TSS removal for Lot 14 is 473 pounds. Basin A is designed to remove 1,428 pounds of TSS annually, which includes the existing impervious cover within drainage area III and the proposed impervious cover within Lot 14.

GEOLOGY

According to the geologic assessment included with the application, the project site is located on the grainstone member and dolomitic member of the Kainer Formation of the Edwards Group. One geologic feature and seven manmade features were identified and rated as non-sensitive by the project geologist. The San Antonio Regional Office site assessments were conducted on December 9, 2016, and January 20, 2017. The site was generally as described in the application.

SPECIAL CONDITIONS

- I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated March 22, 1999 and subsequent modification letters dated June 3, 2002, December 15, 2005, January 3, 2008, and July 3, 2008.
- II. All existing permanent pollution abatement measures shall be inspected and all measures be fully operational prior to first occupancy of the newly constructed facilities.

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

4. Within 60 days of receiving written approval of an Edwards Aquifer Protection Plan, the applicant must submit to the San Antonio Regional Office, proof of recordation of notice in the county deed records, with the volume and page number(s) of the county deed records of the county in which the property is located. A description of the property boundaries shall be included in the deed recordation in the county deed records. A suggested form (Deed

Recordation Affidavit, TCEQ-0625) that you may use to deed record the approved WPAP is enclosed.

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

During Construction:

10. During the course of regulated activities related to this project, the applicant or agent shall comply with all applicable provisions of 30 TAC Chapter 213, Edwards Aquifer. The applicant shall remain responsible for the provisions and conditions of this approval until such responsibility is legally transferred to another person or entity.
11. This approval does not authorize the installation of temporary aboveground storage tanks on this project. If the contractor desires to install a temporary aboveground storage tank for use during construction, an application to modify this approval must be submitted and approved prior to installation. The application must include information related to tank location and spill containment. Refer to Standard Condition No. 6, above.
12. If any sensitive feature (caves, solution cavities, sink holes, etc.) is discovered during construction, all regulated activities near the feature must be suspended immediately. The applicant or his agent must immediately notify the San Antonio Regional Office of the discovery of the feature. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.

13. No wells exist on site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
14. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
15. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge will be filtered through appropriately selected best management practices. These may include vegetated filter strips, sediment traps, rock berms, silt fence rings, etc.
16. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
17. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

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

Mr. George J. Kennedy
January 30, 2017
Page 6

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 Ms. Lillian Butler of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4026.

Sincerely,



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

LB/LB/eg

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

cc: Mr. Reese H. Conner, P.E., Jones & Carter, Inc.
Ms. Renee Green, P.E., Bexar County Public Works
Mr. Scott Halty, San Antonio Water System
Mr. George Wissmann, Trinity Glen Rose Groundwater Conservation District
Mr. Roland Ruiz, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212

EXHIBIT "A"

Robert J. Huston, Chairman
R. B. "Ralph" Marquez, Commissioner
John M. Baker, Commissioner
Jeffrey A. Santos, Executive Director



MSB [initials]
Christi [initials]
yao
File

TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

RECEIVED

MAR 23 1999

March 22, 1999

BROWN ENGINEERING CO.

Mr. W. K. Sneckner
Corner of the Market Partnership I
12255 West Ave., Suite 5
San Antonio, TX 78216

Re: EDWARDS AQUIFER, Bexar County
PROJECT: Marshall Place Commercial, Project number 1197.00, Located at the northeast corner of Marshall Road and U.S. Hwy. 281 North, San Antonio, Texas
TYPE: Request for Approval of Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) §213.5(b); Edwards Aquifer Protection Program

Dear Mr. Sneckner:

The Texas Natural Resource Conservation Commission (TNRCC) has completed its review of the WPAP application for the referenced project that was submitted by Mark Brown of Brown Engineering, Inc., on behalf of Corner of the Market Partnership I to the San Antonio Regional Office on January 27, 1999. Final review of the WPAP submittal was completed after additional material was received on February 4, 1999, and March 11, 1999. The WPAP proposed in the application is in general compliance with 30 TAC § 213.5(b); therefore, approval of the plan is hereby granted subject to applicable state rules and the conditions in this approval letter. *This approval expires two (2) years from the date of this approval unless, prior to the expiration date, 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 6.97 acres and will consist of the construction of several commercial buildings consisting of a convenience store, associated underground storage tanks and fueling islands, carwash, fast food restaurant, motel, office building, restaurant, and associated parking. Project wastewater will be disposed of by conveyance to the existing Salado Creek Sewage Treatment Plant owned by the San Antonio Water System. The proposed impervious cover for the development is approximately 5.02 acres (72.02 %). The site is not located within the City of San Antonio, but is located within the City of San Antonio's extra-territorial jurisdiction (ETJ) and must conform with applicable codes and requirements of the City of San Antonio.

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Mr. W. K. Sneckner

March 22, 1999

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GEOLOGY ON SITE

According to the geologic assessment included with the submittal, there were no geologically sensitive features identified on the proposed 6.97 acre commercial site.

The site investigation performed by the San Antonio office on February 4, 1999, confirmed the information provided in the geologic assessment.

GEOLOGY DOWNGRADIENT OF SITE

According to the geologic assessment included with the submittal, a total of eleven (11) geologic features were identified downgradient of the proposed project, along two separate flow paths. These features consist of closed depressions, man-made features, a vuggy-rock zone, and a fault-zone. As determined by the geologist, the features ranged in sensitivity from "not" to "possible."

PERMANENT POLLUTION ABATEMENT MEASURES

The following measure will be taken to prevent pollution of stormwater originating on-site or up-gradient from the project site and potentially flowing across and off the site after construction:

Basin A. The permanent storm water system will consist of or be equivalent to a sedimentation/filtration basin designed in accordance with the City of Austin Environmental Design Criteria Manual and sized to capture the first ½ inch of storm water run off from 2.28 acres, providing a total capture volume of 4,171 cubic feet plus freeboard. The filtration system will consist of or be equivalent to:

1. 1,251 square feet of sand, which is 18 inches thick,
2. an under drain piping wrapped with geosynthetic, and
3. an impervious liner.

Basin B. The permanent storm water system will consist of or be equivalent to a sedimentation/filtration basin designed in accordance with the City of Austin Environmental Design Criteria Manual and sized to capture the first ½ inch of storm water run off from 1.85 acres, providing a total capture volume of 3,385 cubic feet plus freeboard. The filtration system will consist of or be equivalent to:

1. 1,015 square feet of sand, which is 18 inches thick,
2. an under drain piping wrapped with geosynthetic, and
3. an impervious liner.

Basin C. The permanent storm water system will consist of or be equivalent to a sedimentation/filtration basin designed in accordance with the City of Austin Environmental Design Criteria Manual and sized to capture the first ½ inch of storm water run off from 2.85 acres, providing a total capture volume of 5,214 cubic feet plus freeboard. The filtration system will consist of or be equivalent to:

Mr. W. K. Sneckner

March 22, 1999

Page 3

1. 1,564 square feet of sand, which is 18 inches thick,
2. an under drain piping wrapped with geosynthetic, and
3. an impervious liner.

SPECIAL CONDITIONS

1. If any potential sensitive features are encountered during construction, a geologist will evaluate the significance of the features. The evaluation will include representative photographs and a description of the feature forwarded to the San Antonio office. Construction in the vicinity of the features may only continue with written approval from the TNRCC.
2. Placement of hydrocarbon or hazardous substance storage facilities regulated pursuant to 213.5(d) and 213.5(e), requires submittal of all appropriate applications with appropriate fees and must receive prior approval from the TNRCC.
3. In this instance, for the above referenced site, each of the three proposed storm water treatment systems have been designed to be equivalent to the City of Austin Environmental Design Criteria for the design of a sedimentation/filtration basin.
4. A formal maintenance plan and schedule for all permanent pollution abatement measures shall be submitted to the San Antonio office for review and possible modification prior to completion of construction. The plan shall include a responsible party and the anticipated cleaning schedule. Upon approval, the plan shall be implemented in accordance with the approved schedule.
5. All permanent pollution abatement measures shall be operational prior to completion of construction.
6. Any use of this commercial property, other than retail stores, restaurants, and office space, shall require prior approval from the regional office of the TNRCC and may require submittal and approval of a WPAP.
7. The TNRCC may monitor stormwater discharges from the site to evaluate the adequacy of permanent erosion and sedimentation (E&S) control measures. Additional controls may be necessary if excessive solids are being discharged from the site.

STANDARD CONDITIONS

1. During the course of regulated activities related to this project, the applicant or his 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, upon which that person or entity shall assume responsibility for all provisions and conditions of this approval.

Mr. W. K. Sneckner

March 22, 1999

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2. Any modification to the activities described in the referenced WPAP application following the date of approval may require the submittal of a WPAP to amend this approval, including the payment of appropriate fees and all information necessary for its review and approval.
3. Prior to commencing any regulated activity, the applicant or his agent must notify the San Antonio Regional Office in writing of the date on which the regulated activity will begin.
4. The applicant or his agent shall record this WPAP approval in the county deed records within 30 days of receiving this notice of approval. Proof of deed recordation shall be submitted to the San Antonio Regional Office prior to commencing construction. A suggested format that you may use to deed record the approved WPAP is enclosed.
5. All contractors conducting regulated activities at the 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. 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 TNRCC 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.
7. If any significant recharge feature [sensitive feature] 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 potential adverse impacts to water quality.
8. 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.
9. Approval of the design of the sewage collection system for this proposed project shall be obtained from the TNRCC prior to commencement of construction of any sewage collection system.
10. Any abandoned wells shall be plugged in accordance with 30 TAC § 338 or an equivalent method, as approved by the Executive Director.

Any drill holes resulting from core sampling on-site or down-gradient of the site shall be plugged with native soil, from the bottom of the hole to the top of the hole, so as to not allow water or -contaminants to enter the subsurface environment.

Mr. W. K. Sneckner

March 22, 1999

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11. Pursuant to §26.136 of the Texas Water Code, any violations of the requirements in 30 TAC §213 may result in administrative penalties.

Should clarification of this letter be desired or if we may be of any other assistance, please contact Tom Gutierrez of our San Antonio office at 210/403-4025. Please reference project number 1197.00.

Sincerely,



Jeffrey A. Saitas, P.E.

Executive Director

Texas Natural Resource Conservation Commission

JAS/TG/eg

Enclosure: Deed Recordation Form

cc: Mark Brown, Brown Engineering, Inc
Rebecca Cedillo, San Antonio Water System
Renee Green, Bexar County Public Works
Greg Ellis, Edwards Aquifer Authority
John Bohuslav, TxDOT San Antonio District
TNRCC Field Operations, Austin

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



Filed for Record in:
BEXAR COUNTY, TX
GERRY RICKHOFF, COUNTY CLERK

On Apr 06 1999

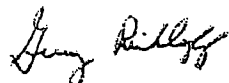
At 12:08pm

Receipt #: 216211
Recording: 13.00
Doc/Mgmt: 6.00

Doc/Num : 99- 0063785

Deputy -Jane Esteves

APR 06 1999



COUNTY CLERK BEXAR COUNTY, TEXAS

RECORDERS MEMORANDUM

At time of Recordation this instrument was found to be inadequate for good photographic reproduction due to : (illegibility, carbon or photo copy, discolored paper, deterioration, etc.)

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5. ATTACHMENT B-Narrative of Proposed Modification

The site plan for the proposed project changed slightly to accommodate new owners to portions of the previously recorded subdivision plat. This submittal will eliminate 1.445 acre out of the north portion of Lot 2 which was modified under separate File No. 1983.00 by Moy Engineers. Our changes to the site include eliminating the restaurant and replacing it with a paint & body shop. This project does not plan to increase the approved per cent of impervious cover previously submitted.

A summary of the modification to the plan is shown below.

	<u>Original Plan</u>	<u>Modified Plan</u>
Total Acreage	5.529	5.529
Type of Use:	Small Business	Small Business
% Impervious Cover:	69.08	67.25
Geologic:	No Possibly Sensitive Or Sensitive Feature on Site	Unchanged
Temporary Stormwater	As submitted	
Permanent Stormwater BMP's		
Basin A	Sedimentation/Filtration	Sedimentation/Filtration
Basin B	Grassy Swale	Grassy Swale
Basin C	Sedimentation/Filtration	Sedimentation/Filtration
TSS Removal	80%	80%

MODIFIED PLAN

		<u>Parcel Size</u>	<u>Impervious Cover Approved in WPAP</u>	
Basin	Lots	Acres	Acres	%
A	1(C Store)	1.436	1.194	83.15
A	1(Sneckner)	<u>0.520</u>	0.520	<u>100.0</u>
		1.956		87.60
B	1(Sneckner)	2.030*	1.101	54.24*
B	1(Misc.)	<u>0.142</u>	0.000	<u>0.00</u>
		2.172*		50.69*
C	2(Bracken)	1.401	1.181	84.30

*Note: Approximately 0.643 acres of impervious cover has not been allocated based on the current WPAP approvals. This impervious cover is being reserved for the 2.03 acre Sneckner parcel in Lot 1. The resulting impervious cover % for this parcel is 85.91%.

Eagles Nest One Subdivision

<u>Owner</u>	<u>Lots</u>	<u>Parcel Size</u>	<u>Impervious Cover Approved in WPAP</u>	
		<u>(Ac.)</u>	<u>Acres</u>	<u>%</u>
Noah's Mini Storage	12	2.824	2.080	73.65
Eagles Nest	12	0.166	0.131	78.75
		2.990		
Eagles Nest	13	67.500	41.844	61.99
Total Eagles Nest One =		70.490	44.055	62.50

Marshall Place Subdivision

MODIFIED

<u>Owner</u>	<u>Basin</u>	<u>Lots</u>	<u>Parcel Size</u>	<u>Impervious Cover Approved in WPAP</u>	
			<u>(Ac.)</u>	<u>Acres</u>	<u>%</u>
Biggs C-Store	A	1	1.436	1.194	83.15
Sneckner	A	1	0.520	0.520	100.00
	Basin A		1.956	1.714	87.60
Sneckner*	Basin B	1	2.030*	1.101*	54.24*
Other		1	0.142	0.000	0.00
	Lot 1		4.128	2.815	68.19
Noah's Mini Storage (MOY)	C	2	1.026	0.784	76.41
Sneckner	C	2	1.349 1.401	1.282 1.181	95.00 84.30
	Basin C		2.375	2.066	86.99
Eagles Nest Access (MOY)		2	0.420	0.278	66.19
Sneckner (14.45' x 150.7')		2	0.051	0.000	0.00
	Lot 2		2.846	2.066	72.59
Total Marshall Place =			6.974 5.529	4.881 3.718	69.99 67.25

Total Site

77.464

48.936

3.718
4.361

63.17*

*Note: Approximately 0.643 acres of impervious cover has not been allocated based on the current WPAP approvals. This impervious cover is being reserved for the 2.03 acre Sneckner parcel in Lot 1 of the Marshall Place Subdivision. The resulting impervious cover % for this parcel is 85.91%.

Eagles Nest One Subdivision

<u>Owner</u>	<u>Lots</u>	<u>Parcel Size</u>	<u>Impervious Cover Approved in WPAP</u>	
		<u>(Ac.)</u>	<u>Acres</u>	<u>%</u>
Noah's Mini Storage	12	2.824	2.080	73.65
Eagles Nest	12	0.166	0.131	78.75
		2.990		
Eagles Nest	13	67.500	41.844	61.99
Total Eagles Nest One =		70.490	44.055	62.50

Marshall Place Subdivision

EXISTING APPROVED

<u>Owner</u>	<u>Basin</u>	<u>Lots</u>	<u>Parcel Size</u>	<u>Impervious Cover Approved in WPAP</u>	
			<u>(Ac.)</u>	<u>Acres</u>	<u>%</u>
Biggs C-Store	A	1	1.436	1.194	83.15
Sneckner	A	1	0.520	0.520	100.00
	Basin A		1.956	1.714	87.60
Sneckner*	Basin B	1	2.030*	1.101*	54.24*
Other		1	0.142	0.000	0.00
	Lot 1		4.128	2.815	68.19
Noah's Mini Storage (MOY)	C	2	1.026	0.784	76.41
Sneckner	C	2	1.349	1.282	95.00
	Basin C		2.375	2.066	86.99
Eagles Nest Access (MOY)		2	0.420	0.278	66.19
Sneckner (14.45' x 150.7')		2	0.051	0.000	0.00
	Lot 2		2.846	2.066	72.59
Total Marshall Place =			6.974 5.529	4.881 3.819	69.99 69.08

Total Site

77.464

48.936

63.17*

*Note: Approximately 0.643 acres of impervious cover has not been allocated based on the current WPAP approvals. This impervious cover is being reserved for the 2.03 acre Sneckner parcel in Lot 1 of the Marshall Place Subdivision. The resulting impervious cover % for this parcel is 85.91%.

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Jeffrey A. Saitas, *Executive Director*



TEXAS NATURAL RESOURCE CONSERVATION COMMISSION

Protecting Texas by Reducing and Preventing Pollution

March 1, 2002

RECEIVED

MAR 04 2002

BROWN ENGINEERING CO.

Mr. W. K. Sneckner
Corner of the Market Partnership I
12255 West Avenue, Suite 5
San Antonio, TX 78216

Re: Edwards Aquifer, Bexar County
NAME OF PROJECT: Marshall Place Subdivision, Located along US 281 North and north of
Marshall Road; San Antonio, Texas
TYPE OF PLAN: Request for Minor Modification to an Approved Water Pollution Abatement Plan
(WPAP) and Underground Storage Tank (UST) Facility Plan; 30 Texas Administrative Code (TAC)
Chapter 213
Edwards Aquifer Protection Program File Nos. 1196.02 and 1197.02

Dear Mr. Sneckner:

The Texas Natural Resource Conservation Commission (TNRCC) has completed its review of the request for minor modifications of the approved WPAP and UST for the referenced project submitted to the San Antonio Regional Office by J. Steven Brown, P.E. of Brown Engineering Co. on behalf of Corner of the Market Partnership I on October 25, 2001.

The WPAP was approved by letter dated March 17, 1999. By request from the applicant, the two year term of approval was extended to September 17, 2001. On August 29, 2001, a notification of construction was received for the project stating that construction would commence on September 3, 2001. On November 1, 2001, and November 6, 2001, site investigations were conducted by the TNRCC. The investigator observed no evidence of active construction. There was no erosion control, no construction equipment, and the only soil disturbance appeared to have been from the installation of the approved sewage collection system, including the on-site disposal of soils for the sewer trench.

The UST application was approved by letter dated March 17, 1999. By request from the applicant, the two year term of approval extended to September 17, 2001. On September 10, 2001, a notification of construction was received for the project stating that construction would commence on September 3, 2001. On November 1, 2001, and November 6, 2001, site investigations were conducted by the TNRCC. The investigator observed no evidence of active construction related to the excavation or installation of an underground storage tank system.

Under 30 TAC §213.3(7), the definition of "commencement of construction" is:

The initial disturbance of soils associated with clearing, grading, or excavating activities or other construction or regulated activities.

REPLY TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210/490-3096 • FAX 210/545-4329

P.O. Box 13087 • Austin, Texas 78711-3087 • 512/239-1000 • Internet address: www.tnrcc.state.tx.us

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Mr. W.K. Sneckner
March 1, 2002
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Under 30 TAC §213.4(h) (Term of approval):

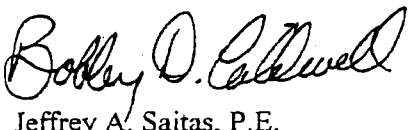
The executive director's approval of an Edwards Aquifer protection plan will expire two years after the date of initial issuance, unless prior to the expiration date, substantial construction related to the approved plan has commenced. For purposes of this subsection, substantial construction means more than ten percent of total construction has commenced. If a written request for an extension is filed under the provisions of this subsection, the approved plan will continue in effect until the executive director makes a determination on the request for an extension.

By letter dated November 15, 2001, Brown Engineering Co. presented that work related to the installation of the sewage collection system has produced "overlapping" work on the WPAP and UST plan, sufficient to qualify for "more than ten percent of total construction" to have commenced. Revisions to the cost estimates of construction costs were received on January 8, 2002, and January 16, 2002. A second site visit was conducted on January 30, 2002.

The TNRCC agrees that construction of the sewage collection system (SCS) began (and was completed) within the two year term of approval. Based on the SCS construction work, related land clearing, and other documentation provided by Brown Engineering Co., the TNRCC has concluded that construction has commenced on the WPAP and UST plan. Therefore, you may submit your requests for modifications to the WPAP and UST plans for TNRCC review. The modifications described will be considered major modifications and will require submittal of modification applications and associated fees for both the WPAP and UST plans.

If you have any questions or require additional information, please contact John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4024.

Sincerely,



for Jeffrey A. Saitas, P.E.
Executive Director
Texas Natural Resource Conservation Commission

JAS/JKM/eg

cc: Mr. J. Steven Brown, P.E., Brown Engineering Company
Mr. Scott Halty, San Antonio Water System
Ms. Renee Green, Bexar County Public Works
Mr. Greg Ellis, Edwards Aquifer Authority
TNRCC Field Operations

Robert J. Huston, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Kathleen Hartnett White, *Commissioner*
Jeffrey A. Saitas, *Executive Director*

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TEXAS NATURAL RESOURCE CONSERVATION COMMISSION CO.

Protecting Texas by Reducing and Preventing Pollution

BROWN ENGINEERING CO.

June 3, 2002

Mr. W.R. Sneckner, Jr., Managing Partner
Marshall Properties Joint Interest and Sneckner Partners, Ltd.
1225 West Avenue, Suite 5
San Antonio, TX 78216

Re: Edwards Aquifer, Bexar County
NAME OF PROJECT: Marshall Place Subdivision; Located on the northeast corner of US 281
North and Marshall Road; San Antonio, Texas
TYPE OF PLAN: Request for Modification of a Water Pollution Abatement Plan (WPAP); 30
Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program File No. 1197.03

Dear Mr. Sneckner:

The Texas Natural Resource Conservation Commission (TNRCC) has completed its review of the request for modification of the approved WPAP for the referenced project submitted to the San Antonio Regional Office by J. Steven Brown, P.E. of Brown Engineering Co. on behalf of Marshall Properties Joint Interest and Sneckner Partners, Ltd. on March 20, 2002. As presented to the TNRCC, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed, and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer protection plan. A motion for reconsideration must be filed no later than 20 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

PROJECT DESCRIPTION

This commercial facility was previously approved by letter dated March 22, 1999, extended by letters dated January 24, 2001, and March 1, 2002, for the construction of a convenience store equipped to dispense fuel, a carwash, a fast food restaurant, a motel, an office building and a restaurant on 6.974 acres. An application for installation of the fuel tanks will be submitted in a separate application. The impervious cover will be 4.88 acres (69.98 percent). As presented, the proposed modification to this commercial development will consist of:

Mr. W.R. Sneckner, Jr.

June 3, 2002

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- Decreasing the impervious cover from 72.07% to 69.98%.
- Repositioning the buildings.
- Changing the stormwater treatment measures from 3 basins to 2 basins & one drainage swale described below.
- Project wastewater will be disposed of by conveyance to the existing Salado Creek Waste Water Recycling Plant owned by the San Antonio Water System.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent pollution of stormwater runoff originating on-site or up-gradient of the site and potentially flowing across and off the site after construction, three sedimentation/filtration basins and a vegetated swale will be constructed.. The individual treatment components are listed below.

- A. Basin A: The full sedimentation/filtration basin is designed in accordance with the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices," and is sized to capture the first 0.748 inches of stormwater run-off from 1.956 acres, providing a total capture volume of 6,373 cubic feet. The filtration system will consist of 15 filter cartridges within a concrete chamber.
- B. Vegetated Swale (Listed as "Basin C" in WPAP): The vegetative swale will be constructed to treat stormwater runoff from 2.03 acres with 54.24% impervious cover. It is designed in accordance with the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices," and will be 322 feet long, 5.5 feet wide, have a slope of 2.80%, and a design depth of 0.33 feet.
- C. Basin B: The full sedimentation/filtration basin is designed in accordance with the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices," and is sized to capture the first 0.516 inches of stormwater run-off from 2.375 acres, providing a total capture volume of 5,338 cubic feet. The filtration system will consist of 13 filter cartridges within a concrete chamber.

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

GEOLOGY

According to the geologic assessment included with the submittal, there are no geologic or manmade features located on the 6.97 acre tract. An on-site compliance investigation conducted on November 1, 2001 and November 6, 2001, by the San Antonio Regional Office, revealed that the site is as described by the geologic assessment and no additional geologic or manmade features (except an approved sewer line and lift station) were observed.

Mr. W.R. Sneckner, Jr.
June 3, 2002
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SPECIAL CONDITIONS

- I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter of March 22, 1999.
- II. All permanent pollution abatement measures shall be operational prior to commencement of any commercial operations.
- III. The sedimentation/filtration basins are designed in accordance with the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices." The basins will incorporate sedimentation and filtration as described above.
- IV. All sediment and or media removed from the full sedimentation/filtration basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335 as applicable.
- V. The vegetated swale is designed in accordance with the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices," and will incorporate treatment as described above.
- VI. The vegetated swale must be completed (hydromulched or sodded) and operational prior to the commercial use of the area to be treated. Temporary BMPs will remain in place until such time as turf within the grassy swale is sufficient for treatment purposes.
- VII. As presented in the application, the sedimentation/filtration basins will be operated and maintained by Marshall Place Joint Interest, and the vegetated swale will be operated and maintained by William M. Farmer of Wiltex Stores, L.P. Please note Item 17 below that states that 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 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.

STANDARD CONDITIONS

1. Pursuant to §26.136 of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.

Prior to Commencement of Construction:

2. 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, covered by the Edwards Aquifer protection plan, shall be included in the deed recordation in the county deed records. A suggested form (Deed Recordation Affidavit, TNRCC-0625) that you may use to deed record the approved WPAP is enclosed.

Mr. W.R. Sneckner, Jr.

June 3, 2002

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3. 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.
4. 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.
5. 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 file 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 of an approved plan.
6. 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 TNRCC 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.
7. Abandoned injection wells must be closed under the requirements of 30 TAC Chapter 331 (relating to Underground Injection Control).
8. All borings with depths greater than or equal to 20 feet must be plugged with a 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:

9. During the course of regulated activities related to this project, the applicant or his 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.
10. If any sensitive feature 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 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.

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11. No wells exist on the site. All identified abandoned water wells, including injection, dewatering, and monitoring wells must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Licensing and Regulation of Water Well Drillers and Water Well Pump Installers) and all other locally applicable rules, as appropriate. If any abandoned wells (including water, injection (injection well referenced in Item 7), dewatering, and monitoring well) are encountered during construction, they must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation (16 TAC Chapter 76) and all other locally applicable rules, as appropriate.
12. 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%. 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).
13. 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.
14. 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.
15. To the maximum 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 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. A request to temporarily seal the feature must include a justification that no reasonable and practicable alternative exists. The request will be evaluated by the executive director on a case-by-case basis.

After Completion of Construction:

16. Owners of permanent BMPs and measures must insure that the 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 San Antonio Regional Office within 30 days of site completion.
17. 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.

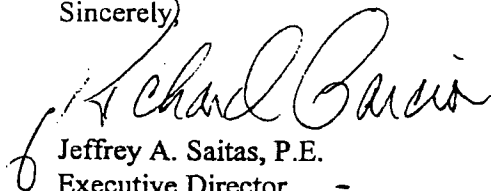
Mr. W.R. Sneckner, Jr.
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Such entity shall then be responsible for maintenance until another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TNRCC-10263) is enclosed.

18. 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.
19. An Edwards Aquifer protection plan approval or extension will expire and no extension will be granted if more than 50% 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.
20. 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 John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4024.

Sincerely,



Jeffrey A. Saitas, P.E.
Executive Director
Texas Natural Resource Conservation Commission

JAS/JKM/eg

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

cc: Mr. J. Steven Brown, P.E., Brown Engineering Co.
Mr. Scott Halty, San Antonio Water System
Mr. John Bohuslav, TXDOT San Antonio District
Ms. Renee Green, Bexar County Public Works
Mr. Greg Ellis, Edwards Aquifer Authority
TNRCC Central Records MC 212

Ashleen Hartnett White, *Chairman*
R. B. "Ralph" Marquez, *Commissioner*
Larry R. Soward, *Commissioner*
Glenn Shankle, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

December 15, 2005

Mr. W.R. Sneckner, Jr., Managing Partner
Marshall Properties Joint Interest and Sneckner Partners, Ltd.
1225 West Avenue, Suite 5
San Antonio, TX 78216

Re: Edwards Aquifer, Bexar County
NAME OF PROJECT: Marshall Place Subdivision (Bracken Collision Centers - Tenant); Located on the northeast corner of US 281 North and Marshall Road; San Antonio, Texas
TYPE OF PLAN: Request for Modification of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer, Edwards Aquifer Protection Program File No. 1197.06, Regulated Entity No. RN102772506, Investigation No. 404605

Dear Mr. Sneckner:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the request for modification of the approved WPAP for the referenced project submitted to the San Antonio Regional Office by Thomas Flores, P.E. of Flores & Company Consulting Engineers on behalf of Marshall Properties Joint Interest and Sneckner Partners, Ltd. on May 5, 2005. Final review of the request was completed after additional material was received on October 13, 2005. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed, and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer protection plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The 1.401 acre proposed Bracken Collision Center is part of a 6.974 acre WPAP approved by letter dated March 22, 1999. By letter dated August 21, 2003, the TCEQ instructed Marshall Properties Joint Interest and Sneckner Partners, Ltd. (Marshall Properties) to provide a modification to the WPAP prior to construction of the Bracken Collision Center because it was a change in nature or character of the approved WPAP (convenience store, carwash, fast food restaurant, motel, office building and restaurant). By letter

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dated May 11, 2005, Marshall Properties requested an exception to starting operation of the Bracken Collision Center prior to submitting an application to modify the WPAP. The application for modification was received on May 7, 2005. The TCEQ approved the request for exception by fax dated May 25, 2005.

The 6.974 acre tract was reduced to 5.529 acres by the sale of 1.445 acres to the adjacent Noah's Ark storage facility (EAPP 1983.00, approved by letter dated July 25, 2003). As presented in the application, the 5.529 acres will have no more than 67.25% impervious cover (3.718 acres). After subtracting the Bracken Collision Center and convenience store, the remaining area to be developed on the 5.529 acre tract is 2.172 acres, with 0.824 acres of impervious cover. See the summary table below.

Project (5.529 acres)	Area	Impervious Cover	
	Acres	Acres	Percent
Convenience Store	1.956	1.713	87.60
Bracken Collision	1.401	1.181	84.29
Remainder	2.172	0.824	37.94
Total	5.529	3.718	67.25

PROJECT DESCRIPTION

This facility was previously approved by letter dated March 22, 1999. As presented, the proposed modification to the WPAP will consist of:

- The construction of two buildings for an automotive paint and body shop. The paint and body shop will include a paint booth, paints, oils, detergents, cleaners, hydraulic lifts, etc.
- Impervious cover of approximately 1.181 acres (84.30%) for the 1.401 acre project.
- Total impervious cover of approximately 4.508 acres (85.73%) for the 5.259 acre site.
- Conversion of the approved sand filter basin "C" to a cartridge filter basin.
- Project wastewater will be disposed of by conveyance to the existing Salado Creek Sewage Treatment Plant owned by the San Antonio Water System.

PERMANENT POLLUTION ABATEMENT MEASURES

1. For hydrocarbons and hazardous substances related to the paint and body shop,
 - a. new paint, thinner, reducer and other new repair/paint related liquids are purchased on an as-needed basis and are stored and used in a self-contained storage and painting structure that is completely sealed and housed within the commercial building; secondary-containment is provided by explosion-proof storage cabinets contained within the storage and painting structure and tertiary spill-containment is provided by the sealed structure itself;

Mr. W.R. Sneckner, Jr.
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- b. used paint, thinner, reducer and other used repair/paint related liquids are collected and stored in a new, sealable, plastic 55-gallon drum (labeled "Special Waste") which is located on a secondary-containment pallet housed within the commercial building; paint gun cleaning is conducted in a sealed, Safety-Kleen type unit located on a secondary-containment pallet; the special waste/paint gun cleaning station is equipped with at least one commercially prepared spill-response kit; the "Special Waste" drum will be managed according to applicable regulations when full or before as may be otherwise necessary;
 - c. new motor oil, steering fluid, transmission fluid, radiator fluid and any other new automotive-fluids are not routinely stored on site but are only purchased on an as-needed basis and in as-needed quantities; such fluids may be temporarily stored within the commercial building prior to their imminent use;
 - d. used motor oil, steering fluid, transmission fluid, radiator fluid and any other used automotive-fluids are generated only intermittently as a peripheral function of the primary commercial business; such fluids are collected and stored in a new, sealable, plastic 55-gallon drum that is located on a secondary-containment pallet housed within the commercial building; the used oil/automotive-fluid station is equipped with a commercially prepared spill-response kit and the drum will be managed according to applicable regulations when full or before as may be otherwise necessary;
 - e. automotive waxes and rubbing or other finishing compounds are not routinely used due to the efficiency of the painting process; however, the use of automotive waxes/compounds may be periodically necessary and therefore, such products must be stored and used according to their manufacturers' instructions; nevertheless, appropriate engineered and/or operational controls must be implemented to prevent the introduction of new or used automotive waxes/rubbing or other finishing compounds to the on-site stormwater runoff basin;
 - f. new automotive soaps, detergents and any other automotive cleaning liquids must be stored and used according to the manufacturers instructions; appropriate engineered and/or operational controls must be implemented to prevent the introduction of new or used automotive soaps, detergents, any other automotive cleaning liquids or any rinse water derived from their use to the on-site stormwater runoff basin.
2. To prevent pollution of stormwater runoff originating on-site or up-gradient of the site and potentially flowing across and off the site after construction, the entire 1.401 acre site will be directed to Basin C, originally approved by the TCEQ's March 22, 1999 letter. Basin C was originally designed in accordance with the City of Austin Environmental Design Criteria Manual and sized to capture the first 1/2-inch of stormwater runoff from 2.85 acres, providing a capture volume of 5,214 cubic feet plus freeboard. The sand filter was 1,564 square feet of 18 inch thick sand.
- The current application proposes redesigning Basin C by substituting the approved sand filter system for a cartridge filter system. As presented, the proposed full basin is designed to meet the 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices," Section 3.4.10, and is sized to capture the first 0.986 inches of stormwater

Mr. W.R. Sneckner, Jr.
December 15, 2005
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run-off from 1.401 acres, providing a total capture volume of 6,017 cubic feet. The filtration system will consist of 11 filters, per Section 3.4.10. The approved measures were presented to meet the required 80 percent removal of the increased load in total suspended solids caused by the project.

GEOLOGY

According to the geologic assessment included with the original submittal, there are no geologic features located on the project site. The San Antonio Regional Office did not conduct a site investigation.

SPECIAL CONDITIONS

- I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter of March 22, 1999, and all conditions listed below, including proof of deed recordation (Standard Condition #2).
- II. The requirement that all permanent pollution abatement measures shall be operational prior to commencement of commercial operation of the Bracken Collision Center is mute because of the aforementioned exception request approved by the fax dated May 25, 2005.
- III. Because the water quality basin serving the Bracken Collision Center has been constructed and is operational, basin certification required by Standard Condition 16 below is due within 60 days of the date of this letter.
- IV. The basin certification shall include confirmation of the 1.181 acres of impervious cover draining to the basin, the dimensions and volume of the sedimentation basin, the dimensions and volume of the filtration basin, the number of filter cartridges installed, and liner.
- V. The sedimentation/filtration basins are designed in accordance with 1999 edition of the TNRCC's "Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices". The basins will incorporate sedimentation and filtration as described above.
- VI. All sediment and/or media removed from the full sedimentation/filtration basins during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335 as applicable.
- VII. For full sedimentation/filtration basins, the valve as specified in Section 3.4.7 and Figure 3.14 of the 1999 edition of the Technical Guidance Manual on Best Management Practices, should only be used as a spill control device. The proposed measures are presented to meet the required 80 percent removal of the increased load in total suspended solids caused by the project.
- VIII. The owner/developer must submit a revised and updated site plan of the 5.259 acre site to the San Antonio Regional Office of the TCEQ, as each remaining pad site is developed. The site plan must include project specific temporary erosion and sedimentation controls; existing and proposed building areas; existing and proposed contours; the total impervious cover for each lot (list the square footage); and the name, address and phone number of a contact for each tenant or lot owner.

Mr. W.R. Sneckner, Jr.
December 15, 2005
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- IX. Prior to construction on the remaining 4.128 acres, submit a proposed site plan with finished contours, showing drainage areas to stormwater treatment facilities. Basin A may have no more than 1.956 acres with 87.60% impervious cover, and the vegetated swale may have no more than 2.03 acres of drainage with 54.24% impervious cover. If there are modifications to the basin or the vegetated swale, or another permanent stormwater treatment facility is required, a modification to the approved WPAP is required.
- X. Intentional discharges of sediment laden stormwater during construction are not allowed. If dewatering of excavated areas becomes necessary, the discharge will be filtered through appropriately selected temporary best management practices. These may include vegetative filter strips, sediment traps, rock berms, silt fence rings, etc.
- XI. Regardless of any manufacturer/vendor claims/representations, the WPAP currently approved by the TCEQ for use of the Aqualogic Filtration System includes only the retention and treatment of stormwater runoff *uncontaminated by process wastewater* originating from office buildings and associated drives, parking and sidewalk areas within their respective drainage basins.
- The introduction of any substance, other than stormwater uncontaminated by process wastewater, to the on-site stormwater runoff basin is expressly prohibited under the Edwards Aquifer Protection Program regulations.
- XII. New automotive soaps, detergents and any other automotive cleaning liquids must be stored and used according to the manufacturers instructions; appropriate engineered and/or operational controls must be implemented to prevent the introduction of new or used automotive soaps, detergents, any other automotive cleaning liquids or any rinse water derived from their use to the on-site stormwater runoff basin.
- XIII. Until otherwise notified, Basins A & C, and the vegetated swale (identified as "Basin B") will be operated and maintained by Marshall Place Joint Interest.

STANDARD CONDITIONS

1. Pursuant to §26.136 of the Texas Water Code, any violations of the requirements in 30 TAC Chapter 213 may result in administrative penalties.

Prior to Commencement of Construction:

2. 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, covered by the Edwards Aquifer protection plan, 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.

Mr. W.R. Sneckner, Jr.
December 15, 2005
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3. 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.
4. 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.
5. 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 file 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 of an approved plan.
6. 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.
7. Abandoned injection wells must be closed under the requirements of 30 TAC Chapter 331 (relating to Underground Injection Control).
8. All borings with depths greater than or equal to 20 feet must be plugged with a 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:

9. During the course of regulated activities related to this project, the applicant or his 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.
10. If any sensitive feature 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 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.

Mr. W.R. Sneckner, Jr.

December 15, 2005

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and the aquifer from potentially adverse impacts to water quality. The plan must be sealed, signed, and dated by a Texas Licensed Professional Engineer.

11. No wells exist on the site. All identified abandoned water wells, including injection, dewatering, and monitoring wells must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Licensing and Regulation of Water Well Drillers and Water Well Pump Installers) and all other locally applicable rules, as appropriate. If any abandoned wells (including water, injection (injection well referenced in Item 7), dewatering, and monitoring well) are encountered during construction, they must be plugged pursuant to requirements of the Texas Department of Licensing and Regulation (16 TAC Chapter 76) and all other locally applicable rules, as appropriate.
12. 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%. 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).
13. 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.
14. 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.
15. To the maximum 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 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. A request to temporarily seal the feature must include a justification that no reasonable and practicable alternative exists. The request will be evaluated by the executive director on a case-by-case basis.

After Completion of Construction:

16. Owners of permanent BMPs and measures must insure that the 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 San Antonio Regional Office within 30 days of site completion.
17. 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

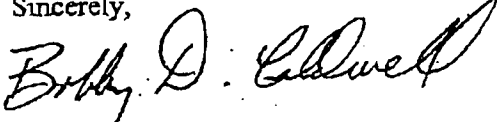
Mr. W.R. Sneckner, Jr.
December 15, 2005
Page 8

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. A copy of the transfer of responsibility must be filed with the executive director through the San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

18. 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.
19. An Edwards Aquifer protection plan approval or extension will expire and no extension will be granted if more than 50% 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.
20. 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 John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403-4024.

Sincerely,



for
Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

GS/JKM/eg

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

fc/cc: Mr. Thomas Flores, PE, Flores & Company, Inc.
Mr. Scott Halty, San Antonio Water System
Ms. Renee Green, Bexar County Public Works
Mr. Robert J. Potts, Edwards Aquifer Authority
TCEQ Central Records, MC 212

STEVE BROWN
REVIEW COPY
1/9/08

Buddy Garcia, *Chairman*
Larry R. Soward, *Commissioner*
Bryan W. Shaw, Ph.D., *Commissioner*
Glenn Shankle, *Executive Director*

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

January 3, 2008

Mr. W.R. Sneckner, Jr., Managing Partner
Marshall Properties Joint Interest and Sneckner Partners, Ltd.
122 West Avenue, Suite 6
San Antonio, Texas 78216

Re: Edwards Aquifer, Bexar County
NAME OF PROJECT: Marshall Place Subdivision (Oldcastle Custom Stone Supply Marshall Yard); Located on the northeast corner of US 281 North and Marshall Road, San Antonio, Texas
TYPE OF PLAN: Request for Modification of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
Edwards Aquifer Protection Program ID No. 1197.07; Investigation No. 610276; Regulated Entity No. RN102772506

Dear Mr. Sneckner:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the request for modification of the approved WPAP for the above-referenced project submitted to the San Antonio Regional Office by CIC Environmental, LLC on behalf of Sneckner Partners, Ltd., on behalf of Custom Stone Supply - Marshall Yard (Oldcastle) on November 20, 2007. Final review of the WPAP was completed after additional material was received on December 27th and January 3, 2007. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

The 2.469 acre proposed retail stone yard is part of a 6.974 acre WPAP approved by letter dated March 22, 1999. Subsequent modifications were approved and are listed in the table below.

REPLY TO: REGION 13 • 14250 JUDSON RD. • SAN ANTONIO, TEXAS 78233-4480 • 210-490-3096 • FAX 210-545-4329

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: www.tceq.state.tx.us

Mr. W. R. Sneckner, Jr.
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Project	EAPP#	Approval Date	Total Site Acres	Leased Acres	Impervious Cover		
					Proposed Site Total	Leased Total	Proposed % Total Leased % Total
1. Marshall Place Subdivision	1197.00	3/22/99	6.974	-	5.02	-	71.98
2. Marshall Place Subdivision	1197.03	6/3/02	6.974	-	4.88	-	69.98
2. Noah's Ark (3.5 acres total)	1983.00	7/5/03	5.529*	-	3.818*	-	69.08
3. Convenience Store	1197.05	12/15/05	5.529	1.436	3.717	1.194	67.25 83.15
4. Bracken Collision	1197.05	12/15/05	5.529	1.624 ¹	4.508	1.404 ¹	85.73 86.45 ¹
5. Oldcastle Custom Stone Supply	1197.07	This Letter	5.529	2.469	4.296	1.698 ²	77.70 68.77
6. Future development (4. above)				0.223 ⁴ 5.753		0.223 ¹	
Total				5.529	4.296	4.296	77.70

* - 1.445 acres with 1.062 acres of impervious cover to Noah's Ark.

¹ - 1.624 and 1.404 acres includes 0.223 acres

² - 1.698 acres of impervious cover include System lift station and 0.058 acres of impervious cover below. Treatment or over-treatment for the

acres of impervious cover was sold

required lease.

cover from a San Antonio Water System by oversizing the basin described

This application accounts for all but 0.223 acres of parking for Bracken Collision, and construction of any regulated activity.

This parcel will be developed as approved WPAP prior to the

PROJECT DESCRIPTION

The proposed commercial project will have an area of approximately 2.469 acres. It will include a retail stone yard, retail store/office building, display area, drive-on scale, and associated parking. The impervious cover will be 1.698 acres (68.77%). The total impervious cover for the 5.529 acre site will be 4.296 acres (77.70%). Project wastewater will be disposed of by conveyance to the existing Salado Creek Water Recycling Center owned by the San Antonio Water System.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, a partial sedimentation/filtration basin designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical

Mr. W. R. Sneckner, Jr.
January 3, 2008
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Guidance on Best Management Practices (2005) will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 1,309 pounds of TSS generated from the 1.604 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The partial sedimentation/filtration basin is sized to capture the first 1.80 inches of stormwater run-off from 1.55 acres of impervious cover within a 2.469 acre catchment area, providing a total capture volume of 9,471 cubic feet (8,871 required) to treat 1,309 pounds of total suspended solids (TSS), and 0.058 acres of impervious cover (47 #TSS) not otherwise treated. The filtration system will consist of:

1. 1,056 square feet of sand (887 square feet required), which is 18 inches thick,
2. an underdrain piping covered with geotextile membrane, and
3. an impervious clay liner.

GEOLOGY

According to the geologic assessment included with the application, there are no sensitive features located on the subject site. The site is located on the Kainer (KeK) formation of the Edwards Limestone, with Ekran series soils. The San Antonio Regional Office did not conduct a site assessment.

SPECIAL CONDITIONS

- I. The holder of the approved Edwards Aquifer WPAP must comply with all provisions of 30 TAC Chapter 213 and all best management practices and measures contained in the application.
- II. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated December 15, 2005.
- III. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.
- IV. 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.
- V. All sediment and/or media removed from the water quality basin during maintenance activities shall be properly disposed of according to 30 TAC 330 or 30 TAC 335, as applicable.
- VI. 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.
- VII. This approval is only for the proposed retail stone yard. The remaining 0.223 undeveloped acres requires written TCEQ approval of a modification to the WPAP for the entire site.

STANDARD CONDITIONS

Mr. W. R. Sneckner, Jr.
January 3, 2008
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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.

Prior to Commencement of Construction:

2. 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.
3. 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.
4. 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.
5. 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.
6. 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.
7. 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.

Mr. W. R. Sneckner, Jr.
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During Construction:

8. 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.
9. 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.
10. No water wells exist on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
11. 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.
12. 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.
13. 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:

14. 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.
15. 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

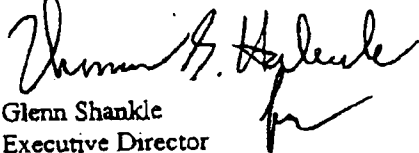
Mr. W. R. Sneckner, Jr.
January 3, 2008
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another entity assumes such obligations in writing or ownership is transferred. A copy of the transfer of responsibility must be filed with the executive director through San Antonio Regional Office within 30 days of the transfer. A copy of the transfer form (TCEQ-10263) is enclosed.

16. 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.
17. 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.
18. 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 Jason Jupe of the Edwards Aquifer Protection Program of the San Antonio Regional Office at (210) 403-4023.

Sincerely,



Glenn Shankle
Executive Director
Texas Commission on Environmental Quality

GS/JJ/cg

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

cc: Ms. Monique Wells, CIC Environmental
Mr. Bill McCurley, P.E., Eclipse Environmental
Mr. Scott Halty, San Antonio Water System
Ms. Renee Green, P.E., Bexar County Public Works
Ms. Velma Danielson, Edwards Aquifer Authority
TCEQ Central Records, MC 212, Building F

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

July 3, 2008

Mr. W.R. Sneckner, Jr.
 Sneckner Partners, Ltd.
 27027 Bulverde Road, Suite 4
 San Antonio, Texas 78260

Re: Edwards Aquifer, Bexar County
 NAME OF PROJECT: Marshall Place Subdivision (0.224 Bracken Collision Center Parking Addition); Located on the east side of US 281 North, approximately 500 feet north of Marshall Road; San Antonio Extra-territorial Jurisdiction, Texas
 TYPE OF PLAN: Request for Modification of a Water Pollution Abatement Plan (WPAP); 30 Texas Administrative Code (TAC) Chapter 213 Edwards Aquifer
 Edwards Aquifer Protection Program ID No. 1197.08; Investigation No. 671549; Regulated Entity No. RN102772506

Dear Mr. Sneckner:

The Texas Commission on Environmental Quality (TCEQ) has completed its review of the request for modification of the approved WPAP for the above-referenced project submitted to the San Antonio Regional Office by Brown Engineering Company on behalf of Sneckner Partners, Ltd. on May 7, 2008. Final review of the WPAP was completed after additional material was received on July 1, 2008. As presented to the TCEQ, the Temporary and Permanent Best Management Practices (BMPs) and construction plans were prepared by a Texas Licensed Professional Engineer to be in general compliance with the requirements of 30 TAC Chapter 213. These planning materials were sealed, signed and dated by a Texas Licensed Professional Engineer. Therefore, based on the engineer's concurrence of compliance, the planning materials for construction of the proposed project and pollution abatement measures are hereby approved subject to applicable state rules and the conditions in this letter. The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer Protection Plan. A motion for reconsideration must be filed no later than 23 days after the date of this approval letter. *This approval expires two (2) years from the date of this letter unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been requested.*

BACKGROUND

A WPAP was approved by letter dated March 22, 1999, for the initial development of the 6.974 acre Marshall Place Subdivision. The approved WPAP was modified as the developer sold or leased portions of the project. Current businesses within the 6.974 acre project include Noah's Ark* (1.445 acres - EAPP 1983.00), Willtex Convenience Store (1.436 acres - EAPP 1197.05), Bracken Collision (1.400 acres - EAPP 1197.06), and Oldcastle Custom Stone (2.469 acres - EAPP 1197.07). A summary table is provided below.

Mr. W.R. Sneckner, Jr.

July 3, 2008

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ATTACHMENT

Project	EAPP #	Approval Date	Acres	Impervious Cover	
				Total	Percent
1. Noah's Ark ¹	1983.00	7/25/03	1.445	NA ¹	NA ¹
2. Willtex Convenience Store	1197.05	6/3/02	1.436	1.194	61.04
3. Bracken Collision	1197.06	12/15/05	1.400	1.181 +0.031 ³	84.36
4. Oldcastle Custom Stone	1197.07	1/3/08	2.469	1.698	68.77
5. 0.224 acres (Bracken Collision)	1197.08	This letter	0.224	0.176 -0.031 ³	64.28
Total (with Noah's Ark)	---	---	6.974	NA ¹	NA ¹
Total (w/out Noah's Ark)	---	---	5.529 ²	4.249	76.85

1. The Noah's Ark project (EAPP #1983.00) has a total site area of 4.39 acres: 1.445 acres from the 6.974 acre Marshall Road site, and 2.945 acres for the adjacent property.
2. With the sale of the Noah's Ark property, the Marshall Road Subdivision became 5.529 acres reduced from 6.974 acres. With the undeveloped 0.224 acres to be used for parking, all portions of the 5.529 acre tract are accounted for.
3. Approximately 1,350 sf (0.031 acres) of impervious cover will be added to the 1.400 acre parcel. This impervious cover will sheet flow across the 0.224 acre parcel and receive treatment from the vegetated filter strip on the 0.224 acre parcel.

PROJECT DESCRIPTION

The proposed commercial project is for the construction of a parking lot (22 spaces) on 0.224 acres of undeveloped land and will become part of the Bracken Collision Center's operation, within the original 6.974 acre parcel. Impervious cover on the 0.224 acre parcel will be 0.144 acres (64.46%). In addition, 0.031 acres of impervious cover will be added to the 1.400 acre Bracken Collision Center site. No wastewater will be generated by this project.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, an engineered vegetated filter strip, designed using the TCEQ technical guidance document, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices (2005), will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 143.0 pounds of TSS generated from the 0.175 acres of impervious cover. The approved measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The individual treatment measures will consist of:

- The engineered filter strips which will extend along the entire length of the contributing areas;
- The slope does not exceed 20%;
- The minimum dimension of the filter strip (in the direction of flow) will be not less than 15 feet;
- The maximum width (in the direction of flow) of the contributing impervious area will not exceed 72 feet;
- The minimum vegetated cover will be 80%;

Mr. W.R. Sneckner, Jr.

July 3, 2008

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- The contributing area to the filter strips will be relatively flat so that run-off is distributed evenly to the vegetated area without the use of a level spreader;
- The vegetated filter strips will be free of gullies or rills that can concentrate overland flow, and;
- The top edge of the vegetative filter strips will be level.

As presented by the project engineer, stormwater runoff from this project will not interfere with the treatment of stormwater runoff (water quality basin) from impervious cover generated by the downgradient Oldcastle site.

GEOLOGY

According to the original site geologic assessment (dated January 22, 1999) included with the application, the site is located on the Kainer Formation, and there are no geologic or manmade features located on the 6.974 acre property. The San Antonio Regional Office did not conduct a site investigation.

SPECIAL CONDITIONS

- I. This modification is subject to all Special and Standard Conditions listed in the WPAP approval letter dated December 15, 2005, for the Bracken Collision Center (EAPP 1197.06).
- II. All permanent pollution abatement measures shall be operational prior to occupancy of the facility.
- III. 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 application.
- IV. 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.
- V. All stormwater runoff from the proposed 0.144 acres and 0.031 acres of impervious cover shall be directed to the proposed engineered vegetated filter strip.

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 and/or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, PST) 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:

Mr. W.R. Sneckner, Jr.
July 3, 2008
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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

Mr. W.R. Sneckner, Jr.
July 3, 2008
Page 5

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. As presented in the original Geologic Assessment, no wells are reported to be on the site. All water wells, including injection, dewatering, and monitoring wells must be in compliance with the requirements of the Texas Department of Licensing and Regulation under Title 16 TAC Chapter 76 (relating to Water Well Drillers and Pump Installers) and all other locally applicable rules, as appropriate.
14. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
15. Intentional discharges of sediment laden 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

Mr. W.R. Sneckner, Jr.

July 3, 2008

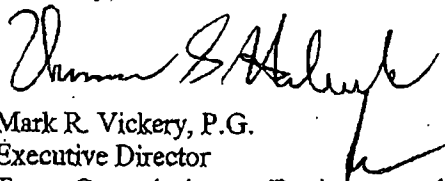
Page 6

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 John Mauser of the Edwards Aquifer Protection Program of the San Antonio Regional Office at 210/403/4024.

Sincerely,



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

MRV/JKM/eg

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

cc: Mr. J. Steven Brown, P.E., Brown Engineering Company
Mr. Scott Halty, San Antonio Water System
Ms. Renee Green, P.E., Bexar County Public Works
Ms. Velma Danielson, Edwards Aquifer Authority
TCEQ Central Records, Building F, MC 212

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

Doc# 20080148157 Fees: \$40.00
07/11/2008 10:01AM # Pages 7
Filed & Recorded in the Official Public
Records of BEXAR COUNTY
GERARD RICKHOFF COUNTY CLERK

JUL 11 2008




COUNTY CLERK BEXAR COUNTY, TEXAS

ATTACHMENT B

Narrative of Proposed Modification

Attachment B – Narrative of Proposed Modification

Approved – The previous WPAP modification dated January 30, 2017 approved Lot 14 (0.942 site acres and 0.58 acres of impervious cover) to be treated by the existing Aqualogic Basin A which serves both Lot 14 and the Willtex Convenience store. The Aqualogic Basin A has additional treatment capacity with its 15 filter cartridges.

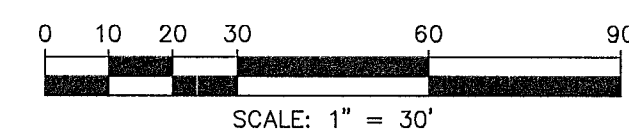
WPAP Modification – This modification for Lot 14 will modify the site acreage, increase the impervious cover and add a Engineered Filter Strip as an additional BMP. The modifications are as follows:

1. Lot 14 platted area modified from 0.942 Ac to 1.035 Ac. The Marshall 281 Amending Subdivision plat relocated the interior lot line between Lot 14 & Lot 15 changing Lot 14 legal area from 0.942 acre to 1.035 acres.
2. Impervious cover area modified from 0.58 Ac to 0.773 Ac. The previously approved modification was for 0.58 acres of impervious cover on Lot 14. This modification will increase impervious cover to 0.773 acres.
3. BMP's modified from only use of existing Aqualogic Basin to use of both Engineered Filter Strip and existing Aqualogic Basin. The previously approved existing Aqualogic Basin A will remain unchanged in service to Lot 14 and a Engineered Filter Strip is being added to treat a portion of the Lot 14 impervious cover.

ATTACHMENT C

Current Site Plan of the Approved Project

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A B B R E V I A T I O N S

B.S.L.	BUILDING SETBACK LINE
C.A.T.V.	CABLE TELEVISION
ELEC.	ELECTRIC
ESMT.	EASEMENT
FI	FIRE HYDRANT
GRP	OVERHEAD
PP	POWER POLE
R.O.W.	RIGHT-OF-WAY
SS	SANITARY SEWER LINE
SW	STORM SEWER LINE
SW	SEWERALK
TELE.	TELEPHONE
UE	UNDERGROUND ELECTRIC
UGO	UNDERGROUND FIBER OPTIC
UGT	UNDERGROUND TELEPHONE
WV	WATER VALVE
B.C.D.P.R.	BEAR COUNTY DEED AND PLAT RECORDS
B.C.R.P.	BEAR COUNTY REAL PROPERTY RECORDS
B.C.D.R.	BEAR COUNTY DEED RECORDS

RECEIVED
TCEQ-R13 (EAPP)
NOV 09 2015
SAN ANTONIO

REVIEWS

No.	Date
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JONES | CARTER

Texas Board of Professional Engineers Registration No. F-439
4350 Lockhill-Selma Road, Suite 100 • San Antonio, Texas 78249 • 210.494.5511

DESIGNED BY: CBA/RHC

CHECKED BY: CBA/RHC

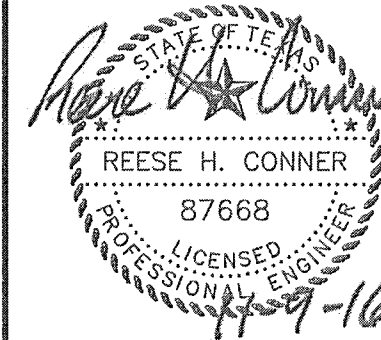
CHECKED BY: _____
DRAWN BY: *CAN*

DRAWN BY: CAD

IOB NO. S0128-0036

IOB NO. S0128-0036

IOB NO. S0128-0036



STAR 7 PROPERTIES, LLC
MARSHALL 281 SUBDIVISION

SITE PLAN

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: Reese Conner, P.E.

Date: 09/25/2025

Signature of Customer/Agent:



Regulated Entity Name: Lot 14 Retail

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): 1.035

3. Estimated projected population: No permanent residents

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

Table 1 - Impervious Cover Table

Impervious Cover of Proposed Project	Sq. Ft.	Sq. Ft./Acre	Acres
Structures/Rooftops	10,500	÷ 43,560 =	0.241
Parking	20,124	÷ 43,560 =	0.462
Other paved surfaces	3,048	÷ 43,560 =	0.070
Total Impervious Cover	33,672	÷ 43,560 =	0.773

Total Impervious Cover 0.773 ÷ **Total Acreage** 1.035 X 100 = 74.7% **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 = _____ Ft² ÷ 43,560 Ft²/Acre = _____ acres.

10. Length of pavement area: _____ feet.

Width of pavement area: _____ feet.

L x W = _____ Ft² ÷ 43,560 Ft²/Acre = _____ acres.

Pavement area _____ acres ÷ 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>1,440</u> Gallons/day
<u> </u> % Industrial	<u> </u> Gallons/day
<u> </u> % Commingled	<u> </u> Gallons/day
TOTAL gallons/day <u>1,440</u>	

15. Wastewater will be disposed of by:

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

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

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

☒ Sewage Collection System (Sewer Lines):

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

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

☐ The SCS was previously submitted on .

☐ The SCS was submitted with this application.

☐ The SCS will be submitted at a later date. The owner is aware that the SCS may not be installed prior to Executive Director approval.

☒ The sewage collection system will convey the wastewater to the Salado Creek (name) Treatment Plant. The treatment facility is:

☒ 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. ☒ The Site Plan must have a minimum scale of 1" = 400'.

Site Plan Scale: 1" = 10'.

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.

☒ 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): FEMA FIRM Panel 48029C0140G revised 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 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 §76.

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

Administrative Information

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

ATTACHMENT A

Factors Affecting Surface Water Quality

Attachment A – Factors Affecting Surface Water Quality

The major factors that may affect water quality during construction are:

- Sediment from disturbed soil;
- Sediment from stockpiled material;
- Fluids from construction equipment;
- Trash from workers and material packaging;
- Rinse water from concrete trucks.

The major factors which may affect water quality once development is complete are:

- Automotive fluids;
- Landscape products including fertilizer and herbicides;
- Ped control products.

The temporary and permanent BMP's for this project have been designed to conform to the TCEQ Technical Guidance Manual to treat the required amount of storm water runoff as to not significantly impact water quality entering surface or groundwater.

ATTACHMENT B

Volume and Character of Stormwater

Attachment B – Volume and Character of Stormwater

Stormwater runoff from the site will not increase as a result of Lot 14 development. Flowrates from the site are managed through two BMPs, an existing Aqualogic Pond that captures the majority of Lot 14 runoff. After development, a small portion of the parking area to the west of the building will drain west to an engineered vegetative filter strip.

The character of storm water generated onsite will be influenced by site features that generate non- point sources of pollution. Non-point sources will include oil and grease from the pavement areas, suspended solids, sediment, nutrients from landscape care and maintenance, pesticides, and herbicides. No unusual contaminants other than those typical with a commercial development are anticipated. The nearest downstream receiving stream is identified as Mud Creek – Headwaters Salado Creek from the FEMA National Flood Hazard Layer.

ATTACHMENT C

Suitability Letter from Authorized Agent

Not Applicable

ATTACHMENT D

Exception to the Required Geological Assessment

Not Applicable

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: Reese Conner, P.E.

Date: 09/25/2025

Signature of Customer/Agent:



Regulated Entity Name: Lot 14 Retail

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: Mud Creek - Headwaters Salado Creek

Temporary Best Management Practices (TBMPs)

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

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

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

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

Soil Stabilization Practices

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

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

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

Administrative Information

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

ATTACHMENT A

Spill Response Actions

Attachment A – Spill Response Actions

Site Specific Measures that will be taken to contain any spill of hydrocarbons or hazardous substances will include:

1. Immediate isolation of the substance source to keep additional spill or possible infiltration from occurring. Action will be taken to block the down gradient side using native earth material, absorbent blankets or absorbent socks.
2. The substance and contaminated materials will be excavated and placed within an impervious container or impervious-lined area that is protected from storm water runoff. Excavated materials will be covered to protect against rain.
3. The hazardous substance will be positively identified.
4. The spill area, after the excavation, will be sampled to verify that the hazardous substance has been properly and adequately remediated.
5. The excavated materials will be disposed of at an approved facility licensed to accept the substance identified. All transporting and disposal will follow State requirements for hazardous substances.
6. Fuels and Hazardous Substances are not to be stored on site.
7. Contractor shall become familiar with the Site Plan and confine activities with fuels and hazardous substances to locations that are adequate for the isolation and prevention of contamination in the event of a spill.

In addition to the above site-specific measures, the following recommended measures from the Edwards Aquifer Technical Guidance Manual (RG-348, 2005); Section 1.4.16, Significant/Hazardous Spills section should also be followed and are provided herein. These measures are to prevent or reduce the discharge of pollutants to drainage systems or watercourses from leaks and spills by reducing the chance for spills, stopping the source of spills, containing and cleaning up spills, properly disposing of spill materials, and training employees.

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

Education

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

General Measures

1. To the extent that the work can be accomplished safely, spills of oil, petroleum products, and substances listed under 40 CFR parts 110,117, and 302, and sanitary and septic wastes should be contained and cleaned up immediately.
2. Store hazardous materials and wastes in covered containers and protect from vandalism.

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

Cleanup

1. Clean up leaks and spills immediately.
2. Use a rag for small spills on paved surfaces, a damp mop for general cleanup, and absorbent material for larger spills. If the spilled material is hazardous, then the used cleanup materials are also hazardous and must be disposed of as hazardous waste.
3. Never hose down or bury dry material spills. Clean up as much of the material as possible and dispose of properly.

Minor Spills

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

Semi-Significant Spills

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

1. Contain spread of the spill.
2. Notify the project foreman immediately.

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

Significant/Hazardous Spills

For significant or hazardous spills that are in reportable quantities:

1. Notify the TCEQ by telephone as soon as possible and within 24 hours at 512-339-2929 (Austin) or 210-490-3096 (San Antonio) between 8 AM and 5 PM. After hours, contact the Environmental Release Hotline at 1-800-832-8224. It is the contractor's responsibility to have all emergency phone numbers at the construction site.
2. For spills of federal reportable quantities, in conformance with the requirements in 40 CFR parts 110,119, and 302, the contractor should notify the National Response Center at (800) 424-8802.
3. Notification should first be made by telephone and followed up with a written report.
4. The services of a spill's contractor or a Haz-Mat team should be obtained immediately. Construction personnel should not attempt to clean up until the appropriate and qualified staffs have arrived at the job site.
5. Other agencies which may need to be consulted include, but are not limited to, the City Police Department, County Sheriff Office, Fire Departments, etc.

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

Vehicle and Equipment Maintenance

1. If maintenance must occur onsite, use a designated area and a secondary containment, located away from drainage courses, to prevent the 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, and employee and subcontractor vehicles) for leaking oil and fluids. Do not allow leaking vehicles or equipment onsite.
4. Always use secondary containment, such as a drain pan or drop cloth, to catch spills or leaks when removing or changing fluids.
5. Place drip pans or absorbent materials under paving equipment when not in use.
6. Use absorbent materials on small spills rather than hosing down or burying the spill. Remove the absorbent materials promptly and dispose of properly.
7. Promptly transfer used fluids to the proper waste or recycling drums. Don't leave full drip pans or other open containers lying around.
8. Oil filters disposed of in trashcans or dumpsters can leak oil and pollute 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

Attachment B – Potential Sources of Contamination

1. Contaminants and fluids may be dropped from the use of construction equipment.
2. Contaminants and fluids may be dropped from vehicles entering the site during construction.
3. Contaminants and fluids may be dropped or spilled by workers during construction.
4. Mud or dirt may be tracked onto streets from construction areas.
5. Fine particles may be washed from non-stabilized areas.
6. Contaminants and fluids may be spilled with the use of chemical / portable toilets during construction.
7. Contaminants and fluids may be spilled during the connection to the existing SCS.

During construction of the infrastructure contamination could come from oil, grease and fuel drippings from construction equipment and also from the process of excavating materials and grading. Additionally, the use of chemical / portable toilets is a potential source of contamination.

If fuel or a hazardous substance spill occurs, the contaminants and contaminated soil will be removed and placed in an impervious container to be disposed of off-site at an approved disposal site. The placement of excavated materials will have appropriately sized erosion and sedimentation controls placed down gradient to prevent debris from the construction activity from washing down gradient of the site. The construction site will be cleaned of materials and debris at the end of each workday and/or at the completion of the infrastructure. The application of the prime coat and/or tack coat will be timed to avoid any occurrence of a rain event before placement of the HMAC, which would provide permanent soil stabilization for the street areas. Any concrete structures, flatwork, and formwork would also be similarly timed to avoid any occurrence of a rain event.

In any case of a spill or contamination, the Spill Response Actions identified in **ATTACHMENT A** of this section should be followed.

ATTACHMENT C

Sequence of Major Activities

Attachment C – Sequence of Major Activities

The project site will be constructed using the following general activities and sequences. Construction activities and order of construction is anticipated as follows:

1. Temporary BMPs – Installation of temporary control measures such as silt fence, rock berms, etc.
(Disturbs approx. 0.006 acres)
2. Demolition of Paved Surfaces (Disturbs approx. 0.020 acres)
3. Utility Trenching (Disturbs approx. 0.05 acres)
4. Grading and Excavation (Disturbs approx. 0.760 acres)
6. Asphalt and Curbs – Concrete curbs and street surfaces will be brought to final grade and installed.
(Disturbs approx. 0.460 acres)

Note: The excavated material from the trenches will be placed on the up-gradient side of the trench. The trench would serve as a temporary sedimentation and erosion control measure.

ATTACHMENT D

Temporary Best Management Practices and Measures

Attachment D – Temporary Best Management Practices and Measures

The Temporary Best Management Practices (TBMPs) and Measures that will be used:

- Silt Fences (Sediment Control Rolls may be substituted where appropriate)
- Stabilized Construction Entrances
- Equipment Staging Area
- Concrete Wash Out
- Inlet Protection
- Rock Berm or Gabion
- Preservation of Natural Areas
- Placement of Excavated Material on Up Gradient Side of Trench (Except in Floodplain)
- Permanent Planting, Sodding, and/or Re-seeding
- Regular Inspection & Maintenance
- Stabilization

All structural TBMPs will be installed prior to the beginning of construction as per the Sedimentation & Erosion Control Plan and Storm Water Pollution Prevention Plan. The TBMPs will remain in place and will be maintained until all construction has ceased and perennial vegetative cover with a density of 70 percent has occurred.

1. Install stabilized construction entrance; Establish equipment staging area and concrete washout
2. Installation of TBMPs - rock berm, inlet protection and silt fences as appropriate
3. Grubbing & Clearing
4. Excavation
5. Grading
6. Infrastructure Construction
7. Establish 70 percent vegetative cover
8. Remove TBMPs

The temporary measures to be used during construction to prevent pollution of surface water, groundwater, and storm water runoff will be the use of silt fencing, inlet protection, and rock berm, as necessary, generally located along the down gradient side of the project area as indicated in the Water Pollution Abatement Plan. The stabilized construction entrance, concrete wash out and equipment staging area will be located as practicable. The equipment staging area and concrete washout should be in the proximity of the construction entrance / exit and not located near a well, floodplain, or other potential sources of contamination. Structural practices, as applicable, will be installed prior to each phase of the project and will be maintained during the construction of that phase. Disturbed areas will be stabilized, re-vegetated if denuded, within 14 days after temporary (21 days) or permanent cessation of construction activities.

The weather will need to be monitored, and the application of the prime coat and/or tack coat emulsions will be timed to avoid any occurrence of a rain event before placement of the HMAC on the streets. Any concrete, flatwork, and formwork would also be similarly timed to avoid any occurrence of a rain event.

ATTACHMENT E

Request to Temporarily Seal a Feature

Not Applicable

ATTACHMENT F

Structural Practices

Attachment F – Structural Practices

The structural practices proposed that will limit runoff discharge of pollutants from exposed areas of the site will be the use of silt fences (sediment control rolls may be substituted where appropriate), rock berms or gabions, inlet protection, concrete wash out, equipment staging area, and stabilized construction entrances to prevent the suspended solids and sediments from washing across the site.

1. A stabilized construction entrance with washout pit will be constructed at all locations where vehicular traffic enters and leaves the site. This will reduce tracking of sediments onto adjacent roadways and provide a stable area for entrance or exit from the construction site.
2. An equipment staging area will be established. This should be located in the proximity of the construction entrance / exit. This will provide a controlled and stable area to set-up materials and equipment.
3. Silt fencing will be installed adjacent to any drainage way which receives sheet flow from up gradient-disturbed areas and along the side slope perimeter of disturbed areas when no other TBMPs / Structural Practices are available.
4. Excavation for the permanent pond will be used to trap sediment until completion and acceptance of permanent storm drain piping.
5. Silt fencing will be installed in areas where up gradient flow from disturbed areas is concentrated. Washout of silt fencing may occur and should be monitored. Rock berms or gabions may also be installed along the side slope perimeter of disturbed areas if the up-gradient flow is concentrated to prevent washout of silt fencing.
6. Sandbags filled with washed pea gravel will be used at storm drainage inlets prior to stabilization of the drainage areas. Alternative inlet protection may be utilized as appropriate.
7. Rock berms or gabions will be installed at points of concentrated flow to trap sediment prior to exiting the site and prevent down gradient erosion.

Although not anticipated, earthen berm/dikes may be constructed in some areas to divert up gradient flows around disturbed areas and onto natural drainage ways.

ATTACHMENT G

Drainage Area Map

(200' ROW - VOL.4717, PG.626, BCDR)

Marshall 281 Subdivision

Time-of-Concentration Calculations- Existing Conditions

Node	Condition	Type	Overland Flow			Shallow Concentrated Flow					Channel Flow			Total T _c (min)	
			Length (ft)	Slope (ft/ft)	T _t (min)	Paved? (N or Y)	Slope (ft/ft)	Velocity (ft/s)	Length (ft)	T _t (min)	Length (ft)	Velocity (ft/s)	T _t (min)		
A	EXISTING	1	0.011	106	0.01	1.4	Y	0.08	5.7	178	0.5	170.0	5.0	0.6	3
B	EXISTING	1	0.011	95	0.01	1.3	Y	0.015	2.5	236	1.6	172.0	5.0	0.6	3

Sheet Flow Roughness Coefficients

Type	Surface Description	n
1	Smooth Surfaces (concrete, asphalt, gravel, or bare soil)	0.011
2	Fallow (no residue)	0.05
3	Cultivated Soils (Residue Cover < 20%)	0.06
4	Cultivated Soils (Residue Cover > 20%)	0.17
5	Grass - Short grass prairie	0.35
6	Grass - Dense grasses	0.24
7	Grass - Bermuda grass	0.41
8	Range (natural)	0.33
9	Woods - Light underbrush	0.40
10	Woods - Dense underbrush	0.80

From Table 3-1, TR-55 Urban Hydrology for Small Watersheds

Sheet Flow Travel Time (T_t)

$T_t = \frac{0.007(n)^{0.8}}{(P_2)^{0.504}}$

$v = \frac{1.49S^{1/2}}{n}$

$R =$

hydraulic radius (ft)

$T_t =$

travel time (hr)

$n =$

Manning's roughness coefficient

$L =$

flow length (ft)

$P_2 =$

2-yr, 24 hr rainfall =

$S =$

land slope (ft/ft)

4.44

(in)

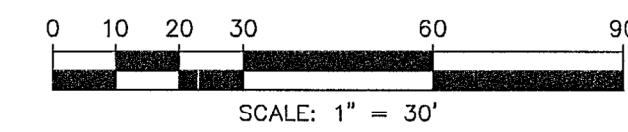
Shallow Concentrated Flow

Unpaved: V = 16.1345^{0.5}

Paved: V = 20.3282^{0.5}

From Appendix F, TR-55 Urban Hydrology for Small Watersheds

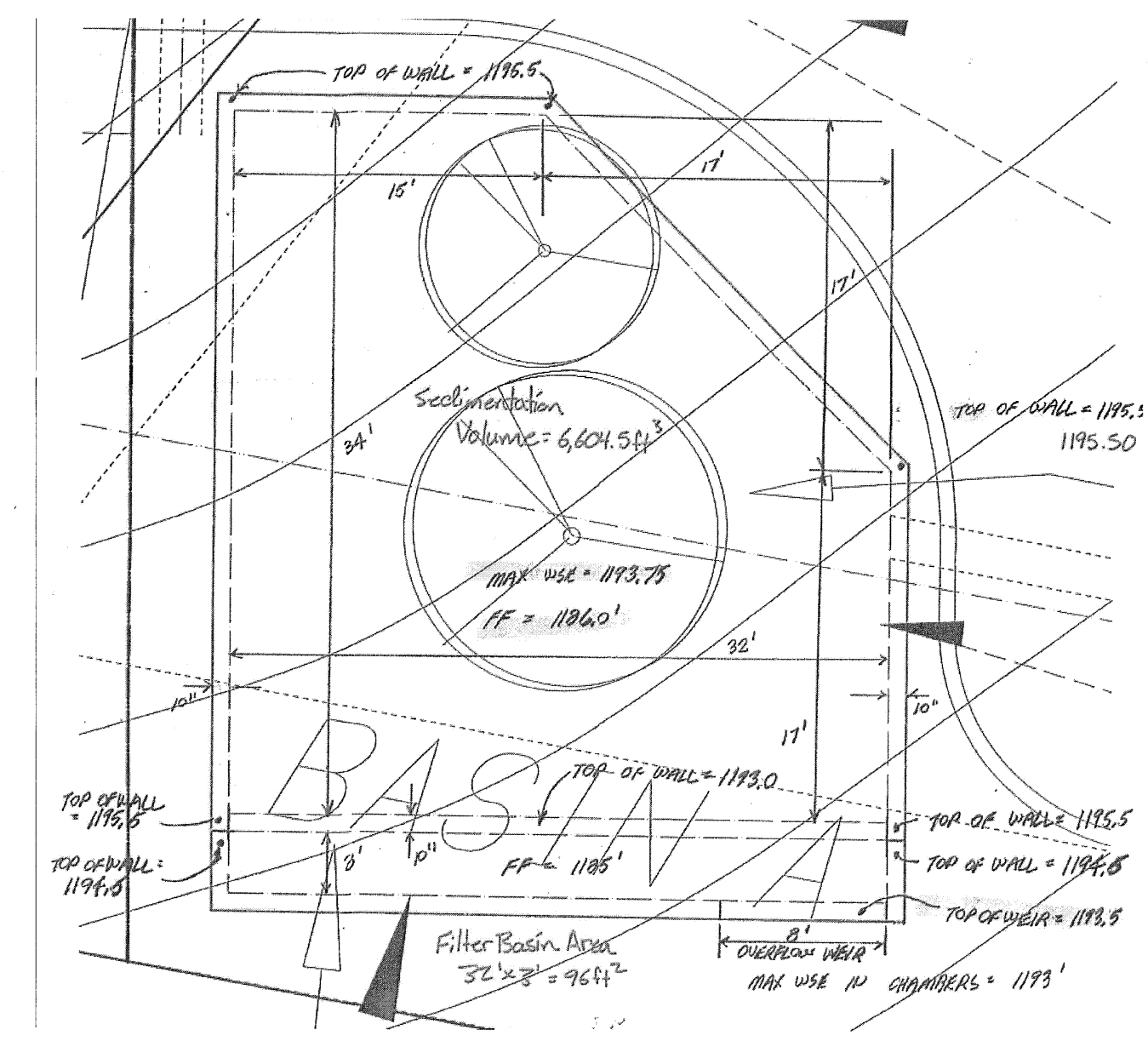
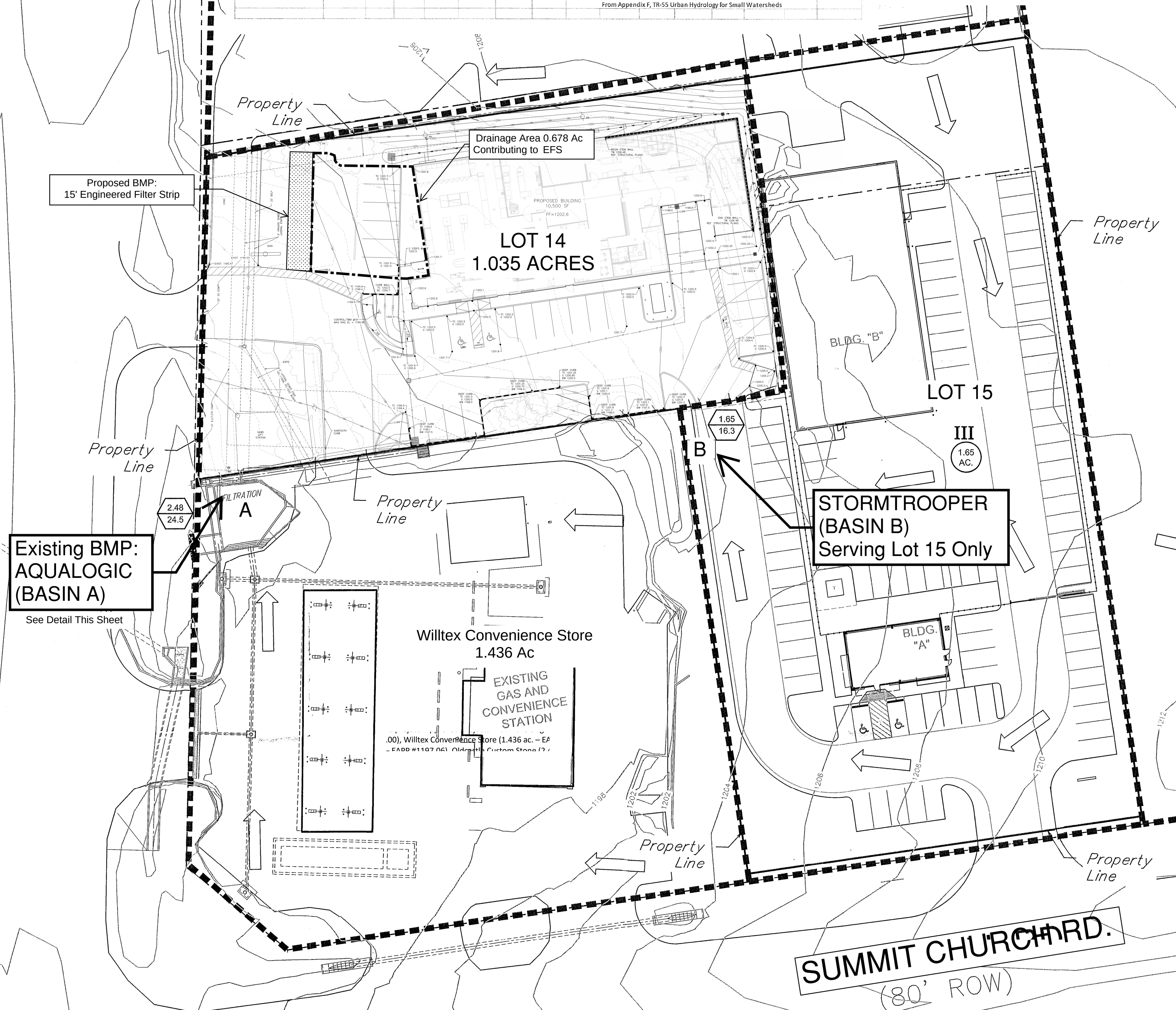
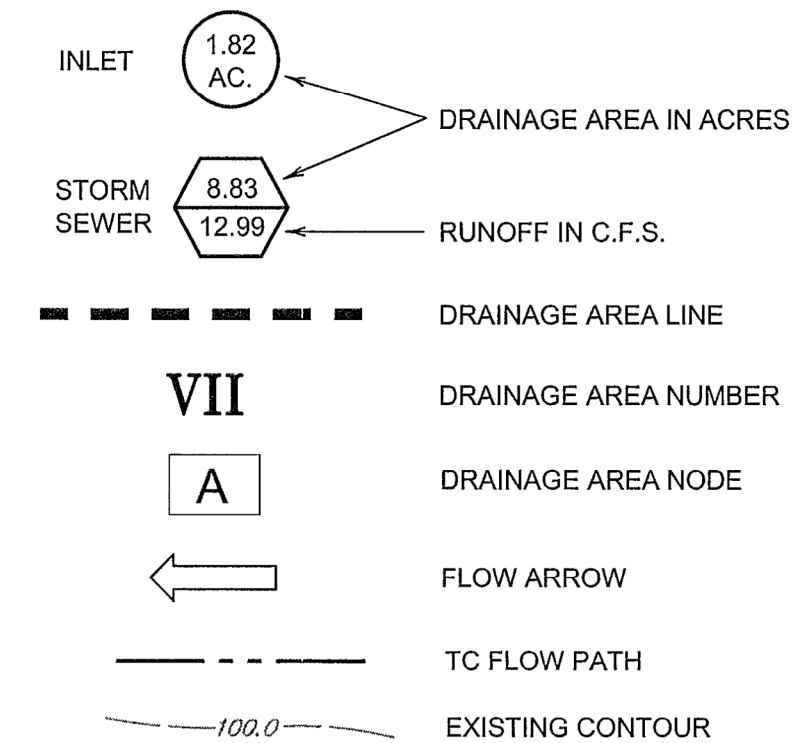
Marshall 281 Subdivision										
Rational Formula Peak Discharge Calculations - Existing Conditions										
Computation Node	Contributing Areas	Total Area (acres)	Tc (min)	Cr	I ₅ (in/hr)	I ₁₅ (in/hr)	I ₁₀₀ (in/hr)	Q ₅ (cfs)	Q ₁₅ (cfs)	Q ₁₀₀ (cfs)
A	II	2.48	3	0.73	8.400	11.100	13.542	15.2	20.1	24.4
B	III	1.65	3	0.73	8.400	11.100	13.542	10.1	13.4	16.3
Composite Cr		0.73	Densely Developed Area 80-90% Impervious 1-3% slope							
Impervious Cover		3.074	Slope of site		2.400%					
% Impervious		74.4 %								



ABBREVIATIONS

B.S.L.	BUILDING SETBACK LINE
CATV.	CABLE TELEVISION
ELEC.	ELECTRIC
ESMT.	EASEMENT
F.H.W.	FIRE HIGHWAY
GHF	OVERHEAD ELECTRIC
PP	POWER POLE
R.O.W.	RIGHT-OF-WAY
SS	SANITARY SEWER LINE
ST	STORM SEWER LINE
SW	SEWER
TELE	TELEPHONE
UFG	UNDERGROUND ELECTRIC
UFV	UNDERGROUND FIBER OPTIC
UGT	UNDERGROUND TELEPHONE
WV	WATER VALVE
B.C.D.P.R.	BEAR COUNTY DEED AND PLAT RECORDS
B.C.R.P.R.	BEAR COUNTY REAL PROPERTY RECORDS
B.C.D.R.	BEAR COUNTY DEED RECORDS

LEGEND



EXISTING BASIN A DETAIL
Aqulogic 15- Filter Canisters
Serving Lot 14 & Willtex Convenience Store

Texas Commission on Environmental Quality

TSS Removal Calculations 04-20-2009

Project Name: **Lot 14 Retail**

Date Prepared: **9/17/2025**

Additional information is provided for cells with a red triangle in the upper right corner. Place the cursor over the cell.

Text shown in blue indicate location of instructions in the Technical Guidance Manual - RG-348.

Characters shown in red are data entry fields.

Characters shown in black (Bold) are calculated fields. Changes to these fields will remove the equations used in the spreadsheet.

1. The Required Load Reduction for the total project:

Calculations from RG-348

Pages 3-27 to 3-30

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

where:

$L_{M \text{ TOTAL PROJECT}}$ = Required TSS removal resulting from the proposed development = 80% of increased load

A_N = Net increase in impervious area for the project

P = Average annual precipitation, inches

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

County = **Bexar**
 Total project area included in plan * = **2.48** acres
 Predevelopment impervious area within the limits of the plan * = **0.00** acres
 Total post-development impervious area within the limits of the plan * = **1.77** acres
 Total post-development impervious cover fraction * = **0.71**
 P = **30** inches

$L_{M \text{ TOTAL PROJECT}}$ = **1444** lbs.

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

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

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

Drainage Basin/Outfall Area No. = **1**

Total drainage basin/outfall area = **2.48** acres
 Predevelopment impervious area within drainage basin/outfall area = **0.00** acres
 Post-development impervious area within drainage basin/outfall area = **1.77** acres
 Post-development impervious fraction within drainage basin/outfall area = **0.71**
 $L_{M \text{ THIS BASIN}}$ = **1444** lbs.

3. Indicate the proposed BMP Code for this basin.

Proposed BMP = **Aqualogic Cartridge Filter**
 Removal efficiency = **95** percent

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

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

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

where:

A_C = Total On-Site drainage area in the BMP catchment area

A_i = Impervious area proposed in the BMP catchment area

A_p = Pervious area remaining in the BMP catchment area

L_R = TSS Load removed from this catchment area by the proposed BMP

A_C = **2.48** acres

A_i = **1.77** acres

A_p = **0.71** acres

L_R = **1756** lbs

5. Calculate Fraction of Annual Runoff to Treat the drainage basin / outfall areaDesired L_M THIS BASIN = **1444** lbs.F = **0.82****6. Calculate Capture Volume required by the BMP Type for this drainage basin / outfall area.**

Calculations from RG-348

Pages 3-34 to 3-36

Rainfall Depth = **1.16** inches
 Post Development Runoff Coefficient = **0.52**
 On-site Water Quality Volume = **5427** cubic feet

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

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

Storage for Sediment = **1085**Total Capture Volume (required water quality volume(s) x 1.20) = **6512** cubic feet

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

7. Retention/Irrigation System

Designed as Required in RG-348

Pages 3-42 to 3-46

Required Water Quality Volume for retention basin = **NA** cubic feet

Irrigation Area Calculations:

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

8. Extended Detention Basin System

Designed as Required in RG-348

Pages 3-46 to 3-51

Required Water Quality Volume for extended detention basin = **NA** cubic feet**9. Filter area for Sand Filters**

Designed as Required in RG-348

Pages 3-58 to 3-63

9A. Full Sedimentation and Filtration SystemWater Quality Volume for sedimentation basin = **NA** cubic feetMinimum filter basin area = **NA** square feetMaximum sedimentation basin area = **NA** square feet For minimum water depth of 2 feetMinimum sedimentation basin area = **NA** square feet For maximum water depth of 8 feet**9B. Partial Sedimentation and Filtration System**Water Quality Volume for combined basins = **NA** cubic feetMinimum filter basin area = **NA** square feetMaximum sedimentation basin area = **NA** square feet For minimum water depth of 2 feetMinimum sedimentation basin area = **NA** square feet For maximum water depth of 8 feet**10. Bioretention System**

Designed as Required in RG-348

Pages 3-63 to 3-65

Required Water Quality Volume for Bioretention Basin = **NA** cubic feet**11. Wet Basins**

Designed as Required in RG-348

Pages 3-66 to 3-71

Required capacity of Permanent Pool = **NA** cubic feet

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

12. Constructed Wetlands

Designed as Required in RG-348

Pages 3-71 to 3-73

Required Water Quality Volume for Constructed Wetlands = **NA** cubic feet**13. AquaLogic™ Cartridge System**

Designed as Required in RG-348

Pages 3-74 to 3-78

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

Required Sedimentation chamber capacity = **6512** cubic feet
 Filter canisters (FCs) to treat WQV = **14.99** cartridges
 Filter basin area (RIA_{FC}) = **29.97** square feet

ATTACHMENT H

Temporary Sediment Pond(s) Plans and Calculations

Not Applicable

ATTACHMENT I

Inspection and Maintenance for BMPs

Attachment I – Inspection and Maintenance for BMPs

Following are recommended minimum site specific inspection and maintenance measures for the BMPs proposed with this project. The recommended measures are derived from the Edwards Aquifer Technical Guidance Manual (RG-348, 2005); Section 1.3, Temporary Erosion Control BMPs and Section 1.4, Temporary Sediment Control BMPs. More detailed guidance is contained within the sections referenced.

The following steps will help prevent or reduce the sediment transported by storm water runoff in areas of disturbance:

General

1. Silt fences (sediment control rolls may be substituted where appropriate), rock berms, gabions, inlet protection, and stabilized construction entrances must be in place prior to the start of construction and will remain in place until construction has been completed and the site stabilized from further erosion.
2. The contractor will keep a record of the inspections, noting the condition of the BMPs and any corrective action taken to maintain the erosion control structures. In addition to the inspection and maintenance reports, the operator should keep records of the construction activity on site. In particular, the following information should be kept:
 - a. The dates when major grading activities occur in a particular area.
 - b. The dates when construction activity ceases in an area, temporarily or permanently.
 - c. The dates when an area is stabilized, temporarily or permanently.
3. All soil, sand, gravel, and excavated material stockpiled on-site will have appropriately sized silt fencing placed up gradient and down gradient.

Inspection

1. A qualified E & S inspector (representing the discharger) shall inspect the following items once every seven (7) days, and within 24 hours after storm event of a ½-inch or greater rainfall:
 - a. Disturbed areas of the construction site that have not been finally stabilized
 - b. Areas used for storage of materials that are exposed to precipitation
 - c. Structural and stabilization control measures
 - d. Construction entrance/exits
2. The E & S inspector shall have authority to require immediate action on the part of the Contractor to correct any nonconforming items found during inspections or to require revisions to the E & S controls if appropriate. If revisions are needed, they shall be implemented within 7 calendar days after the date of inspection.
3. The E & S inspector will provide written reports covering all items/areas inspected and outlining corrective measures if any.

Maintenance

1. All erosion and sedimentation (E & S) measures/controls shall be maintained in good working order by the Contractor. Written maintenance reports shall be prepared covering all inspections and maintenance affecting E & S controls. If repair(s) are necessary, they shall be initiated within 24 hours after report.
2. The *temporary construction entrance* maintenance guidelines are listed below:
 - a. Prevent/minimize tracking or flowing of sediments onto public roadways.

- b. Sediments spilled, dropped, washed or tracked onto public roadways must be removed immediately.
 - c. Vehicle tires should be cleaned to remove sediment prior to entrance onto public right-of-way.
 - d. If washing is required, it should be done on an area stabilized with crushed stone that drains to an approved sediment trap or basin.
 - e. All sediment should be prevented from entering any storm drain, bar ditch, or water course by using approved methods.
- 3. *Temporary vegetation* inspection/maintenance guidelines are listed below:
 - a. Inspected weekly and after each rain event to locate and repair any erosion
 - b. Erosion from storms or other damage should be repaired immediately by regarding the area and applying new seed.
 - c. If vegetated cover is less than 80%, the area should be reseeded.
- 4. *Rock berm* inspection/maintenance guidelines are listed below:
 - a. Inspection should be done weekly and after each rainfall. For installations in streambeds, additional daily inspections should be conducted.
 - b. Remove sediment and other debris when buildup reaches 6 inches and dispose of the accumulated silt in an approved method that will not add additional siltation.
 - c. Repair any loose wire sheathing.
 - d. Reshape the berm as needed during inspection.
 - e. The berm should be replaced when the structure is not functioning as intended due to silt accumulation among the rocks, washout, construction traffic damage, etc.
- 5. *Silt fence* inspection/maintenance guidelines are listed below:
 - a. Inspect silt fencing weekly, and after every rainfall.
 - b. Remove sediment when buildup reaches 6 inches.
 - c. Replace any torn fabric or install a second line of fencing parallel to the torn section.
 - d. Replace or repair any crushed or collapsed in the course of construction activity. If a section of fencing obstructs vehicular access, relocate the fencing to a place where it will provide equal protection without obstructing vehicles. A triangular filter dike may be preferred to a silt fence at common vehicle access points.
 - e. When construction is complete, sediment should be disposed of in a manner that doesn't cause additional siltation and the prior location of the silt fencing should be revegetated. The fence itself should be disposed of in an approved landfill.
- 6. *Curb Inlet Protection (Gravel Filter Bags)* inspection/maintenance guidelines are listed below:
 - a. Inspection should be conducted weekly and after each rainfall. Repair or replacement should be done promptly as needed by the contractor.
 - b. Remove sediment when buildup reaches a depth of 3 inches. Removed sediment should be deposited in a suitable area in a manner that will not erode.
 - c. Check placement of device to prevent gaps between device and curb.
 - d. Inspect filter fabric and patch or replace if torn or missing.
 - e. Structures should be removed and the area stabilized only after the remaining drainage area has been properly stabilized.
- 7. Trash receptacles will be placed onsite for the use of workmen.
- 8. Documentation of maintenance/inspection activities will be kept on site.

An example log sheet for the inspection, maintenance and repair of the BMPs follows. The sample

document is as provided by the Environmental Protection Agency (EPA). The sample can be found and is available for download at www.epa.gov/. It should be modified for the project specific conditions and BMPs. At a minimum, the Inspection Log / Report utilized by the qualified E&S inspector should provide details related to the inspection, maintenance and repair of the BMPs including observations on the site conditions.

ATTACHMENT J

Schedule of Interim and Permanent Soil Stabilization Practices

Attachment J – Schedule of Interim and Permanent Soil Stabilization Practices

The schedule of interim and permanent soil stabilization will be as follows:

1. Interim/permanent stabilization will be performed on denuded and/or disturbed areas within 14 days after temporary (21 days) or permanent cessation of construction activities.
2. Permanent stabilization will be done with the completion of the infrastructure construction and with the completion of the construction of the main building structure.

Refer to ATTACHMENT C in the TEMPORARY STORMWATER SECTION for a schedule summary.

The soil stabilization practices for this project may include: establishment of temporary vegetation, establishment of permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of trees, and preservation of mature vegetation. Use of drought resistant wildflowers should be considered as a supplement to existing vegetation in appropriate areas. Permanent stabilization of the soil within the roadway is completed with the final pavement course and completion of the sidewalks.

The primary practice will be the establishment of vegetation and the protection of existing vegetation including trees. Seeding and/or sod will be done in areas ready for final landscaping, areas to final grade, and in areas that are otherwise practicable. Areas where final grading is not complete will either be re-vegetated or allowed to re-vegetate naturally. Blankets and matting along with mulch may be used to aid in the establishment of vegetation and/or provide erosion stops.

The Edwards Aquifer Technical Guidance Manual (RG-348, 2005); *Section 1.2, General Guidelines* recommends the following practice for soil stabilization in periods of drought or when vegetation cannot be established.

“During times of year when vegetation cannot be established, soil mulching should be applied to moderate slopes and soils that are not highly erodible. On steep slopes or highly erodible soils, multiple mulching treatments should be used. Interlocking ceramic materials, filter fabric, and netting are available for this purpose...”

“Because of the hardy drought-resistant nature of wildflowers, they may be more beneficial as an erosion control practice than turf grass. While not as dense as turfgrass wildflower thatches and associated grasses are expected to be as effective in erosion control and contaminant absorption. Because thatches of wildflowers do not need fertilizers, pesticides, or herbicides, and the need for watering is minimal, implementation of this practice may result in cost savings... A wildflower stand requires several years to become established; however, maintenance requirements are minimal once the area is established.”

The recommended soil stabilization practices are derived from the Edwards Aquifer Technical Guidance Manual (RG-348, 2005); *Section 1.2, General Guidelines, Section 1.3, Temporary Erosion Control BMPs, Section 1.4, Temporary Sediment Control BMPs, and Section 2.5, Landscaping and Vegetative Practices*. More detailed guidance is contained within the sections referenced.

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)(li), (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: Reese Conner, P.E.

Date: 09/25/2025

Signature of Customer/Agent



Regulated Entity Name: Lot 14 Retail

Permanent Best Management Practices (BMPs)

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

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

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

☒ N/A

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

☒ N/A

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

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

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

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

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

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

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

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

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

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

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

Responsibility for Maintenance of Permanent BMP(s)

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

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

ATTACHMENT A

20% or Less Impervious Cover Waiver

Not Applicable

ATTACHMENT B

BMPs for Upgradient Stormwater

Attachment B – BMPs for Upgradient Stormwater

There is no area of upgradient stormwater entering the project site. All upgradient sites adjacent to the property are fully developed and draining to existing BMP structures. Therefore, no BMPs for upgradient stormwater are required.

ATTACHMENT C

BMPs for On-Site Stormwater

Attachment C – BMPs for On-Site Stormwater

The modifications will be limited to the drainage area serving Lot 14. Permanent BMPs for this basin consist of an existing Aqualogic Pond (Basin A) and a proposed Engineered Vegetative Filter Strip designed in accordance with TCEQ's Technical Guidance Manual (TGM) RG-348 (rev. 2005). The existing Aqualogic Pond (efficiency 95%) on the Willtrex Convenience Store site has extra filters installed to treat Lot 14 impervious cover (0.773 acres) along with the Willtrex Convenience Store impervious cover (1.19 acres).

No changes to Basin B (Stormtrooper) are proposed with this modification. The existing Stormtrooper (81% efficiency) is sized to treat the impervious cover from Lot 15.

ATTACHMENT D

BMPs for Surface Streams

Attachment D – BMPs for Surface Streams

The major factors that may affect surface stream water quality during construction are:

- Sediment from disturbed soil;
- Sediment from stockpiled material;
- Fluids from construction equipment;
- Trash from workers and material packaging;
- Rinse water from concrete trucks.

The major factors which may affect surface stream water quality once development is complete are:

- Automotive fluids;
- Landscape products including fertilizer and herbicides;
- Ped control products.

The temporary and permanent BMP's for this project have been designed to conform to the TCEQ Technical Guidance Manual to treat the required amount of storm water runoff as to not significantly impact water quality entering surface or groundwater.

ATTACHMENT E

Request to Seal Features

Not Applicable

ATTACHMENT F

Construction Plans

Not Applicable

Attachment F – Construction Plans

There being no changes needed to the existing permanent BMP, this attachment is not applicable.

ATTACHMENT G

Inspection, Maintenance, Repair and Retrofit Plan

Attachment G – Inspection, Maintenance, Repair and Retrofit Plan

Maintenance Plan for Vegetative Filter Strip/Grassed Swale

Project Name: Lot 14 Retail

Address: 23658 U.S. Hwy. 281 North

City, State, Zip: San Antonio, Texas, 78258

Table 1. Typical maintenance activities for grassed swales.

Activity	Schedule
■ Inspect pretreatment areas, such as a pea gravel diaphragm, for clogging. Make corrections as necessary. ■ Inspect grass along slopes for erosion and formation of rills or gullies. Make corrections as necessary. ■ Remove accumulated trash and debris. ■ Inspect and correct erosion problems in the sand/soil bed of dry swales. ■ Plant an alternative grass species if the original grass cover does not become established. ■ Evaluate vegetation health and replant if the vegetation is not sufficiently established or healthy.	Annual (semiannual the first year)
■ Rototill or cultivate the surface of the sand/soil bed of a dry swale if ponded water does not draw down within 48 hours. ■ Remove sediment buildup from the bottom of the swale if accumulation reaches 25 percent of the original design volume.	As needed (infrequent)
■ Mow grass to maintain a height of 3 to 4 inches.	As needed (frequent seasonally)

Source: Claytor & Schueler, 1996

Maintenance Plan for Aqualogic Cartridge Filter System

Project Name: Lot 14 Retail

Address: 23658 U.S. Hwy. 281 North

City, State, Zip: San Antonio, Texas, 78258

During the first year of operation the filter cartridge level will be inspected on a monthly basis and after each rainfall event. After the first year, maintenance personnel will have a feel for the operational characteristics of the filter and subsequent inspections can be reduced if warranted.

Record Keeping: Maintenance records shall be maintained by the responsible party for all maintenance activities. These records should include a written verification of the date and type of maintenance required, and a description of any special problems related to the BMP and special remediation measures taken to resolve the problem.

Ongoing Inspections: BMP facilities will be inspected at least twice a year (once during or immediately following wet weather) to evaluate facility operation. During each inspection, erosion areas inside and downstream of the BMP will be identified and repaired or revegetated immediately. With each inspection, any damage to the structural elements of the system (pipes, concrete drainage structures, retaining walls, etc.) will be identified and repaired immediately. Cracks, voids and undermining should be patched/filled to prevent growth in the cracks and joints that can cause structural damage.

Sediment Removal: Sediment will be removed from the inlet structure, sedimentation chamber and filtration chamber after each rainfall event. Sedimentation removal from the filtration basin shall be accomplished by removal and replacement of the filter cartridge set. Sediments found adhering to sidewall surfaces should be removed at least every quarter.

Sediment Disposal: Sediments will be disposed of in a manner consistent with the rules and regulations of appropriate governmental entities. These measures will generally include offsite disposal to a licensed municipal solid waste facility. The TCEQ should be contacted regarding the proper handling and disposal of any petrochemical or chemical products which are spilled and contained within the BMP.

Media Conditions: Filter cartridges will be replaced after 2 significant rainfall events or when the drawdown time exceeds 48 hours. The geotextile wrapping around the filter canisters will be inspected each time the filters are changed and will be replaced if damage or permanent clogging is observed.

Litter and Debris Removal: Debris and litter which accumulates near the sedimentation basin outlet device will be removed during regular clean-up operations and inspections.

Filter Underdrain: The underdrain piping network will be cleaned as needed, but at least one time every two (2) years to remove any sediment buildup or as needed to maintain design drawdown time.

Mowing: Grass areas in and around cartridge filters will be mowed at least twice annually to limit vegetation height to 18 inches. More frequent mowing to maintain aesthetic appeal may be necessary in landscaped areas.

Mowing: Grass areas in and around cartridge filters will be mowed at least twice annually to limit vegetation height to 18 inches. More frequent mowing to maintain aesthetic appeal may be necessary in landscaped areas.

Bladder Control Valve: The bladder control valve will be checked for proper operation in automatic and manual mode at least once per quarter. Should any operational problems be found, repairs or replacements will be completed immediately.

Filter Chamber Outfall: The outfall point will be inspected at least once per quarter to ensure that the discharge is leaving the filter by gravity.

Filter Canisters: The filter canisters will be cleaned at least once per quarter. Any damaged canisters will be replaced immediately.

Controls: All controls will be checked and verified that they are functioning correctly at least once per month and after each rainfall event. Any components that are inoperative will be repaired or replaced immediately.

Security Fencing: The BMP facility site will be checked to make sure it is secure at least once per month. Any items found which are broken and impact the BMP security will be made secure immediately.

The applicant is responsible for maintenance of the cartridge filter system after construction until such time as the maintenance obligation is either assumed in writing by another's entity having ownership or control of the property (such as without limitation, an owner's association, new property owner or lessee, a district, or municipality) or the ownership of the property is transferred to the entity assumes such an obligation in writing or ownership is transferred.

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.

Owner/Responsible Party:

Contact Person: George J. Kennedy
Entity: Star 7 Properties, LLC
Mailing Address: 27027 Bulverde Rd., Unit 4
City, State and Zip: San Antonio, TX 78260
Telephone: 210-394-1661
Email: zekekennedy@aol.com

Signature of Owner/Responsible Party



Date:

9/4/25

ATTACHMENT H

Pilot-Scale Field Testing Plan

Not Applicable

ATTACHMENT I

Measures for Minimizing Surface Stream Contamination

Not Applicable

Application Fee Form

Texas Commission on Environmental Quality

Name of Proposed Regulated Entity: Lot 14 Retail

Regulated Entity Location: Bexar County, Texas

Name of Customer: Star 7 Properties, LLC

Contact Person: George Kennedy

Phone: 210-394-1661

Customer Reference Number (if issued): CN 605254630

Regulated Entity Reference Number (if issued): RN 102772506

Austin Regional Office (3373)

☐ Hays

☐ Travis

☐ Williamson

San Antonio Regional Office (3362)

☒ Bexar

☐ Medina

☐ Uvalde

☐ Comal

☐ Kinney

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

☐ Austin Regional Office

☒ San Antonio Regional Office

☐ Mailed to: TCEQ - Cashier

☒ Overnight Delivery to: TCEQ - Cashier

Revenues Section

12100 Park 35 Circle

Mail Code 214

Building A, 3rd Floor

P.O. Box 13088

Austin, TX 78753

Austin, TX 78711-3088

(512)239-0357

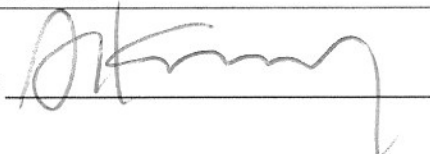
Site Location (Check All That Apply):

☒ Recharge Zone

☐ Contributing Zone

☐ Transition Zone

Type of Plan	Size	Fee Due
Water Pollution Abatement Plan, Contributing Zone Plan: One Single Family Residential Dwelling	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Multiple Single Family Residential and Parks	Acres	\$
Water Pollution Abatement Plan, Contributing Zone Plan: Non-residential	1.035 Acres	\$ 4,000
Sewage Collection System	L.F.	\$
Lift Stations without sewer lines	Acres	\$
Underground or Aboveground Storage Tank Facility	Tanks	\$
Piping System(s)(only)	Each	\$
Exception	Each	\$
Extension of Time	Each	\$

Signature: 

Date: 9/4/25



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

1. Reason for Submission (If other is checked please describe in space provided.)		
☐ New Permit, Registration or Authorization (Core Data Form should be submitted with the program application.)		
☐ Renewal (Core Data Form should be submitted with the renewal form)	☒ Other WPAP Modification	
2. Customer Reference Number (if issued)	Follow this link to search for CN or RN numbers in Central Registry**	3. Regulated Entity Reference Number (if issued)
CN 605254630		RN

SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)		9/25/2025	
☐ New Customer ☒ Update to Customer Information ☐ Change in Regulated Entity Ownership					
☐ Change in Legal Name (Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)					
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>					
6. Customer Legal Name (If an individual, print last name first: eg: Doe, John)				<i>If new Customer, enter previous Customer below:</i>	
Star 7 Properties LLC					
7. TX SOS/CPA Filing Number		8. TX State Tax ID (11 digits)		9. Federal Tax ID (9 digits)	
080091277		32034338882		26-177482	
10. DUNS Number (if applicable)					
11. Type of Customer:		☐ Corporation		☐ Individual	
Government: ☐ City ☐ County ☐ Federal ☐ Local ☐ State ☐ Other		☐ Sole Proprietorship		Partnership: ☐ General ☒ Limited	
12. Number of Employees				13. Independently Owned and Operated?	
☒ 0-20 ☐ 21-100 ☐ 101-250 ☐ 251-500 ☐ 501 and higher				☒ Yes ☐ No	
14. Customer Role (Proposed or Actual) – as it relates to the Regulated Entity listed on this form. Please check one of the following					
☒ Owner ☐ Operator ☐ Owner & Operator ☐ Other:					
☐ Occupational Licensee ☐ Responsible Party ☐ VCP/BSA Applicant					
15. Mailing Address:		27027 Bulverde Road			
		Unit 4			
City		San Antonio		State	TX
ZIP		78260		ZIP + 4	2111
16. Country Mailing Information (if outside USA)				17. E-Mail Address (if applicable)	
				zekekennedy@aol.com	

18. Telephone Number	19. Extension or Code	20. Fax Number (if applicable)
(210) 394-1661		() -

SECTION III: Regulated Entity Information

21. General Regulated Entity Information (If 'New Regulated Entity' is selected, a new permit application is also required.)								
☒ New Regulated Entity ☐ Update to Regulated Entity Name ☐ Update to Regulated Entity Information								
<i>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).</i>								
22. Regulated Entity Name (Enter name of the site where the regulated action is taking place.)								
Lot 14 Retail								
23. Street Address of the Regulated Entity: (No PO Boxes)	23654 U.S. Hwy. 281 North							
	City	San Antonio	State	TX	ZIP	78258	ZIP + 4	9800
24. County	Bexar							

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

25. Description to Physical Location:	NE Corner of Summit Church Rd. and Hwy. 281							
26. Nearest City					State	Nearest ZIP Code		
San Antonio				TX		78258		
<i>Latitude/Longitude are required and may be added/updated to meet TCEQ Core Data Standards. (Geocoding of the Physical Address may be used to supply coordinates where none have been provided or to gain accuracy).</i>								
27. Latitude (N) In Decimal:		29.66		28. Longitude (W) In Decimal:		98.45		
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
29	39	40	98	26	55			
29. Primary SIC Code (4 digits)	30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)			
7832	5812		811111		722513			
33. What is the Primary Business of this entity? (Do not repeat the SIC or NAICS description.)								
Autobody Repair/Restaurant								
34. Mailing Address:	27027 Bulverde Rd.							
	Unit 4							
	City	San Antonio	State	TX	ZIP	78260	ZIP + 4	2111
35. E-Mail Address:	zekekennedy@aol.com							
36. Telephone Number	37. Extension or Code		38. Fax Number (if applicable)					
(210) 394-1661			() -					

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.

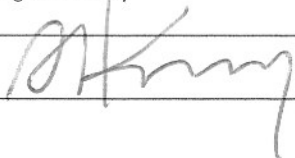
☐ Dam Safety	☐ Districts	☒ Edwards Aquifer	☐ Emissions Inventory Air	☐ Industrial Hazardous Waste
		13-97012701A		
☐ Municipal Solid Waste	☐ New Source Review Air	☐ OSSF	☐ Petroleum Storage Tank	☐ PWS
☐ Sludge	☐ Storm Water	☐ Title V Air	☐ Tires	☐ Used Oil
☐ Voluntary Cleanup	☐ Wastewater	☐ Wastewater Agriculture	☐ Water Rights	☐ Other:

SECTION IV: Preparer Information

40. Name:	Reese Conner			41. Title:	Engineer
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address		
(210) 601-2132		() -	rconner@rkegr.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:	Star 7 Properties, LLC		Job Title:	Owner	
Name (In Print):	George J. Kennedy			Phone:	210-394-1661
Signature:				Date:	9/4/25

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

I George J. Kennedy,
Print Name
President,
Title - Owner/President/Other
of Star 7 Properties, LLC,
Corporation/Partnership/Entity Name
have authorized Reese H. Conner
Print Name of Agent/Engineer
of RK Engineering, LLC
Print Name of Firm

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

I also understand that:

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

SIGNATURE PAGE:


Applicant's Signature

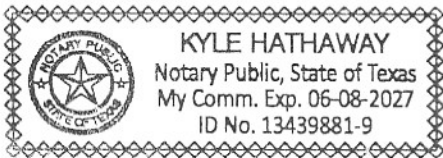
9/4/2025
Date

THE STATE OF Texas §

County of Bexar §

BEFORE ME, the undersigned authority, on this day personally appeared George J. Kennedy 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 4 day of September, 2025.




NOTARY PUBLIC
Kyle Hathaway
Typed or Printed Name of Notary

MY COMMISSION EXPIRES: 06-08-2027