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Kelly Keel, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

June 6, 2025

Mr. Guillermo Aguayo
Agora Assets, LC
8 Dominion Drive, Unit 102
San Antonio, TX, 78257

Re: Approval of a Contributing Zone Plan (CZP)
The Oaks at the Dominion; Located 1500 feet SW of Dominion Dr and Brenthurst Ln
intersection; San Antonio, Bexar County, Texas
Edwards Aquifer Protection Program ID: 13002052, Regulated Entity No. RN109053660

Dear Mr. Aguayo:

The Texas Commission on Environmental Quality (TCEQ) has completed its review on the application for the above-referenced project submitted to the Edwards Aquifer Protection Program (EAPP) by Pape-Dawson Consulting Engineers, LLC on behalf of the applicant, Agora Assets, LC on January 14, 2025. Final review of the application was completed after additional material was received on March 17, 2025, April 15, 2025, May 7, 2025, June 2, 2025, and June 4, 2025.

As presented to the TCEQ, the application was prepared in general compliance with the requirements of 30 Texas Administrative Codes (TAC) Chapter §213. The permanent best management practices (BMPs) and measures represented in the application were prepared by a Texas licensed professional engineer (PE). All construction plans and design information were sealed, signed, and dated by a Texas licensed PE. Therefore, the application for the construction of the proposed project and methods to protect the Edwards Aquifer are **approved**, subject to applicable state rules and the conditions in this letter.

This approval expires two 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 officially requested. This approval or extension will expire, and no extension will be granted if more than 50 percent of the project has not been completed within ten years from the date of 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 contributing zone plan or modification to a plan. A motion for reconsideration must be filed in accordance with 30 TAC §50.139.

PROJECT DESCRIPTION

The proposed residential project will have an area of approximately 17.59-acres. The project will include clearing, grading, excavation, installation of utilities and drainage, and construction of a single-family residential development unit with 55 residential lots, 5 open space lots, streets and sidewalks. The impervious cover will be 10.8-acres (61.4 percent). Project wastewater will be disposed of by conveyance to the existing Leon Creek Water Recycling Center.

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, two (2) JellyFish Filter Systems and one (1) engineered vegetative filter strip, designed using the TCEQ technical guidance, *RG-348, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices*, will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 8,813 pounds of TSS generated from the 10.8-acres of impervious cover. The approved permanent BMPs and measures meet the required 80 percent removal of the increased load in TSS caused by the project.

The permanent BMPs shall be operational prior to occupancy or use of the proposed project. Inspection, maintenance, repair, and retrofit of the permanent BMPs shall be in accordance with the approved application.

STANDARD CONDITIONS

1. The plan holder (applicant) must comply with all provisions of 30 TAC Chapter §213 and all technical specifications in the approved plan. The plan holder should also acquire and comply with additional and separate approvals, permits, registrations or authorizations from other TCEQ Programs (i.e., Stormwater, Water Rights, Dam Safety, Underground Injection Control) as required based on the specifics of the plan.
2. In addition to the rules of the Commission, the plan holder must also comply with state and local ordinances and regulations providing for the protection of water quality as applicable.

Prior to Commencement of Construction:

3. The plan holder of any approved contributing zone plan must notify the EAPP and obtain approval from the executive director prior to initiating any modification to the activities described in the referenced application following the date of the approval.
4. The plan holder must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the EAPP no later than 48 hours prior to commencement of the regulated activity. 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.
5. Temporary erosion and sedimentation (E&S) controls as described in the referenced application, 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. 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.

During Construction:

6. The application must indicate the placement of permanent aboveground storage tanks facilities for static hydrocarbons and hazardous substances with cumulative storage capacity of 500 gallons or more. Subsequent permanent storage tanks on this project site require a modification to be submitted and approved prior to installation.
7. 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.
8. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge must be filtered through appropriately selected BMPs.

Mr. Guillermo Aguayo

Page 3

June 6, 2025

9. 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.
10. 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.

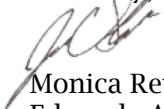
After Completion of Construction:

11. Owners of permanent BMPs and temporary measures must ensure that the BMPs and measures are constructed and function as designed. A Texas licensed PE **must certify** in writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the EAPP within 30 days of site completion.
12. 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. A copy of the transfer of responsibility must be filed with the executive director through the EAPP within 30 days of the transfer. TCEQ form, Change in Responsibility for Maintenance on Permanent BMPs and Measures (TCEQ-10263), may be used.

The holder of the approved contributing zone plan is responsible for compliance with Chapter §213 subchapter B and any condition of the approved plan through all phases of plan implementation. Failure to comply with any condition within this approval letter is a violation of Chapter §213 subchapter B and is subject to administrative rule or orders and penalties as provided under §213.25 of this title (relating to Enforcement). Such violations may also be subject to civil penalties and injunction. Upon legal transfer of this property, the new owner is required to comply with all terms of the approved contributing zone plan.

This action is taken as delegated by the executive director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Ryan Pircher of the Edwards Aquifer Protection Program at 210-403-4074 or the regional office at 512-339-2929.

Sincerely,

 (for)

Monica Reyes, Section Manager
Edwards Aquifer Protection Program
Texas Commission on Environmental Quality

MR/rp

cc: Mr. Andrew Belton, P.E., Pape-Dawson Consulting Engineers, LLC