Texas Commission on Environmental Quality
Investigation Report

The TCEQ is committed to accessibility. If you need assistance in accessing this document, please contact oce@tceq.texas.gov

Customer: D.Burton Construction LLC
Customer Number: CN605826056

Regulated Entity Name: SANTA FE SECTION 12
Regulated Entity Number: RN111242418

Investigation # 1736609

Investigator: KYLE LINVILLE

Conducted: 06/15/2021 -- 07/19/2021

Program(s): STORMWATER

Investigation Type: Compliance Investigation

Additional ID(s): TXR1555FC

Address: ,
, ,

Incident Numbers
359987

Site Classification CONSTRUCTION GENERAL PERMIT FOR STORMWATER

No Industry Code Assigned

Location: INTERSECTION OF RD 3549 SAN MARCOS DR & RD 3470, NORTH OF SECTION 8

Local Unit: REGION 12 - HOUSTON
Activity Type(s): SWCMPL - SW Complaint

Principal(s):

Role	Name
RESPONDENT	DBURTON CONSTRUCTION LLC

Contact(s):

Role	Title	Name	Phone	
REGULATED ENTITY CONTACT	OWNER	MR Donald Burton	Work	(281) 659-6796
REGULATED ENTITY CONTACT	SENIOR ESTIMATOR	MS RACHAEL ALWAGFI	Phone	(281) 516-0100
NOV CONTACT	OWNER	MR Donald Burton	Work	(281) 659-6796
REGULATED ENTITY MAIL CONTACT	OWNER	MR Donald Burton	Work	(281) 659-6796

Other Staff Member(s):

Role	Name
Supervisor	WESTIN MASSEY
QA Reviewer	TREY THUMANN

Associated Check List

Checklist Name	Unit Name
WQ COMPLAINT INVESTIGATION	COMPLAINT

Investigation Comments:

INTRODUCTION

On June 8, 2021, the Texas Commission on Environmental Quality (TCEQ) Houston Region Office received a complaint (Incident No. 359987) alleging the lack of best management practices. The alleged complaint is located north of the Intersection of RD 3549 San Marcos & RD 3470, Cleveland (Liberty County), Texas 77327 (Attachment 1: Vicinity Map). A Complaint Investigation was conducted to determine compliance with applicable regulations.

An investigation was conducted at the described location above on June 15, 2021, by Mr. Kyle Linville, Environmental Investigator with the TCEQ Houston Region Office. The investigation was conducted as a result of a complaint; therefore, no notification of the investigation was given.

A TCEQ Exit Interview Form was emailed to Mr. Donald Burton, Owner of D. Burton Construction LLC, on June 24, 2021, explaining the results of the investigation (Attachment 2: TCEQ Exit Interview sent on June 24, 2021). Based on the findings of the of this investigation, a Notice of Violation (NOV) letter was issued to facilitate compliance.

BACKGROUND

The TCEQ Houston Region Office files were reviewed and a TCEQ database search was conducted pursuant to this investigation. The TCEQ has received no previous complaints regarding the incident location.

GENERAL FACILITY AND PROCESS INFORMATION

The Santa Fe Section 12 (Section 12) construction site disturbs approximately 1360 acres of land and is located North of the Intersection of RD 3549 San Marcos & RD 3470, Cleveland 77327 (Attachment 1: Vicinity Map). Section 12 is considered a large construction site per TCEQ regulations. The site is operated by D. Burton Construction, LLC. Coverage under the CGP (TXR1555FC) was obtained on April 14, 2021 (Attachment 3: Permit Information)

Stormwater on this site flows to the Luce Bayou, Segment No. 1002B, and Tarkington Bayou, Segment 1002A, of the San Jacinto River Basin. The site was not discharging at the time of the investigation.

COMPLAINT INVESTIGATION DESCRIPTION

On June 15, 2021, a site visit was conducted by Mr. Linville. Upon arriving on site, the investigator noted active construction activities along Long Branch Creek. At the time of the investigation the investigator noted that the slopes of Long Branch Creek were not stabilized, and un-stabilized sediment piles had been placed along the banks of the creek (Attachment 4: Investigation Photographs; Photo 1) (Attachment 5: Photo Locations Map). The investigator also noted a damaged silt fence in a drainage channel that connects Section 12 to Long Branch Creek (Attachment 4: Investigation Photographs; Photos 2-6) (Attachment 5: Photo Locations Map). Additionally, the drainage channel connecting Section 12 to Long Branch Creek was not stabilized.

Continuing north into Section 12, the investigator further noted un-stabilized sediment piles on the edges of un-stabilized drainage ditches which were connected to Long Branch Creek (Attachment 4: Investigation Photographs; Photos 7-15) (Attachment 5: Photo Locations Map). Additionally, the slopes of Long Branch Creek were also un-stabilized within Section 12 at the time of the investigation (Attachment 4: Investigation Photographs; Photos 16-17). Upon further inspection of Section 12, the investigator documented active land clearing activities (Attachment 4: Investigation Photographs; Photos 18-21) (Attachment 5: Photo Locations Map). While documenting the land clearing activities, the investigator noted an unprotected tributary that flows into Tarkington Bayou (Attachment 4: Investigation Photographs; Photos 22-24) (Attachment 5: Photo Locations Map). The issues noted on-site will be further addressed in the Summary of Investigation Finds section of this report.

On July 19, 2021, Mr. Linville and Mr. Christian Eubanks, Environmental Investigator, conducted an overflight that included this construction area. Overflights are used as a preliminary way to identify sources of potential river pollutants, which are then verified. During the overflight, regulated construction activity was noted in Section 12 (Attachment 6: Flyover Photographs; Photos 1-9).

ADDITIONAL INFORMATION

On June 16, 2021, a TCEQ Records Request was sent to Mr. Burton via email (Attachment 7: Records Request Sent on June 16, 2021). The investigator requested a copy of the Stormwater Pollution Prevention Plan (SWP3) for the Section 12 Permit (TXR1555FC).

On June 16, 2021, Ms. Rachael Alwagfi, Senior Estimator with Double Oak Erosion, submitted the requested documentation via email to the TCEQ Houston Region 12 Office (Attachment 8: Response to Records Request). After reviewing the requested documentation, the investigator determined that the Section 12 construction site did not have erosion control measures installed as prescribed by the SWP3.

On June 24, 2021, a TCEQ Exit Interview was emailed to Mr. Burton, explaining the results of the investigation (Attachment 2: TCEQ Exit Interview sent on June 24, 2021).

CONCLUSION

The allegation of the lack of best management practices at a construction site was confirmed. As a result of the investigation, one alleged violation was issued: Failure to install minimum controls.

SUMMARY OF INVESTIGATION FINDINGS

OUTSTANDING ALLEGED VIOLATION(S)

Track Number: 788260 **Compliance Due Date: To Be Determined**

Violation Start Date: Unknown

30 TAC Chapter 281.25(a)(4)

PERMIT TXR1555FC, TPDES General Permit TXR150000

Permit Provision Part III. Section G.

Alleged Violation:

Investigation: 1736609 Comment Date: 08/23/2021

Failure to install minimum controls.

During the investigation conducted from June 15, 2021 to July 19, 2021, it was noted that D. Burton Construction LLC, had not installed erosion controls in Santa Fe Section 12 as prescribed by the SWP3.

As per the Construction General Permit (CGP); “design install and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants”. At the time of the investigation the Santa Fe Section 12 construction site did not have installed erosion control measures as prescribed by the SWP3.

Recommended Corrective Action: Submit to the TCEQ Houston Region 12 Office documentation demonstrating that erosion control measures have been installed in Santa Fe Section 12 in accordance with the SWP3.

Signed _____ **Date** 9/1/2021
Environmental Investigator

Signed _____ **Date** 9/3/2021
Supervisor

Attachments: (in order of final report submittal)

___Enforcement Action Request (EAR)
__XLetter to Facility (specify type) : NOV
Investigation Report
___Sample Analysis Results
___Manifests
___Notice of Registration
___Maps, Plans, Sketches
___Photographs
___Correspondence from the facility
X___Other (specify) :
See List of Attachments

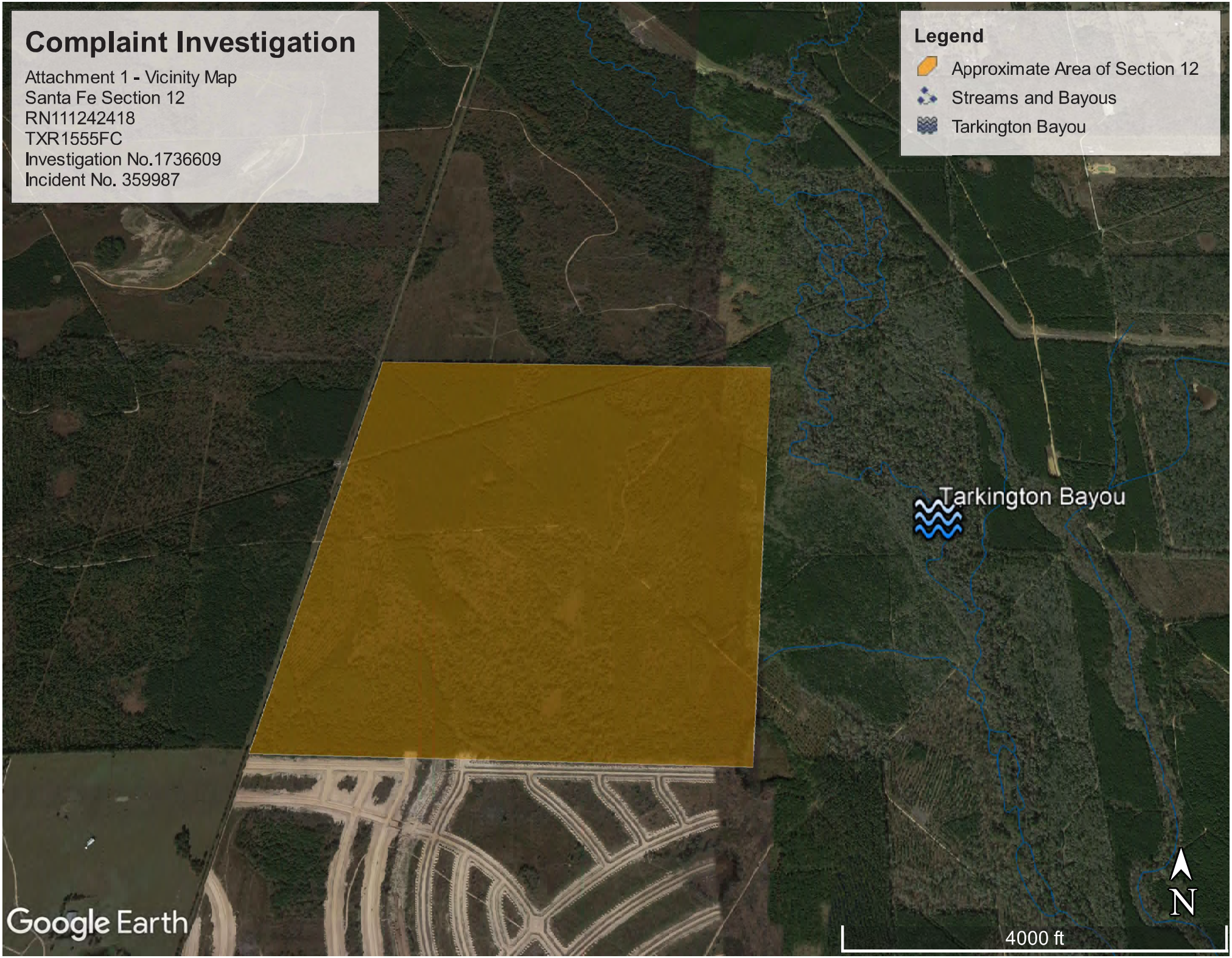
List of Attached files
Attachment 6-8.pdf
Attachments 1-5.pdf

Investigation Date: June 15, 2021
Texas Commission on Environmental Quality
Complaint Investigation Report
RE Name: Santa Fe Section 12
Site Location: Intersection of RD 3549 San Marcos & RD 3470, Cleveland 77327
RN: 111242418
Investigation No.: 1736609

List of Attachments

Attachment 1: Vicinity Map
Attachment 2: TCEQ Exit Interview sent on June 24, 2021
Attachment 3: Permit Information
Attachment 4: Investigation Photographs
Attachment 5: Photo Locations Map
Attachment 6: Flyover Photographs
Attachment 7: Records Request Sent on June 16, 2021
Attachment 8: Response to Records Request

ATTACHMENT 1


Complaint Investigation
Attachment 1 - Vicinity Map
Santa Fe Section 12
RN111242418
TXR1555FC
Investigation No.1736609
Incident No. 359987
Legend
Approximate Area of Section 12
Streams and Bayous
Tarkington Bayou
Tarkington Bayou
Google Earth
4000 ft
N

ATTACHMENT 2

Kyle Linville

From: Kyle Linville
Sent: Thursday, June 24, 2021 3:10 PM
To: Donald Burton
Cc: Cody Long; Cliff Cadle; Brian Taton; Rachael Alwagfi
Subject: RE: TCEQ Exit Interview - Santa Fe Sec 12
Attachments: Updated TCEQ Exit Interview - Santa Fe Sec 12.pdf

Good afternoon,

The following are being provided as attachments to this e-mail:

- Updated TCEQ Exit Interview Form: Potential Violations

The Exit Interview Form: Potential Violations, is provided as an attachment to this email to ensure that the issues are communicated regarding the compliance evaluation investigation conducted on June 15, 2021, at the Santa Fe Sec 12 construction site. Please note that the facility is still under investigation and changes can still be made. If there are questions about the information contained in the form, contact me as soon as possible.

Regards,

Kyle Linville
Environmental Investigator
Region 12 • Water Section
5425 Polk Ave • Suite H • Houston TX 77023
Phone: 713-767-3579

From: Kyle Linville
Sent: Thursday, June 17, 2021 9:11 AM
To: Rachael Alwagfi [redacted]
Cc: Donald Burton [redacted] Cody Long [redacted] Cliff Cadle [redacted] Brian Taton [redacted]
Subject: RE: TCEQ Exit Interview - Santa Fe Sec 12

Rachael,

Received. I will follow-up once I have completed my review of the documentation.

Regards,

Kyle Linville
Environmental Investigator
Region 12 • Water Section
5425 Polk Ave • Suite H • Houston TX 77023
Phone: **713-767-3579**

From: Rachael Alwagfi[redacted]
Sent: Wednesday, June 16, 2021 10:41 AM
To: Kyle Linville <Kyle.Linville@tceq.texas.gov>
Cc: Donald Burton[redacted] Cody Long[redacted]Cliff Cadle [redacted] Brian Taton[redacted]
Subject: RE: TCEQ Exit Interview - Santa Fe Sec 12
Importance: High

Kyle,

Please see attached SW3P and NOI for Section 12.

Thank You!!

Rachael Alwagfi
Senior Estimator|SWPPP Manager|
dl: (346) 327-9862 m: (281) 203-7183
a: P.O. Box 979, Waller, TX 77484
www.doubleoakerosion.com|[redacted]

From: Kyle Linville <Kyle.Linville@tceq.texas.gov>
Sent: Wednesday, June 16, 2021 9:42:57 AM
To[redacted]
Cc: Cliff Cadle[redacted]Brian Taton[redacted]
Subject: TCEQ Exit Interview - Santa Fe Sec 12

Good morning,

The following are being provided as attachments to this e-mail:

- TCEQ Exit Interview Form: Records Request
- TCEQ Customer Satisfaction Survey – Hyperlink

The Exit Interview Form: Records Request, is provided as an attachment to this email to ensure that the issues are communicated regarding the compliance evaluation investigation conducted on June 15, 2021, at the Santa Fe Sec 12 construction site. Please provide the request documentation within the established deadline (Close of Business, June 17, 2021) . Please note that the facility is still under investigation and changes can still be made. If there are questions about the information contained in the form, contact me as soon as possible.

Regards,

Kyle Linville
Environmental Investigator
Region 12 • Water Section
5425 Polk Ave • Suite H • Houston TX 77023
Phone: **713-767-3579**

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EXIT INTERVIEW FORM: Potential Violations

Regulated Entity/Site Name	Santa Fe Section 12			**TCEQ Add. ID No. RN No (optional)**	TXR1555FC RN111242418		
Investigation Type	Complaint	**Contact Made In-House (Y/N)**	N	**Purpose of Investigation**	Compliance		
Regulated Entity Contact	Donald Burton			**Telephone No.**		**Date Contacted**	06/16/2021
Title				**E-mail:**		**Date Emailed:**	06/24/2021

NOTICE: The information provided in this Note is intended to provide clarity to issues that have arisen to the date of this Note during the investigation process between the agency and the company and *does not represent agency findings related to violations*. Any potential or alleged violations discovered after the date of this Note will be communicated by telephone to the regulated entity representative prior to the issuance of a notice of violation or enforcement. Conclusions drawn from this investigation, including additional violations or potential violations discovered (if any) during the course of this investigation, will be documented in this investigation's final report.

Issue		**For Records Request, identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues, include the rule in question with the clearly described potential problem. Other type of issues: fully describe.**	
No.	**Type[1]**	**Rule Citation (if known)**	**Description of Issue**
1	PV	TXR150000. Part III. Section G.	**Failure to install minimum controls.** During the investigation it was noted that BMPs were not installed as prescribed by the Stormwater Pollution Prevention Plan (SWPPP) in Santa Fe Sec 12. Specifically, BMPs prescribed by the SWPPP were not installed in drainage channels.

Note 1: Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	☒ No ☐ Yes
Did the investigator advise the regulated entity representative that continued operation is not authorized?	☒ No ☐ Yes

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Kyle Linville..... Kyle Linville	06/24/2021		
Investigator Name (Signed &Printed)	**Date**	**Regulated Entity Representative Name (Signed & Printed)**	**Date**

If you have questions about any information on this form, please contact your local TCEQ Regional Office.

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

ATTACHMENT 3

Water Quality General Permits Search

Summary of Authorization TXR1555FC

Permit Number: TXR1555FC
Authorization Status: ACTIVE
Date Coverage Began: 04/14/2021
Date Coverage Ended:
Replaced Permit Number:

Authorization Details

Site Name on Permit: SANTA FE SECTION 12
Authorization Type: CONSTRUCTION
Primary SIC Code: 1629
Area Disturbed (In Acres) : 1360
Common Plan Of Development : Y
Estimated Project End Date : 03/23/2022
Estimated Project Start Date : 03/23/2021
MS4 Operator : LIBERTY COUNTY
Receiving Water Body : LUCE BAYOU
Receiving Water Body : TARKINGTON BAYOU
Segment Number : 1002

Permittee Information

Operator: CN605826056 - D.Burton Construction LLC
Address: 325 CR 3774 CLEVELAND TX 77327
Annual Fee Billing Address: NOT FOUND OR NOT APPLICABLE

Permitted Site Information

RN: RN111242418
RE Name: SANTA FE SECTION 12
Site Location: INTERSECTION OF RD 3549 SAN MARCOS DR & RD 3470, NORTH OF SECTION 8 CLEVELAND 77327
County: LIBERTY
TCEQ Region: REGION 12 - HOUSTON
Latitude: 30.215277
Longitude: -95.03768

Regulated Entity Site Information

RE Name: SANTA FE SECTION 12
Site Location: INTERSECTION OF RD 3549 SAN MARCOS DR & RD 3470, NORTH OF SECTION 8 CLEVELAND 77327
County: LIBERTY
TCEQ Region: REGION 12 - HOUSTON
Latitude: 30.215277
Longitude: -95.03768

Application History for this Authorization

Application Type	Status	Received Date	Final Action Date
NOTICE OF INTENT	APPROVED	04/14/2021	04/14/2021

ATTACHMENT 4

Photographs of Santa Fe Section 12 taken by Kyle Linville
CCEDS Investigation No. 1736609 ; Permit No. TXR1555FC

Photo 1 of 24— 06/15/2021

Description: Unstabilized slopes of Long Branch Creek. Unstabilized sediment piles placed along the banks of Long Branch Creek.

Direction: North.

Photo 2 of 24— 06/15/2021

Description: Damaged silt fence.

Direction: West

Photo 3 of 24— 06/15/2021

Description: Damaged silt fence.

Direction: South.

Photo 4 of 24— 06/15/2021

Description: Unstabilized drainage channel connected to Long Branch Creek.

Direction:

Photo 5 of 24— 06/15/2021

Description: Unstabilized drainage channel connected to Long Branch Creek.

Direction: South

Photo 6 of 24— 06/15/2021

Description: Unstabilized drainage channel connected to Long Branch Creek.

Direction: Southwest

Photo 7 of 24— 06/15/2021

Description: Unstabilized slopes in Long Branch Creek. Unstabilized sediment piles on the banks of Long Branch Creek.

Direction: South

Photo 8 of 24— 06/15/2021

Description: Unstabilized slopes in Long Branch Creek. Unstabilized sediment piles on the banks of Long Branch Creek.

Direction: North

Photo 9 of 24— 06/15/2021

Description: Unstabilized slopes and unstabilized sediment piles leading to Long Branch Creek.

Direction: East

Photo 10 of 24— 06/15/2021

Description: Unstabilized slopes and unstabilized sediment piles leading to Long Branch Creek.

Direction: East

Photo 11 of 24— 06/15/2021

Description: Unstabilized slopes and unstabilized sediment piles leading to Long Branch Creek.

Direction: East

Photo 12 of 24— 06/15/2021

Description: Unstabilized slopes in Long Branch Creek. Unstabilized sediment piles on the banks of Long Branch Creek.

Direction: South

Photo 13 of 24— 06/15/2021

Description: Unstabilized slopes and unstabilized sediment piles leading to Long Branch Creek.

Direction: West

Photo 14 of 24— 06/15/2021

Description: Unstabilized slopes and unstabilized sediment piles leading to Long Branch Creek.

Direction: East

Photo 15 of 24— 06/15/2021

Description: Unstabilized slopes and unstabilized sediment piles leading to Long Branch Creek.

Direction: West

Photographs of Santa Fe Section 12 taken by Kyle Linville
CCEDS Investigation No. 1736609 ; Permit No. TXR1555FC

Photo 16 of 24— 06/15/2021

Description: Unstabilized slopes in Long Branch Creek. Unstabilized sediment piles on the banks of Long Branch Creek.

Direction: North

Photo 17of 24— 06/15/2021

Description: Unstabilized slopes in Long Branch Creek. Unstabilized sediment piles on the banks of Long Branch Creek.

Direction: South

Photo 18 of 24— 06/15/2021

Description: Land clearing activities.

Direction: North

Photographs of Santa Fe Section 12 taken by Kyle Linville
CCEDS Investigation No. 1736609 ; Permit No. TXR1555FC

Photo 19 of 24— 06/15/2021

Description: Land clearing activities.

Direction: West

Photo 20 of 24— 06/15/2021

Description: Land clearing activities.

Direction: North

Photo 21 of 24— 06/15/2021

Description: Land clearing activities.

Direction: North

Photo 22 of 24— 06/15/2021

Description: Land clearing activities. Unprotected tributary that flows to Tarkington Bayou.

Direction: East

Photo 23 of 24— 06/15/2021

Description: Land clearing activities. Unprotected tributary that flows to Tarkington Bayou.

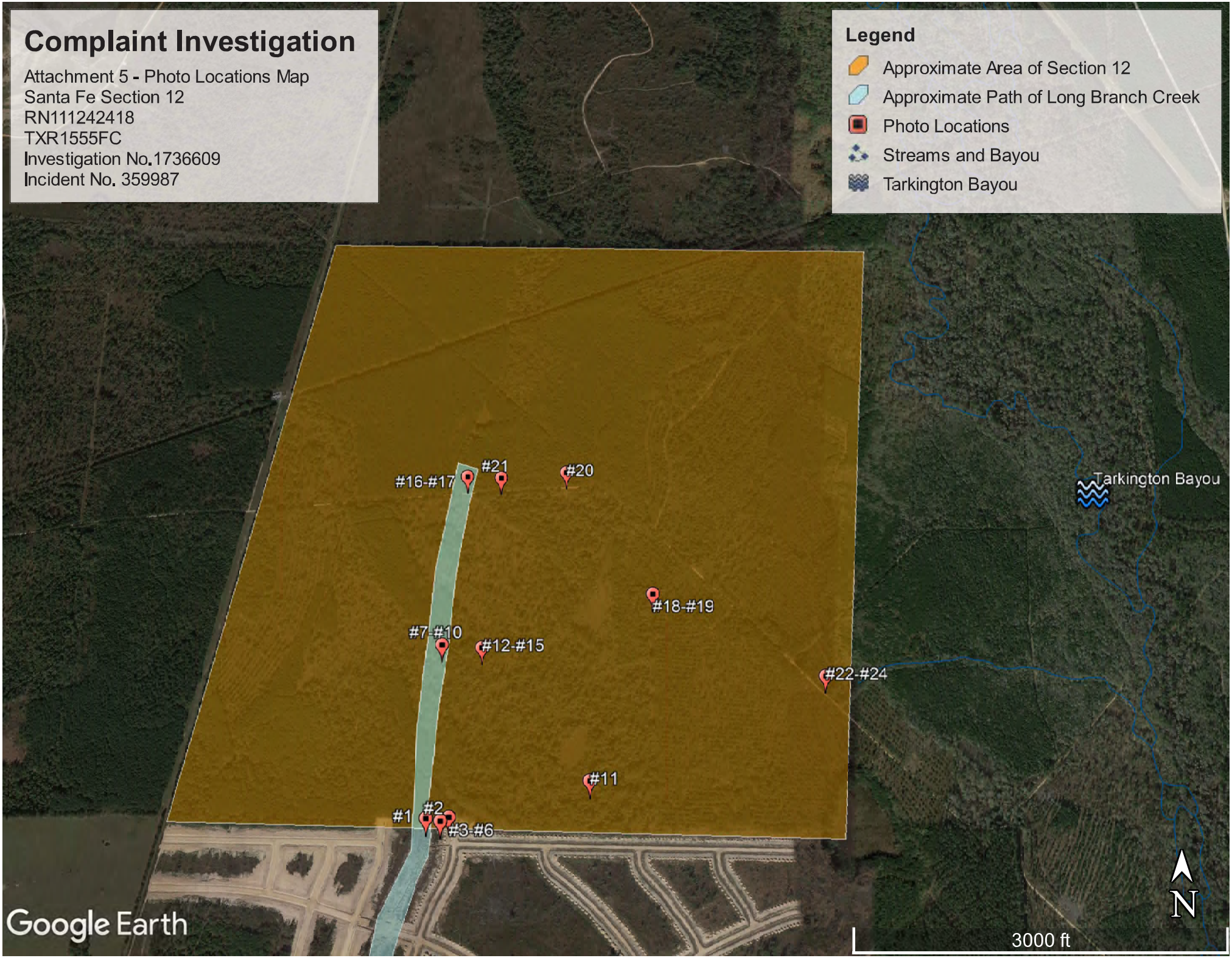
Direction: East

Photo 24 of 24— 06/15/2021

Description: Land clearing activities. Unprotected tributary that flows to Tarkington Bayou.

Direction: West

ATTACHMENT 5


Complaint Investigation
Attachment 5 - Photo Locations Map
Santa Fe Section 12
RN111242418
TXR1555FC
Investigation No.1736609
Incident No. 359987
Legend
Approximate Area of Section 12
Approximate Path of Long Branch Creek
Photo Locations
Streams and Bayou
Tarkington Bayou
#16-#17
#21
#20
#18-#19
#7-#10
#12-#15
#22-#24
#11
#1
#2
#3-#6
Tarkington Bayou
N
3000 ft
Google Earth

ATTACHMENT 6

Photographs of Santa Fe Section 12 taken by Kyle Linville
CCEDS Investigation No. 1736609 ; Permit No. TXR1555FC

Photo 1 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: East

Photo 2 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: Northeast

Photo 3 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: North

Photographs of Santa Fe Section 12 taken by Kyle Linville
CCEDS Investigation No. 1736609 ; Permit No. TXR1555FC

Photo 4 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: North

Photo 5 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: West

Photo 6 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: North

Photographs of Santa Fe Section 12 taken by Kyle Linville
CCEDS Investigation No. 1736609 ; Permit No. TXR1555FC

Photo 7 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: Northwest

Photo 8 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: West

Photo 9 of 9— 07/19/2021

Description: Overview of Section 12.

Direction: West

ATTACHMENT 7

Kyle Linville

From: Kyle Linville
Sent: Wednesday, June 16, 2021 9:43 AM
To: [redacted]
Cc: Cliff Cadle; Brian Taton
Subject: TCEQ Exit Interview - Santa Fe Sec 12
Attachments: TCEQ Exit Interview - Santa Fe Sec 12.pdf

Good morning,

The following are being provided as attachments to this e-mail:

- TCEQ Exit Interview Form: Records Request
- TCEQ Customer Satisfaction Survey – Hyperlink

The Exit Interview Form: Records Request, is provided as an attachment to this email to ensure that the issues are communicated regarding the compliance evaluation investigation conducted on June 15, 2021, at the Santa Fe Sec 12 construction site. Please provide the request documentation within the established deadline (Close of Business, June 17, 2021) . Please note that the facility is still under investigation and changes can still be made. If there are questions about the information contained in the form, contact me as soon as possible.

Regards,

Kyle Linville
Environmental Investigator
Region 12 • Water Section
5425 Polk Ave • Suite H • Houston TX 77023
Phone: **713-767-3579**

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EXIT INTERVIEW FORM: Records Request

Regulated Entity/Site Name	Santa Fe Section 12			**TCEQ Add. ID No. RN No (optional)**	TXR1555FC RN111242418		
Investigation Type	Complaint	**Contact Made In-House (Y/N)**	N	**Purpose of Investigation**	Compliance		
Regulated Entity Contact	Donald Burton			**Telephone No.**		**Date Contacted**	06/16/2021
Title				**E-mail:**		**Date Emailed:**	06/16/2021

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Issue		**For Records Request, identify the necessary records, the company contact and date due to the agency. For Alleged and Potential Violation issues, include the rule in question with the clearly described potential problem. Other type of issues: fully describe.**	
No.	**Type[1]**	**Rule Citation (if known)**	**Description of Issue**
1	RR		**By the Close of Business on June 17, 2021, please provide the following:** An electronic copy of the Stormwater Pollution Prevention Plan (SWP3) for Santa Fe Section 12.

Note 1: Issue Type Can Be One or More of: AV (Alleged Violation), PV (Potential Violation), O (Other), or RR (Records Request)

Did the TCEQ document the regulated entity named above operating without proper authorization?	☒ No ☐ Yes
Did the investigator advise the regulated entity representative that continued operation is not authorized?	☒ No ☐ Yes

Document Acknowledgment. Signature on this document establishes only that the regulated entity (company) representative received a copy of this document and associated continuation pages on the date noted. If contact was made by telephone, document will be faxed to regulated entity; therefore, signature not required.

Kyle Linville..... Kyle Linville	06/16/2021		
Investigator Name (Signed &Printed)	**Date**	**Regulated Entity Representative Name (Signed & Printed)**	**Date**

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ATTACHMENT 8

Kyle Linville

From: Rachael Alwagfi[redacted]
Sent: Wednesday, June 16, 2021 10:41 AM
To: Kyle Linville
Cc: Donald Burton; Cody Long; Cliff Cadle; Brian Taton
Subject: RE: TCEQ Exit Interview - Santa Fe Sec 12
Attachments: SW3P Santa Fe Sec 12.pdf; D.Burton Section 12 NOI.pdf

Importance: High

Kyle,

Please see attached SW3P and NOI for Section 12.

Thank You!!

Rachael Alwagfi
Senior Estimator|SWPPP Manager|
dl: (346) 327-9862 m: (281) 203-7183
a: P.O. Box 979, Waller, TX 77484
www.doubleoakerosion.com [redacted]

From: Kyle Linville <Kyle.Linville@tceq.texas.gov>
Sent: Wednesday, June 16, 2021 9:42:57 AM
To[redacted]
Cc: Cliff Cadle[redacted] Brian Taton[redacted]
Subject: TCEQ Exit Interview - Santa Fe Sec 12

Good morning,

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- TCEQ Customer Satisfaction Survey – Hyperlink

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construction site. Please provide the request documentation within the established deadline (Close of Business, June 17, 2021) . Please note that the facility is still under investigation and changes can still be made. If there are questions about the information contained in the form, contact me as soon as possible.

Regards,

Kyle Linville
Environmental Investigator
Region 12 • Water Section
5425 Polk Ave • Suite H • Houston TX 77023
Phone: **713-767-3579**

How is our customer service? Fill out our customer satisfaction survey at www.tceq.texas.gov/customersurvey

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
Texas Pollutant Discharge Elimination System
Stormwater Construction General Permit

The Notice of Intent (NOI) for the facility listed below was received on April 14, 2021. The intent to discharge stormwater associated with construction activity under the terms and conditions imposed by the Texas Pollutant Discharge Elimination System (TPDES) stormwater construction general permit TXR150000 is acknowledged. Your facility's TPDES construction stormwater general permit authorization number is:

TXR1555FC

Coverage Effective: April 14, 2021

TCEQ's stormwater construction general permit requires certain stormwater pollution prevention and control measures, possible monitoring and reporting, and periodic inspections. Among the conditions and requirements of this permit, you must have prepared and implemented a stormwater pollution prevention plan (SWP3) that is tailored to your construction site. As a facility authorized to discharge under the stormwater construction general permit, all terms and conditions must be complied with to maintain coverage and avoid possible penalties.

Project/Site Information:
RN111242418
Santa Fe Section 12
Intersection of Rd 3549 San Marcos Dr & Rd 3470, North of Section 8
Cleveland, TX 77327
Liberty County

Operator:
CN605826056
D.Burton Construction LLC
325 Cr 3774
Cleveland, TX 77327

This permit expires on March 05, 2023, unless otherwise amended. If you have any questions related to processing, you may contact the Stormwater Processing Center by email at swpermit@tceq.texas.gov or by telephone at (512) 239-3700. For technical issues, you may contact the stormwater technical staff by email at swgp@tceq.texas.gov or by telephone at (512) 239-4671. Also, you may obtain information on the TCEQ web site at https://www.tceq.texas.gov/goto/wq-dpa. A copy of this document should be kept with your SWP3.

Issued Date: April 14, 2021

FOR THE COMMISSION

Stormwater Pollution Prevention Plan

For Construction Activities at:

Santa Fe Subdivision Section 12

Liberty County
Cleveland, Texas

Operator (s)

D.Burton Construction
325 County Road 2301
Cleveland, Texas 77327

Colony Ridge Development
23811 FM 1485 Road
New Caney, Texas 77357

SWPPP Prepared on March 20, 2021

Estimated Project Dates:
March 23, 2021 to March 23, 2022

Texas Commission on Environmental Quality
This project qualifies as a Large Construction Activity under the Texas Pollutant Discharge Elimination System Construction General Permit No. TXR150000 effective March 05, 2018

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Summary - Introduction

This SWPPP includes elements intended to comply with the, Construction General Permit TXR150000, located in **Appendix G**, for the State of Texas as defined by the Texas Pollution Discharge Elimination System (TPDES) Program and as administered by the Texas Commission on Environmental Quality (TCEQ). This plan, and the practices and procedures outlined within, shall comply with all local, state, and federal rules and regulations governing storm water pollution prevention, and specifically arranged to address Part III, Section F of the TXR150000 General Permit dated February 8, 2018, effective March 5, 2018.

In 1972, Congress passed the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), to restore and maintain the quality of the nation's waters**.** The goal of the CWA was to ensure the nation's rivers and streams were fishable, swimmable, and drinkable**.** The CWA has been amended several times.

One important set of amendments was the Water Quality Act of 1987 that established a phased approach for storm water discharge regulation in the United States. The CWA established the National Pollutant Discharge Elimination System (NPDES), a storm water program which requires operators of construction sites disturbing one acre or more to obtain authorization to discharge under an NPDES construction storm water permit. The development and implementation of storm water pollution prevention plans (SWPPP) is the focus of NPDES storm water permits for regulated construction activities. The Texas Commission on Environmental Quality is authorized in the state of Texas to implement the NPDES program under the Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit No. TXR150000.

Development, implementation, and maintenance of the SWPPP provides the framework for reducing soil erosion and minimizing pollutants in storm water during construction. The SWPPP describes and ensures the implementation of practices that will be used to reduce the pollutants in storm water discharges associated with construction activity at the construction site and assure compliance with the terms and conditions of the TCEQ TPDES program for construction sites.

Storm Water and Regulatory Background

According to Section 402 of the Clean Water Act and Section 26.040 of the Texas Water Code, at least one (1) storm water pollution prevention plan (SWPPP) should be developed per permitted construction project. This SWPPP shall be completed before submitting a Notice of Intent (NOI) for Storm Water Discharges Associated with Construction Activity under TPDES General Permit (TXR150000), no less than seven (7) days before start of construction activities and shall provide compliance with the schedule and terms of the SWPPP preceding the start of construction activities.

A copy of this SWPPP shall be kept on-site in the project trailer. If there is not a place to store this plan on-site, the site notice shall specify where the plan is located so that it can be made readily available for review by any authorized Federal, State, Tribal or Local agency personnel upon request.

Important Definitions to Note

Primary Operator – the person or persons associated with a large or small construction activity that meets either of the following two criteria:

a) The person or persons that have on-site operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications (***this may be Owner/Developer***)
b) The person or persons that have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan for the site or other permit conditions (e.g., they are authorized to direct workers at a site to carry out activities required by the SWPPP or comply with other permit conditions).

Secondary Operator – the person or entity, often the property owner, whose operational control is limited to:

c) The employment of other operators, such as a general contractor, to perform or supervise construction activities; or
d) The ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site (***this may be Owner/Developer***).

Secondary operators must either prepare their own SWPPP or participate in a shared SWPPP that covers the areas of the construction site where they have control over the plans and specifications. If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Plan Implementation Checklist

A Notice of Intent (NOI) must be submitted prior to construction. Prior to start of construction, submit NOI and pay fee electronically through the State of Texas Environmental Electronic Reporting System (STEERS), https://www3.tceq.texas.gov/steers/index.cfm

- Receive Immediate Coverage
- To submit the NOI go to the web site: https://www3.tceq.texas.gov/steers/
- The fee is $225.00 if submitting the NOI electronically
- To pay online go to: https://www3.tceq.texas.gov/epay
- If you file electronically you must be registered with the state

Secondary Operators are not required to submit an NOI. If the owner falls under the definition of Secondary Operator, they are not required to submit an NOI. Only the operator listed on the NOI will receive notifications, including any violations onsite.

Two (2) days prior to start of construction the primary operator(s) must submit a Construction Site Notice (CSN) to the local Municipal Separate Storm Sewer System (MS4).

- All secondary operators must provide a copy of the signed and certified Secondary Operator Construction Site Notice to the operator of any MS4 receiving the discharge at least two (2) days prior to commencement of construction activities.

Incorrect information, omissions of relevant facts, or changes in relevant information provided in the original NOI must be corrected within 14 days after discovery, in writing, in a Notice of Change (NOC) letter or TCEQ Form 20391 (03/05/2018) to the MS4 Operator above and filed electronically through STEERS with TCEQ. A transfer of operational control, including transfer of ownership of a company may not be included in the NOC.

All Notices of Intent, Notices of Termination, Storm Water Pollution Prevention Plans, reports, certifications, or information either submitted to the Director or to the operator of a municipal separate storm sewer system, or that this permit requires be maintained by the permittee, shall be signed by a responsible corporate officer, by a general partner or proprietor, by a principal executive public officer, or by a ranking elected public official in accordance with 30 TAC §305.44.

Post signed copies of all Notices in a location where they are readily available for viewing by the public, local, state, and federal authorities. Copies of all Notices are to remain posted until the completion of construction activities. A copy of the SWPPP must always be kept onsite.

NOTE: Posted site notices may have a redacted signature as long as there is an original signed and certified Secondary Operator construction site notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

The primary operator(s) or general contractor shall designate qualified person(s) to conduct inspections and fill out Inspection Schedule Form and Inspection Forms (copies provided in Storm Water Pollution Prevention Plan). The owner/operator may elect to authorize an individual or position having responsibility for the overall operation of the construction activity, or for the owner/operator's environmental matters, to sign inspection reports or other information required by the permit. This authorization must be submitted in writing to the Executive Director of the Texas Commission on Environmental Quality. This authorization cannot include NOI forms, NOT forms, NOC letters, or Construction Site Notices required by this permit.

Any field changes or modifications to the SWPPP should be noted on the appropriate amendment form, signed, and dated by the responsible party.

Maintain the SWPPP by posting changes, if any, copies of NOIs, NOTs, etc., in plan. File Inspection Forms in SWPPP and retain all records and documents for a minimum period of three years from the date of NOT submittal or terminated coverage.

All responsible parties must file a Notice of Termination (NOT) – within 30 days of when their work has been completed and when the site has been stabilized, or when the operator of storm water discharges changes.

Effective September 1, 2018 all applicants must submit all NOIs, NOCs and NOTs using the online e-Permits system available through the TCEQ website.
https://www3.tceq.texas.gov/steers/

Contact Information / Responsible Parties

Primary Operator

Contractor:	D.Burton Construction – work to be conducted, Clearing, Grading	
Address:	325 County Road 2301 Cleveland, Texas 77327	
Onsite Contact:	Bubba Martin	
Phone:	832-233-6129	Email: dwmartin3@yahoo.com

Secondary Operator

Operator:	Colony Ridge Development	
Address:	23811 FM 1485 Road New Caney, Texas 77357	
Phone:	936-520-1478	
Contact:	Cliff Cadle	Email: cliff@colonyridge.com

MS4 Operator

Company:	Liberty County Liberty County Courthouse
Address:	1923 Sam Houston Street Liberty, Texas 77575

SWPPP Contact

Company:	Double Oak Erosion	
Address:	P.O. Box 979 Waller, Texas 77484	
Phone:	281-516-0100	Mobile: 281-203-7183
Contact:	Rachael Alwagfi, QPSWP3, QCIS #0987f60a	
Email:	ralwagfi@doubleoakinc.com	

Spill Prevention and Response

The following individuals/agencies shall be considered for notification.

Oil Released above Reportable Quantities:		
TCEQ Spill Reporting (24- Hour)	800-832-8224	Upon the determination that a RQ spill has occurred, notify TCEQ as soon as possible but not later than 24 hours after discovery.
TCEQ Region 12 Office (Houston)	713-767-3500	
State Emergency Response Center (SERC)	800-832-8224	
The 24-hour Spill Reporting line is supported by several Texas agencies and is answered 24 hours a day. It serves as the TCEQ spill reporting line during the day and the State Emergency Response Commission (SERC) line at night.		
National Response Center	800-424-8802	Upon the determination that a RQ spill has occurred, notify NRC as soon as possible but not later than 24 hours after discovery
The NRC is the sole federal point of contact for reporting all spills to water, or releases of hazardous materials exceeding their reportable quantity.		

Releases Creating an Imminent Threat, Fire, and Hazardous

Fire Department	911	If the discharge or spill creates an imminent health threat, immediately notify and cooperate with local emergency authorities
Police Department	911	

Operator Certification

Storm Water Pollution Prevention Plan
For Storm Water Discharges Associated with Construction Activity

Each contractor engaged in activities under this SWPPP that disturb surface soil must be identified and must sign the following certification statement.

Project Title: Santa Fe Section 12

Operator(s): D Burton Construction

Address: 325 County Road 2301, Cleveland, Texas 77327

Phone: 832-233-6129

As a contractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.
Certification Statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designated to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are specific penalties for submitting false information, including the possibilities of fine and imprisonment for knowing violations."

Signature: _____

Name: _____

Title: _____

Date: _____

The SWPPP shall be signed in accordance with 30 Texas Administrative Code §305.44, as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.
- For a municipality, state, federal, or other public agency, by principal executive officer, mayor, or ranking elected official.
- By a Duly Authorized Representative.

Secondary Operator / Owner Certification

Storm Water Pollution Prevention Plan
For Storm Water Discharges Associated with Construction Activity

Project Title: Santa Fe Section 12

Operator(s): Colony Ridge Development

Address: 23811 FM 1485 Road, New Caney, Texas 77357

Phone: 936-520-1478

As a Secondary Operator/Owner, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP.

Certification Statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designated to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are specific penalties for submitting false information, including the possibilities of fine and imprisonment for knowing violations."

Signature: _____

Name: _____

Title: _____

Date: _____

The SWPPP shall be signed in accordance with 30 Texas Administrative Code §305.44, as follows:

- For a corporation, by a responsible corporate officer.
- For a partnership, by a general partner.
- For a sole proprietorship, by the proprietor.
- For a municipality, state, federal, or other public agency, by principal executive officer, mayor, or ranking elected official.
- By a Duly Authorized Representative.

IMPORTANT:
Retain this complete document for three years after project completion.

Letter of Delegation

Executive Director
Texas Commission on Environmental Quality
Storm Water and Pretreatment Team
P.O. Box 13087, MC-148
Austin, TX 78711-3087

Delegation of Signatories to Reports

Project: Santa Fe Section 12
Company: D Burton Construction

TPDES Authorization Number: TXR1555FC

Dear Executive Director:

This letter serves to designate the following people or positions as authorized personnel for signing reports, storm water pollution prevention plans, certifications or other information requested by the Executive Director or required by the general permit, as set forth by 30 TAC §305.128.

Name or Position	Designated Employee or Consultant of Colony Ridge Development Project Manager or Superintendent
Name or Position	Name of SWPPP Inspector for the site:
Name or Position	Name of SWPPP Inspector for the site:
Name or Position	

I understand that this authorization does not extend to the signing of a Notice of Intent for obtaining coverage under a storm water general permit.

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in 30 TAC §305.44.

Signature: _____

Name: _____

Title: _____

Date: _____

Texas Administrative Code

TITLE 30	**Environmental Quality**
PART 1	**Texas Commission on Environmental Quality**
CHAPTER 305	**Consolidated Permits**
SUBCHAPTER F	**Permit Characteristics and Conditions**
RULE §305.128	**Signatories to Reports**

a. All reports requested by permits and other information requested by the executive director shall be signed by a person described in §305.44(a) of this title (relating to Signatories to Applications) or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- the authorization is made in writing by a person described in §305.44(a) of this title (relating to Signatories to Applications)
- the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity or for environmental matters for the applicant, such as the position of plant manager, operator of a well or well field, environmental manager, or a position of equivalent responsibility. (A duly authorized representative may thus be either a named individual or any individual occupying a named position); and the written authorization is submitted to the executive director.

b. If an authorization under this section is no longer accurate because of a change in individuals or position, a new authorization satisfying the requirements of this section must be submitted to the executive director prior to or together with any reports, information, or applications to be signed by an authorized representative.

c. Any person signing a report required by a permit shall make the certification set forth in §305.44(b) of this title (relating to Signatories to Applications).

Source Note: The provisions of this §305.128 adopted to be effective June 19, 1986, 11 TexReg 2597; amended to be effective July 14, 1987, 12 TexReg 2102; amended to be effective October 8, 1990, 15 TexReg 5492.

TCEQ Permitting, Site Notices, Notice of Change, Notice of Termination

Notice of Intent

The Notice of Intent (NOI) must be completed with appropriate information, signed by a signatory authority, according to 30 TAC 305.44, of the Owner and Operator and submitted to the Texas Commission on Environmental Quality (TCEQ) a minimum of seven (7) days prior to the commencement of work at the site. Effective September 01, 2018 all applicants must submit all NOIs, NOCs and NOTs using the online e-Permits system available through the TCEQ website.
https://www3.tceq.texas.gov/steers/

Additionally, if the site resides within a designated Municipal Separate Storm Sewer System (MS4), and discharges will enter the sewer system, a copy of the completed and signed NOI must also be submitted to the appropriate operator of that MS4 a minimum of seven (7) days prior to commencement of work at the site.

The signed NOI along with a completed Construction Site Notice for Large Construction Projects for the Primary Operator (required for sites/projects five (5) acres and larger) must be retained and posted in a location at or near the site entrance(s), or in a publicly accessible building or location near the site if safety is a factor for the entirety (until project complete) of the project.

The following information should be posted on the Construction Site Notice:

- Project Description, to include name of project, location of project and proposed project start and end dates
- Local contact information including Name and Phone Number
- Location of the SWPPP, if a copy is maintained for the project in an off-site location

A copy of the approved NOI Certificate's will follow this page.

Date NOI was submitted to TCEQ for D.Burton Construction April 14, 2021

Texas Commission on Environmental Quality

Construction Notice of Intent

Site Information (Regulated Entity)

What is the name of the site to be authorized?	Santa Fe Section 12
Does the site have a physical address?	No
Because there is no physical address, describe how to locate this site:	Intersection of Rd 3549 San Marcos Dr & Rd 3470, North of Section 8
City	Cleveland
State	TX
ZIP	77327
County	LIBERTY
Latitude (N) (##.######)	30.215277
Longitude (W) (-###.######)	-95.03768
Primary SIC Code	
Secondary SIC Code	
Primary NAICS Code	
Secondary NAICS Code	
Regulated Entity Site Information	
What is the Regulated Entity's Number (RN)?	
What is the name of the Regulated Entity (RE)?	Santa Fe Section 12
Does the RE site have a physical address?	No
Because there is no physical address, describe how to locate this site:	Intersection of Rd 3549 San Marcos Dr & Rd 3470, North of Section 8
City	Cleveland
State	TX
ZIP	77327
County	LIBERTY
Latitude (N) (##.######)	30.215277
Longitude (W) (-###.######)	-95.03768
Facility NAICS Code	
What is the primary business of this entity?	

Customer (Applicant) Information

How is this applicant associated with this site?	Operator
What is the applicant's Customer Number (CN)?	CN605826056
Type of Customer	Organization
Full legal name of the applicant:	
Legal Name	D.Burton Construction LLC

Texas SOS Filing Number	803528841
Federal Tax ID	
State Franchise Tax ID	
State Sales Tax ID	
Local Tax ID	
DUNS Number	
Number of Employees	
Independently Owned and Operated?	No
I certify that the full legal name of the entity applying for this permit has been provided and is legally authorized to do business in Texas.	Yes
Responsible Authority Contact	
Organization Name	D.Burton Construction LLC
Prefix	
First	David
Middle	
Last	Martin
Suffix	
Credentials	
Title	President
Responsible Authority Mailing Address	
Enter new address or copy one from list:	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	325 CR 3774
Routing (such as Mail Code, Dept., or Attn:)	
City	Cleveland
State	TX
ZIP	77327
Phone (###-###-####)	8322336129
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	dwmartin3@yahoo.com

Application Contact

Person TCEQ should contact for questions about this application:	
Same as another contact?	
Organization Name	DOUBLE OAK EROSION
Prefix	
First	RACHAEL

Middle	
Last	ALWAGFI
Suffix	
Credentials	
Title	SWPPP Manager
Enter new address or copy one from list:	
Mailing Address	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	PO BOX 979
Routing (such as Mail Code, Dept., or Attn:)	
City	WALLER
State	TX
ZIP	77484
Phone (###-###-####)	2815160100
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	RALWAGFI@DOUBLEOAKINC.COM

CNOI General Characteristics

1) Is the project located on Indian Country Lands?	No
2) Is your construction activity associated with a facility that, when completed, would be associated with the exploration, development, or production of oil or gas or geothermal resources?	No
3) What is the Primary Standard Industrial Classification (SIC) Code that best describes the construction activity being conducted at the site?	1629
4) If applicable, what is the Secondary SIC Code(s)?	
5) What is the total number of acres disturbed?	1360
6) Is the project site part of a larger common plan of development or sale?	Yes
7) What is the estimated start date of the project?	03/23/2021
8) What is the estimated end date of the project?	03/23/2022
9) Will concrete truck washout be performed at the site?	No
10) What is the name of the first water body(s) to receive the stormwater runoff or potential	Tarkington Bayou, Luce Bayou

runoff from the site?	
11) What is the segment number(s) of the classified water body(s) that the discharge will eventually reach?	1002
12) Is the discharge into a Municipal Separate Storm Sewer System (MS4)?	Yes
12.1. What is the name of the MS4 Operator?	Liberty County
13) Are any of the surface water bodies receiving discharges from the construction site on the 2016 Texas Integrated Report of Surface Water Quality?	No
14) Is the discharge or potential discharge within the Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone of the Edwards Aquifer, as defined in 30 TAC Chapter 213?	No
15) I certify that a stormwater pollution prevention plan has been developed, will be implemented prior to construction, and to the best of my knowledge and belief is compliant with any applicable local sediment and erosion control plans, as required in the general permit TXR150000. Note: For multiple operators who operate under a shared SWP3, the confirmation of an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator.	Yes
16) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000).	Yes
17) I understand that a Notice of Termination (NOT) must be submitted when this authorization is no longer needed.	Yes

Certification

I certify that I am authorized under 30 Texas Administrative Code Subchapter 305.44 to sign this document and can provide documentation in proof of such authorization upon request.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

1. I am David W Martin, the owner of the STEERS account ER076626.
2. I have the authority to sign this data on behalf of the applicant named above.
3. I have personally examined the foregoing and am familiar with its content and the content of any attachments, and based upon my personal knowledge and/or inquiry of any individual responsible for information contained herein, that this information is true, accurate, and complete.

4. I further certify that I have not violated any term in my TCEQ STEERS participation agreement and that I have no reason to believe that the confidentiality or use of my password has been compromised at any time.
5. I understand that use of my password constitutes an electronic signature legally equivalent to my written signature.
6. I also understand that the attestations of fact contained herein pertain to the implementation, oversight and enforcement of a state and/or federal environmental program and must be true and complete to the best of my knowledge.
7. I am aware that criminal penalties may be imposed for statements or omissions that I know or have reason to believe are untrue or misleading.
8. I am knowingly and intentionally signing Construction Notice of Intent.
9. My signature indicates that I am in agreement with the information on this form, and authorize its submittal to the TCEQ.

OPERATOR Signature: David W Martin OPERATOR

Account Number:	ER076626
Signature IP Address:	174.248.137.40
Signature Date:	2021-04-14
Signature Hash:	7071DF1D8E597B8EB8AE1287B95BCCE2318EB270CD2E5BC003B9D3471D93125E
Form Hash Code at time of Signature:	369A36470367EA66492E85FBA233C251E7750DC25A39013FAD5844116E91A0B5

Fee Payment

Transaction by:	The application fee payment transaction was made by ER076626/David W Martin
Paid by:	The application fee was paid by DAVID MARTIN
Fee Amount:	$225.00
Paid Date:	The application fee was paid on 2021-04-14
Transaction/Voucher number:	The transaction number is 582EA000429932 and the voucher number is 508929

Submission

Reference Number:	The application reference number is 413474
Submitted by:	The application was submitted by ER071787/Rachael Alwagfi
Submitted Timestamp:	The application was submitted on 2021-04-14 at 15:24:06 CDT
Submitted From:	The application was submitted from IP address 12.51.22.210
Confirmation Number:	The confirmation number is 347795
Steers Version:	The STEERS version is 6.41

Additional Information

Application Creator: This account was created by Rachael Alwagfi

Construction Site Notice for Large Construction

A construction site notice for a secondary operator may be required at the project when the owner / developer's role is limited to the employment of other operators or to the ability to approve or disapprove changes to plans and specifications. The owner releases control of implementation and oversight of the SWPPP and controls to the employed contractor at the site and the site contractor meets the definition of primary operator definition of day-to-day operational control at the site and has obtained permit coverage as specified above in the NOI section. If this relationship exists at the site, a Construction Site Notice that has been signed by the signatory authority of the secondary operator in accordance with 30 TAC 305.44.

The Secondary Operator Construction Site Notice additionally must be retained and posted in a location at or near the site entrance(s), or in a publicly accessible building or location near the site if safety is a factor for the entirety of the project.

A copy of the completed Construction Site Notice for the Primary Operator and Secondary Operator will follow this page.

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Stormwater Program

TPDES GENERAL PERMIT TXR150000

"PRIMARY OPERATOR" NOTICE

This notice applies to construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of stormwater runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.D.2. of the general permit. Additional information regarding the TCEQ stormwater permit program may be found on the internet at:

https://www.tceq.texas.gov/permitting/stormwater/construction

Site-Specific TPDES Authorization Number:	TXR1555FC
Operator Name:	D. BURTON CONSTRUCTION
Contact Name and Phone Number:	DAVID MARTIN 832-233-6129
Project Description: *Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	**SANTA FE SECTION 12** Intersection of Rd 3549 & Rd 3470, North of Section 8 Cleveland, Texas 77327 *Start Date April 2021* *End Date July 2021*
Location of Stormwater Pollution Prevention Plan:	BEHIND SITE SWPPP SIGN OR CONSTRUCTION TRAILER

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Stormwater Program

TPDES GENERAL PERMIT TXR150000

"SECONDARY OPERATOR" NOTICE

This notice applies to secondary operators of construction sites operating under Part II.E.3. of the TPDES General Permit Number TXR150000 for discharges of stormwater runoff from construction sites equal to or greater than five acres, including the larger common plan of development. The information on this notice is required in Part III.D.2. of the general permit. Additional information regarding the TCEQ stormwater permit program may be found on the internet at:

https://www.tceq.texas.gov/permitting/stormwater/construction

Site-Specific TPDES Authorization Number:	TXR1555FC
Operator Name:	COLONY RIDGE DEVELOPMENT, LLC
Contact Name and Phone Number:	CLIFF CADLE 936-520-1478
Project Description: *Physical address or description of the site's location, and estimated start date and projected end date, or date that disturbed soils will be stabilized.*	**SANTA FE SECTION 12** Intersection of Rd 3549 & Rd 3470, North of Section 8 Cleveland, Texas 77327 *Start Date March 2021* *End Date March 2022*
Location of Stormwater Pollution Prevention Plan:	BEHIND SITE SWPPP SIGN OR CONSTRUCTION TRAILER

For Large Construction Activities Authorized Under Part II.E.3. (Obtaining Authorization to Discharge) the following certification must be completed:

I_____(Typed or Printed Name Person Completing This Certification) certify under penalty of law that I have read and understand the eligibility requirements for claiming an authorization under Part II.E.3. of TPDES General Permit TXR150000 and agree to comply with the terms of this permit. A stormwater pollution prevention plan has been developed and will be implemented prior to construction, according to permit requirements. A copy of this signed notice is supplied to the operator of the MS4 if discharges enter an MS4. I am aware there are significant penalties for providing false information or for conducting unauthorized discharges, including the possibility of fine and imprisonment for knowing violations.

Signature and Title_____Date _____

_____ *Date Notice Removed*

_____ *MS4 operator notified per Part II.F.3.*

Notice of Change (Amendment to Permit)

A Notice of Change (NOC) shall be submitted to the TCEQ within seven (7) days of discovery of any error or inaccuracies in the submitted NOI form. If errors coincide in the SWPPP for the site as well as the NOI, those corrections must be made within seven (7) days of discovery.

A Notice of Change needs to comply with the following guidelines as laid out in the TPDES General Permit TXR150000, Part II Section E, paragraph 6:

Notice of Change (NOC)

If relevant information provided in the NOI changes, a NOC must be submitted at least seven (7) days before the change occurs, if possible. When 14-day advanced notice is not possible, the operator must submit an NOI citing seven (7) days of discovery of the change. If the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in an NOI, the correct information must be provided to the executive director in a NOC within seven (7) days after discovery. The NOC shall be submitted on a form provided by the executive director or by letter if a NOC form is not available. A copy of the NOC must also be provided to the operator of any MS4 receiving the discharge and a list must be included in the SWPPP that includes the names and addresses of all MS4 operators receiving a copy.

Information may be included on a NOC include, but is not limited to, the following:

- Description of the Construction Project
- An increase in the number of acres disturbed (for increases of 1 or more acres)
- The Operator Name (*NOTE: A transfer of operational control from one operator to another, including a transfer of ownership of a company, may not be included in a NOC. A transfer of ownership of a company included changes to the structure of a company, such as a changing from a partnership to a corporation or changing corporation types, so that the filing number or charter number that is on record with the Texas Secretary of State.*)

A NOC is not required for notifying TCEQ in a decrease in the number of disturbed acres.

Effective September 1, 2018 all applicants must submit all NOIs, NOCs and NOTs using the online e-Permits system available through the TCEQ website.
https://www3.tceq.texas.gov/steers/

Notice of Termination

The Notice of Termination (NOT) must be completed with appropriate information, signed by a signatory authority of the Owner and Operator and submitted to the Texas Commission on Environmental Quality (TCEQ) no more than a maximum of thirty (30) days of the completion of work at the site, which is defined by the disturbed areas of the site achieving density of 70% stabilization of native perennial vegetation, other equivalent permanent stabilization measure (rip-rap, gabions or geo-textile) on all unpaved areas and areas not designated for permanent structures or transfer of ownership of the site to another permittee, as defined by [Part II, Section F, paragraphs1- 4].

Additionally, if the site resides within a designated Municipal Separate Storm Sewer System (MS4), and discharges will enter the sewer system, a copy of the completed and signed NOT must be submitted no more than a maximum of thirty (30) days of the completion of work at the site, which is defined by the disturbed areas of the site density of 70% stabilization of native perennial vegetation or transfer of ownership of the site to another permittee as defined by [Part II, Section F, paragraphs1- 4].

Effective September 1, 2018 all applicants must submit all NOIs, NOCs and NOTs using the online e-Permits system available through the TCEQ website.
https://www3.tceq.texas.gov/steers/

- Retain the SWPPP, all reports and actions required by the permit, including a copy of the site notice, and all data used to complete the NOI (if required) for a minimum period of three (3) years from the date that a NOT is submitted.

IMPORTANT:
Retain this complete document for three years after project completion.

Section 1: Summary of Permit and Program Requirements

The Storm Water Pollution Prevention Plan (SWPPP) includes, but is not limited to, the Erosion and Sedimentation Control Plan, Construction Site Notices, General Permit, all records of inspections and activities which are created during this project, and other documents as may be included by reference to the SWPPP. Changes, modifications, revisions, additions, or deletions shall become part of this SWPPP as they occur.

Note: The General Contractor must certify this SWPPP by signing the SWPPP certification letter included at the front of this SWPPP. All signed certifications must be kept in the jobsite SWPPP Binder and be available for inspection at the construction site. Signed documents including permits, certifications and qualification forms cannot be modified or revised in the field.

The General Contractor and all subcontractors involved with a construction activity that disturbs site soil or who implement a pollutant control measure identified in the SWPPP must comply with the following requirements of the National Pollutant Discharge Elimination System (NPDES) General Permit and any local governing agency having jurisdiction concerning NPDES, stormwater, erosion, and sedimentation control.

The SWPPP must be prepared prior to filing the Notice of Intent (NOI) for a large site (≥ 5 AC) or posting the Construction Site Notice for a small site (≥1 AC but <5 AC) and implemented prior to commencing construction activities that result in soil disturbance.

The SWPPP must be made readily available at the time of an on-site inspection by federal, state, or local agencies approving sediment and erosion plans, grading plans, or storm water management plans; local government officials; and the operator of the pertinent municipal separate storm sewer (MS4) receiving discharges from the site.

Responsibilities of Operators

Primary and Secondary Operators with control over construction plans and specifications must:

- ensure the project specifications allow or provide that adequate BMPs are developed to meet the requirements of the Texas General Permit
- ensure that the SWPPP indicates the areas of the project where they have control over project specifications if this project has multiple operators
- ensure that any other operators that may be affected by modifications in project specifications are notified in a timely manner so that they may modify their best management practices as necessary to remain compliant with the conditions of the general permit; and
- ensure that the SWPPP indicates the name and site-specific TPDES authorization numbers for permittees with the day-to-day operational control over those activities necessary to ensure compliance with the SWPPP and other permit conditions. If a primary operator has not been authorized or has abandoned the site, the secondary operator is the responsible party and must obtain authorization as a primary operator under the permit, until the authority for day-to-day operational control is transferred to another primary operator. The new primary operator must update or develop a new SWPPP that will reflect the transfer of operational control and include any additional updates to the SWPPP to meet requirements of the permit.

SWPPP Objectives

The SWPPP outlines the steps you will take to comply with the terms and conditions of your construction general permit. Keeping the following objectives during construction will help guide you in addressing your permit requirements.

Minimize the area and duration of exposed soils

Clear land that will be under construction, soon, a practice known as construction phasing can reduce off-site sediment loads by 36 percent for a typical development. Additionally, minimizing the duration of soil exposure by stabilizing soils quickly can reduce erosion dramatically.

Control the perimeter of your site

Avoid allowing run-on to contact disturbed areas of the construction site, for the runoff from the disturbed areas of the site, BMPs such as silt fence will capture sediment before it leaves your site.

Protect receiving waters adjacent to your site

Erosion and sediment controls are used around the site as needed, but operators should consider additional controls in areas that are adjacent to receiving waters or other environmentally sensitive areas. The primary purpose of erosion control is to protect surface waters.

Follow pollution prevention measures

Provide proper containers for waste and garbage at your site. Store hazardous materials and chemicals so that they are not exposed to storm water. If dewatering is needed, remember that the dirty water must be filtered before discharged offsite. Pay attention to the viability and function of your stabilized construction exit and concrete wash out facility.

Protect slopes and channels

Convey concentrated storm water runoff around the top of slopes and stabilize slopes as soon as possible. This can be accomplished using pipe slope drains or earthen berms or other flow controls that will convey runoff around the exposed slope. Avoid disturbing natural channels and the vegetation along natural channels, if possible.

Stabilize the site as soon as possible

Get your site to final grade, either permanently or temporarily stabilize all bare soil areas as soon as possible. Take into consideration germination times for the grasses or other vegetation selected and provide additional stabilization materials on erosion prone areas such as slopes and drainage ways, consider seasonal limitations to plant establishment and growth, such as drought or cold temperatures, and try to ensure that areas that are not showing adequate vegetation establishment are reseeded immediately. Areas needed for future roads, construction, or other purposes should be temporarily stabilized. Establishing a vegetated cover on as much of the site as possible will help to minimize erosion and sediment problems. Perimeter controls should remain in place until final stabilization has been achieved.

General Permit Information

The General Contractor shall implement this SWPPP according to the provisions of the TCEQ General Permit for storm water discharges from construction activities (TXR150000) prior to commencing construction. The General Contractor shall submit a Notice of Intent (NOI) and fee at least 2 days prior to commencing construction activities. The General Contractor shall post a copy of the NOI and the Construction Site Notice at the construction site in a location where it is readily available for viewing prior to commencing construction activities and maintain the NOI and Construction Site Notice in that location until completion of the construction activity. The General Contractor shall provide a copy of the signed NOI and Construction Site Notice to the MS4 Operator at least 2 days prior to commencing construction activities. The State of Texas Environmental Electronic Reporting System (STEERS) is an on-line program to submit environmental data including NOI to TCEQ. For filing electronically log in to

TCEQ STEERS website to submit NOI, NOT and pay fees online at:
https://www3.tceq.texas.gov/steers/index.cfm.

Note to General Contractor:
The General Contractor Must provide a copy of the NOI and Construction Site Notice to the operator of any municipal separate storm sewer system (MS4) receiving the discharge and to any secondary operator, at least two (2) days prior to commencing demolition activities and must list in the SWPPP the names and addresses of all MS4 operators receiving a copy.

Permit Expiration: The applicable General Permit expires: ***March 05, 2023***. If construction activities continue to operate after the expiration date, the operator of construction activities must revise the SWPPP and insert the new Permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

A copy of the General Permit can be found in Appendix G.

Permit modification: A permit modification is required prior to land disturbing activity in non-permitted areas. The General Contractor must contact the Civil Engineering Consultant as soon as a need to work in non-permitted areas is identified. Work in non-permitted areas may not proceed until written approval is provided by the governing agency or Civil Engineer.

Public Posting (Including SWPPP Information Sign): Install the SWPPP Information Sign per specification and post Site Maps and Details Sheets in the jobsite trailer before beginning BMP installation. The following information must be posted near the construction exit in a prominent place for public viewing until termination of permit coverage has been obtained 1) Notice of Intent 2) Construction Site Notice and the location of the SWPPP on site. Reference the Entrance Sign (SWPPP Information Sign) detail for proper posting of documents. The General Contractor may post other stormwater and or erosion & sediment control-related permits on the SWPPP Information Sign as required by the governing agency. These postings must not interfere with items noted above.

Retention of Records: The SWPPP, including copies of all inspection reports, plan revisions, etc., must be retained at the project site during the duration of the project and kept in the permanent project records of the General Contractor for a minimum of three years.

Contractor/Sub-Contractor List: The General Contractor must provide names and addresses of all subcontractors working on this project who will be involved with the major construction activities that disturb site soil or otherwise affect BMP implementation. This information must be kept in the SWPPP Binder.

Contractor/Sub-Contractor Certification Form: The General Contractor and all subcontractors that will implement, maintain and or impact the pollution control measures in the SWPPP and or are involved in ground-disturbing activities on the site must sign a copy of the Contractor certification included in the front of this SWPPP. An authorized representative from each company on the construction project must sign this form certifying that company representatives understand the General Permit authorizing stormwater discharges during construction. This information must be kept in the SWPPP Binder.

Inspections: A person qualified to assess the effectiveness and appropriateness of pollution control measures and familiar with this SWPPP will conduct regular inspections of the construction site. Inspections will include a review of all areas of soil disturbance, structural and non-structural control measures, material storage areas and vehicle access points. Inspections will be conducted:

A) once every seven days (on the same day of the week every week) or
B) once every fourteen days AND after every rainfall greater than 0.5 inches.

Inspections are intended to identify areas where the pollutant control measures at the site are ineffective and are allowing or could potentially allow pollutants to enter surface waters. Receiving water will be inspected to ascertain whether control measures are effective in preventing significant impacts. Locations where vehicles enter or exit the site will be inspected for evidence of offsite sediment tracking.

If inspection results determine site conditions and/or control measures are found to have changes, the SWPPP will be updated within a period of 7 calendar days of notification. If control measures need to be modified to assure effectiveness or if additional measures are determined to be necessary, implementation will be completed prior to the next anticipated storm event or as soon as practicable.

Inspection Frequency Reduction: Inspection frequency may be reduced under the following conditions:

- No active on-site construction activities.
- Temporary cover has been provided across the entire site and no BMPs remain. *example; waiting for grass to grow, but grass is dormant*.
- Ground is frozen and/ or snow covered.

Agency Stormwater Inspections: A project Superintendent must walk the site with the regulatory inspector and document any deficiencies noted during the inspection. Deficiencies of any type, field or documentation-related, identified during the regulatory inspection must be noted on the Daily report as a deficiency and resolved within 24 or 48-hours as appropriate. A log of all inspections by Federal, State, or local stormwater or other environmental agencies shall be kept in the General Contractor SWPPP Binder.

SWPPP Updates and Amendments: The General Contractor must update the SWPPP and Site Maps daily to reflect the progress of construction activities and general changes to the project site. SWPPP contact and contractor information and the record of site stabilization activities log must be maintained by the General Contractor throughout the project.

The General Contractor must submit a request for information to the Civil Engineer and obtain written approval before modifying or adding erosion or sediment control BMPs. BMPs that may impact hydraulic design are of concern and typically include stormwater basins, diversions, check dams, inlet protection or any product, process or system that changes the stormwater flow path or stormwater storage capacity of the site or located in an area of concentrated flow.

Substitution of any erosion or sediment control BMPs beyond those specified in the SWPPP must first be approved in writing by the Civil Engineer. Substitutions are typically only approved if specified materials are not available or there is a valid reason the specified BMP will not work.

Amending the SWPPP does not mean that it must be reprinted. It is acceptable to add addenda, sketches, new sections, details, and or revised drawings that are initialed and dated.

Discharge of Petroleum Products or Hazardous Substances: Discharge of petroleum products or other hazardous substances into stormwater or the stormwater (storm sewer) system is subject to reporting and clean up requirements. Refer to the General Permit for additional information.

Log of Construction Activity

A record of dates must be maintained when:

- major ground-disturbing activities including earthwork or grubbing occur
- construction activities temporarily or permanently cease on a portion of the site
- stabilization measures are initiated or completed; and
- BMPs are installed or permanently removed.

Controls must be in place down gradient of any ground-disturbing activities prior to the commencement of up gradient construction activities and noted on the Site Maps and the Stabilization log. Site Map and Stabilization log comments and entries must compliment with one another, with greater detail provided in the Stabilization log as needed.

Section 2: Project and Site Information

This SWPPP, including the applicable General Permit (TXR150000), includes the elements necessary to comply with the General Permit for construction activities administered by the U.S. Environmental Protection Agency under the National Pollutant Discharge Elimination System (NPDES) program and all local governing agency requirements. This SWPPP must be implemented at the start of construction.

Construction phase pollutant sources anticipated at the site are disturbed soil, vehicle fuels and lubricants, chemicals and coatings associated with site construction, construction generated litter and debris, and building materials. Without adequate control, there is a potential for each type of pollutant to be transported by stormwater.

Project Information

The proposed project will consist of a subdivision development in Plum Grove, Liberty County, Texas. Soil disturbing activities will include clearing and grubbing, erosion and sediment control, grading, excavation, installation of utilities, grading and preparing streets, grading, and preparing detention ponds and installation of post-construction controls. The portion of the development, Santa Fe Section 12, will consist of 1360 disturbed acres, there will also be a new school and sports field in Section 12.

There will be no concrete batch plant, borrow disposal areas or supporting structures utilized during this project. Equipment staging and material storage areas will be clearly marked on the inspection map.

The initial step shall be to inspect existing grades and flowlines of the existing structures and install the erosion and sediment control measures specified on the Storm Water Pollution Prevention Plan for this project. After installation of the specified control measures, site preparation will begin. Access to the site will be through stabilized construction entrance/exits or existing drives.

Project Total Site Area:
Total Area Disturbed: 1360 acres

All support activities, facilities or storage areas located off-site within one mile of this project that are directly supporting the project must be included with the total area of the project: Support activities may include but are not limited to the following activities:

- Off-site Material Storage
- Off-site Waste Storage
- Borrow Location
- Fill Location
- Equipment Storage

If off-site facilities are to be utilized, additional best management practices will be noted in the SWPPP and additional site maps will be incorporated for the site. It may be necessary to obtain additional permit coverage for certain storm water discharges associated with off-site activities.

Non-soil disturbing activities under the scope of this project:

- Placement of Pavement (as noted on the drawings)
- Stabilization

Soil disturbing activities under the scope of this project:

- Clearing and grubbing
- Grading
- Excavation and trenching
- Boring (bore pits)

Schedule and General Sequence of Construction Activity

a) Posting of SWPPP CSN(s) and Permit.
b) Installation of Best Management Practices

Phase 1

- Install structural controls as directed by the city;
- Install stabilized construction entrance
- Install silt fence ditch check dams
- Install straw bale dich dams
- Install rock check dams
- Site preparation, clearing, grading

Phase 2

- Excavation of storm sewer, water and wastewater utility, gas, utility, cable, electric excavation, channels
- Install filter fabric drop inlet protection at inlets once utilities are installed
- Grade and prepare streets
- Install inlet protection once streets are installed
- Grade and prepare lots
- Install erosion control matting at the curb of all lots
- Stabilize the site
  - Landscape
  - Remove temporary BMPs not required for construction

Add and maintain existing vegetation and seeded areas where needed
Set up Proposed Contractor Lay Down Area (location to be decided on site)
Portable Toilets (location to be decided as project progresses)
Waste management (located in the Proposed Contractor Lay Down Area and in additional areas as necessary as work progresses)
Material Storage (located in the Proposed Contractor Lay Down Area)
Initial site clean-up per phase area when complete with work
Initiate stabilization or repairs to existing conditions as completion of phase allows
Final site clean-up
Stabilization of all disturbed areas to minimum 70% overall coverage
Removal of CSNs / Permit Posting and any remaining BMPs
Submission of NOT to TCEQ with copy to the MS4 – Liberty County

Wind Erosion Control measures will be used to stabilize soil from wind erosion, and reduce dust generated by construction activities including grading, demolition, and travel on unpaved temporary roads. Water or dust control agents will be used as needed. Care shall be taken to prevent over-watering, which result in runoff or erosion.

Heavily traveled earthen roads will be stabilized and/or sprayed daily by a water truck for dust suppression. Care will be taken to spray additional areas of exposed soil as necessary during windy periods. Only the minimum amount of water will be used; no runoff will result from this practice.

Off-Site Borrow Location

(If applicable): off-site borrow location: _____

*This can be filled in at any time during the life of this SWPPP. An off-site borrow location for imported soil material that is solely designated to this project must be monitored under this SWPPP. If the off-site borrow location services multiple locations, it should have its own NOI and SWPPP by the owner/operator of the borrow location. The general contractor is responsible for verifying all sources of imported material to be within this SWPPP.

Location

- The project site will be located north of Section 8, at the intersection of Rd 3549 (San Marcos Drive) and Rd 3470, Cleveland, Texas 77327
- County: Liberty
- Section 12 Latitude: 30.215277° "N Longitude: -95.037680° "W
- This project is not located in Indian Country
- A vicinity map is included in Appendix A.
- During the preparation of the SWPPP, the site was covered with grass and scattered trees.
- The site appears to be relatively level.

Rainfall Information

The site is in Cleveland, Liberty County which receives an average of 52.90 inches of rainfall annually with the highest amounts of rainfall received in the month(s) of May, June, and October.

Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Inch	4.2	4.1	3.6	3.8	5.2	5.2	4	3.5	4.6	5.	4.8	4.6

- The total average annual rainfall for Cleveland is: 52.90 inches. The project site is located in Unshaded Zone X, east of Shaded Zone A and Floodway Zone AE; see FEMA map to follow this page.

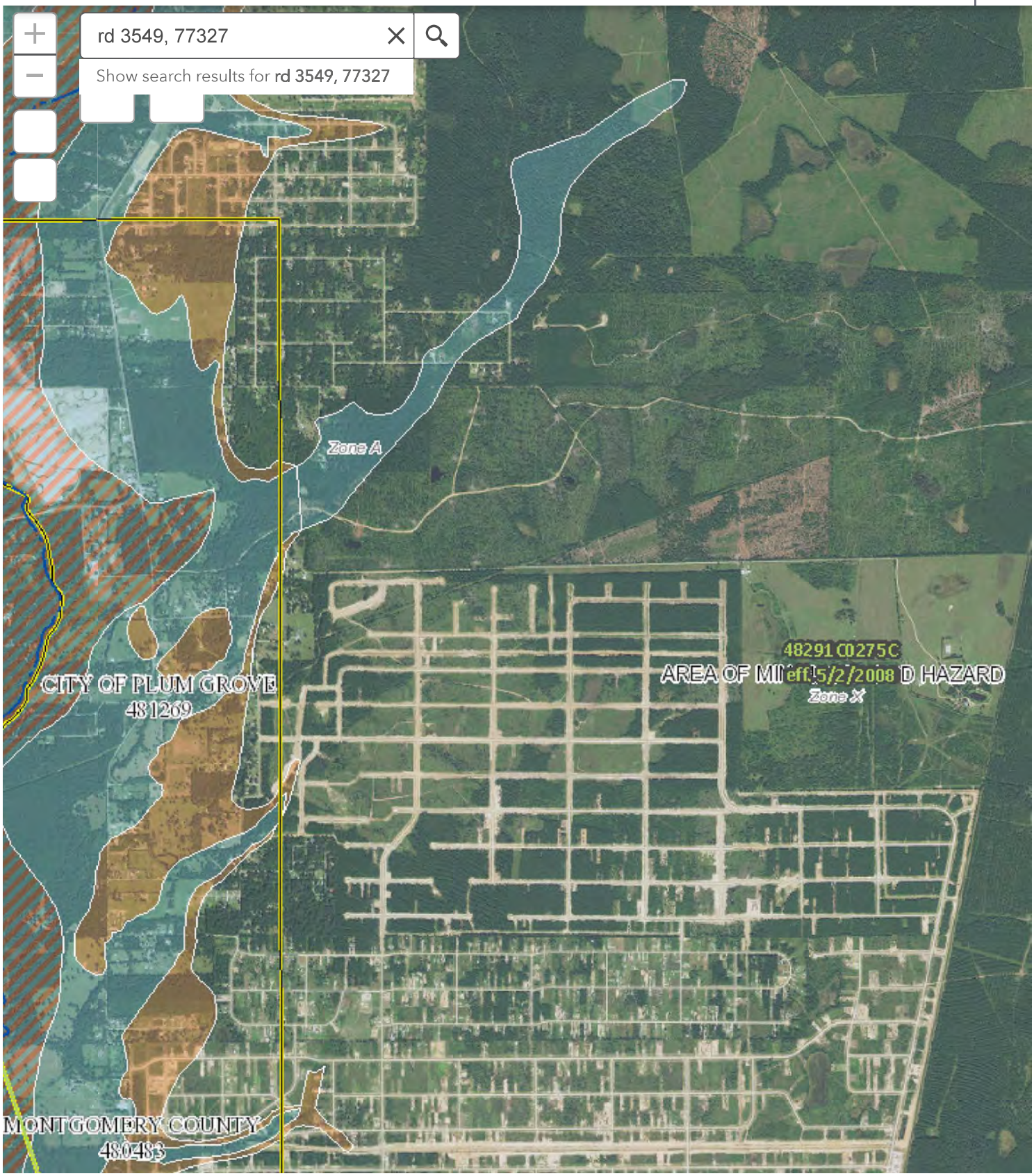
Disturbed Area, and Runoff Coefficient

Total project area: 1360 acres
Construction area to be disturbed: 1360 acres
Percentage impervious area before construction: 25%
Runoff coefficient before construction: 0.20-0.30
Percentage impervious area after construction; 80-85%
Runoff coefficient after construction: 0.40-0.50

Wastewater from the site will be properly disposed of thru the Liberty County systems. No other discharges other than the discharges associated with typical construction activities are expected from this project. Completed facility will have a system comprised of Sheet flow into surrounding natural drainage swales.

FEMA's National Flood Hazard Layer (NFHL) Viewer

with Web App

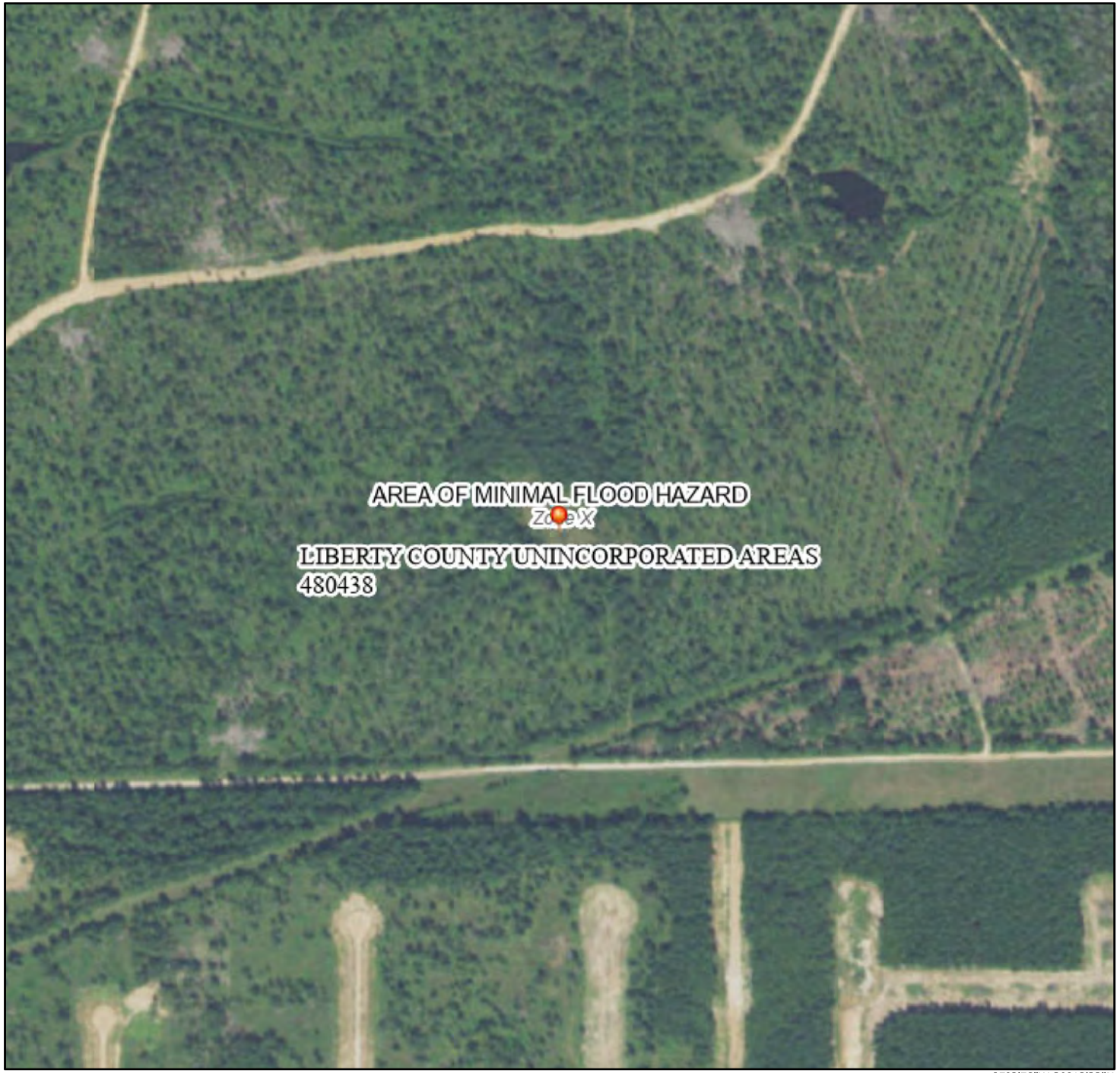


0.6mi

-94.996 30.204 Degrees

National Flood Hazard Layer FIRMette

95°4'36"W 30°13'4"N



95°3'58"W 30°12'33"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 / 17.5 Cross Sections with 1% Annual Chance / Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

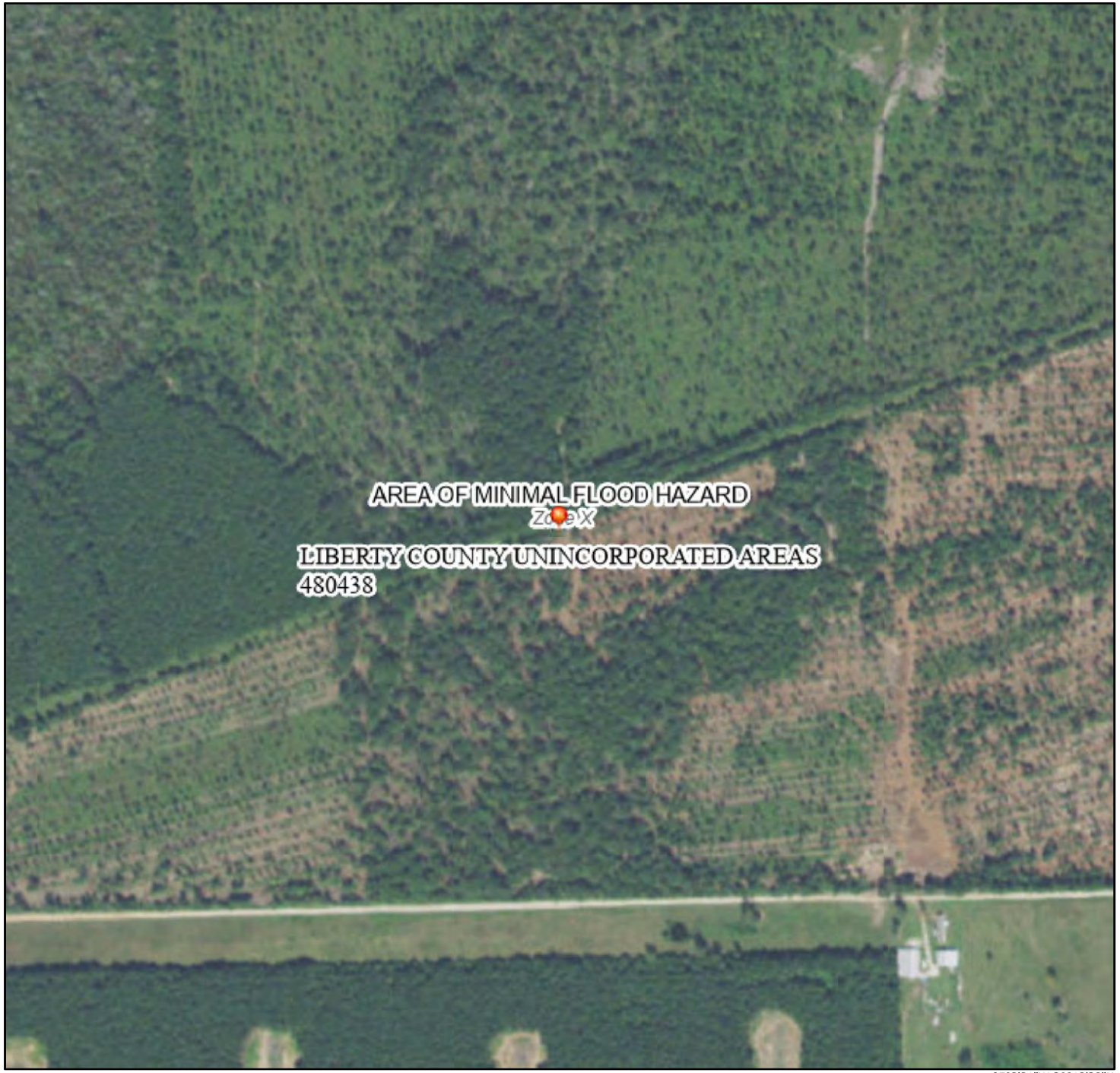
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/16/2021 at 9:55 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

National Flood Hazard Layer FIRMette

FEMA

95°3'59"W 30°13'9"N



95°3'21"W 30°12'38"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

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National Flood Hazard Layer FIRMette

FEMA

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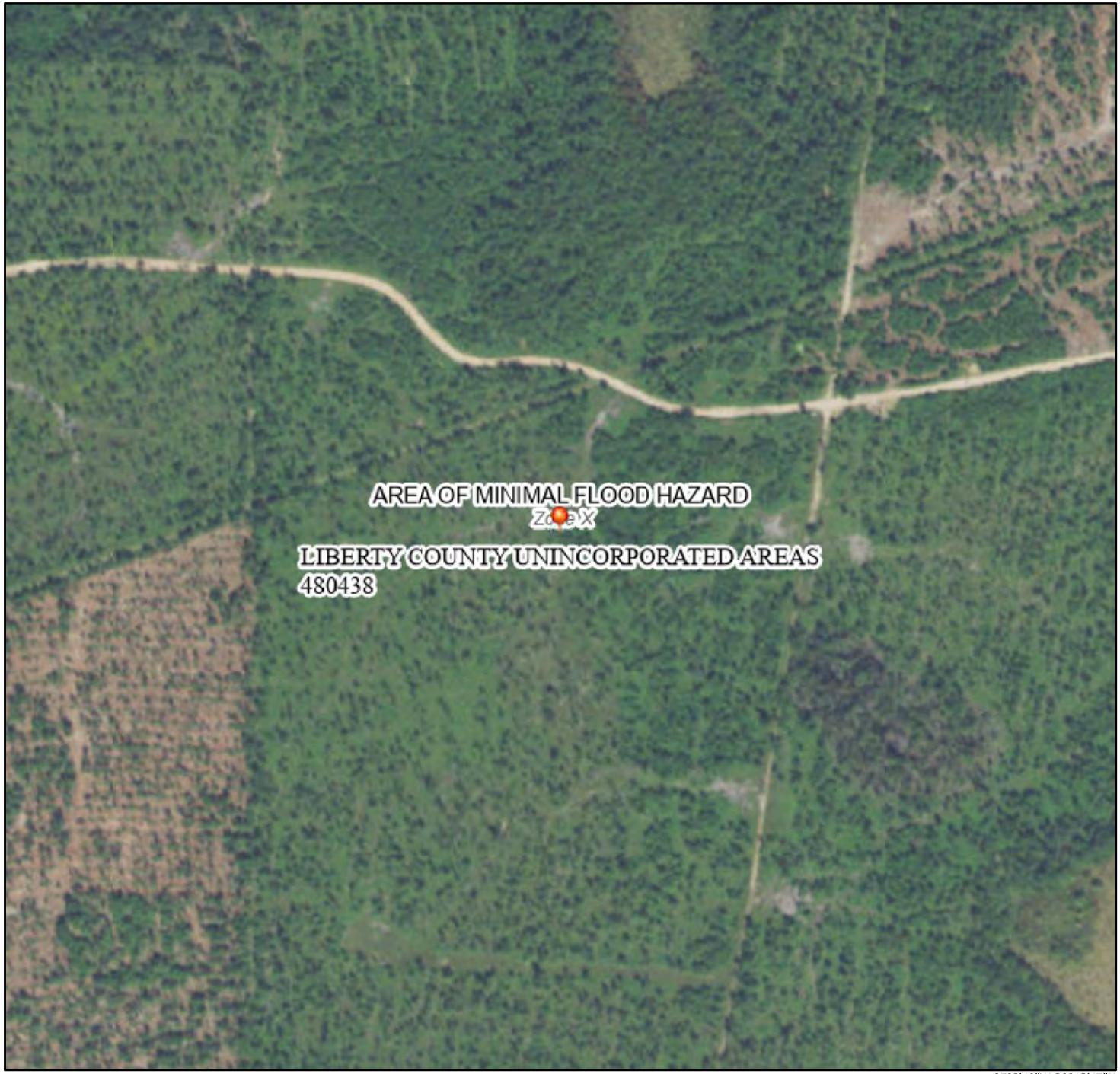


95°2'40"W 30°12'47"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/16/2021 at 9:57 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Project Soil Type

The soil designation within the site is described by U.S. Department of Agriculture (USDA) Natural Resource Conservation Service (NRCS) Soil Survey. The soil classification onsite is:

Type of Soil	Erosion Rating	Percent
Atasco fine sandy loam, 2 to 5 percent slopes	Slight	2.9%
Hatliff-Pluck-Kian complex, 0 to 1 percent slopes, frequently flooded	Slight	5.5%
Lelavale silt loam, 0 to 1 percent slopes, frequently ponded	Slight	3.3%
Segno fine sandy loam, 1 to 3 percent slopes	Slight	17.4%
Sorter-Tarkington complex, 0 to 1 percent slopes	Slight	12.7%
Splendora fine sandy loam, 0 to 2 percent slopes	Slight	20.6%
Waller silt loam 0 to 1 percent slopes	Slight	3.0%
Waller-Tarkington complex, 0 to 1 percent slopes	Slight	7.7%
Westcott very fine sandy loam, 0 to 1 percent slopes	Slight	13.6%
Westcott-Plumgrove complex, 0 to 1 percent slopes	Slight	18.4%

Receiving Waters

Segment number of the first classified segment that receives discharges from the regulated construction activity, Segment 1002, Tarkington Bayou, Luce Bayou to Lake Houston
Is the receiving water on the 303(d) list? **NO**
Water body classification: Unclassified
Water body type: Freshwater Stream
Basin Name: San Jacinto River Basin
Segment Location: From the Luce Bayou confluence upstream to a point just upstream of FM 2025 in Liberty County, from confluence with Lake Houston (Harris County) to FM 1008 (Liberty County)

Tarkington Bayou-Tarkington Bayou rises near Farm Road 2025 and Double Lake Recreation Area south of Coldspring in southwestern San Jacinto County and runs east of Cleveland and then south for thirty miles to its mouth on Luce Bayou in west central Liberty County. Near the mouth the creek crosses flat to rolling terrain with local escarpments surfaced by deep fine sandy loam that supports hardwood forests and conifers; it then runs into flat terrain with local shallow depressions surfaced by clay and sandy loam that supports water-tolerant hardwoods, conifers, and grasses.

The **Luce Bayou** watershed is located within the far northeast corner of Harris County and drains into the East Fork San Jacinto River, in the upper reaches of Lake Houston. The watershed extends through Liberty County and into San Jacinto County with its headwaters located in the Sam Houston National Forest. The watershed covers about 227 square miles, of which only 23 square miles are within Harris County. Luce Bayou is the watershed's single primary stream.

There are about 35 miles of open streams within the watershed, including the primary stream and tributary channels. Within Harris County, the only significant tributary is Shook Gully, which drains the area to the east of the main channel. Based on the 2010 U.S. Census, the estimated population of the Harris County portion of the Luce Bayou watershed is 7,689. The floodplain from Luce Bayou is significant in Harris County due to the large upstream drainage area.

Endangered Species

If either a Threatened or Endangered Animal Species or Plant is encountered during construction, the contractor shall stop work immediately and notify the owner and

- The U.S. Fish and Wildlife Service (210) 482-5436
- The Texas Parks and Wildlife Department (210) 389-4635

The contractor shall proceed in accordance with the Endangered Species Act of 1973 prior to taking any action that would affect the species so discovered.

It is not expected that any threatened or endangered species will be impacted by storm water discharges from this project. The following list was provided by Texas Parks and Wildlife https://tpwd.texas.gov/gis/rtest/, additional information can be found at the U.S. Fish & Wildlife Service Endangered Species website https://www.fws.gov/endangered/.

Endangered Species: No activity is authorized that is likely to jeopardize the continued existence of a Threatened or Endangered Species as listed or proposed for listing under the Federal Endangered Species Act (ESA), and/or the State of Texas Parks and Wildlife Code on Endangered Species, or to destroy or adversely modify the habitat of such species. If a Threatened or Endangered Species is encountered during construction, the Contractor shall immediately cease work and notify the Owner, who will immediately implement actions in accordance with the ESA and applicable State statutes. These actions shall include reporting the encounter to the TWDB, the U. S. Fish and Wildlife Service, and the Texas Parks and Wildlife Department, obtaining any necessary approvals or permits to enable the work to continue, or implement other mitigation actions.

Archeological Discoveries and Cultural Resources: No activity which may affect properties listed or properties eligible for listing in the National Register of Historic Places, or eligible for designation as a State Archeological Landmark is authorized until the Owner has complied with the provisions of the National Historic Preservation Act and the Antiquities Code of Texas. The Owner has previously coordinated with the appropriate agencies and impacts to known cultural or archeological deposits have been avoided or mitigated. However, the Contractor may encounter unanticipated cultural or archeological deposits during construction.

If archeological sites or historic structures which may qualify for designation as a State Archeological Landmark according to the criteria in 13 TAC 41.6 - 41.10, or that may be eligible for listing on the National Register of Historic Places in accordance with 36 CFR Part 800, are discovered after construction operations are begun, the Contractor shall immediately cease operations in that particular area and notify the Owner, the TWDB, and the Texas Antiquities Committee, P.O. Box 12276, Capitol Station, Austin, Texas 78711-2276. The Contractor shall take reasonable steps to protect and preserve the discoveries until they have been inspected by the Owner's representative and the TWDB. The Owner will promptly coordinate with the State Historic Preservation Officer and any other appropriate agencies to obtain any necessary approvals or permits to enable the work to continue.

Wetlands

The U.S. Fish and Wildlife Service National Wetlands Inventory Wetlands Mapper is to follow this page. According to the U.S. Fish and Wildlife Service National Wetlands Inventory Map, there are Freshwater Forested/Shrub Wetlands classified as a PFO1A, Freshwater Emergent Wetlands classified as PEM1A, Freshwater Forested/Shrub Wetland classified as PSS1A within the project site.

Classification code: **PFO1A**
System **Palustrine (P)**: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergent, emergent mosses, or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all the following four characteristics:
(1) area less than 8 ha (20 acres);
(2) active wave-formed or bedrock shoreline features lacking;
(3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and
(4) salinity due to ocean-derived salts less than 0.5 ppt.
Class **Forested (FO)**: Characterized by woody vegetation that is 6 m tall or taller.
Subclass **Broad-Leaved Deciduous (1)**: Woody angiosperms (trees or shrubs) with relatively wide, flat leaves that are shed during the cold or dry season, e.g., black ash (Fraxinus nigra).
Water Regime **Temporary Flooded (A)**: Surface water is present for brief periods (from a few days to a few weeks) during the growing season, but the water table usually lies well below the ground surface for most of the season.

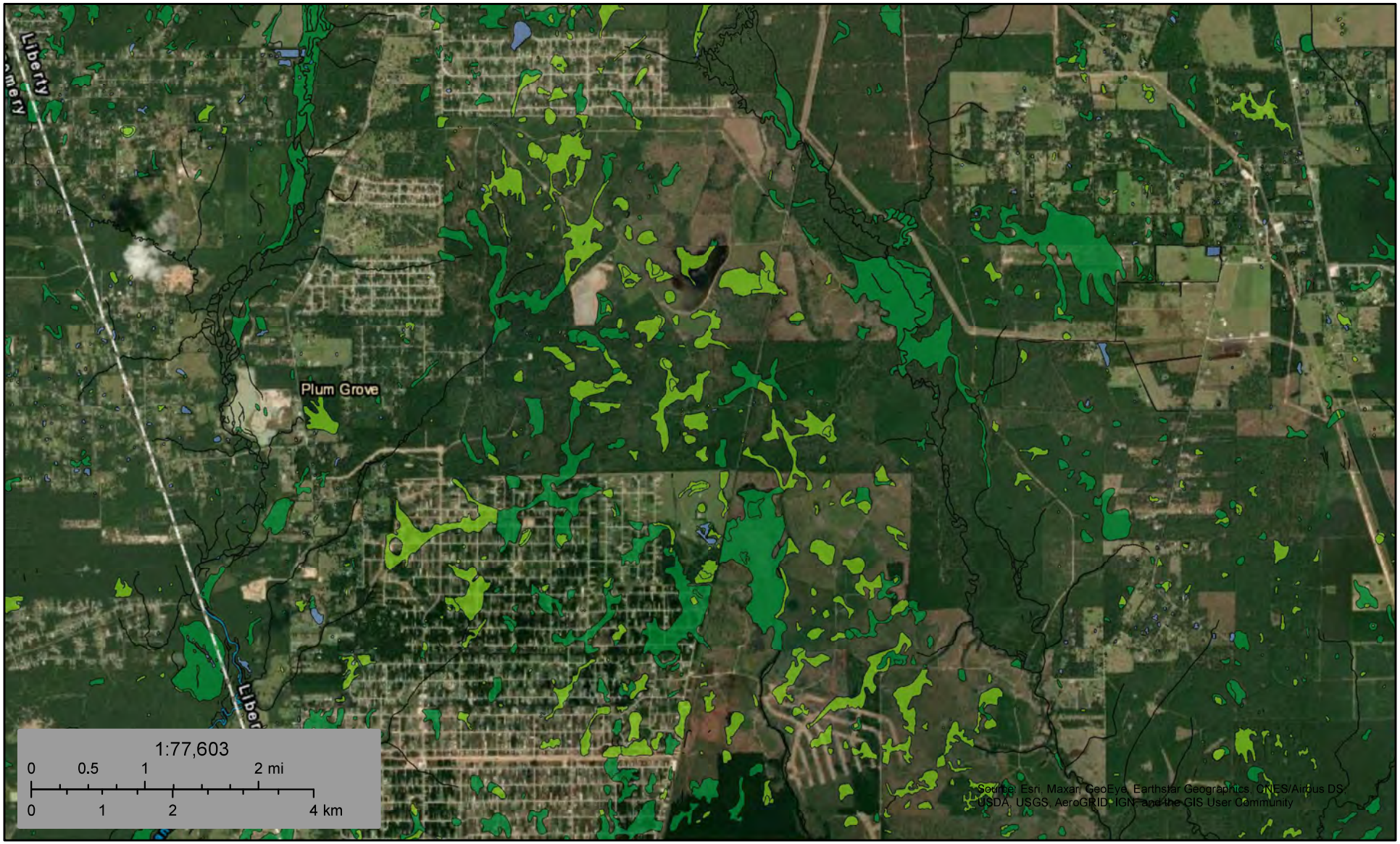
Classification code: **PEM1A**
System **Palustrine (P)**: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergent, emergent mosses, or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all the following four characteristics:
(1) area less than 8 ha (20 acres);
(2) active wave-formed or bedrock shoreline features lacking;
(3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and
(4) salinity due to ocean-derived salts less than 0.5 ppt.
Class **Emergent (EM)**: Characterized by erect, rooted, herbaceous hydrophytes, excluding mosses and lichens. This vegetation is present for most of the growing season in most years. These wetlands are usually dominated by perennial plants.
Subclass **Persistent (1)**: Dominated by species that normally remain standing at least until the beginning of the next growing season. This subclass is found only in the Estuarine and Palustrine systems. Water Regime **Temporary Flooded (A)**: Surface water is present for brief periods (from a few days to a few weeks) during the growing season, but the water table usually lies well below the ground surface for most of the season.

Classification code: **PSS1A**
System **Palustrine (P)**: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergent, emergent mosses, or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean-derived salts is below 0.5 ppt. It also includes wetlands lacking such vegetation, but with all the following four characteristics:
(1) area less than 8 ha (20 acres);
(2) active wave-formed or bedrock shoreline features lacking;
(3) water depth in the deepest part of basin less than 2.5 m (8.2 ft) at low water; and
(4) salinity due to ocean-derived salts less than 0.5 ppt.
Class **Scrub-Shrub (SS)**: Includes areas dominated by woody vegetation less than 6 m (20 feet) tall. The species include true shrubs, young trees (saplings), and trees or shrubs that are small or stunted because of environmental conditions.
Subclass **Broad-Leaved Deciduous (1)**: Woody angiosperms (trees or shrubs) with relatively wide, flat leaves that are shed during the cold or dry season, e.g., black ash (Fraxinus nigra).
Water Regime **Temporary Flooded (A)**: Surface water is present for brief periods (from a few days to a few weeks) during the growing season, but the water table usually lies well below the ground surface for most of the season.

U.S. Fish and Wildlife Service

National Wetlands Inventory

Santa Fe Section 12



April 16, 2021

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

Historical Places

There are no Historical Places within the project area.
2019a *Texas Historic Sites Atlas*. Texas Historical Commission. Available at
http://atlas.thc.state.tx.us/

Texas Historic Commission (THC)
2019b *Texas Archeological Sites Atlas*. Texas Historical Commission. Available at
https://www.thc.texas.gov/preserve/texas-historic-sites-atlas

Texas Department of Transportation (TxDOT)
2019b *Texas Historic Properties and Districts*. Available at
https://txdot.maps.arcgis.com/apps/webappviewer/index.html?id=077104987672487b9b320cc424d588a2

National Archives Catalog for National Register of Historic Places found at
https://catalog.archives.gov/id/37250329

Compliance with Federal, State, and Local Regulations

Indian Country Lands

If the project is located on tribal lands, separate authorization must be obtained through EPA, Region VI prior to commencement of work at the site. The limits of this project do not reside within an area designated as Indian Country Lands.

The site is not located on Native American Tribal lands.

Except as noted herein, there are no other known applicable state, tribal, or local storm water pollution prevention control requirements for construction projects at this location.

All activities during construction shall comply with state and local sanitary sewer, septic system, and waste disposal regulations.

Trees, limbs, leaves, brush, and vegetation from clearing operations shall be removed from the site and disposed of off-site in accordance with applicable regulations.

Excavation spoils which will not be reused on this construction project shall be disposed of off-site at an approved location in accordance with applicable regulations.

Section 3: Erosion and Sediment Controls

Implementation of all control measures (BMPs) will be the responsibility of D.Burton Construction. The following subsections apply to erosion and sediment controls for the major construction activities onsite.

i. All control measures have been designed to retain sediment on the property and prevent sediment from entering the municipal separate storm sewer system and surface waters (Tarkington and Luce Bayou Segment 1002) to the maximum extent possible.
ii. All control measures will be selected, installed, and maintained in accordance with the manufacturers' specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately or incorrectly, the Operator will replace or modify the control for site situations.
iii. If sediment escapes the property, offsite accumulations of sediment will be removed at a frequency sufficient to minimize offsite impacts.
iv. Litter, construction debris, and construction chemicals exposed to stormwater shall be prevented from becoming a pollutant source for stormwater discharges.
v. If offsite material storage areas, to be used solely by this project, are added to the project plan they will be considered a part of the project and will be added to the SWPPP.

Any discharge regulated under this SWPPP must achieve, at a minimum, effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available. This will be done by using:

- Erosion and Sediment Controls
- Soil Stabilization
- Dewatering
- Pollution Prevention Measures
- Prohibiting Certain Discharges
- Surface Outlets

A variety of stormwater pollutant controls are recommended for this project. Some controls are intended to function temporarily and will be used as needed for pollutant control during the construction period. Permanent stabilization will be accomplished in all disturbed areas by covering the soil with pavement, building foundation, vegetation, or other forms of soil stabilization.

Non-structural and structural control measures and stabilization practices that will be implemented to prevent or control potential pollutants for storm water discharges are summarized below. Each activity will identify the appropriate control measure, general timing, and the responsible permittee for controlling the discharge.

Double Oak Erosion, Inc will be responsible for the development of the Storm Water Pollution Prevention Plan (SWPPP). Colony Ridge shall be responsible for and retain controls over any changes to site plans and the design of erosion and sedimentation controls. Colony Ridge or its designee shall perform any additions, deletions, or changes in design of control measures. D.Burton Construction shall be fully responsible for daily implementation, inspection, and maintenance of the erosion and sedimentation measures or controls. Colony Ridge and/or D.Burton Construction shall be fully responsible for actions of Subcontractors for which they direct on-site activities.

Site disturbance will be contained within the site's Limits of Construction. Temporary Erosion and Sediment controls will be installed as shown on the Erosion/Sedimentation Plans in the approved site plan to minimize site disturbance.

Best Management Practices	Expected	If yes, describe where it will be utilized
Silt Fence Ditch Checks	Yes	As shown on the plans
Inlet Protection	No	Not currently scheduled
Stabilized Construction Entrance	yes	As shown on the plans
Rock Berms/Rock Filter Dams	yes	As shown on the plans
Check Dams	Yes	As shown on plans
Earth Dikes/Diversion Berms		As shown on the plans
Sediment Trap		
Temporary Sediment Basin		
Geotextiles/Curlex		
Tree Protection		
Vegetation Filter/Buffer Strips		
Rock Rip Rap	yes	
Straw Wattle/Mulch Berm	yes	As shown on the plans
Straw Bale Ditch/Hay Bales	yes	As shown on the plans
Orange Mesh Fence		
Maintain Vegetation	yes	

Silt Fence – Silt fence consists of filter fabric stretched between support posts to catch sheet flow drainage from disturbed areas. Silt fence, typically used around the perimeter of the site, prevents sediment discharges.

Inlet Protection – Storm Drain Protection is a sediment trapping filter placed around the inlet or drain. This control not only prevents sediment from entering the storm drainage structure, but also keeps it and the downstream conveyances from silting-in. Inlet protection can be composed of filter fabric, rock, silt sacks, sod, or similar filtering media. As with other filtering media, inlet protection must be frequently inspected and maintained to operate efficiently.

Stabilized Construction Exit – used to facilitate the removal of sediment and other debris from construction equipment prior to exiting the construction site or when exiting an access area within the site. this method consists of a pad of bull rock typically on top of geotextile material. Size of pad may vary depending on site conditions.

Rock Berm – used to treat concentrated amounts of stormwater and act as a filter reducing the velocity of the discharge. Sediment settles out on the receiving side of the rock berm rock berms consist of different size rock bound by wire mesh.

Check Dams – are small barriers placed across a drainage swale or ditches that reduce the velocity of stormwater flows thereby reducing potential erosion. Check dams can be made from a variety of materials including rock, earthen berms, or silt fence.

Earthen Dikes/Diversion Berms – are used to direct or contain flows on construction sites to sediment basins or stabilized areas for filtration thereby preventing soil loss. Earthen Dikes and Diversion Berms consist of elevated compacted soils.

Sediment Traps – are small impoundments that detain sediment from runoff water to protect receiving areas downstream. They are formed by excavating an area or by placing an earthen berm across a low-lying area in a drainage easement.

Temporary Basin – a excavated or natural depression which allows for a shallow pool of stormwater to promote settling of suspended solids. Water can be released in a controlled manner by dewatering with appropriate controls.

Geotextile/Grass Mesh/Curlex – are porous fabrics placed over disturbed areas to limit the effect of erosion and runoff by providing immediate protection. They come in a wide variety and can be constructed from synthetic or organic material. Geotextiles can aid plant growth by holding seeds, fertilizers, and topsoil in place.

Tree Protection – usually consists of a fence located around the tree's drip line**.** Protecting existing vegetation prevents erosion and protects wildlife habitat. Tree protection typically needs to be installed and maintained during all phases of construction.

Rock Rip Rap – a erosion control technique that consists of a permanent erosion-resistant layer, which is typically constructed of stones. The purpose of the rock rip rap is to protect soils from erosion in areas on concentrated runoff. The rock rip rap can also be utilized to stabilize slows.

Straw Wattle/Mulch Berm – consist of a biodegradable tube filled with mulch or straw which slow, filter, and spread overland water. This type of control can be used to aid re-vegetation and slope stabilization by prevention rill and gully erosion.

Straw of Hay Bale – can be used to temporarily stabilize the sediment and also as a filter in some drainage areas. (Note: Some local regulations may prohibit use of hay bales onsite).

Orange Mesh Fence – fencing materials can slow the velocity of wind across disturbed soils allowing sediment to be settled out. Fencing can also be used to protect special critical features onsite and to delineate the project boundary to prevent construction vehicles from working outside the limits of construction.

Site Stabilization / Permanent Controls

The operator is responsible for the installation and maintenance of permanent stormwater control measures prior to final stabilization of the site. the following measures will be installed and designed during construction to control runoff after construction is complete.

a) Seeding, sodding, or hydromulch will be installed after final grading phase where soil has been disturbed to control erosion.
b) Landscaped areas within all unpaved disturbed areas will continue to provide soils stabilization.
c) A storm drain system may be completed at the completion of the project, as noted in the civil plans, to collect storm runoff.
d) Vegetated swales, diversion dikes, or natural depressions may be established at the completion of the project, per the civil plans, to divert run-off from the site.
e) Soil will be stabilized if construction on that portion of the site will not be disturbed for a period exceeding 14 calendar days.

Stabilization Practices	Expected	If yes, describe where it will be utilized
Water Quality Pond		
Detention Pond/Retention Pond		
Velocity Dissipaters/Outlet Structures		
Level Spreader		
Gabions		
Concrete/Drainage Channel/Swale		
Natural Vegetive Drainage Channel/Swale		
Sequential Systems		
Outfall Protection		

Water Quality Pond – wet ponds are constructed basins that treat incoming stormwater runoff by algal uptake and setline. These ponds have a constant pool of water at least through the wet season if not the entire year. Water quality ponds are also known as retention ponds or wet ponds.

Detention Ponds – constructed basin which provides pollutant removal by detaining stormwater runoff for some defined period to allow sediments to settle. Detention ponds provide limited flood control and reduces downstream erosion by releasing a controlled amount of stormwater at a time.

Retention Ponds – constructed basin which provides flood control and pollutant removal by retaining stormwater runoff. Retention ponds are designed to hold a specific amount of water indefinitely. Usually, the pond is designed to have drainage leading to another location when the water level gets above the pond capacity, but still maintains a certain capacity.

Velocity Dissipaters – slows the velocity of discharge from an outlet of outfall structure to reduce erosion downstream. Velocity dissipaters usually consist of concrete blocks on the concrete pad of headwalls or other discharge structures.

Level Spreaders – convert concentrated stormwater runoff to sheet flow and releases it uniformly over a stabilized slope to prevent erosion. Level spreaders are usually located at the overflow structure of a pond.

Gabions – are constructed of rock or stone material bound by heavy wire or fencing material. Gabions are used in areas where there is a high potential for erosion. Gabions treat water and allow sediment to settle out of the stormwater.

Concrete Drainage Channel – impervious channel used to channel large quantities of water without causing erosion.

Natural Vegetation Drainage Channel – pervious channel consisting of native vegetation used to channel large quantities of water while promoting infiltration and slowing the velocity of the runoff.

Sequential Systems – system of drainage patterns consisting of, but not limited to storm sewers, drainage channels, a pond, and outlet protection to facilitate stormwater treatment prior to discharging offsite.

Outfall Protection – can be constructed of many different materials and forms. Outfall protection consists of concrete structures designed to withstand impacts of stormwater runoff and thereby preventing erosion.

Potential Sources of Pollution

The following may be potential pollutant sources located at this project.

- Sediment - erosion of soil due to clearing, grubbing, rough grading, excavation, trenching and any re-grade or final grades at the site
- Petroleum based products such as oil, grease and hydraulic fluids associated with construction equipment or construction vehicles located on the site
- Hydrocarbons associated with asphalt paving
- Trash and litter from construction employees or material packaging
- Construction debris
- Sanitary waste – On-site portable toilets
- Concrete washout associated with concrete pours and concrete trucks
- Materials associated with a material storage area – materials may include but are not limited to chemicals, glues, paints, sand or gravel and fertilizers
- Sediment – soil or spoils piles located on-site and contaminated soil stockpiles

Off-site material, waste storage, off-site borrow or fill locations and off-site equipment storage can be considered additional potential pollutant sources, as well as off-site concrete or asphalt plants and associated crushing facilities.

Management and control of these potential pollution sources within and at associated facilities of the project, minimizing contamination of storm water run-off discharging from the project is the goal of this Storm Water Pollution Prevention Plan (SWPPP). Details and descriptions of controls and practices that will be used to minimize the effect of the above-mentioned pollutants to discharge associated with the project, will be described in this SWPPP.

Final Stabilization

According to TPDES General Permit TXR150000 final stabilization of a construction site status occurs when any of the following conditions are met:

- All soil disturbing activities at the site have been completed and a uniform (i.e., evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed. After paving completion, newly graded areas and all exposed soils will be completely stabilized.
- For construction activities on land used for agricultural purposes (pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions above.
- In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:
- Temporary erosion control measures (e.g., degradable rolled erosion control products) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and
- The temporary erosion control measures are selected, designed, and installed to achieve 70 percent vegetative coverage within three years.

Other Pollutant Controls This section includes the controls of pollutants other than sediment and additional requirements of the General Permit.

Dewatering Operations:
If dewatering is required at the site, water will be pumped back onto the site to allow for infiltration onsite or if this procedure is not practical, a filter bag should be used to minimize discharge of sediment with the dewatering process if dewatering to occur outside the area controlled by sediment controls. If dewatering of site excavations or ponds becomes necessary, the following procedure will be followed:

- A temporary dewatering system will be constructed adjacent to the excavation or pond and preferably away from a creeks or drainage channels.
- These activities may utilize pumps or other means to physically remove the water from their current impoundment.
- Sediment and erosion controls such as a silt fence, dewatering bags, or other controls may be additionally installed as necessary to help minimize the amount of sediment that may be in the discharge water.
- The discharge water will be visually checked to ensure it is clear and free of suspended solids prior to entering a creek, drainage channel or other storm drainage structure. If sediment or other pollutants are encountered exiting the dewatering system, additional controls will be added in sequence to promote additional removal of sediment or pollutant prior to off-site discharge of the water.

Dust Control
Construction traffic must enter and exit the site at the stabilized construction exit. The purpose is to trap dust and mud that would otherwise be carried beyond the permitted project area by construction traffic. Large areas of soil that are denuded of vegetation and have no protection from particles being picked up and carried by wind should be protected with a temporary cover or kept under control with water or other soil adhering products to limit wind transported particles exiting the site perimeter.

Water trucks or other dust control agents will be used as needed during construction to minimize dust generated on the site. Tackifiers may be used to hold soil in place and prevent dust. Manufacturer recommendations for application locations and rates must be used for dust control applications. Dust control must be provided by the General Contractor to a degree that follows applicable local and state dust control regulations.

Solid Waste Disposal
No solid materials, including building materials, can be discharged from the site with stormwater. Solid waste, including disposable materials incidental to the major construction activities, must be collected, and placed in containers. The containers will be emptied when 95% full, or as necessary, by a certified trash disposal service and hauled away from the site. Covers for the containers will be provided as necessary to meet state and local requirements. Construct covers as practicable, or required, to prevent stormwater contact and pollutant discharges from solid waste receptacles.

Substances that have the potential for polluting surface and/or groundwater must be controlled by whatever means necessary to ensure that they do not discharge from the site. If a spill occurs, it must be contained and disposed of so that it will not flow from the site or enter groundwater, even if this requires removal, treatment, and disposal of soil. In this regard, potentially polluting substances should be handled in a manner consistent with the impact they represent.

Sanitary Facilities
All personnel involved with construction activities must comply with state and local sanitary or septic system regulations. Temporary sanitary facilities will be provided at the site throughout the construction phase. They must be utilized by all construction personnel and will be serviced by a commercial operator. The location of sanitary facilities shall be shown on the Site Maps. Portable toilets must be securely anchored and are not allowed within 30' of inlets or permitted limit of disturbance or within 50' of a water of the State. Secondary containment for portable toilets is not required per local or state regulations.

Non-Stormwater Discharges
Non-stormwater components of site discharges must be clean water. Water used for construction which discharges from the site must originate from a public water supply or private well approved by the State Health Department. Water used for construction that does not originate from an approved public supply must not discharge from the site. It can be retained in the ponds until it infiltrates and evaporates. Other non-stormwater discharges would include ground water. Only uncontaminated ground water can be discharged from the site, as allowed by and in accordance with applicable local ground water dewatering permits/regulations. When non-stormwater is discharged from the site, it must be done in a manner such that it does not cause erosion of the soil during discharge. Process water such as power washing and concrete cutting must be collected for treatment and disposal. It is not to be flushed into the site storm drain system.

Concrete Waste from Concrete Ready-Mix Trucks
Discharge of excess or waste concrete and/or wash water from concrete trucks will be allowed on the construction site, but only in approved aboveground portable concrete washout containers (preferred) or in specifically designated lined and diked areas prepared to prevent contact between the concrete and/or wash water and stormwater that will be discharged from the site. The General Contractor shall eliminate or minimize the number of seams in the liner.

Alternatively, waste concrete can be placed into forms to make rip rap or other useful concrete products. The cured residue from the concrete washout diked areas shall be disposed of in accordance with applicable state and federal regulations. The job site superintendent is responsible for assuring that these procedures are followed. The location of concrete washout areas shall be shown on the Sitemaps. Follow all applicable environmental regulations for concrete washout pits. State and local regulations do not prohibit in-ground concrete wash pits.

Masons' Area Contractor shall identify masons' area on the site and indicate location on the Site Map**.** To the extent practical, all masonry tools, material, including sand and sacked cement or mortar materials, and equipment shall be located within the area identified. Runoff control, such as berms or diversion ditches, silt fence, straw wattles, or other means of containment shall be provided to prevent the migration of stormwater pollutants in runoff from the masons' area**.** Receptacles for debris and trash disposal shall also be provided.

Fuel Tanks Temporary on-site fuel tanks for construction vehicles shall meet all state and federal regulations. Tanks shall have approved spill containment with the capacity required by the applicable regulations. From NFPA 30: All tanks shall be provided with secondary containment (i.e., containment external to and separate from primary containment). Secondary containment shall be constructed of materials of sufficient thickness, density, and composition so as not to be structurally weakened because of contact with the fuel stored and capable of containing discharged fuel for a period of time equal to or longer than the maximum anticipated time sufficient to allow recovery of discharged fuel. It shall be capable of containing 110% of the volume of the primary tank if a single tank is used, or in the case of multiple tanks, 150% of the largest tank or 10% of the aggregate, whichever is larger.

The tanks shall be in sound condition free of rust or other damage which might compromise containment. Fuel storage areas will meet all EPA, OSHA and other regulatory requirements for signage, fire extinguisher, etc. Hoses, valves, fittings, caps, filler nozzles, and associated hardware shall always be maintained in proper working condition. The location of fuel tanks shall be shown on the Site Maps and shall be located to minimize exposure to weather and surface water drainage features.

A Spill Prevention, Control and Countermeasure (SPCC) Plan must be developed if aboveground oil storage *capacity* at the construction site exceeds 1,320-gallons. Containers with a storage capacity of 55-gallons or less are not included when calculating site storage capacity. The General Contractor shall work with the Civil Engineer to develop and implement a SPCC Plan in accordance with the Oil Pollution Prevention regulation at Title 40 of the Code of Federal Regulations, Part 112, (40 CFR 112).

Hazardous Material Management and Spill Reporting Plan

Any hazardous or potentially hazardous material that is brought onto the construction site will be handled properly to reduce the potential for stormwater pollution. All materials used on this construction site will be properly stored, handled, dispensed, and disposed of following all applicable label directions. Flammable and combustible liquids will be stored and handled according to 29 CFR 1926.152. Only approved containers and portable tanks shall be used for storage and handling of flammable and combustible liquids.

In the event of an accidental spill, immediate action will be undertaken by the General Contractor to contain and remove the spilled material. All hazardous materials, including contaminated soil and liquid concrete waste, will be disposed of by the Contractor in the manner specified by federal, state, and local regulations and by the manufacturer of such products. As soon as possible, the spill will be reported to the appropriate agencies. As required under the provisions of the Clean Water Act, any spill or discharge entering waters of the United States will be properly reported. The General Contractor will prepare a written record of any spill and associated cleanup activities of petroleum products or hazardous materials more than 1 gallon or reportable quantities, whichever is less. The General Contractor will provide notice to Owner.

Any spills of petroleum products or hazardous materials more than Reportable Quantities as defined by EPA or the state or local agency regulations, shall be immediately reported to the
EPA National Response Center (1-800-424-8802) and
State Emergency Response Center at 1-800-832-8224.

Section 4: Good Housekeeping

The Project Owner has authority to limit surface area of erodible earth material exposed by clearing and grubbing, excavation, borrow and embankment operations and to direct the General Contractor to provide immediate permanent or temporary pollution control measures.

During the construction Phase, the General Contractor shall implement the following measures:

- Materials resulting from clearing and grubbing, or excavation operations shall be stockpiled up slope from adequate sedimentation controls. Materials removed to sites beyond the permitted project area shall be protected with appropriate controls and properly permitted and otherwise comply with applicable laws, and in accordance with this SWPPP.
- The General Contractor shall designate areas on the Site Maps for equipment cleaning, maintenance, and repair. The General Contractor and subcontractors shall utilize such designated areas. Cleaning, maintenance, and repair areas shall be protected by a temporary perimeter berm, shall not occur within 150 feet of any waterway, water body or wetland, and in areas located as far as practical from storm sewer inlets.
- Use of detergents for large scale washing is prohibited (i.e., vehicles, buildings, pavement surfaces, etc.).
- Chemicals, paints, solvents, fertilizers, and other toxic materials must be stored in waterproof containers. Except during application, the contents must be kept in trucks or within storage facilities. Runoff containing such material must be collected, removed from the site, treated, and disposed of at an approved solid waste and chemical disposal facility.

Material Handling and Waste Management

Waste Materials: All waste materials will be collected and disposed of into metal trash dumpsters located within the limits of construction. Dumpsters will have a secure watertight lid, be placed away from stormwater conveyances and drains, and meet all local and state solid- waste management regulations. Only trash and construction debris from the site will be deposited in the dumpsters. All personnel will be instructed, during training sessions, regarding the correct procedure for disposal of trash and construction debris. Notices that state these practices will be posted in the onsite construction office and the individual who manages day-to- day site operations will be responsible for seeing that these practices are followed.

Installation Schedule:	Trash dumpsters will be installed concurrent with the beginning of site work.
Maintenance and Inspection:	The dumpsters will be inspected weekly and immediately after storm events. The dumpster will be emptied weekly. If trash and construction debris are exceeding the dumpster capacity, the dumpsters will be emptied more frequently, or more dumpsters will be provided to meet the site's demands.
Responsible Staff:	Contractor

Hazardous Waste

BMP Description: All hazardous waste materials such as oil filters, petroleum products, paint, and equipment maintenance fluids will be stored in structurally sound and sealed shipping containers in a hazardous-materials storage area located within the limits of construction and segregated from other non-waste materials. Secondary containment will be provided for all materials in the hazardous materials storage area and will consist of commercially available spill pallets. Additionally, all hazardous materials will be disposed of in accordance with federal, state, and municipal regulations. Hazardous waste materials will not be disposed of into the on- site dumpsters. All personnel will be instructed, during training sessions, regarding proper procedures for hazardous waste disposal. Notices that state these procedures will be posted in the office trailer and the individual who manages day-to-day site operations will be responsible for seeing that these procedures are followed.

Installation Schedule:	Shipping containers used to store hazardous waste materials will be installed once the materials storage area has been installed for the site.
Maintenance and Inspection:	The hazardous materials storage areas will be inspected at least weekly and after storm events. The storage areas will be kept clean, well-organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Material Safety Data Sheets, material inventory, and emergency contact numbers will be maintained in the office trailer.
Responsible Staff:	Contractor

Establish Proper Building Material Staging Areas

Combined Staging Area and Materials Storage Area

BMP Description: Construction equipment and maintenance materials will be stored at the combined staging area and materials storage areas labeled “Staging Spoils Area” outlined on the “Erosion/Sedimentation Control Plan” Sheets.

Large items, such as framing materials and stockpiled lumber, will be stored in the open in the storage area. Such materials will be elevated to minimize contact with runoff.

Installation Schedule:	The combined staging and materials storage area will be installed before any infrastructure is constructed at the site.
Maintenance and Inspection:	Storage areas will be inspected weekly and after storm events. Storage areas will be kept clean, well-organized, and equipped with ample cleanup supplies as appropriate for the materials being stored. Perimeter controls, containment structures, covers, and liners will be repaired or replaced as needed to maintain proper function.
Responsible Staff:	Contractor

Designate Washout Areas

Concrete Washout

BMP Description: Washout of concrete trucks associated with off-site concrete production facilities may be conducted at the regulated construction site under [Part II, Section B and Part V].

Concrete pours will not be conducted during or before an anticipated storm event. All excess concrete and concrete washout slurries from concrete mixer trucks and chutes will be discharged to the washout area or hauled off-site for disposal. When the temporary washout areas are no longer needed for the construction project, the hardened concrete and materials used to construct the areas will be removed and disposed of according to the maintenance section below and the washout areas will be backfilled, graded, and stabilized with erosion controls.

Installation Schedule:	The washout areas will be constructed before they are required by construction activities. Contractor is to obtain Engineer's approval of washout location at least 2 weeks before installation.
Maintenance and Inspection:	The washout areas will be inspected daily to ensure that all concrete washing is being discharged into the washout area and to identify when concrete wastes need to be removed. The washout areas will be cleaned out once the area is filled to 75 percent of the holding capacity. Once the area's holding capacity has been reached the concrete wastes will be allowed to harden, the concrete will be broken up, removed, and properly disposed of.
Responsible Staff:	Contractor

Establish Proper Equipment/Vehicle Fueling and Maintenance Practices

Vehicle/Equipment Fueling and Maintenance

BMP Description: Several types of vehicles and equipment will be used on-site throughout the project, including graders, scrapers, excavators, loaders, paving equipment, rollers, trucks and trailers, backhoes, and forklifts. All major equipment/vehicle fueling, and maintenance will be performed off-site. When vehicle fueling must occur on-site, the fueling activity will occur in the staging area. Absorbent, spill-cleanup materials, and spill kits will be available at the combined staging and materials storage area. Drip pans will be placed under all equipment receiving maintenance and vehicles and equipment parked overnight.

Installation Schedule:	Equipment and vehicle maintenance and fueling practices will be implemented at the beginning of construction.
Maintenance and Inspection:	Inspect equipment/vehicle storage areas and fuel tank weekly and after storm events. Vehicles and equipment will be inspected daily when stored on site. Leaks will be repaired immediately, or the problem vehicle(s) or equipment will be removed from the project site. Keep ample supply of spill-cleanup materials on-site and immediately clean up spills and dispose of materials properly.
Responsible Staff:	Contractor

Section 5: Civil Site Plans

General Location and Vicinity Map:
A general location and vicinity map can be found in **Appendix A.**

All available site plans and related engineer's construction drawings, which provide information on site conditions, drainage, and stabilization, are located behind this page.

If new construction drawings are made available later during construction, relevant drawings will be added to this section and this SWPPP will be revised as appropriate.

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SANTA FE (SECTION 12)
PAVING, GRADING & DRAINAGE IMPROVEMENTS
EROSION CONTROL PLAN & DETAILS

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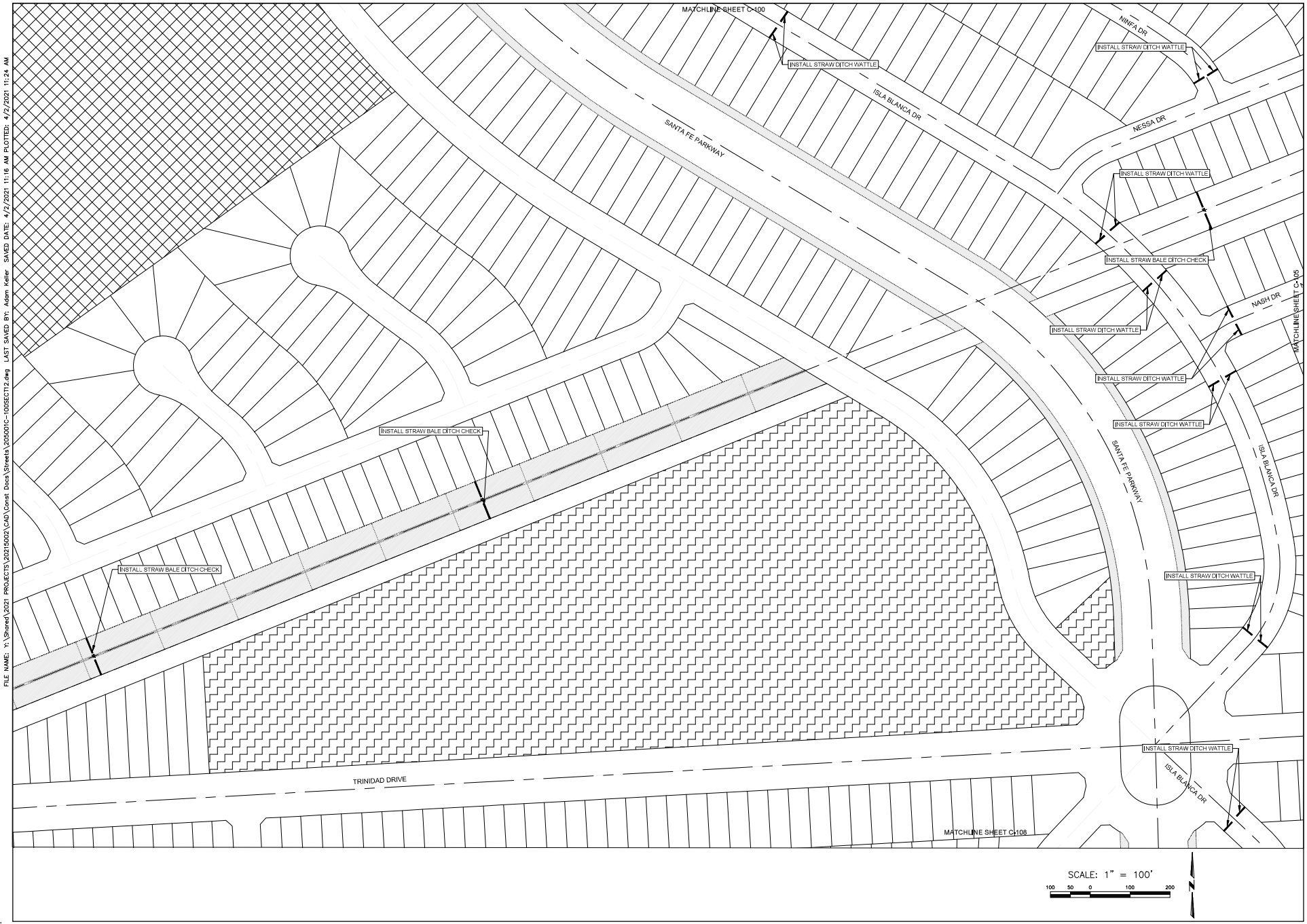

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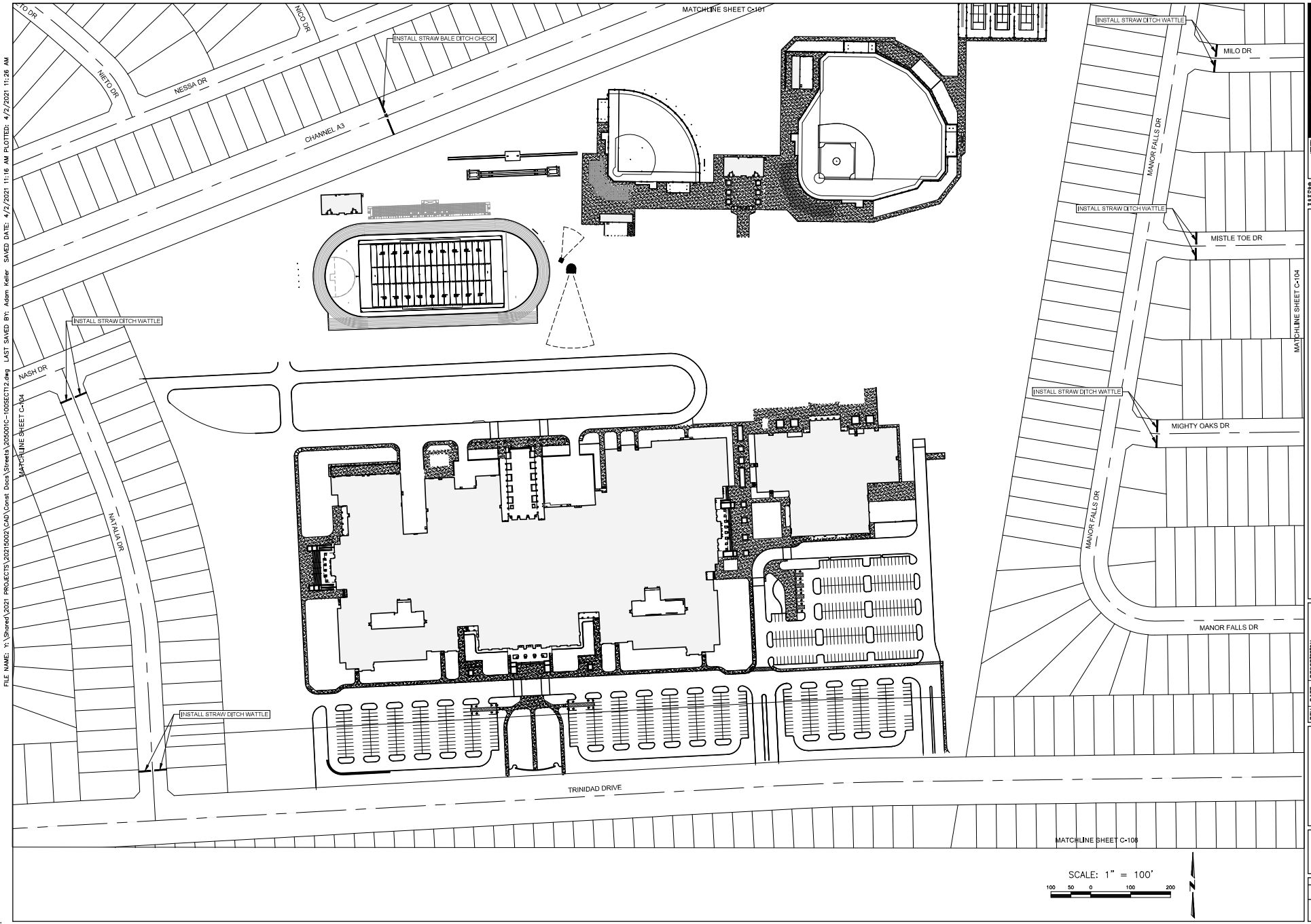

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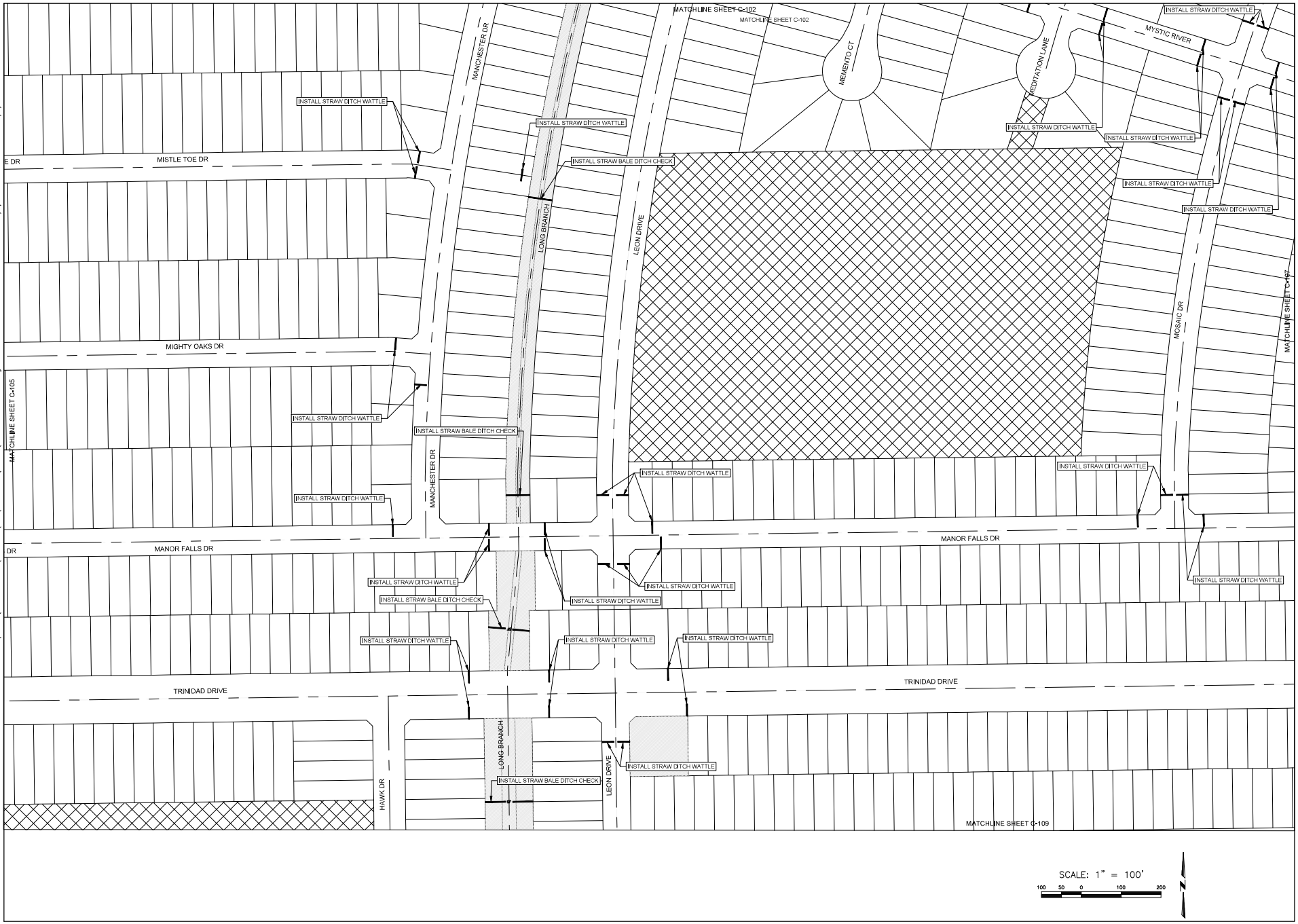

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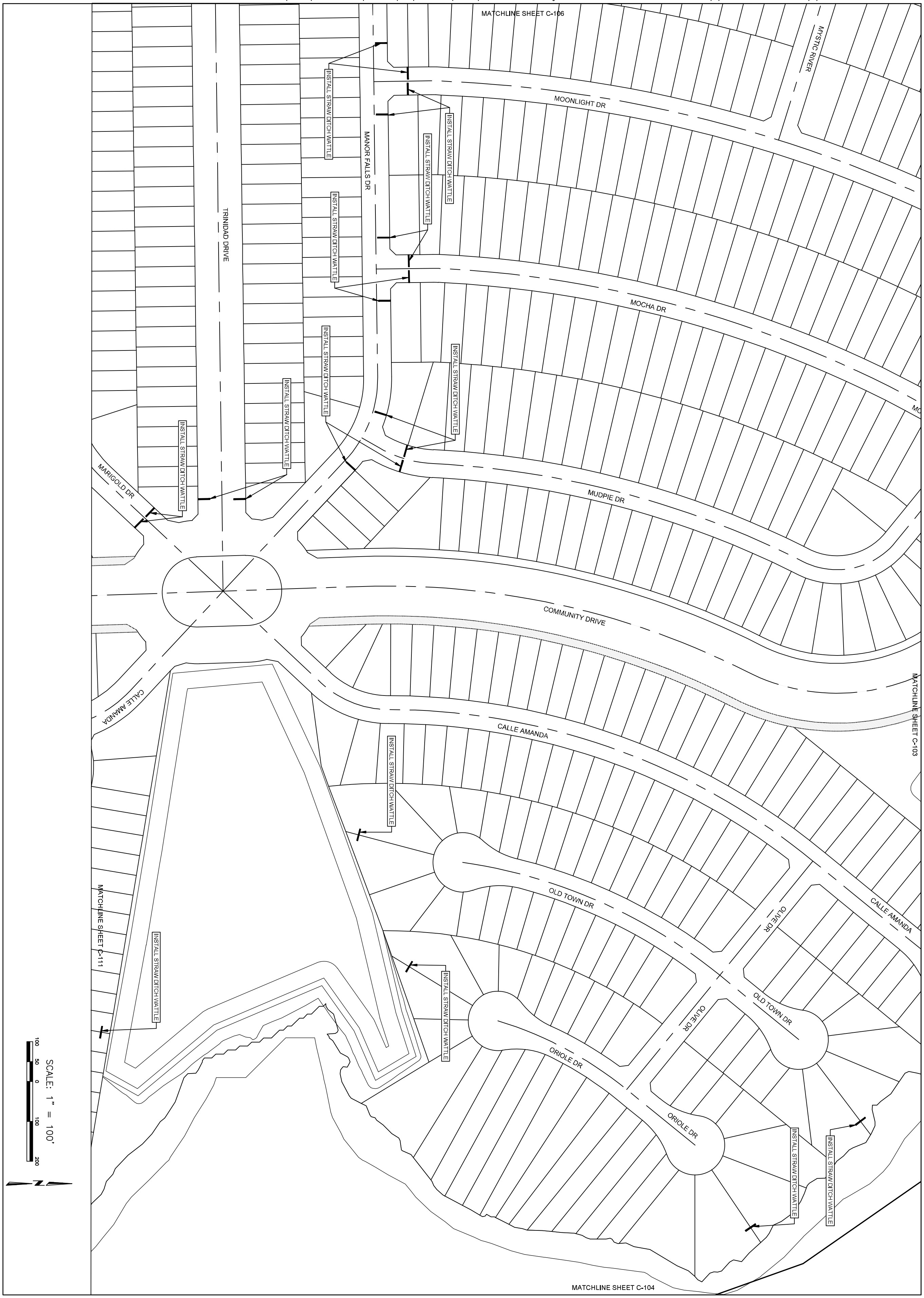

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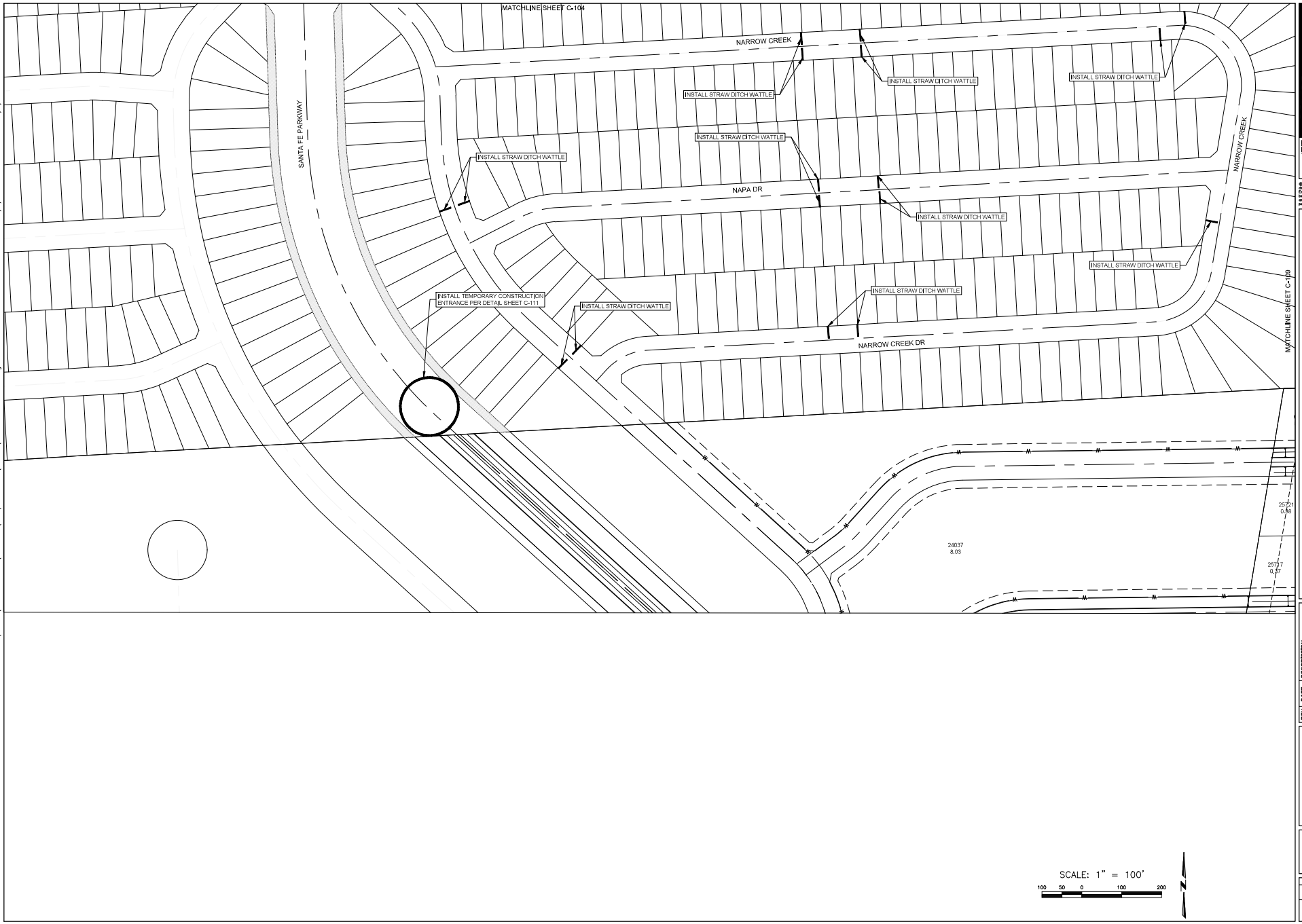

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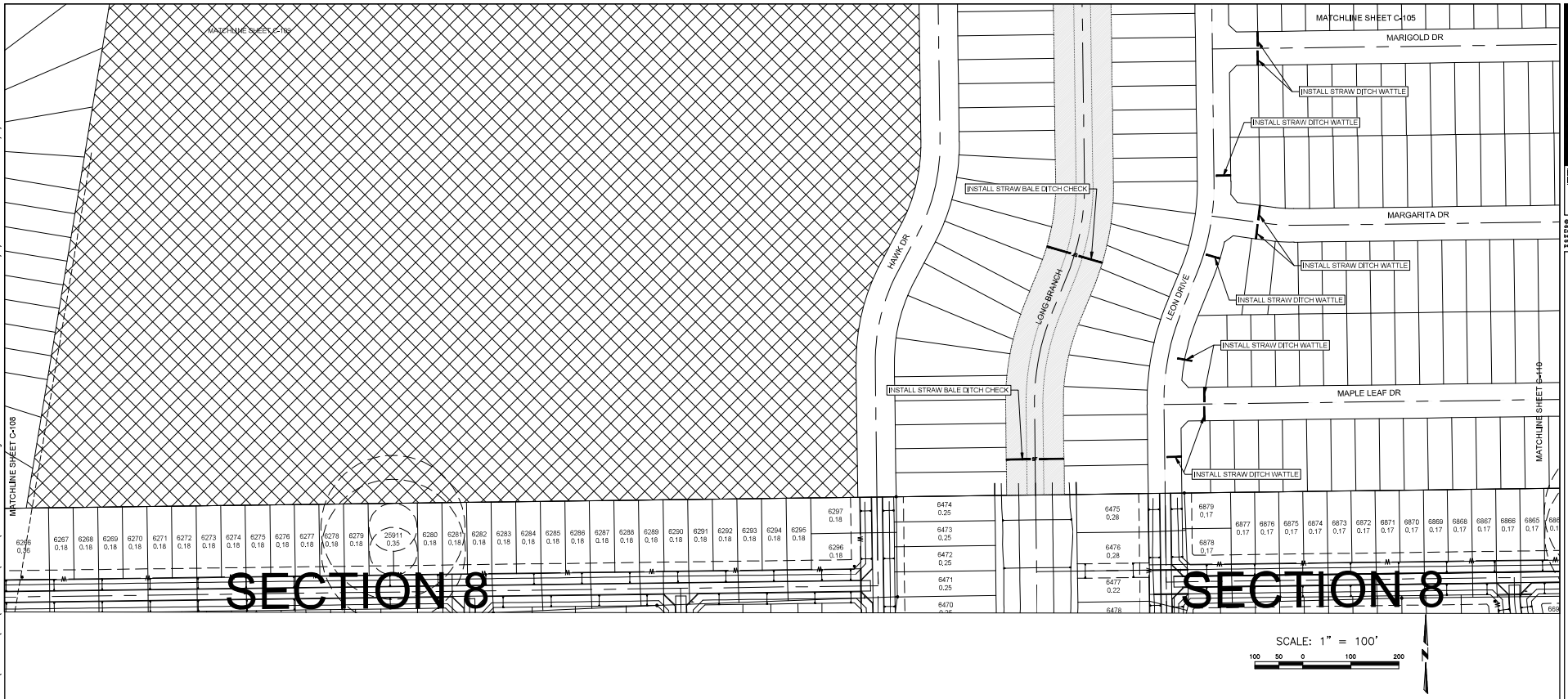

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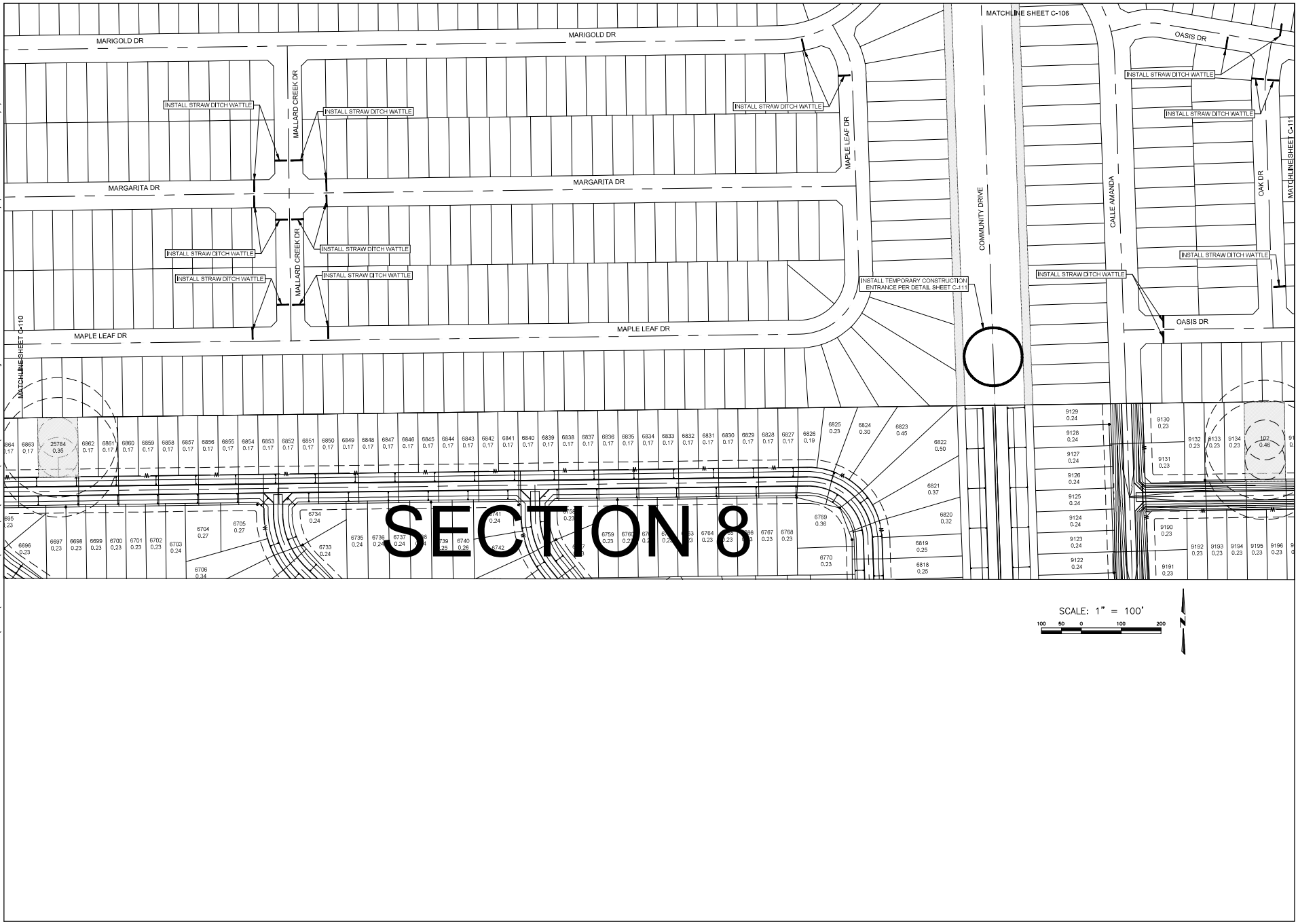

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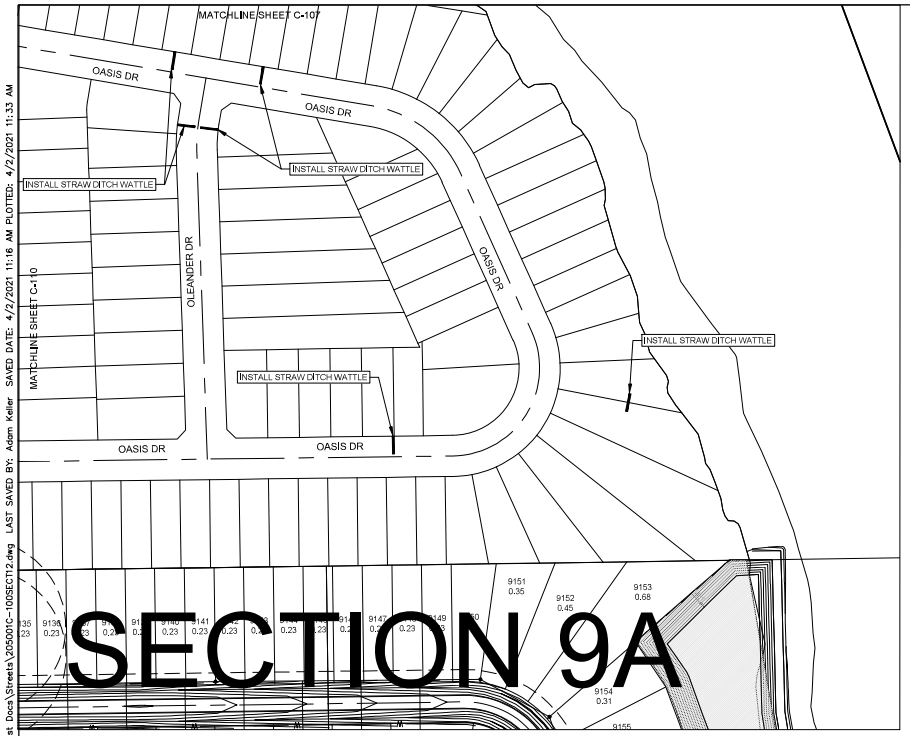

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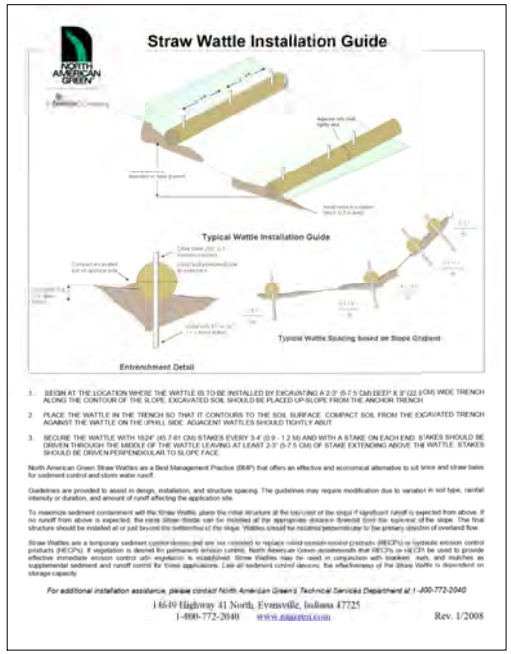

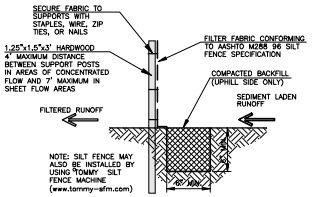

SILT FENCE SLOPE BARRIER DETAIL

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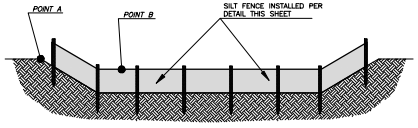

INSTALLATION OF SILT FENCE DITCH CHECKS

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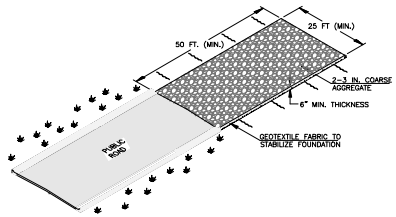

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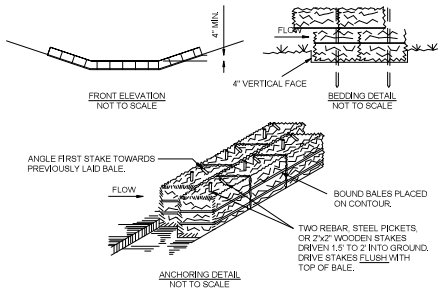

STRAW BALES - DIKE OR DITCH CHECK

1. BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES.
2. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF (4) INCHES AND PLACED SO THE BINDINGS ARE HORIZONTAL.
3. BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO STAKES OR TWO REBAR DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE PREVIOUSLY LAID BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE TOP OF THE BALE.
4. INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
5. BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.
6. TWO ADJACENT ROWS OF BALES ARE TO BE PLACED WITH JOINTS STAGGERED.
7. FOR SCOUR PROTECTION, INSTALL EROSION CONTROL MAT ON DOWNSTREAM SIDE OF DITCH CHECK. PLACE MAT UNDERNEATH BALES BEFORE STAKING.

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PAVING, GRADING & DRAINAGE IMPROVEMENTS
EROSION CONTROL PLAN & DETAILS

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Section 6: On Site Material, Potential Pollutants and Sources

On Site Waste Materials:
Trash – Trash Receptacles in Staging/Lay Down Area and Parking Area
Construction Debris – Recycling Dumpsters and Trash Dumpsters in the Contractor Area
Concrete Rinse Water – Concrete Washout Area in the Contractor Area
Human Waste – Portable Toilets

Potential Non-Sediment Pollutants								
	Nutrients	Heavy Metals	pH (Acids & Bases	Pesticides	Oil and Lubricants	Bacteria & Viruses	Debris (Solids)	Other Toxic Chemicals
Clearing and Grading							X	
Concrete A mixtures								X
Concrete Waste		X	X				X	
Pavement Operations		X	X		X		X	
Building Construction	X		X		X		X	X
Materials Storage		X	X	X	X		X	X
Waste Materials							X	X
Hazardous Materials		X	X	X	X		X	X
Sanitary / Septic Waste	X		X			X		X
Equipment Fueling					X			X
Maintenance Fluids					X			X
Equipment Use / Storage					X			X
Planting	X						X	

Allowable Non-Stormwater Discharges

The following non-stormwater discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

- discharges from fire-fighting activities (fire-fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, or similar activities)
- uncontaminated fire hydrant flushing (excluding discharges of hyper chlorinated water, unless the water is first dechlorinated, and discharges are not expected to adversely affect aquatic life), which include flushing from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushing do not include systems utilizing reclaimed wastewater as a source water)
- water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used, where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust
- uncontaminated water used to control dust
- potable water sources, including waterline flushing, but excluding discharges of hyper chlorinated water, unless the water is first dechlorinated, and discharges are not expected to adversely affect aquatic life
- uncontaminated air conditioning condensate
- uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents; and
- lawn watering and similar irrigation drainage.
- Other Permitted Discharges

Any discharge authorized under a separate National Pollutant Discharge Elimination System (NPDES), TPDES, or TCEQ permit may be combined with discharges authorized by this general permit, provided those discharges comply with the associated permit.

Prohibited Discharges

The following discharges are prohibited under TPDES General Permit TXR150000

- Wastewater from wash out of concrete, unless managed by an appropriate control
- Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials
- Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance
- Soaps or solvents used in vehicle and equipment washing; and
- Toxic or hazardous substances from a spill or other release.

Spill Prevention and Control Practices

Best Management Practices (BMPs), as detailed previously in the SWPPP, will be utilized to prevent spills and releases throughout the duration of this project. If a spill / release has occurred, the SWPPP must be modified with an incident report within 14 days of this event.

This spill / release modification report should include:

- the date and time of the incident
- description of the spill / release
- description of events leading up to the spill / release and a detailed description of all methods, and materials used during clean-up and any preventative BMPs installed during the clean-up process.

The following measures will be taken to minimize the impact of spills or releases:

1. All reasonable and safe corrective actions will be taken to stop the spill or release at the source. Actions may include the following (if appropriate):
   - Assess the Spill **–** As soon as is possible, determine the exact source, character and approximate amount of the spill. Designated response personnel will determine need for notification of regulatory agencies and authorities and will determine actions necessary to safeguard all personnel (i.e., use of appropriate safety equipment, site, or area evacuation).
   - Stop the Spill at the Source **–** Implement all required and appropriate safety measures deemed necessary by designated response personnel. If a potential for further spill / release exists, take steps to prevent further release of spill / release by stopping or minimizing flow at the source as appropriate (i.e., turning off machinery, turning off a valve, plugging or repairing hole(s) in damaged container, righting overturned containers or drums). In more complicated instances it may be necessary to contact outside contractors to make necessary repairs to stop the flow of the spill / release.
   - Spill Containment **–** If containment efforts are deemed safe by designated response personnel, appropriate safety equipment and procedures should be utilized as recommended by the Safety Data Sheet (SDS) for the spilled or released material. Use absorbents (i.e., soil, sawdust, sandbags, portable booms, rags, commercial absorbent product) to dike around the area of the spill. If necessary, place absorbents at the openings of storm drains to prevent contaminants from entering the storm sewers.
2. Report spill to regulatory agencies or authorities, if necessary. If the spill / release has been determined to be of a "reportable quantity" (refer to the following page), and if required by applicable law, notify the National Response Center, at (800) 424-8802 as soon as you have knowledge of the spill / release. Also, notify the TCEQ, if required by applicable law, at
3. (800) 832-8224 or at (512) 239-2454 within 24 hours of the occurrence. When in doubt, report the spill.
4. Spill clean-up should be performed, to the extent practicable, according to all applicable regulations and in accordance with Material Safety Data Sheet recommendation and/or as recommended by the manufacturer of the spilled / released substance. Whenever possible, utilize a dry clean-up method of cleanup (i.e., sweeping, absorbents, containerize waste) performed by a licensed disposal company. Contaminated material is to be disposed of in accordance with all local, state, and federal laws and regulations.

Commonly Spilled / Released Substance

Reportable Quantities		
Engine Oil, Fuel, Hydraulic & Brake fluid	Land	~25 gallons
Engine Oil, Fuel, Hydraulic & Brake fluid	Water	Visible Sheen
Anti-Freeze	Land	100 lbs (~11 Gallons)
Battery Acid	Land, Water	100 lbs (~6 Gallons)
Freon	Air	1 lb
Gasoline	Air, Land, Water	100 lbs (~17 Gallons)
Engine Degreasers	Air, Land, Water	100 lbs (~14 Gallons)
Refrigerants	Air	1 lb

Spill Regulations - Spill prevention, control, cleanup, and reporting shall comply with TCEQ regulations 30 T.A.C., Chapter 327 Spill Prevention and Control and any local regulations.

Section 7: Inspections and System Maintenance

The purpose of site inspections is to assess performance of pollutant controls. The inspections will be conducted by the General Contractor's Site Superintendent**.** Based on these inspections, the General Contractor will decide whether it is necessary to modify this SWPPP, add or relocate controls, or revise or implement additional Best Management Practices to prevent pollutants from leaving the site via stormwater runoff. The General Contractor has the duty to cause pollutant control measures to be repaired, modified, supplemented, or take additional steps as necessary to achieve effective pollutant control. Note: If a BMP is covered by snow, mark the BMP as not applicable and document the reason the BMP cannot be inspected on the daily report.

Examples of specific items to evaluate during site inspections are listed below. This list is not intended to be comprehensive. During each inspection, the inspector must evaluate overall pollutant control system performance as well as details of individual system components. Additional factors should be considered as appropriate to the circumstances. The General Contractor is responsible for measuring and recording site-specific rainfall amounts.

Construction Exit and Track Out

Locations where vehicles enter and exit the site must be inspected for evidence of sediment tracking beyond the permitted project area. A stabilized construction exit shall be constructed where vehicles enter and exit. Exits shall be maintained or supplemented with additional rock as necessary to prevent the release of sediment from vehicles leaving the site. Any sediment deposited on the roadway shall be swept as necessary throughout the day or at the end of every day and disposed of in an appropriate manner. Sediment shall **NOT** be washed into storm sewer systems.

Note to General Contractor: Track out is a sediment release (sediment from the construction site was allowed beyond the permitted limits of disturbance).

Erosion Control Devices

Rolled erosion control products (nets, blankets, turf reinforcement mats) and marginally vegetated areas (areas not meeting required vegetative densities for final stabilization) must be inspected daily. Rilling, rutting and other signs of erosion indicate the erosion control device is not functioning properly and additional erosion control devices are warranted.

Sediment Control Devices

Sediment barriers, traps and basins must be inspected, and they must be cleaned out when their original capacity has been reduced by 50 percent. All material excavated from behind sediment barriers or in traps and basins shall be incorporated into on-site soils or spread out on an upland portion of the site and stabilized. To minimize the potential for sediment releases from the project site perimeter control devices shall be inspected with consideration given to changing up-gradient conditions.

Material Storage Areas

Material storage areas should be located to minimize exposure to weather. Inspections shall evaluate disturbed areas and areas used for storing materials that are exposed to rainfall for evidence of, or the potential for, pollutants entering the drainage system or discharging from the site. If necessary, the materials must be covered, or original covers must be repaired or supplemented. Also, protective berms must be constructed, if needed, to contain runoff from material storage areas. All state and local regulations pertaining to material storage areas will be adhered to.

Vegetation

Consideration must be given to anticipated climate and seasonal conditions when specifying and planting seed. Seed shall be free of weedy species and appropriate for site soils and regional climate. Seed and mulch per the construction drawings after topsoil is applied and final grade is reached. Grassed areas shall be inspected to confirm that a healthy stand of grass is maintained. The site has achieved final stabilization once all areas are covered with building foundation or pavement or have a stand of grass with a minimum of 70 percent density or greater of natural background cover over the entire vegetated area in accordance with the General Permit requirements. Vegetated areas must be watered, fertilized, and reseeded as needed to achieve this requirement. The vegetative density must be maintained through project completion to be considered stabilized. Areas protected by erosion control blankets are not permanently stabilized until the applicable General Permit requirement for final vegetative density is achieved.

Riprap, mulch, gravel, decomposed granite, or other equivalent permanent stabilization measures may be employed in lieu of vegetation based on site-specific conditions and governing authority approval.

Discharge Points

All discharge points must be inspected to determine whether erosion and sediment control measures are effective in preventing discharge of sediment from the site or impacts to receiving waters.

Special Project Areas

There are no special projects, located beyond the permitted project area, requiring inspection and maintenance associated with this construction project.

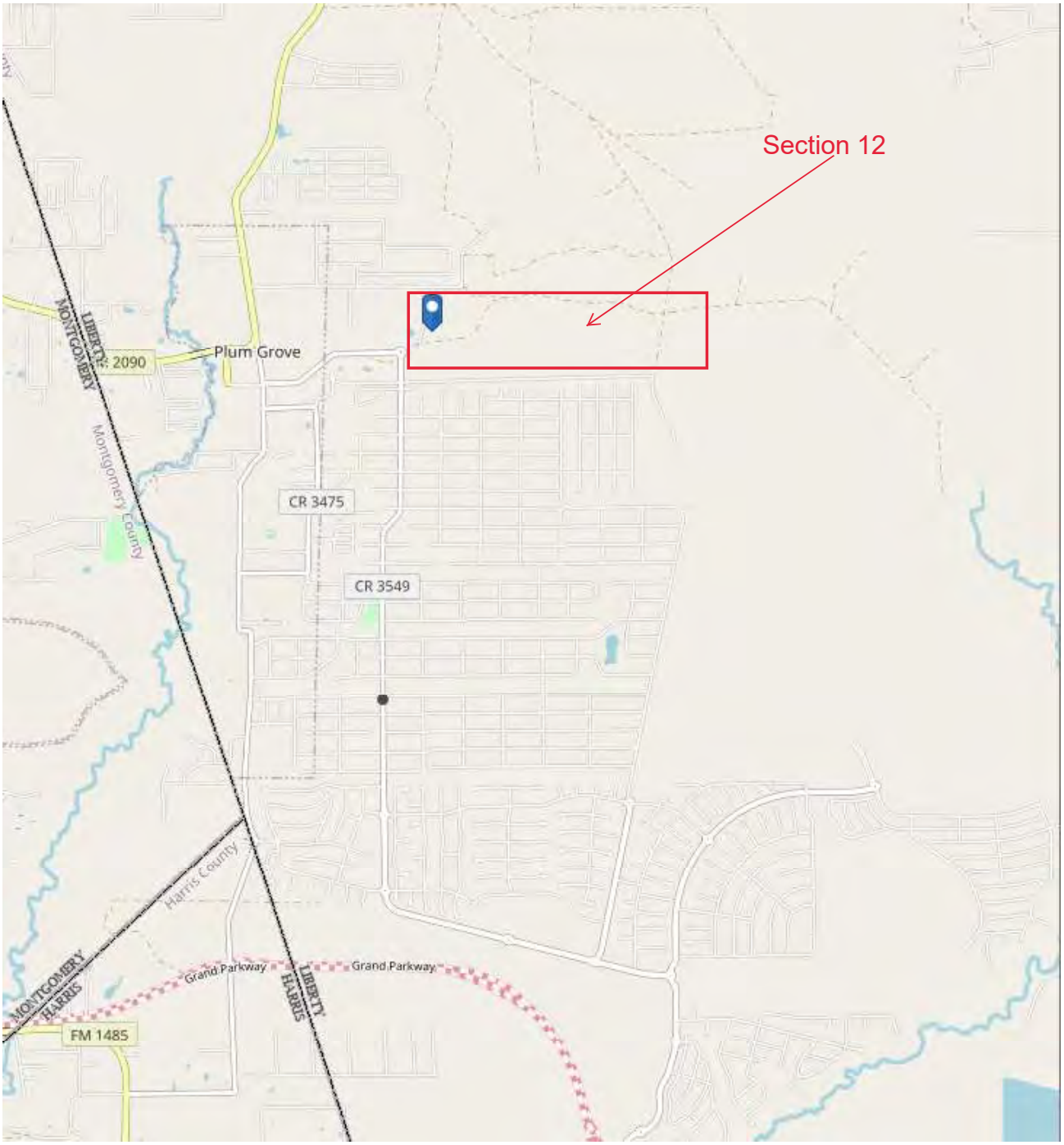
The Daily Inspection Report Form must identify all deficiencies, any corrections, whether they are identified during the current inspection or have occurred since the previous inspection, and any additional comments. Based on inspection results, any modification necessary to increase effectiveness of this SWPPP to an acceptable level must be made immediately but no longer than within 48 hours of the inspection. The inspection reports must be complete and additional information should be included if needed to fully describe a situation. An important aspect of the inspection report is the description of additional measures that need to be taken to enhance plan effectiveness. The inspection report must identify whether the site follows the SWPPP at the time of inspection and specifically identify all incidents of non-compliance.

Inspection reports must include an original, authorized signature and date of the inspection. Inspection reports must be retained by the General Contractor as an integral part of this SWPPP for at least five years from the date of submission of the Notice of Termination of permit coverage.

Ultimately, it is the responsibility of the General Contractor to assure the adequacy of site pollutant discharge controls. Actual physical site conditions or contractor practices could make it necessary to install more structural controls than are shown on the plans. For example, localized concentrations of runoff could make it necessary to install additional sediment barriers. Assessing the need for additional controls and implementing them or adjusting existing controls will be a continuing aspect of this SWPPP until the site achieves final stabilization. Any modifications, additions or deletions of sediment control devices that may alter the hydraulic design of the site or located in areas of potential high flow (basins, traps, check dams, diversions. etc.) must be approved by the Civil Engineer through the request for information process.

Appendix A

Site, Vicinity, Topography Maps



Legend

Property Boundary

Street View

DOUBLE OAK EROSION

SCALE

1" = 1000'

0' 1,000'

STREET VIEW MAP

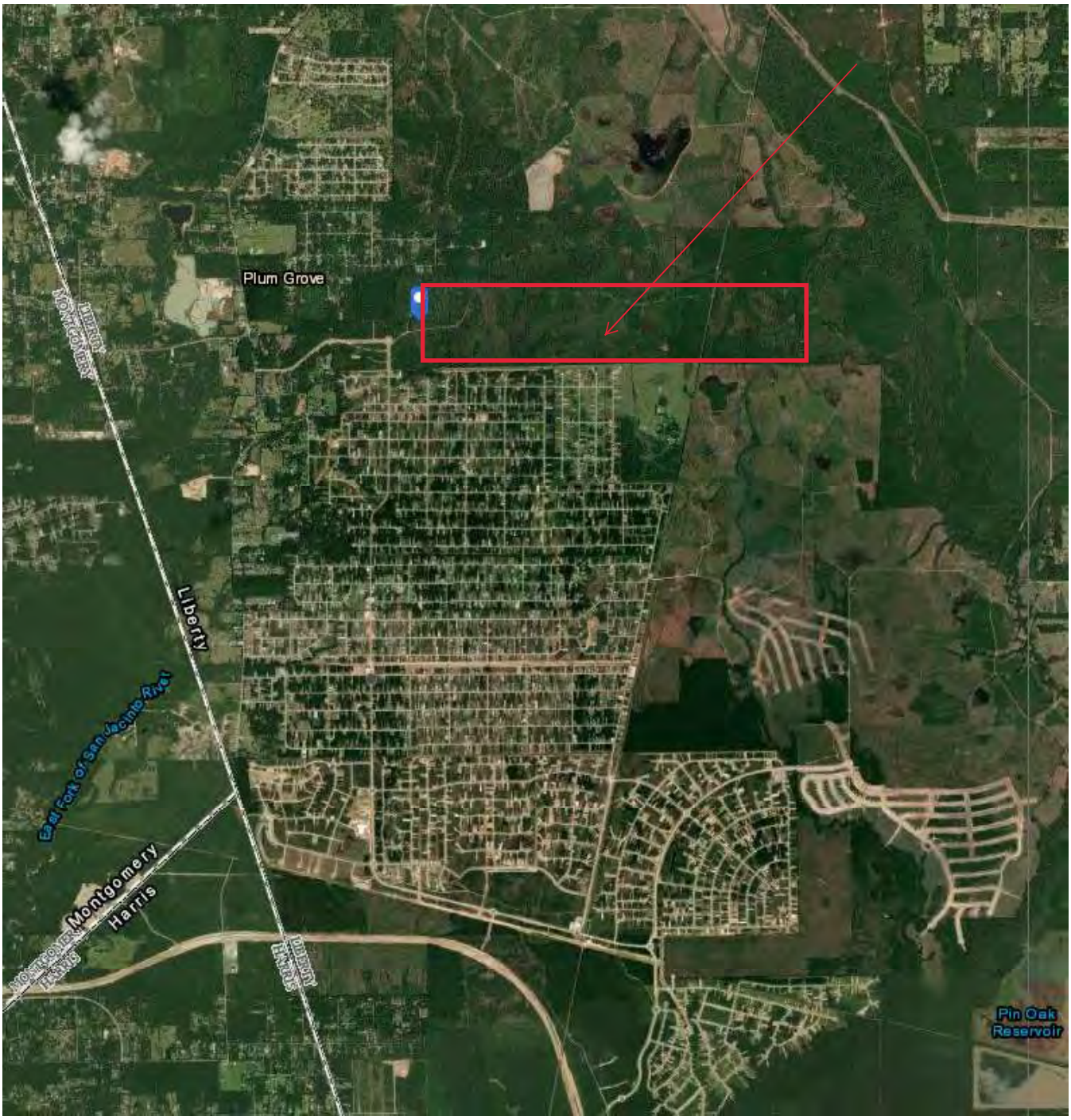
Santa Fe Section 12

North of Section 8, Rd 3549 & Rd 3470

Liberty County, Cleveland, Texas

Date March 20, 2021

Prepared by: Rachael Alwagfi



Legend

Property Boundary

Satellite Map

DOUBLE OAK EROSION

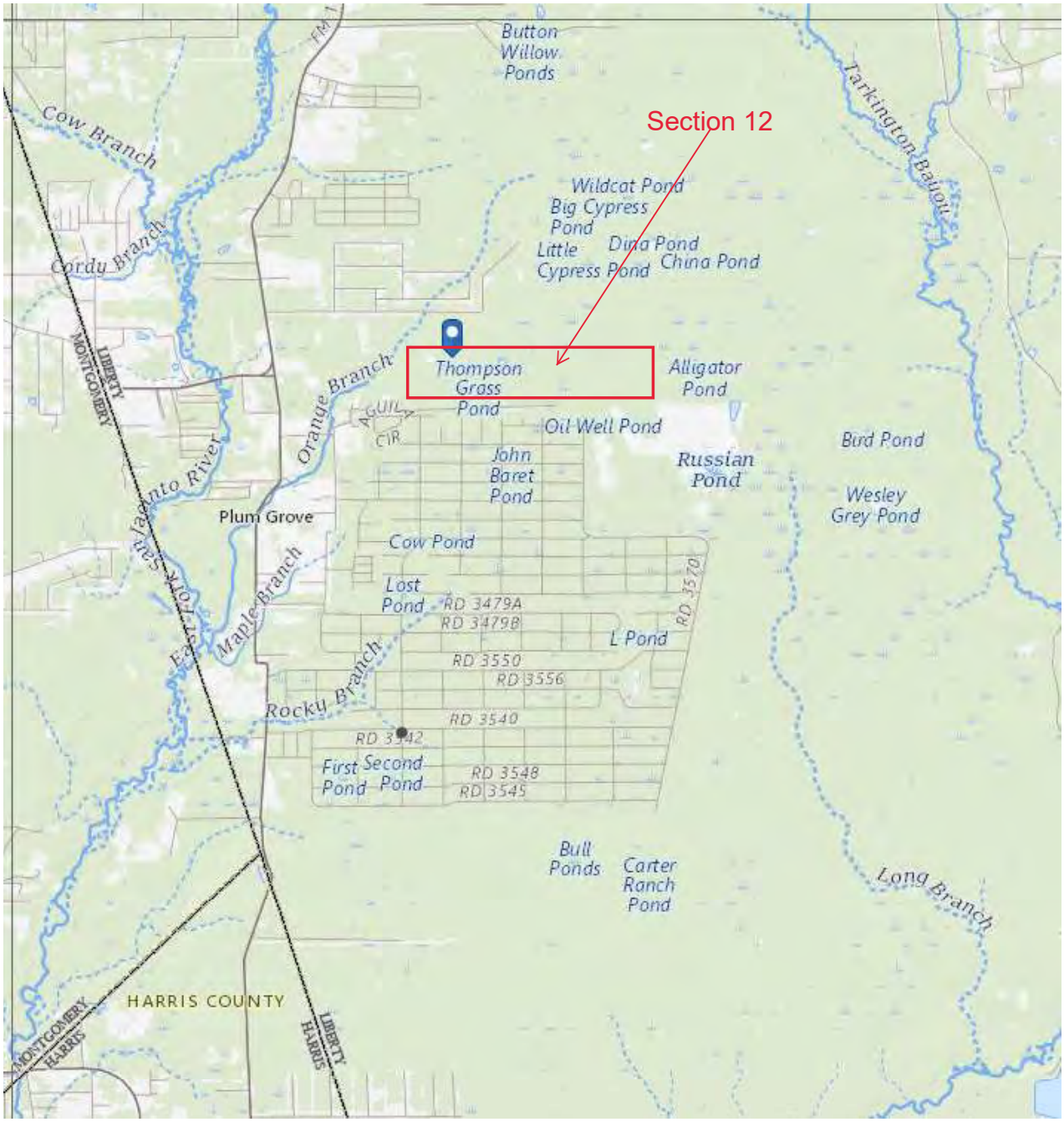
SCALE
1" = 1000'
0' 1,000'

SATELLITE MAP

Santa Fe Section 12
North of Section 8, Rd 3549 & Rd 3470

Liberty County, Cleveland, Texas

Date March 20, 2021
Prepared by: Rachael Alwagfi



Legend

Property Boundary

N Topography	DOUBLE OAK EROSION SCALE 1" = 1000' 0' 1,000'	**TOPOGRAPHYMAP** Santa Fe Section 12 North of Section, Rd 3549 & Rd 3470 Liberty County, Cleveland, Texas Date March 20, 2021 Prepared by: Rachael Alwagfi

Appendix B
Major Activity Log

Major Activity	Date	Comments
Construction Start Date		
CSN Submittal for Owner		
CSN Submittal for Operator		
Sediment & Erosion Control Installation		
Clearing		
Grubbing		
Major Excavation		
Grading/Disturbance		
Utility Trenching		
Secondary Grading		
Initial Stabilization		
Completion of Stabilization		
NOT Submittal for Operator		
Removal of CSN for Owner		

Major Activity	Date	Comments
Construction Start Date		
CSN Submittal for Owner		
CSN Submittal for Operator		
Sediment & Erosion Control Installation		
Clearing		
Grubbing		
Major Excavation		
Grading/Disturbance		
Utility Trenching		
Secondary Grading		
Initial Stabilization		
Completion of Stabilization		
NOT Submittal for Operator		
Removal of CSN for Owner		

Work Temporarily or Permanently Ceased	Date	Comments

Stabilization Measures Initiated	Date	Comments

Work Temporarily or Permanently Ceased	Date	Comments

Stabilization Measures Initiated	Date	Comments

Appendix C
Spill Report Form

Spill Response Procedure

Despite implementation of best management practices, the possibility of spills of hazardous materials and chemicals exists on all sites. If a spill occurs, the following procedure should be implemented:

- **Stop the spill, if possible -** Control the source of the spill by shutting off valves, upright any containers, plug leak, etc.
- **Shut off any ignition sources -** Vehicles, equipment, burn pits, and cigarettes need to be turned off or putout.
- **Contain the spill -** Seal off storm drains with berms or drain covers and stop any spread of the spill. Erosion logs and absorbents may be placed around drains, as needed. Spills can be contained with a number of readily available absorbent materials such as saw dust, soil, or commercially available products found in spill kits such as absorbent rags or pads, or Oil-Dri. Use pads and/or granular sorbent to clean up spilled material. Regardless of spill-control material, the absorbent material should be distributed over the entire spill area, working from the outside, circling to the inside. When spilled materials have been absorbed, use a broom and shovel to place materials in an appropriate container.
- **Report the spill -** if the amount spilled (or released) exceeds the reportable quantity or impacts a waterbody.

Reportable Quantities		
Engine Oil, Fuel, Hydraulic & Brake fluid	Land	~25 gallons
Engine Oil, Fuel, Hydraulic & Brake fluid	Water	Visible Sheen
Anti-Freeze	Land	100 lbs (~13 Gallons)
Battery Acid	Land, Water	100 lbs (~6 Gallons)
Freon	Air	1 lb
Gasoline	Air, Land, Water	100 lbs (~15 Gallons)
Engine Degreasers	Air, Land, Water	100 lbs (~14 Gallons)

Texas Commission on Environmental Quality
(TCEQ)
1-800-832-8224

Information to Report
When making a report of a spill or pollution complaint, it will be helpful if the following information is available:
The date and time of the spill or release;

- The identity or chemical name of material released or spill as well as whether the substance is an extremely hazardous material;
- Estimate of the quantity of material released or spilled and the time or duration of the event;
- The exact location of the spill, including the name of the waters involved or threatened, and/or other medium or media affected by the release or spill;
- The source of the release or spill;
- The name, address, and telephone number of the party in charge of, or responsible for the facility, vessel, or activity associated with the release or spill;
- The extent of actual and potential water pollution;
- The party at the release or spill site, who was in charge of operations at the site and the telephone number of this party;
- The steps being taken or proposed to contain and clean up the released or spilled material and any precautions taken to minimize impacts including evacuation;
- The extent of injuries, if any;
- Any known or anticipated health risks associated with the incident and, where appropriate, advice regarding medical attention necessary for exposed individuals;
- Possible hazards to the environment (air, soil, water, wildlife, etc.). This assessment may include references to accepted chemical databases, material safety data sheets, and health advisories. Estimated or measured concentrations of a contaminant may be requested by the TCEQ for the state's hazard assessment; and,
- Identity of governmental and/or private sector representatives responding on-scene

- **Clean the spill up, properly -** Spills must be cleaned up regardless of the quantity. Refer to the manufacturer's Safety Data Sheet (SDS) for instructions on proper cleanup and disposal. Cleanup is complete when no free liquids are present and used absorbent materials have been removed. In some instances, a licensed disposal company will need to be contracted. For non-hazardous and non-toxic materials this may be through your solid waste disposal service with prior approval.

- **Update the SWPPP -** After the situation has been resolved, complete a "Response Form" under the spill and leak response log on the next page. Regardless of whether the spill was reportable, the SWPPP is to be updated within 14 calendar days of obtaining knowledge of the spill or loss.

Spill Report Form

Spill Reported by: _____ _____
Name Phone Number

Date Reported: _____ Time: _____

Date of Spill: _____ Time: _____

Name of Facility: _____

Facility Address: _____

County: _____ MS4: _____

Describe Spill Location and Events Leading to Spill: _____

_____

_____

_____

_____

Material Spilled: _____

Source of the Spill: _____

Amount Spilled (Gallons or Pounds): _____

Amount Spilled to Waterway (Gallons or Pounds): _____

Nearest Municipality: _____

Containment or Cleanup Action: _____

_____

Environmental Damages (if any, including fish kills, etc.): _____

_____

Injuries or Personal Contamination: _____

_____

Date and Time Cleanup Completed or Terminated: _____

If Clean up Delayed – Nature and Duration of Delay: _____

_____

Description of Materials Contaminated: _____

_____

Approximate Depth and Amount of Soil Excavation: _____

Action to be Taken to Prevent Future Spills: _____

_____

_____

Agencies Notified:

Local: _____ Date: _____

State: _____ Date: _____

Federal: _____ Date: _____

Signed: _____
Contractor Superintendent or
Environmental Inspector

Certification Statement: I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of that person or persons who manage the system, or those persons directly responsible for gathering the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

Signature: _____ Phone: _____

Printed Name: _____

Appendix D
SWPPP Training Log

SWPPP Training Log

Stormwater Pollution Prevention Training Log

Project Name:

Project Location:

Instructor's Name(s):

Instructor's Title(s):

Course Location: _____ Date: _____

Course Length (hours): _____

Stormwater Training Topic: *(check as appropriate)*

- ❑ **Erosion Control BMPs**
- ❑ **Emergency Procedures**
- ❑ **Sediment Control BMPs**
- ❑ **Good Housekeeping BMPs**
- ❑ **Non-Stormwater BMPs**

Specific Training Objective:_____

_____

Attendee Roster: *(attach additional pages as necessary)*

No.	Name of Attendee	Company
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Appendix E
SWPPP Amendment Log

SWPPP Amendment Log

Project Name:
SWPPP Contact:

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]

SWPPP Amendment Log

Project Name:
SWPPP Contact:

Amendment No.	Description of the Amendment	Date of Amendment	Amendment Prepared by [Name(s) and Title]

Appendix F
NRCS Web Soil Survey

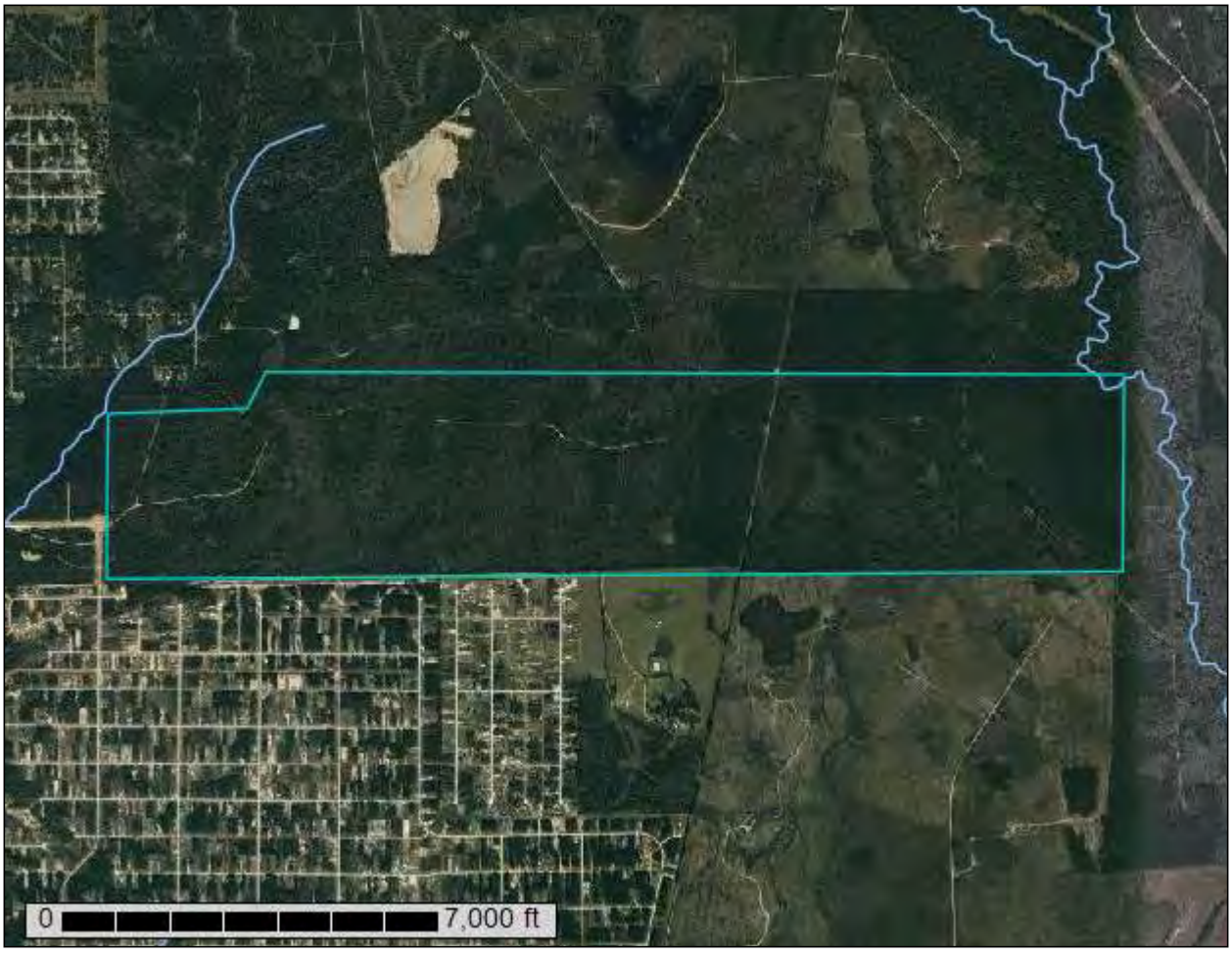
United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Liberty County, Texas



April 16, 2021

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

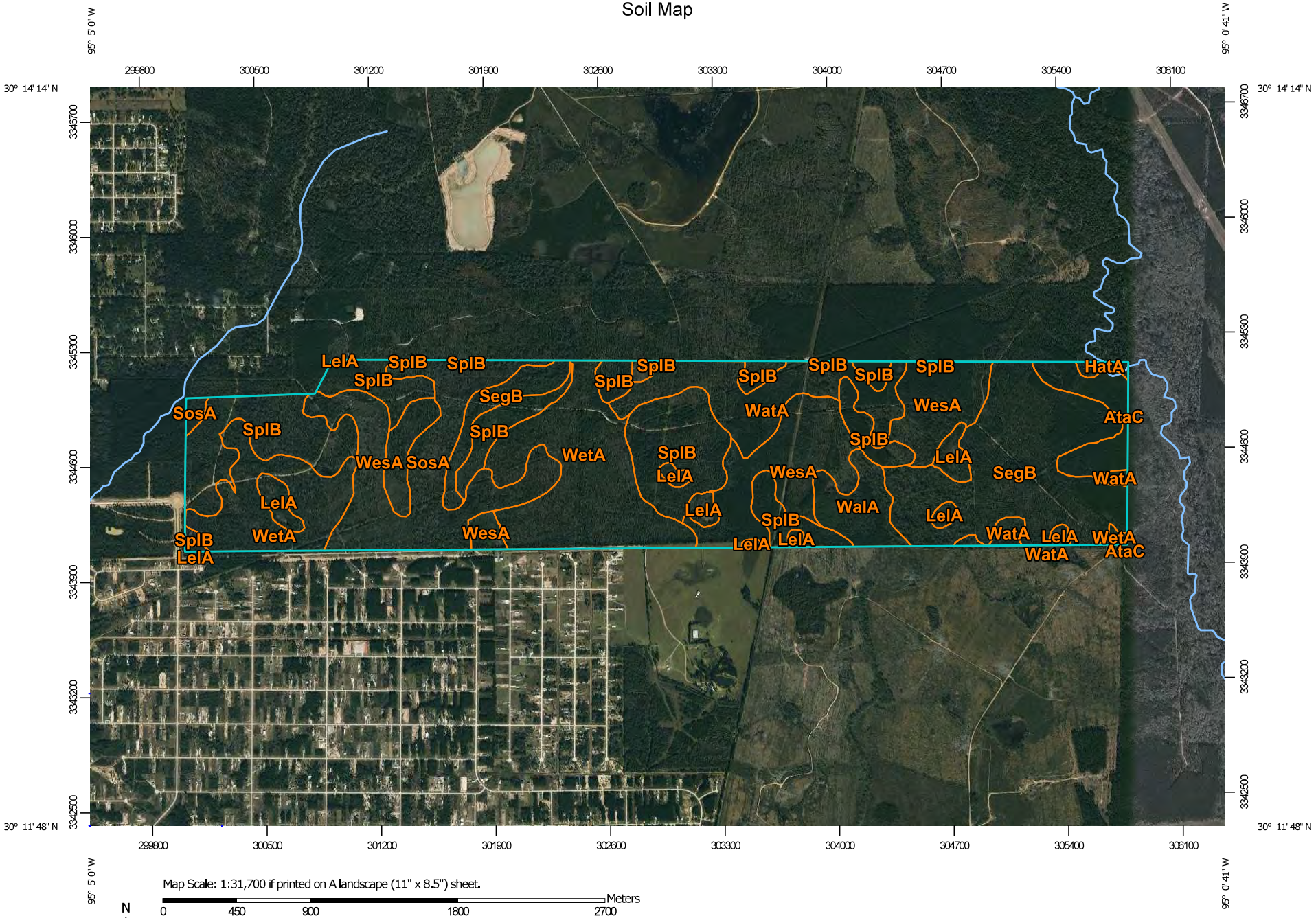
After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Liberty County, Texas
Survey Area Data: Version 19, Jun 11, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Sep 6, 2017—Jan 21, 2020

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
AtaC	Atasco fine sandy loam, 2 to 5 percent slopes	45.7	2.9%
HatA	Hatliff-Pluck-Kian complex, 0 to 1 percent slopes, frequently flooded	5.5	0.3%
LelA	Lelavale silt loam, 0 to 1 percent slopes, frequently ponded	52.9	3.3%
SegB	Segno fine sandy loam, 1 to 3 percent slopes	275.3	17.4%
SosA	Sorter-Tarkington complex, 0 1 percent slopes	200.5	12.7%
SplB	Splendora fine sandy loam, 0 to 2 percent slopes	325.5	20.6%
WalA	Waller silt loam, 0 to 1 percent slopes	48.3	3.0%
WatA	Waller-Tarkington complex, 0 to 1 percent slopes	122.5	7.7%
WesA	Westcott very fine sandy loam, 0 to 1 percent slopes	214.9	13.6%
WetA	Westcott-Plumgrove complex, 0 to 1 percent slopes	291.0	18.4%
Totals for Area of Interest		**1,582.3**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a

particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Liberty County, Texas

AtaC—Atasco fine sandy loam, 2 to 5 percent slopes

Map Unit Setting

National map unit symbol: f777
Elevation: 10 to 200 feet
Mean annual precipitation: 48 to 60 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Not prime farmland

Map Unit Composition

Atasco and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Atasco

Setting

Landform: Terraces
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Loamy alluvium derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 6 inches: fine sandy loam
E - 6 to 14 inches: very fine sandy loam
Bt - 14 to 48 inches: clay
Btg - 48 to 80 inches: sandy clay loam

Properties and qualities

Slope: 2 to 5 percent
Depth to restrictive feature: 8 to 18 inches to abrupt textural change
Drainage class: Moderately well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 12 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Available water capacity: Very low (about 2.3 inches)

Interpretive groups

Land capability classification (irrigated): 4e
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: D
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Minor Components

Segno

Percent of map unit: 5 percent
Landform: Interfluves
Landform position (two-dimensional): Backslope, shoulder
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Texla

Percent of map unit: 5 percent
Landform: Flats
Landform position (three-dimensional): Rise
Microfeatures of landform position: Bars
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

HatA—Hatliff-Pluck-Kian complex, 0 to 1 percent slopes, frequently flooded

Map Unit Setting

National map unit symbol: 1vykn
Elevation: 20 to 150 feet
Mean annual precipitation: 48 to 62 inches
Mean annual air temperature: 67 to 68 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Not prime farmland

Map Unit Composition

Hatliff and similar soils: 38 percent
Pluck and similar soils: 35 percent
Kian and similar soils: 24 percent
Minor components: 3 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hatliff

Setting

Landform: Flood plains
Landform position (three-dimensional): Rise
Microfeatures of landform position: Bars
Down-slope shape: Linear
Across-slope shape: Convex

Parent material: Holocene age clayey alluvium derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 12 inches: loam
Bw1 - 12 to 38 inches: fine sandy loam
Bw2 - 38 to 62 inches: fine sandy loam
Bg - 62 to 80 inches: fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): High (1.98 to 5.95 in/hr)
Depth to water table: About 44 to 64 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.3 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: Moderate (about 7.1 inches)

Interpretive groups

Land capability classification (irrigated): 5w
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: A
Ecological site: F152BY012TX - Well Drained Bottomland
Hydric soil rating: No

Description of Pluck

Setting

Landform: Flood plains
Landform position (three-dimensional): Dip
Microfeatures of landform position: Channels
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Loamy alluvium derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 6 inches: fine sandy loam
Bg1 - 6 to 34 inches: loam
Bg2 - 34 to 60 inches: loam
Bg3 - 60 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 3 to 6 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None

Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: High (about 10.5 inches)

Interpretive groups

Land capability classification (irrigated): 5w
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: C/D
Ecological site: F152BY013TX - Poorly Drained Loamy Bottomland
Hydric soil rating: Yes

Description of Kian

Setting

Landform: Flood plains
Landform position (three-dimensional): Dip
Microfeatures of landform position: Channels
Down-slope shape: Linear
Across-slope shape: Concave, linear
Parent material: Loamy alluvium derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 5 inches: fine sandy loam
Bw - 5 to 26 inches: fine sandy loam
Bg1 - 26 to 55 inches: fine sandy loam
Bg2 - 55 to 80 inches: loamy fine sand

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 3 to 10 inches
Frequency of flooding: FrequentNone
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: Moderate (about 7.8 inches)

Interpretive groups

Land capability classification (irrigated): 8e
Land capability classification (nonirrigated): 5w
Hydrologic Soil Group: D
Ecological site: F152BY013TX - Poorly Drained Loamy Bottomland
Hydric soil rating: Yes

Minor Components

Simelake

Percent of map unit: 2 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear

Ecological site: F152BY014TX - Poorly Drained Clayey Bottomland
Hydric soil rating: Yes

Cowmarsh
Percent of map unit: 1 percent
Landform: Oxbows
Landform position (three-dimensional): Dip
Down-slope shape: Concave
Across-slope shape: Concave
Ecological site: F152BY011TX - Swamp
Hydric soil rating: Yes

LelA—Lelavale silt loam, 0 to 1 percent slopes, frequently ponded

Map Unit Setting
National map unit symbol: f74d
Elevation: 80 to 150 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 68 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Not prime farmland

Map Unit Composition
Lelavale and similar soils: 100 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Lelavale

Setting
Landform: Depressions
Landform position (three-dimensional): Flat
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Early pleistocene age loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile
Ag - 0 to 4 inches: loam
Eg - 4 to 12 inches: silt loam
Btg/E - 12 to 41 inches: loam
Btg - 41 to 57 inches: clay
B'tg/E - 57 to 80 inches: clay loam

Properties and qualities
Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Very poorly drained
Runoff class: Negligible

Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately high (0.00 to 0.20 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: Frequent
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: High (about 10.3 inches)

Interpretive groups

Land capability classification (irrigated): 5w
Land capability classification (nonirrigated): 6w
Hydrologic Soil Group: C/D
Ecological site: F152BY001TX - Depressional
Hydric soil rating: Yes

SegB—Segno fine sandy loam, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2s0wx
Elevation: 10 to 200 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Segno and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Segno

Setting

Landform: Interfluves
Landform position (two-dimensional): Backslope, shoulder
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 4 inches: fine sandy loam
E - 4 to 17 inches: very fine sandy loam
Bt/E - 17 to 32 inches: sandy clay loam
Btc - 32 to 80 inches: loam

Properties and qualities

Slope: 1 to 3 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained

Runoff class: Medium
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.57 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: Moderate (about 6.9 inches)

Interpretive groups
Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 2s
Hydrologic Soil Group: B
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Minor Components

Atasco
Percent of map unit: 5 percent
Landform: Terraces
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Splendora
Percent of map unit: 5 percent
Landform: Interfluves
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

SosA—Sorter-Tarkington complex, 0 1 percent slopes

Map Unit Setting
National map unit symbol: 2s0wp
Elevation: 80 to 150 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Not prime farmland

Map Unit Composition
Sorter and similar soils: 60 percent
Tarkington and similar soils: 30 percent
Minor components: 10 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Sorter

Setting

Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Early pleistocene age loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 3 inches: very fine sandy loam
Bg - 3 to 24 inches: very fine sandy loam
Btg/E1 - 24 to 78 inches: very fine sandy loam
Btg/E2 - 78 to 80 inches: very fine sandy loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: Negligible
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.01 to 1.42 in/hr)
Depth to water table: About 0 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.3 to 1.0 mmhos/cm)
Sodium adsorption ratio, maximum: 13.0
Available water capacity: High (about 10.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: B/D
Ecological site: F152BY007TX - Poorly Drained Loamy Upland
Hydric soil rating: Yes

Description of Tarkington

Setting

Landform: Flats
Landform position (three-dimensional): Rise
Microfeatures of landform position: Pimple mounds
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 6 inches: very fine sandy loam
E - 6 to 35 inches: very fine sandy loam
Bt/E - 35 to 56 inches: very fine sandy loam
Btg/E - 56 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent

Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 36 to 48 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Very high (about 14.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Minor Components

Splendora

Percent of map unit: 10 percent
Landform: Interfluves
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

SplB—Splendora fine sandy loam, 0 to 2 percent slopes

Map Unit Setting

National map unit symbol: f763
Elevation: 80 to 400 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 68 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Not prime farmland

Map Unit Composition

Splendora and similar soils: 90 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Splendora

Setting

Landform: Flatwoods
Down-slope shape: Linear

Across-slope shape: Convex
Parent material: Early pleistocene age loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 6 inches: fine sandy loam
E - 6 to 15 inches: fine sandy loam
Bt/E - 15 to 28 inches: loam
Bt - 28 to 70 inches: loam
Btg - 70 to 80 inches: sandy clay loam

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 10 to 32 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.2 mmhos/cm)
Available water capacity: High (about 10.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: D
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

Minor Components

Waller

Percent of map unit: 7 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: F152BY007TX - Poorly Drained Loamy Upland
Hydric soil rating: Yes

Segno

Percent of map unit: 3 percent
Landform: Interfluves
Landform position (two-dimensional): Backslope, shoulder
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

WalA—Waller silt loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: f74q
Elevation: 80 to 150 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Prime farmland if drained

Map Unit Composition

Waller and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Waller

Setting

Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Early pleistocene age loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 3 inches: silt loam
E - 3 to 20 inches: silt loam
E/Bt - 20 to 36 inches: silt loam
Bt/E - 36 to 64 inches: loam
Btg/E - 64 to 80 inches: clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 3 to 9 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.3 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: High (about 10.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: C/D

Ecological site: F152BY007TX - Poorly Drained Loamy Upland
Hydric soil rating: Yes

Minor Components

Dallardsville
Percent of map unit: 10 percent
Landform: Flats
Landform position (three-dimensional): Rise
Microfeatures of landform position: Pimple mounds
Down-slope shape: Convex
Across-slope shape: Convex
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Splendora
Percent of map unit: 5 percent
Landform: Interfluves
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

WatA—Waller-Tarkington complex, 0 to 1 percent slopes

Map Unit Setting
National map unit symbol: 2s0wn
Elevation: 80 to 150 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: Prime farmland if drained

Map Unit Composition
Waller and similar soils: 65 percent
Tarkington and similar soils: 20 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Waller

Setting
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Early pleistocene age loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile
A - 0 to 5 inches: loam

E - 5 to 12 inches: loam
Bt/E - 12 to 30 inches: loam
Btg/E1 - 30 to 47 inches: loam
Btg/E2 - 47 to 80 inches: clay loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 3 to 9 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 10.0
Available water capacity: High (about 9.1 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: D
Ecological site: F152BY007TX - Poorly Drained Loamy Upland
Hydric soil rating: Yes

Description of Tarkington

Setting

Landform: Flats
Landform position (three-dimensional): Rise
Microfeatures of landform position: Pimple mounds
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 6 inches: very fine sandy loam
E - 6 to 26 inches: very fine sandy loam
Bt/E - 26 to 59 inches: very fine sandy loam
Btg/E - 59 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 11 to 44 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Very high (about 14.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Minor Components

Splendora

Percent of map unit: 15 percent
Landform: Interfluves
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

WesA—Westcott very fine sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2s0wq
Elevation: 80 to 150 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Westcott and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Westcott

Setting

Landform: Interfluves
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 6 inches: very fine sandy loam
E - 6 to 15 inches: fine sandy loam
Bt/E1 - 15 to 38 inches: loam
Bt/E2 - 38 to 59 inches: loam
Btg/E - 59 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.14 to 1.42 in/hr)
Depth to water table: About 6 to 15 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 1.0 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: High (about 10.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: B/D
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Minor Components

Splendora

Percent of map unit: 10 percent
Landform: Interfluves
Down-slope shape: Linear
Across-slope shape: Convex
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

Sorter

Percent of map unit: 5 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: F152BY007TX - Poorly Drained Loamy Upland
Hydric soil rating: Yes

WetA—Westcott-Plumgrove complex, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 2s0wr
Elevation: 80 to 150 feet
Mean annual precipitation: 48 to 58 inches
Mean annual air temperature: 67 to 69 degrees F
Frost-free period: 240 to 300 days
Farmland classification: All areas are prime farmland

Map Unit Composition

Westcott and similar soils: 50 percent
Plumgrove and similar soils: 40 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Westcott

Setting

Landform: Interfluves
Landform position (three-dimensional): Rise
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 5 inches: very fine sandy loam
E - 5 to 12 inches: very fine sandy loam
Bt/E1 - 12 to 32 inches: loam
Bt/E2 - 32 to 61 inches: loam
Btg/E - 61 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Low
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 6 to 15 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: High (about 10.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: C/D
Ecological site: F152BY006TX - Well Drained Loamy Upland
Hydric soil rating: No

Description of Plumgrove

Setting

Landform: Interfluves
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Early pleistocene age loamy fluviomarine deposits derived from igneous, metamorphic and sedimentary rock

Typical profile

A - 0 to 5 inches: silt loam

E - 5 to 28 inches: loam
Bt/E1 - 28 to 41 inches: loam
Bt/E2 - 41 to 62 inches: loam
Btg/E - 62 to 80 inches: loam

Properties and qualities

Slope: 0 to 1 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Somewhat poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: About 10 to 32 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline (0.0 to 0.5 mmhos/cm)
Sodium adsorption ratio, maximum: 2.0
Available water capacity: High (about 9.2 inches)

Interpretive groups

Land capability classification (irrigated): 3s
Land capability classification (nonirrigated): 2w
Hydrologic Soil Group: D
Ecological site: F152BY005TX - Seasonally Wet Loamy Upland
Hydric soil rating: No

Minor Components

Waller

Percent of map unit: 10 percent
Landform: Flats
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: F152BY007TX - Poorly Drained Loamy Upland
Hydric soil rating: Yes

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Appendix G
TPDES General Permit TXR150000

General Permit Summary

The General Contractor shall refer to and implement the SWPPP guidelines according to the provisions of the TCEQ general permit for storm water discharges from construction activities (TXR150000) prior to commencing construction.

General Permit Issuance date	*February 08, 2018*
General Permit Effective date	*March 05, 2018*
General Permit Expiration date	*March 05, 2023*

Small Site Permit Exemptions - Sites less than one acre in size and are not part of a larger common plan of development are not required to obtain permit coverage.

Permit is obtained by the Owner and General Contractor. The Owner is considered as a Primary Operator in the General Permit because the Owner has operational control over the plans and specifications. The General Contractor is also a Primary Operator because they have day to day operational control of activities at the construction site. The Owner and the General Contractor shall submit a Notice of Intent (NOI) 48 hours prior to commencing construction activities. The State of Texas Environmental Electronic Reporting System (STEERS) is an on-line program to submit environmental data including NOI electronically to TCEQ. The Owner and the General Contractor shall file NOI electronically on-line to TCEQ. For filing electronically log into TCEQ STEERS website to submit NOI, NOT and pay fees online at: "www6.tceq.state.tx.us/steers"

The General Contractor shall post a copy of the NOI and Construction Site Notice at the construction site in a location where it is readily available for viewing prior to commencing construction activities and maintain the NOI and Construction Site Notice in that location until completion of the construction activity. After implementing this SWPPP, the General Contractor shall halt all activities and contact the Civil Engineer to perform inspection of the BMP's. The General Contractor shall schedule and conduct storm water pre-construction meeting with the Engineer and all ground disturbing contractors before proceeding with construction.

The SWPPP must be retained on-site at the construction site and made readily available at the time of on-site inspections to federal, state, and local agencies. The General Permit requires inspections of BMP's once every 14 days and within 24 hours of the end of a storm event of 0.5 inches or greater. Where sites have been finally or temporary stabilized or where runoff is unlikely due to winter conditions, inspections must be conducted at least once every month. As an alternate to once every 14 days and within 24 hours of the end of a storm event of 0.5 inches or greater, the SWPPP may be developed to require that the inspections occur at least once every (7) calendar days. If the alternate schedule is developed, then the inspection must occur on a specifically defined day regardless of whether or not there has been a rainfall event since the previous inspection. Personnel conducting inspections must be knowledgeable of the general permit, familiar with construction sites and knowledgeable of the SWPPP for the site. A report summarizing the scope of the inspection, the date of the inspection, and major observations relating to the implementation of the SWPPP must be made and retained as part of the SWPPP. Actions taken as a result of inspections must be described within and retained as a part of the SWPPP.

General Permit to Discharge Under the Texas Pollutant Discharge Elimination System

Stormwater Discharges Associated with Construction Activities

TXR150000

Effective March 5, 2018

printed on recycled paper

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Texas Commission on Environmental Quality
P.O. Box 13087, Austin, Texas 78711-3087

GENERAL PERMIT TO DISCHARGE UNDER THE
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM

under provisions of
Section 402 of the Clean Water Act
and Chapter 26 of the Texas Water Code

This permit supersedes and replaces
TPDES General Permit No. TXR150000, issued March 5, 2013

Construction sites that discharge stormwater associated with construction activity
located in the state of Texas
may discharge to surface water in the state

only according to monitoring requirements and other conditions set forth in this general permit, as well as the rules of the Texas Commission on Environmental Quality (TCEQ or Commission), the laws of the State of Texas, and other orders of the Commission of the TCEQ. The issuance of this general permit does not grant to the permittee the right to use private or public property for conveyance of stormwater and certain non-stormwater discharges along the discharge route. This includes property belonging to but not limited to any individual, partnership, corporation or other entity. Neither does this general permit authorize any invasion of personal rights nor any violation of federal, state, or local laws or regulations. It is the responsibility of the permittee to acquire property rights as may be necessary to use the discharge route.

This general permit and the authorization contained herein shall expire at midnight, five years from the permit effective date.

EFFECTIVE DATE: March 5, 2018

ISSUED DATE: 2-8-18

For the Commission

TPDES GENERAL PERMIT NUMBER TXR150000 RELATING TO STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITIES

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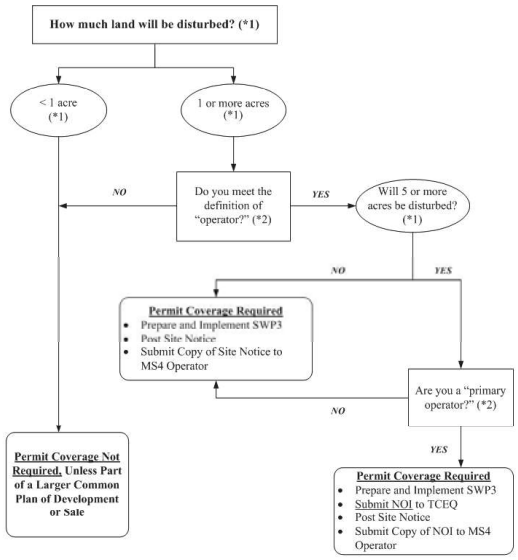
Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required

When calculating the acreage of land area disturbed, include the disturbed land-area of all construction and construction support activities.



***(*1)** To determine the size of the construction project, use the size of the entire area to be disturbed, and include the size of the larger common plan of development or sale, if the project is part of a larger project (refer to Part I.B., "Definitions," for an explanation of "common plan of development or sale").*
***(*2)** Refer to the definitions for "operator," "primary operator," and "secondary operator" in Part I., Section B. of this permit.*

Section B. Definitions

Arid Areas - Areas with an average annual rainfall of 0 to 10 inches.

Best Management Practices (BMPs) - Schedules of activities, prohibitions of practices, maintenance procedures, structural controls, local ordinances, and other management practices to prevent or reduce the discharge of pollutants. BMPs also include treatment requirements, operating procedures, and practices to control construction site runoff, spills or leaks, waste disposal, or drainage from raw material storage areas.

Commencement of Construction - The initial disturbance of soils associated with clearing, grading, or excavation activities, as well as other construction-related activities (e.g., stockpiling of fill material, demolition).

Common Plan of Development - A construction activity that is completed in separate stages, separate phases, or in combination with other construction activities. A common plan of development (also known as a "common plan of development or sale") is identified by the documentation for the construction project that identifies the scope of the project, and may include plats, blueprints, marketing plans, contracts, building permits, a public notice or hearing, zoning requests, or other similar documentation and activities. A common plan of development does not necessarily include all construction projects within the jurisdiction of a public entity (e.g., a city or university). Construction of roads or buildings in different parts of the jurisdiction would be considered separate "common plans," with only the interconnected parts of a project being considered part of a "common plan" (e.g., a building and its associated parking lot and driveways, airport runway and associated taxiways, a building complex, etc.). Where discrete construction projects occur within a larger common plan of development or sale but are located ¼ mile or more apart, and the area between the projects is not being disturbed, each individual project can be treated as a separate plan of development or sale, provided that any interconnecting road, pipeline or utility project that is part of the same "common plan" is not included in the area to be disturbed.

Construction Activity - Includes soil disturbance activities, including clearing, grading, excavating, construction-related activity (e.g., stockpiling of fill material, demolition), and construction support activity. This does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (e.g., the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities). Regulated construction activity is defined in terms of small and large construction activity.

Construction Support Activity – A construction-related activity that specifically supports construction activity, which can involve earth disturbance or pollutant-generating activities of its own, and can include, but are not limited to, activities associated with concrete or asphalt batch plants, rock crushers, equipment staging or storage areas, chemical storage areas, material storage areas, material borrow areas, and excavated material disposal areas. Construction support activity must only directly support the construction activity authorized under this general permit.

Dewatering – The act of draining rainwater or groundwater from building foundations, vaults, and trenches.

Discharge – For the purposes of this permit, the drainage, release, or disposal of pollutants in stormwater and certain non-stormwater from areas where soil disturbing activities (e.g., clearing, grading, excavation, stockpiling of fill material, and demolition), construction materials or equipment storage or maintenance (e.g., fill piles, borrow area, concrete truck wash out, fueling), or other industrial stormwater directly related to the construction process (e.g., concrete or asphalt batch plants) are located.

Drought-Stricken Area – For the purposes of this permit, an area in which the National Oceanic and Atmospheric Administration's U.S. Seasonal Drought Outlook indicates for the period during which the construction will occur that any of the following conditions are

likely: (1) "Drought to persist or intensify", (2) "Drought ongoing, some improvement", (3) "Drought likely to improve, impacts ease", or (4) "Drought development likely". See http://www.cpc.ncep.noaa.gov/products/expert_assessment/seasonal_drought.html.

Edwards Aquifer - As defined under Texas Administrative Code (TAC) § 213.3 of this title (relating to the Edwards Aquifer), that portion of an arcuate belt of porous, water-bearing, predominantly carbonate rocks known as the Edwards and Associated Limestones in the Balcones Fault Zone trending from west to east to northeast in Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, and Williamson Counties; and composed of the Salmon Peak Limestone, McKnight Formation, West Nueces Formation, Devil's River Limestone, Person Formation, Kainer Formation, Edwards Formation, and Georgetown Formation. The permeable aquifer units generally overlie the less-permeable Glen Rose Formation to the south, overlie the less-permeable Comanche Peak and Walnut Formations north of the Colorado River, and underlie the less-permeable Del Rio Clay regionally.

Edwards Aquifer Recharge Zone - Generally, that area where the stratigraphic units constituting the Edwards Aquifer crop out, including the outcrops of other geologic formations in proximity to the Edwards Aquifer, where caves, sinkholes, faults, fractures, or other permeable features would create a potential for recharge of surface waters into the Edwards Aquifer. The recharge zone is identified as that area designated as such on official maps located in the offices of the Texas Commission on Environmental Quality (TCEQ) and the appropriate regional office. The Edwards Aquifer Map Viewer, located at http://www.tceq.texas.gov/compliance/field_ops/eapp/mapdisclaimer.html, can be used to determine where the recharge zone is located.

Edwards Aquifer Contributing Zone - The area or watershed where runoff from precipitation flows downgradient to the recharge zone of the Edwards Aquifer. The contributing zone is located upstream (upgradient) and generally north and northwest of the recharge zone for the following counties: all areas within Kinney County, except the area within the watershed draining to Segment No. 2304 of the Rio Grande Basin; all areas within Uvalde, Medina, Bexar, and Comal Counties; all areas within Hays and Travis Counties, except the area within the watersheds draining to the Colorado River above a point 1.3 miles upstream from Tom Miller Dam, Lake Austin at the confluence of Barrow Brook Cove, Segment No. 1403 of the Colorado River Basin; and all areas within Williamson County, except the area within the watersheds draining to the Lampasas River above the dam at Stillhouse Hollow reservoir, Segment No. 1216 of the Brazos River Basin. The contributing zone is illustrated on the Edwards Aquifer map viewer at http://www.tceq.texas.gov/compliance/field_ops/eapp/mapdisclaimer.html.

Effluent Limitations Guideline (ELG) – Defined in 40 Code of Federal Regulations (CFR) § 122.2 as a regulation published by the Administrator under § 304(b) of the Clean Water Act (CWA) to adopt or revise effluent limitations.

Facility or Activity – For the purpose of this permit, referring to a construction site, the location of construction activity, or a construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtenances used at a construction site or industrial site.

Final Stabilization - A construction site status where any of the following conditions are met:

(a) All soil disturbing activities at the site have been completed and a uniform (that is, evenly distributed, without large bare areas) perennial vegetative cover with a density of at least 70% of the native background vegetative cover for the area has been established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures (such as the use of riprap, gabions, or geotextiles) have been employed.

(b) For individual lots in a residential construction site by either:

(1) the homebuilder completing final stabilization as specified in condition (a) above; or

(2) the homebuilder establishing temporary stabilization for an individual lot prior to the time of transfer of the ownership of the home to the buyer and after informing the homeowner of the need for, and benefits of, final stabilization. If temporary stabilization is not feasible, then the homebuilder may fulfill this requirement by retaining perimeter controls or BMPs, and informing the homeowner of the need for removal of temporary controls and the establishment of final stabilization. Fulfillment of this requirement must be documented in the homebuilder's stormwater pollution prevention plan (SWP3).

(c) For construction activities on land used for agricultural purposes (such as pipelines across crop or range land), final stabilization may be accomplished by returning the disturbed land to its preconstruction agricultural use. Areas disturbed that were not previously used for agricultural activities, such as buffer strips immediately adjacent to surface water and areas that are not being returned to their preconstruction agricultural use must meet the final stabilization conditions of condition (a) above.

(d) In arid, semi-arid, and drought-stricken areas only, all soil disturbing activities at the site have been completed and both of the following criteria have been met:

(1) Temporary erosion control measures (for example, degradable rolled erosion control product) are selected, designed, and installed along with an appropriate seed base to provide erosion control for at least three years without active maintenance by the operator, and

(2) The temporary erosion control measures are selected, designed, and installed to achieve 70% of the native background vegetative coverage within three years.

Hyperchlorination of Waterlines – Treatment of potable water lines or tanks with chlorine for disinfection purposes, typically following repair or partial replacement of the waterline or tank, and subsequently flushing the contents.

Impaired Water - A surface water body that is identified as impaired on the latest approved CWA §303(d) List or waters with an EPA-approved or established total maximum daily load (TMDL) that are found on the latest EPA approved *Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d),* which lists the category 4 and 5 water bodies.

Indian Country Land – All land within the limits of any Indian reservation under the jurisdiction of the United States government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation; (2) all dependent Indian communities with the borders of the United States whether within the originally or subsequently acquired territory thereof, and whether within or without the limits of a state; and (3) all Indian allotments, the Indian titles to which have not been extinguished, including rights-of-way running through the same. (40 CFR §122.2)

Indian Tribe - Any Indian Tribe, band, group, or community recognized by the Secretary of the Interior and exercising governmental authority over a Federal Indian Reservation (40 CFR §122.2).

Infeasible –Not technologically possible, or not economically practicable and achievable in light of best industry practices. (40 CFR §450.11(b)).

Large Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than five (5) acres of land. Large construction activity also includes the disturbance of less than five (5) acres of total

land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than five (5) acres of land. Large construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities.)

Linear Project – Includes the construction of roads, bridges, conduits, substructures, pipelines, sewer lines, towers, poles, cables, wires, connectors, switching, regulating and transforming equipment and associated ancillary facilities in a long, narrow area.

Low Rainfall Erosivity Waiver (LREW) - A written submission to the executive director from an operator of a construction site that is considered as small construction activity under the permit, which qualifies for a waiver from the requirements for small construction activities, only during the period of time when the calculated rainfall erosivity factor is less than five (5).

Minimize - To reduce or eliminate to the extent achievable using stormwater controls that are technologically available and economically practicable and achievable in light of best industry practices.

Municipal Separate Storm Sewer System (MS4) - A separate storm sewer system owned or operated by the United States, a state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over the disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, that discharges to surface water in the state.

Notice of Change (NOC) – Written notification to the executive director from a discharger authorized under this permit, providing changes to information that was previously provided to the agency in a notice of intent form.

Notice of Intent (NOI) - A written submission to the executive director from an applicant requesting coverage under this general permit.

Notice of Termination (NOT) - A written submission to the executive director from a discharger authorized under this general permit requesting termination of coverage.

Operator - The person or persons associated with a large or small construction activity that is either a primary or secondary operator as defined below:

Primary Operator – the person or persons associated with construction activity that meets either of the following two criteria:

(a) the person or persons have on-site operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications; or

(b) the person or persons have day-to-day operational control of those activities at a construction site that are necessary to ensure compliance with a Storm Water Pollution Prevention Plan (SWP3) for the site or other permit conditions (for example, they are authorized to direct workers at a site to carry out activities required by the SWP3 or comply with other permit conditions).

Secondary Operator – The person or entity, often the property owner, whose operational control is limited to:

(a) the employment of other operators, such as a general contractor, to perform or supervise construction activities; or

(b) the ability to approve or disapprove changes to construction plans and specifications, but who does not have day-to-day on-site operational control over construction activities at the site.

Secondary operators must either prepare their own SWP3 or participate in a shared SWP3 that covers the areas of the construction site, where they have control over the construction plans and specifications.

If there is not a primary operator at the construction site, then the secondary operator is defined as the primary operator and must comply with the requirements for primary operators.

Outfall - For the purpose of this permit, a point source at the point where stormwater runoff associated with construction activity discharges to surface water in the state and does not include open conveyances connecting two municipal separate storm sewers, or pipes, tunnels, or other conveyances that connect segments of the same stream or other water of the U.S. and are used to convey waters of the U.S.

Permittee - An operator authorized under this general permit. The authorization may be gained through submission of a notice of intent, by waiver, or by meeting the requirements for automatic coverage to discharge stormwater runoff and certain non-stormwater discharges from construction activity.

Point Source –Any discernible, confined, and discrete conveyance, including but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock concentrated animal feeding operation, landfill leachate collection system, vessel or other floating craft from which pollutants are, or may be, discharged. This term does not include return flows from irrigated agriculture or agricultural stormwater runoff (40 CFR §122.2).

Pollutant - Dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, filter backwash, munitions, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into any surface water in the state. The term "pollutant" does not include tail water or runoff water from irrigation or rainwater runoff from cultivated or uncultivated rangeland, pastureland, and farmland. For the purpose of this permit, the term "pollutant" includes sediment.

Pollution - The alteration of the physical, thermal, chemical, or biological quality of, or the contamination of, any surface water in the state that renders the water harmful, detrimental, or injurious to humans, animal life, vegetation, or property or to public health, safety, or welfare, or impairs the usefulness or the public enjoyment of the water for any lawful or reasonable purpose (Texas Water Code (TWC) §26.001(14)).

Rainfall Erosivity Factor (R factor) - the total annual erosive potential that is due to climatic effects, and is part of the Revised Universal Soil Loss Equation (RUSLE).

Receiving Water – A "Water of the United States" as defined in 40 CFR §122.2 or a surface water in the state into which the regulated stormwater discharges.

Semiarid Areas - areas with an average annual rainfall of 10 to 20 inches.

Separate Storm Sewer System - A conveyance or system of conveyances (including roads with drainage systems, streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains), designed or used for collecting or conveying stormwater; that is not a combined sewer, and that is not part of a publicly owned treatment works (POTW).

Small Construction Activity - Construction activities including clearing, grading, and excavating that result in land disturbance of equal to or greater than one (1) acre and less than five (5) acres of land. Small construction activity also includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one (1) and

less than five (5) acres of land. Small construction activity does not include routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the site (for example, the routine grading of existing dirt roads, asphalt overlays of existing roads, the routine clearing of existing right-of-ways, and similar maintenance activities).

Steep Slopes – Where a state, Tribe, local government, or industry technical manual (e.g. stormwater BMP manual) has defined what is to be considered a "steep slope", this permit's definition automatically adopts that definition. Where no such definition exists, steep slopes are automatically defined as those that are 15 percent or greater in grade.

Stormwater (or Stormwater Runoff) - Rainfall runoff, snow melt runoff, and surface runoff and drainage.

Stormwater Associated with Construction Activity - Stormwater runoff, as defined above, from a construction activity.

Structural Control (or Practice) - A pollution prevention practice that requires the construction of a device, or the use of a device, to reduce or prevent pollution in stormwater runoff. Structural controls and practices may include but are not limited to: silt fences, earthen dikes, drainage swales, sediment traps, check dams, subsurface drains, storm drain inlet protection, rock outlet protection, reinforced soil retaining systems, gabions, and temporary or permanent sediment basins.

Surface Water in the State - Lakes, bays, ponds, impounding reservoirs, springs, rivers, streams, creeks, estuaries, wetlands, marshes, inlets, canals, the Gulf of Mexico inside the territorial limits of the state (from the mean high water mark (MHWM) out 10.36 miles into the Gulf), and all other bodies of surface water, natural or artificial, inland or coastal, fresh or salt, navigable or non-navigable, and including the beds and banks of all water-courses and bodies of surface water, that are wholly or partially inside or bordering the state or subject to the jurisdiction of the state; except that waters in treatment systems which are authorized by state or federal law, regulation, or permit, and which are created for the purpose of waste treatment are not considered to be water in the state.

Temporary Stabilization - A condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants. Temporary stabilization may include temporary seeding, geotextiles, mulches, and other techniques to reduce or eliminate erosion until either permanent stabilization can be achieved or until further construction activities take place.

Thawing Conditions – for the purposes of this permit, thawing conditions are expected based on the historical likelihood of two or more days with daytime temperatures greater than 32 F. This date can be determined by looking at historical weather data.

Note: The estimation of thawing conditions is for planning purposes only. During construction, the permittee will be required to conduct site inspections based upon actual conditions (i.e., if thawing conditions occur sooner than expected, the permittee will be required to conduct inspections at the regular frequency).

Total Maximum Daily Load (TMDL) - The total amount of a pollutant that a water body can assimilate and still meet the Texas Surface Water Quality Standards.

Turbidity – A condition of water quality characterized by the presence of suspended solids and/or organic material.

Waters of the United States - Waters of the United States or waters of the U.S. means:

(a) all waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;

(b) all interstate waters, including interstate wetlands;

(c) all other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds that the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters:

(1) which are or could be used by interstate or foreign travelers for recreational or other purposes;

(2) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or

(3) which are used or could be used for industrial purposes by industries in interstate commerce;

(d) all impoundments of waters otherwise defined as waters of the United States under this definition;

(e) tributaries of waters identified in paragraphs (a) through (d) of this definition;

(f) the territorial sea; and

(g) wetlands adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of the U.S. This exclusion applies only to manmade bodies of water which neither were originally created in waters of the U.S. (such as disposal area in wetlands) nor resulted from the impoundment of waters of the U.S. Waters of the U.S. do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with EPA.

Part II. Permit Applicability and Coverage

Section A. Discharges Eligible for Authorization

1. Stormwater Associated with Construction Activity

Discharges of stormwater runoff and certain non-stormwater discharges from small and large construction activities may be authorized under this general permit.

2. Discharges of Stormwater Associated with Construction Support Activities

Discharges of stormwater runoff and certain non-stormwater discharges from construction support activities as defined in Part I.B of this general permit may be authorized, provided that the following conditions are met:

(a) the construction support activities are located within one (1) mile from the boundary of the construction site where the construction activity authorized under the permit is being conducted that requires the support of these activities;

(b) an SWP3 is developed for the permitted construction site according to the provisions in Part III.F of this general permit, and includes appropriate controls and measures to reduce erosion and the discharge of pollutants in stormwater runoff according to the provisions in Part III.G of this general permit;

(c) the activities are directly related to the construction site;

(d) the activities are not a commercial operation, nor serve other unrelated construction projects; and

(e) the activities do not continue to operate beyond the completion of the construction activity at the project it supports.

Construction support activities that operate outside the terms provided in (a) through (e) above must obtain authorization under a separate Texas Pollutant Discharge Elimination System (TPDES) permit, which may include the TPDES Multi Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), an alternative general permit (if available), or an individual water quality permit.

3. Non-Stormwater Discharges

The following non-stormwater discharges from sites authorized under this general permit are also eligible for authorization under this general permit:

(a) discharges from fire-fighting activities (fire-fighting activities do not include washing of trucks, run-off water from training activities, test water from fire suppression systems, or similar activities);

(b) uncontaminated fire hydrant flushings (excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life), which include flushings from systems that utilize potable water, surface water, or groundwater that does not contain additional pollutants (uncontaminated fire hydrant flushings do not include systems utilizing reclaimed wastewater as a source water);

(c) water from the routine external washing of vehicles, the external portion of buildings or structures, and pavement, where detergents and soaps are not used, where spills or leaks of toxic or hazardous materials have not occurred (unless spilled materials have been removed; and if local state, or federal regulations are applicable, the materials are removed according to those regulations), and where the purpose is to remove mud, dirt, or dust;

(d) uncontaminated water used to control dust;

(e) potable water sources, including waterline flushings, but excluding discharges of hyperchlorinated water, unless the water is first dechlorinated and discharges are not expected to adversely affect aquatic life;

(f) uncontaminated air conditioning condensate;

(g) uncontaminated ground water or spring water, including foundation or footing drains where flows are not contaminated with industrial materials such as solvents; and

(h) lawn watering and similar irrigation drainage.

4. Other Permitted Discharges

Any discharge authorized under a separate National Pollutant Discharge Elimination System (NPDES), TPDES, or TCEQ permit may be combined with discharges authorized by this general permit, provided those discharges comply with the associated permit.

Section B. Concrete Truck Wash Out

The wash out of concrete trucks at regulated construction sites must be performed in accordance with the requirements of Part V of this general permit.

Section C. Limitations on Permit Coverage

1. Post Construction Discharges

Discharges that occur after construction activities have been completed, and after the construction site and any supporting activity site have undergone final stabilization, are not eligible for coverage under this general permit. Discharges originating from the sites are not authorized under this general permit following the submission of the notice of termination (NOT) or removal of the appropriate site notice, as applicable, for the regulated construction activity.

2. Prohibition of Non-Stormwater Discharges

Except as otherwise provided in Part II.A of this general permit, only discharges that are composed entirely of stormwater associated with construction activity may be authorized under this general permit.

3. Compliance with Water Quality Standards

Discharges to surface water in the state that would cause, have the reasonable potential to cause, or contribute to a violation of water quality standards or that would fail to protect and maintain existing designated uses of surface water in the state are not eligible for coverage under this general permit. The executive director may require an application for an individual permit or alternative general permit (see Parts II.H.2 and 3.) to authorize discharges to surface water in the state if the executive director determines that any activity will cause, has the reasonable potential to cause, or contribute to a violation of water quality standards or is found to cause, has the reasonable potential to cause, or contribute to, the impairment of a designated use. The executive director may also require an application for an individual permit considering factors described in Part II.H.3 of this general permit.

4. Impaired Receiving Waters and Total Maximum Daily Load (TMDL) Requirements

The permittee shall determine whether the authorized discharge is to an impaired water body on the latest EPA-approved CWA Section 303(d) List or waters with an EPA-approved or established TMDL that are found on the latest EPA-approved *Texas*

Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d), which lists the category 4 and 5 water bodies.

New sources or new discharges of the pollutants of concern to impaired waters are not authorized by this permit unless otherwise allowable under 30 TAC Chapter 305 and applicable state law. Impaired waters are those that do not meet applicable water quality standard(s) and are listed as category 4 or 5 in the current version of the *Texas Integrated Report of Surface Water Quality*, and waterbodies listed on the CWA § 303(d) list. Pollutants of concern are those for which the water body is listed as impaired.

Discharges of the pollutants of concern to impaired water bodies for which there is a TMDL are not eligible for coverage under this general permit unless they are consistent with the approved TMDL. Permittees must incorporate the conditions and requirements applicable to their discharges into their SWP3, in order to be eligible for coverage under this general permit. For consistency with the construction stormwater-related items in an approved TMDL, the SWP3 must be consistent with any applicable condition, goal, or requirement in the TMDL, TMDL Implementation Plan (I-Plan), or as otherwise directed by the executive director.

5. Discharges to the Edwards Aquifer Recharge or Contributing Zone

Discharges cannot be authorized by this general permit where prohibited by 30 TAC Chapter 213 (relating to Edwards Aquifer). In addition, commencement of construction (i.e., the initial disturbance of soils associated with clearing, grading, or excavating activities, as well as other construction-related activities such as stockpiling of fill material and demolition) at a site regulated under 30 TAC Chapter 213, may not begin until the appropriate Edwards Aquifer Protection Plan (EAPP) has been approved by the TCEQ's Edwards Aquifer Protection Program.

(a) For new discharges located within the Edwards Aquifer Recharge Zone, or within that area upstream from the recharge zone and defined as the Contributing Zone (CZ), operators must meet all applicable requirements of, and operate according to, 30 TAC Chapter 213 (Edwards Aquifer Rule) in addition to the provisions and requirements of this general permit.

(b) For existing discharges located within the Edwards Aquifer Recharge Zone, the requirements of the agency-approved Water Pollution Abatement Plan (WPAP) under the Edwards Aquifer Rule is in addition to the requirements of this general permit. BMPs and maintenance schedules for structural stormwater controls, for example, may be required as a provision of the rule. All applicable requirements of the Edwards Aquifer Rule for reductions of suspended solids in stormwater runoff are in addition to the requirements in this general permit for this pollutant.

(c) For discharges located within ten stream miles upstream of the Edwards Aquifer recharge zone, applicants shall also submit a copy of the NOI to the appropriate TCEQ regional office.

Counties: **Comal, Bexar, Medina, Uvalde, and Kinney**

Contact: TCEQ Water Program Manager
San Antonio Regional Office
14250 Judson Road
San Antonio, Texas 78233-4480
(210) 490-3096

Counties: **Williamson, Travis, and Hays**

Contact: TCEQ Water Program Manager
Austin Regional Office
12100 Park 35 Circle

Room 179, Building A
Austin, Texas 78753
(512) 339-2929

6. Discharges to Specific Watersheds and Water Quality Areas

Discharges otherwise eligible for coverage cannot be authorized by this general permit where prohibited by 30 TAC Chapter 311 (relating to Watershed Protection) for water quality areas and watersheds.

7. Protection of Streams and Watersheds by Other Governmental Entities

This general permit does not limit the authority or ability of federal, other state, or local governmental entities from placing additional or more stringent requirements on construction activities or discharges from construction activities. For example, this permit does not limit the authority of a home-rule municipality provided by Texas Local Government Code §401.002.

8. Indian Country Lands

Stormwater runoff from construction activities occurring on Indian Country lands are not under the authority of the TCEQ and are not eligible for coverage under this general permit. If discharges of stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the U.S. Environmental Protection Agency (EPA).

9. Oil and Gas Production and Transportation

Stormwater runoff from construction activities associated with the exploration, development, or production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline, are not under the authority of the TCEQ and are not eligible for coverage under this general permit. Authorization for stormwater discharges from construction activities that are associated with production of oil or gas or geothermal resources, including transportation of crude oil or natural gas by pipeline must be obtained, as required, from the U.S. EPA or the Texas Railroad Commission, as applicable. Discharge of stormwater related to construction activity, from a facility that stores both refined products intended for off-site use and crude oil in aboveground storage tanks, is regulated by the TCEQ and is eligible for coverage under this general permit.

10. Stormwater Discharges from Agricultural Activities

Stormwater discharges from agricultural activities that are not point source discharges of stormwater are not subject to TPDES permit requirements. These activities may include clearing and cultivating ground for crops, construction of fences to contain livestock, construction of stock ponds, and other similar agricultural activities. Discharges of stormwater runoff associated with the construction of facilities that are subject to TPDES regulations, such as the construction of concentrated animal feeding operations, would be point sources regulated under this general permit.

11. Endangered Species Act

Discharges that would adversely affect a listed endangered or threatened aquatic or aquatic-dependent species or its critical habitat are not authorized by this permit, unless the requirements of the Endangered Species Act are satisfied. Federal requirements related to endangered species apply to all TPDES permitted discharges and site-specific controls may be required to ensure that protection of endangered or threatened species is achieved. If a permittee has concerns over potential impacts to listed species, the permittee may contact TCEQ for additional information.

12. Other

Nothing in Part II of the general permit is intended to negate any person's ability to assert *force majeure* (act of God, war, strike, riot, or other catastrophe) defenses found in 30 TAC §70.7.

Section D. Deadlines for Obtaining Authorization to Discharge

1. Large Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction activity occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

(b) Ongoing Construction - Operators of large construction activities continuing to operate after the effective date of this permit, and authorized under the TPDES Construction General Permit TXR150000 (effective on March 5, 2013), must submit an NOI to renew authorization or a NOT to terminate coverage under this general permit within 90 days of the effective date of this general permit. During this interim or grace period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the 2013 TPDES general permit.

2. Small Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction activity occurs on or after the effective date of this general permit must be authorized, either under this general permit or a separate TPDES permit, prior to the commencement of those construction activities.

(b) Ongoing Construction - Discharges from ongoing small construction activities that commenced prior to the effective date of this general permit, and that do not meet the conditions to qualify for termination of this permit as described in Part II.F of this general permit, must meet the requirements to be authorized, either under this general permit or a separate TPDES permit, within 90 days of the effective date of this general permit. During this interim period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the 2013 TPDES Construction General Permit.

Section E. Obtaining Authorization to Discharge

1. Automatic Authorization for Small Construction Activities with Low Potential for Erosion:

Operators of small construction activity, as defined in Part I.B of this general permit, shall not submit an NOI for coverage, unless otherwise required by the executive director.

Operators of small construction activities, which occur in certain counties and during periods of low potential for erosion that do not meet the conditions of the waiver described in Part II.G of this general permit, may be automatically authorized under this general permit if all the following conditions are met.

(a) the construction activity occurs in a county and during the corresponding date range(s) listed in Appendix A;

(b) the construction activity is initiated and completed, including either final or temporary stabilization of all disturbed areas, within the time frame identified in Appendix A for the location of the construction site;

(c) all temporary stabilization is adequately maintained to effectively reduce or prohibit erosion, permanent stabilization activities have been initiated, and a condition of final stabilization is completed no later than 30 days following the end date of the time frame identified in Appendix A for the location of the construction site;

(d) the permittee signs a completed TCEQ small construction site notice for low potential for erosion, including the certification statement;

(e) a signed and certified copy of the small construction site notice for low potential for erosion is posted at the construction site in a location where it is readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and maintained in that location until completion of the construction activity;

NOTE: Posted site notices may have a redacted signature as long as there is an original signed and certified site notice, with a viewable signature, located on-site and available for review by any applicable regulatory authority.

(f) a copy of the signed and certified small construction site notice for low potential for erosion is provided to the operator of any MS4 receiving the discharge at least two days prior to commencement of construction activities;

(g) discharges of stormwater runoff or other non-stormwater discharges from any supporting concrete batch plant or asphalt batch plant is separately authorized under an individual TPDES permit, another TPDES general permit, or under an individual TCEQ permit where stormwater and non-stormwater is disposed of by evaporation or irrigation (discharges are adjacent to water in the state); and

(h) any non-stormwater discharges are either authorized under a separate permit or authorization, are not considered by TCEQ to be a wastewater, or are captured and routed for disposal at a publicly operated treatment works or licensed waste disposal facility.

If all of the conditions in (a) – (h) above are met, then the operator(s) of small construction activities with low potential for erosion are not required to develop a SWP3.

If an operator is conducting small construction activities and any of the above conditions (a) – (h) are not met, the operator cannot declare coverage under the automatic authorization for small construction activities with low potential for erosion and must meet the requirements for automatic authorization (all other) small construction activities, described below in Part II.E.2.

For small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available, an operator may apply for and obtain a waiver from permitting (Low Rainfall Erosivity Waiver – LREW), as described in Part II.G of this general permit. Waivers from coverage under the LREW do not allow for any discharges of non-stormwater and the operator must ensure that discharges on non-stormwater are either authorized under a separate permit or authorization.

2. Automatic Authorization for Small Construction Activities:

Operators of small construction activities as defined in Part I.B of this general permit shall not submit an NOI for coverage, unless otherwise required by the executive director.

Operators of small construction activities, as defined in Part I.B of this general permit or as defined but who do not meet in the conditions and requirements located in Part II.E.1 above, may be automatically authorized for small construction activities, provided that they meet all of the following conditions:

(a) develop a SWP3 according to the provisions of this general permit, that covers either the entire site or all portions of the site for which the applicant is the operator, and implement the SWP3 prior to commencing construction activities;

(b) all operators of regulated small construction activities must post a copy of a signed and certified Small Construction site notice, the notice must be posted at the construction site in a location where it is safely and readily available for viewing by the general public, local, state, and federal authorities, at least two days prior to commencing construction activity , and maintain the notice in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public; local, state, and federal authorities);

(c) operators must maintain a posted site notice at the construction site until final stabilization has been achieved; and

NOTE: Posted site notices may have a redacted signature as long as there is an original signed and certified Small Construction site notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

(d) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system (MS4) receiving the discharge at least two days prior to commencement of construction activities.

As described in Part I.B of this general permit, large construction activities include those that will disturb less than five (5) acres of land, but that are part of a larger common plan of development or sale that will ultimately disturb five (5) or more acres of land, and must meet the requirements of Part II.E.3. below.

3. Authorization for Large Construction Activities:

Operators of large construction activities that qualify for coverage under this general permit must meet all of the following conditions:

(a) develop a SWP3 according to the provisions of this general permit that covers either the entire site or all portions of the site where the applicant is the operator. The SWP3 must be developed and implemented prior to obtaining coverage and prior to commencing construction activities;

(b) primary operators of large construction activities must submit an NOI prior to commencing construction activity at a construction site. A completed NOI must be submitted to TCEQ electronically using the online e-Permits system on TCEQ's website. Operators with an electronic reporting waiver must submit a completed NOI to TCEQ at least seven (7) days prior to prior to commencing construction activity to obtain provisional coverage seven (7) days from the postmark date for delivery to the TCEQ. An authorization is no longer provisional when the executive director finds the NOI is administratively complete and an authorization number is issued to the permittee for the construction site indicated on the NOI.

If an additional primary operator is added after the initial NOI is submitted, the additional primary operator must meet the same requirements for existing primary operator(s), as indicated above.

If the primary operator changes due to responsibility at the site being transferred from one primary operator to another after the initial NOI is submitted, the new primary operator must submit a paper NOI or an electronic NOI at least ten (10)

days prior to assuming operational control of a construction site and commencing construction activity.

Operators that submit NOIs electronically must use the online e-Permits system available through the TCEQ website.

(c) all operators of large construction activities must post a site notice in accordance with Part III.D.2 of this permit. The site notice must be located where it is safely and readily available for viewing by the general public, local, state, and federal authorities prior to commencing construction activities, and must be maintained in that location until completion of the construction activity (for linear construction activities, e.g. pipeline or highway, the site notice must be placed in a publicly accessible location near where construction is actively underway; notice for these linear sites may be relocated, as necessary, along the length of the project, and the notice must be safely and readily available for viewing by the general public, local, state, and federal authorities);

(d) two days prior to commencing construction activities, all primary operators must:

i. provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and

ii. list in the SWP3 the names and addresses of all MS4 operators receiving a copy;

(e) all persons meeting the definition of "secondary operator" in Part I of this permit are hereby notified that they are regulated under this general permit, but are not required to submit an NOI, provided that a primary operator at the site has submitted an NOI, or prior to commencement of construction activities, a primary operator is required to submit an NOI and the secondary operator has provided notification to the operator(s) of the need to obtain coverage (with records of notification available upon request). Any secondary operator notified under this provision may alternatively submit an NOI under this general permit, may seek coverage under an alternative TPDES individual permit, or may seek coverage under an alternative TPDES general permit if available; and

(f) all secondary operators of large construction activities must post a copy of the signed and certified Secondary Operator construction site notice and provide a copy of the signed and certified site notice to the operator of any MS4 receiving the discharge at least two days prior to the commencement construction activities.

NOTE: Posted site notices may have a redacted signature as long as there is an original signed and certified Secondary Operator construction site notice, with a viewable signature, located on-site and available for review by an applicable regulatory authority.

Effective September 1, 2018, applicants must submit an NOI using the online e-Permits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Waivers for Small Construction Activities:

Operators of certain small construction activities may obtain a waiver from coverage under this general permit, if applicable. The requirements are outlined in Part II.G below.

5. Effective Date of Coverage

(a) Operators of small construction activities as described in either Part II.E.1 or II.E.2 above are authorized immediately following compliance with the applicable conditions of Part II.E.1 or II.E.2. Secondary operators of large construction

activities as described in Part II.E.3 above are authorized immediately following compliance with the applicable conditions in Part II.E.3. For activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

(b) Primary operators of large construction activities as described in Part II.E.3 above that electronically submit an NOI are authorized immediately following confirmation of receipt of the electronic form by the TCEQ, unless otherwise notified by the executive director. Operators with an electronic reporting waiver are provisionally authorized seven (7) days from the date that a completed paper NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. An authorization is no longer provisional when the executive director finds the NOI is administratively complete and an authorization number is issued to the permittee for the construction site indicated on the NOI.

For construction activities located in areas regulated by 30 TAC Chapter 213, related to the Edwards Aquifer, this authorization to discharge is separate from the requirements of the operator's responsibilities under that rule. Construction activities may not commence for sites regulated under 30 TAC Chapter 213 until all applicable requirements of that rule are met.

(c) Operators are not prohibited from submitting late NOIs or posting late notices to obtain authorization under this general permit. The TCEQ reserves the right to take appropriate enforcement action for any unpermitted activities that may have occurred between the time construction commenced and authorization was obtained.

(d) If operators that submitted NOIs have active authorizations for construction activities that are ongoing when the term of the current general permit expires and a new general permit is issued, a 90-day interim (grace) period is granted to provide coverage that is administratively continued until operators with active authorizations can obtain coverage under the newly issued CGP. The 90-day grace period starts on the effective date of the newly issued CGP. Deadlines for obtaining coverage for operators of small and large construction are provided in Part II.D.1 and 2 above.

6. Notice of Change (NOC)

If relevant information provided in the NOI changes, the operator that has submitted the NOI must submit an NOC to TCEQ at least fourteen (14) days before the change occurs, if possible. Where a 14-day advance notice is not possible, the operator must submit an NOC to TCEQ within 14-days of discovery of the change. If the operator becomes aware that it failed to submit any relevant facts or submitted incorrect information in an NOI, the correct information must be submitted to TCEQ in an NOC within 14 days after discovery. The NOC shall be submitted on a form provided by the executive director, or by letter if an NOC form is not available. A copy of the NOC form or letter must also be placed in the SWP3 and provided to the operator of any MS4 receiving the discharge. A list that includes the names and addresses of all MS4 operators receiving a copy of the NOC (or NOC letter) must be included in the SWP3.

Information on an NOC may include, but is not limited to, the following: a change in the description of the construction project; an increase in the number of acres disturbed (for increases of one or more acres); or the name of the operator (where the name of the operator has changed).

A transfer of operational control from one operator to another, including a transfer of the ownership of a company. Coverage under this general permit is not transferable

from one operator to another or one company to another, and may not be included in an NOC.

A transfer of ownership of a company may include, but is not limited to, the following: changes to the structure of a company, such as changing from a partnership to a corporation or changing corporation types, so that the filing number (or charter number) that is on record with the Texas Secretary of State must be changed.

An NOC is not required for notifying TCEQ of a decrease in the number of acres disturbed. This information must be included in the SWP3 and retained on site.

Effective September 1, 2018, applicants must submit an NOC using the online e-Permits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

7. Signatory Requirement for NOI Forms, Notice of Termination (NOT) Forms, NOC Letters, and Construction Site Notices

NOI forms, NOT forms, NOC letters, and Construction Site Notices that require a signature must be signed according to 30 TAC § 305.44 (relating to Signatories for Applications).

8. Contents of the NOI

The NOI form shall require, at a minimum, the following information:

(a) the TPDES CGP authorization number for existing authorizations under this general permit, where the operator submits an NOI to renew coverage within 90 days of the effective date of this general permit;

(b) the name, address, and telephone number of the operator filing the NOI for permit coverage;

(c) the name (or other identifier), address, county, and latitude/longitude of the construction project or site;

(d) the number of acres that will be disturbed by the applicant;

(e) confirmation that the project or site will not be located on Indian Country lands;

(f) confirmation that a SWP3 has been developed in accordance with this general permit, that it will be implemented prior to commencement of construction activities, and that it is compliant with any applicable local sediment and erosion control plans; for multiple operators who prepare a shared SWP3, the confirmation for an operator may be limited to its obligations under the SWP3 provided all obligations are confirmed by at least one operator;

(g) name of the receiving water(s);

(h) the classified segment number for each classified segment that receives discharges from the regulated construction activity (if the discharge is not directly to a classified segment, then the classified segment number of the first classified segment that those discharges reach); and

(i) the name of all surface waters receiving discharges from the regulated construction activity that are on the latest EPA-approved CWA § 303(d) List of impaired waters or Texas Integrated Report of Surface Water Quality for CWA Sections 305(b) and 303(d) as not meeting applicable state water quality standards.

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

Each operator that has submitted an NOI for authorization of large construction activities under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit.

Authorization of large construction must be terminated by submitting an NOT on a paper form to TCEQ supplied by the executive director or electronically via the online e-Permits system available through the TCEQ website. Authorization to discharge under this general permit terminates at midnight on the day a paper NOT is postmarked for delivery to the TCEQ or immediately following confirmation of the receipt of the NOT submitted electronically by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

Effective September 1, 2018, applicants must submit an NOT using the online e-Permits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

The NOT must be submitted to TCEQ, and a copy of the NOT provided to the operator of any MS4 receiving the discharge (with a list in the SWP3 of the names and addresses of all MS4 operators receiving a copy), within 30 days after any of the following conditions are met:

(a) final stabilization has been achieved on all portions of the site that are the responsibility of the operator;

(b) a transfer of operational control has occurred (See Section II.F.4 below); or

(c) the operator has obtained alternative authorization under an individual TPDES permit or alternative TPDES general permit.

2. Minimum Contents of the NOT

The NOT form shall require, at a minimum, the following information:

(a) if authorization for construction activity was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for a specific construction site;

(b) an indication of whether final stabilization has been achieved at the site and a NOT has been submitted or if the permittee is simply no longer an operator at the site;

(c) the name, address, and telephone number of the permittee submitting the NOT;

(d) the name (or other identifier), address, county, and location (latitude/longitude) of the construction project or site; and

(e) a signed certification that either all stormwater discharges requiring authorization under this general permit will no longer occur, or that the applicant is no longer the operator of the facility or construction site, and that all temporary structural erosion controls have either been removed, will be removed on a schedule defined in the SWP3, or have been transferred to a new operator if the new operator has applied for permit coverage. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal.

3. Termination of Coverage for Small Construction Sites and for Secondary Operators at Large Construction Sites

(a) Each operator that has obtained automatic authorization for small construction or is a secondary operator for large construction must perform the following when terminating coverage under the permit:

i. remove the site notice;

ii. complete the applicable portion of the site notice related to removal of the site notice; and

iii. submit a copy of the completed site notice to the operator of any MS4 receiving the discharge (or provide alternative notification as allowed by the MS4 operator, with documentation of such notification included in the SWP3).

(b) The activities described in Part II.F.3.(a) above must be completed by the operator within 30 days of meeting any of the following conditions:

i. final stabilization has been achieved on all portions of the site that are the responsibility of the operator;

ii. a transfer of day-to-day operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions has occurred (See Section II.F.4. below); or

iii. the operator has obtained alternative authorization under an individual or general TPDES permit.

Authorization to discharge under this general permit terminates immediately upon removal of the applicable site notice. Compliance with the conditions and requirements of this permit is required until the site notice is removed.

4. Transfer of Day-to-Day Operational Control

(a) When the primary operator of a large construction activity changes or operational control over activities necessary to ensure compliance with the SWP3 and other permit conditions is transferred to another primary operator, the original operator must do the following:

i. submit an NOT within ten (10) days prior to the date that responsibility for operations terminates, and the new operator must submit an NOI at least ten (10) days prior to the transfer of operational control, in accordance with condition (c) below; and

ii. submit a copy of the NOT from the primary operator terminating its coverage under the permit and its operational control of the construction site and submit a copy of the NOI from the new primary operator to the operator of any MS4 receiving the discharge in accordance with Part II.F.1 above.

(b) For transfer of operational control, operators of small construction activities and secondary operators of large construction activities who are not required to submit an NOI must do the following:

i. the existing operator must remove the original site notice, and the new operator must post the required site notice prior to the transfer of operational control, in accordance with the conditions in Part II.F.4.(c) i or ii below; and

ii. a copy of the site notice, which must be completed and provided to the operator of any MS4 receiving the discharge, in accordance with Part II.F.3 above.

(c) Each operator is responsible for determining its role as an operator as defined in Part I.B and obtaining authorization under the permit, as described above in Part

II.E. 1 – 3. Where authorization has been obtained by submitting an NOI for coverage under this general permit, permit coverage is not transferable from one operator to another. A transfer of operational control can include changes to the structure of a company, such as changing from a partnership to a corporation, or changing to a different corporation type such that a different filing (or charter) number is established with the Texas Secretary of State. A transfer of operational control can also occur when of the following criteria is met, as applicable:

i. Another operator has assumed control over all areas of the site that do not meet the definition for final stabilization;

ii. all silt fences and other temporary erosion controls have either been removed, scheduled for removal as defined in the SWP3, or transferred to a new operator, provided that the original permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Records of this notification (or attempt at notification) shall be retained by the operator transferring operational control to another operator in accordance with Part VI of this permit. Erosion controls that are designed to remain in place for an indefinite period, such as mulches and fiber mats, are not required to be removed or scheduled for removal; or

iii. a homebuilder has purchased one or more lots from an operator who obtained coverage under this general permit for a common plan of development or sale. The homebuilder is considered a new operator and shall comply with the requirements of this permit. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to the lot(s) it has operational control over in a larger common plan of development, and the original operator remains responsible for common controls or discharges, and must amend its SWP3 to remove the lot(s) transferred to the homebuilder.

Section G. Waivers from Coverage

The executive director may waive the otherwise applicable requirements of this general permit for stormwater discharges from small construction activities under the terms and conditions described in this section.

1. Waiver Applicability and Coverage

Operators of small construction activities may apply for and receive a waiver from the requirements to obtain authorization under this general permit, when the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5).

The operator must submit either a signed paper Low Rainfall Erosivity Waiver (LREW) certification form to the TCEQ, supplied by the executive director, or complete the form electronically via the online e-Permits system available through the TCEQ website. The form is a certification by the operator that the small construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5).

The paper LREW certification form must be postmarked for delivery to the TCEQ at least seven (7) days before construction activity begins or, if submitted electronically, construction may begin at any time following the receipt of written confirmation from TCEQ that a complete electronic application was submitted and acknowledged.

This waiver from coverage does not apply to any non-stormwater discharges, including what is allowed under this permit. The operator must insure that all non-stormwater discharges are either authorized under a separate permit or authorization, or are captured and routed to an authorized treatment facility for disposal.

Effective September 1, 2018, applicants must submit an LREW using the online e-Permits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

2. Steps to Obtaining a Waiver

The construction site operator may calculate the R factor to request a waiver using the following steps:

(a) Estimate the construction start date and the construction end date. The construction end date is the date that final stabilization will be achieved.

(b) Find the appropriate Erosivity Index (EI) zone in Appendix B of this permit.

(c) Find the EI percentage for the project period by adding the results for each period of the project using the table provided in Appendix D of this permit, in EPA Fact Sheet 2.1, or in USDA Handbook 703, by subtracting the start value from the end value to find the percent EI for the site.

(d) Refer to the Isoerodent Map (Appendix C of this permit) and interpolate the annual isoerodent value for the proposed construction location.

(e) Multiply the percent value obtained in Step (c) above by the annual isoerodent value obtained in Step (d). This is the R factor for the proposed project. If the value is less than 5, then a waiver may be obtained. If the value is five (5) or more, then a waiver may not be obtained, and the operator must obtain coverage under Part II.E.2. of this permit.

Alternatively, the operator may calculate a site-specific R factor utilizing the following online calculator: http://ei.tamu.edu/index.html, or using another available resource.

A copy of the LREW certification form is not required to be posted at the small construction site.

3. Effective Date of a LREW

Unless otherwise notified by the executive director, operators of small construction activities seeking coverage under a LREW are provisionally waived from the otherwise applicable requirements of this general permit seven (7) days from the date that a completed paper LREW certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, made via the online e-Permits system available through the TCEQ website.

Effective September 1, 2018, applicants seeking coverage under a LREW must submit an application for a LREW using the online e-Permits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

4. Activities Extending Beyond the LREW Period

If a construction activity extends beyond the approved waiver period due to circumstances beyond the control of the operator, the operator must either:

(a) recalculate the R factor using the original start date and a new projected ending date, and if the R factor is still under five (5), submit a new waiver certification form at least two (2) days before the end of the original waiver period; or

(b) obtain authorization under this general permit according to the requirements for automatic authorization for small construction activities in Part II.E.2 of this permit, prior to the end of the approved LREW period.

Section H. Alternative TPDES Permit Coverage

1. Individual Permit Alternative

Any discharge eligible for coverage under this general permit may alternatively be authorized under an individual TPDES permit according to 30 TAC §305 (relating to Consolidated Permits). Applications for individual permit coverage must be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely authorization. Existing coverage under this general permit should not be terminated until an individual permit is issued and in effect.

2. Alternative Authorizations for Certain Discharges

Certain discharges eligible for authorization under this general permit may alternatively be authorized under a separate general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), as applicable.

3. Individual Permit Required

The executive director may require an operator of a construction site, otherwise eligible for authorization under this general permit, to apply for an individual TPDES permit in the following circumstances:

(a) the conditions of an approved TMDL or TMDL I-Plan on the receiving water;

(b) the activity being determined to cause, has a reasonable potential to cause, or contribute to a violation of water quality standards or being found to cause, or contribute to, the loss of a designated use of surface water in the state: and

(c) any other consideration defined in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges) including 30 TAC Chapter 205.4(c)(3)(D), which allows the commission to deny authorization under the general permit and require an individual permit if a discharger has been determined by the executive director to have been out of compliance with any rule, order, or permit of the commission, including non-payment of fees assessed by the executive director.

A discharger with a TCEQ compliance history rating of "unsatisfactory" is ineligible for coverage under this general permit. In that case, 30 TAC § 60.3 requires the executive director to deny or suspend an authorization to discharge under a general permit. However, per TWC § 26.040(h), a discharger is entitled to a hearing before the commission prior to having an authorization denied or suspended for having an "unsatisfactory" compliance history.

Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit for reasons other than compliance history shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

4. Alternative Discharge Authorization

Any discharge eligible for authorization under this general permit may alternatively be authorized under a separate general permit according to 30 TAC Chapter 205 (relating to General Permits for Waste Discharges), if applicable.

Section I. Permit Expiration

1. This general permit is effective for a term not to exceed five (5) years. All active discharge authorizations expire on the date provided on page one (1) of this permit. Following public notice and comment, as provided by 30 TAC §205.3 (relating to Public Notice, Public Meetings, and Public Comment), the commission may amend,

revoke, cancel, or renew this general permit. All authorizations that are active at the time the permit term expires will be administratively continued as indicated in Part II.I.2 below and in Part II.D.1(b) and D.2(b) of this permit.

2. If the executive director publishes a notice of the intent to renew or amend this general permit before the expiration date, the permit will remain in effect for existing, authorized discharges until the commission takes final action on the permit. Upon issuance of a renewed or amended permit, permittees may be required to submit an NOI within 90 days following the effective date of the renewed or amended permit, unless that permit provides for an alternative method for obtaining authorization.
3. If the commission does not propose to reissue this general permit within 90 days before the expiration date, permittees shall apply for authorization under an individual permit or an alternative general permit. If the application for an individual permit is submitted before the expiration date, authorization under this expiring general permit remains in effect until the issuance or denial of an individual permit. No new NOIs will be accepted nor new authorizations honored under the general permit after the expiration date.

Part III. Stormwater Pollution Prevention Plans (SWP3)

All regulated construction site operators shall prepare an SWP3, prior to submittal of an NOI, to address discharges authorized under Parts II.E.2 and II.E.3 of this general permit that will reach Waters of the U.S. This includes discharges to MS4s and privately owned separate storm sewer systems that drain into surface water in the state or Waters of the U.S.

Individual operators at a site may develop separate SWP3s that cover only their portion of the project, provided reference is made to the other operators at the site. Where there is more than one SWP3 for a site, operators must coordinate to ensure that BMPs and controls are consistent and do not negate or impair the effectiveness of each other. Regardless of whether a single comprehensive SWP3 is developed or separate SWP3s are developed for each operator, it is the responsibility of each operator to ensure compliance with the terms and conditions of this general permit in the areas of the construction site where that operator has control over construction plans and specifications or day-to-day operations.

An SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater associated with construction activity and non-stormwater discharges described in Part II.A.3, in compliance with the terms and conditions of this permit.

An SWP3 must also identify any potential sources of pollution that have been determined to cause, have a reasonable potential to cause, or contribute to a violation of water quality standards or have been found to cause or contribute to the loss of a designated use of surface water in the state from discharges of stormwater from construction activities and construction support activities. Where potential sources of these pollutants are present at a construction site, the SWP3 must also contain a description of the management practices that will be used to prevent these pollutants from being discharged into surface water in the state or Waters of the U.S.

NOTE: Construction support activities can also include vehicle repair areas, fueling areas, etc. that are present at a construction site solely for the support construction activities and are only used by operators at the construction site.

The SWP3 is intended to serve as a road map for how the construction operator will comply with the effluent limits and other conditions of this permit and does not establish the effluent limits that apply to the construction site's discharges. These limits are established in Part III.G of the permit.

Section A. Shared SWP3 Development

For more effective coordination of BMPs and opportunities for cost sharing, a cooperative effort by the different operators at a site is encouraged. Operators of small and large construction activities must independently obtain authorization under this permit, but may work together with other regulated operators at the construction site to prepare and implement a single, comprehensive SWP3, which can be shared by some or all operators, for the construction activities that each of the operators are performing at the entire construction site.

1. The SWP3 must include the following:
   (a) for small construction activities – the name of each operator that participates in the shared SWP3;
   (b) for large construction activities - the name of each operator that participates in the shared SWP3, the general permit authorization numbers of each operator (or the date that the NOI was submitted to TCEQ by each operator that has not received an authorization number for coverage under this permit); and
   (c) for large and small construction activities - the signature of each operator participating in the shared SWP3.
2. The SWP3 must clearly indicate which operator is responsible for satisfying each shared requirement of the SWP3. If the responsibility for satisfying a requirement is not described in the plan, then each permittee is entirely responsible for meeting the requirement within the boundaries of the construction site where they perform construction activities. The SWP3 must clearly describe responsibilities for meeting each requirement in shared or common areas.
3. The SWP3 may provide that one operator is responsible for preparation of a SWP3 in compliance with the CGP, and another operator is responsible for implementation of the SWP3 at the project site.

Section B. Responsibilities of Operators

1. Secondary Operators and Primary Operators with Control Over Construction Plans and Specifications

   All secondary operators and primary operators with control over construction plans and specifications shall:

   (a) ensure the project specifications allow or provide that adequate BMPs are developed to meet the requirements of Part III of this general permit;
   (b) ensure that the SWP3 indicates the areas of the project where they have control over project specifications, including the ability to make modifications in specifications;
   (c) ensure that all other operators affected by modifications in project specifications are notified in a timely manner so that those operators may modify their BMP s as necessary to remain compliant with the conditions of this general permit; and
   (d) ensure that the SWP3 for portions of the project where they are operators indicates the name and site-specific TPDES authorization number(s) for operators with the day-to-day operational control over those activities necessary to ensure compliance with the SWP3 and other permit conditions. If a primary operator has not been authorized or has abandoned the site, the secondary operator is considered to be the responsible party and must obtain authorization

as a primary operator under the permit, until the authority for day-to-day operational control is transferred to another primary operator. The new primary operator must update or develop a new SWP3 that will reflect the transfer of operational control and include any additional updates to the SWP3 to meet requirements of the permit.

2. Primary Operators with Day-to-Day Operational Control

   Primary operators with day-to-day operational control of those activities at a project that are necessary to ensure compliance with an SWP3 and other permit conditions must ensure that the SWP3 accomplishes the following requirements:

   (a) meets the requirements of this general permit for those portions of the project where they are operators;
   (b) identifies the parties responsible for implementation of BMPs described in the SWP3;
   (c) indicates areas of the project where they have operational control over day-to-day activities; and
   (d) the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications for areas where they have operational control over day-to-day activities.

Section C. Deadlines for SWP3 Preparation, Implementation, and Compliance

The SWP3 must be prepared prior to obtaining authorization under this general permit, and implemented prior to commencing construction activities that result in soil disturbance. The SWP3 must be prepared so that it provides for compliance with the terms and conditions of this general permit.

Section D. Plan Review and Making Plans Available

1. The SWP3 must be retained on-site at the construction site or, if the site is inactive or does not have an on-site location to store the plan, a notice must be posted describing the location of the SWP3. The SWP3 must be made readily available at the time of an on-site inspection to: the executive director; a federal, state, or local agency approving sediment and erosion plans, grading plans, or stormwater management plans; local government officials; and the operator of a municipal separate storm sewer receiving discharges from the site. If the SWP3 is retained off-site, then it shall be made available as soon as reasonably possible. In most instances, it is reasonable that the SWP3 shall be made available within 24 hours of the request.
2. Operators with authorization for construction activity under this general permit must post a TCEQ site notice at the construction site at a place readily available for viewing by the general public, and local, state, and federal authorities.
   (a) Primary and secondary operators of large construction activities must each post a TCEQ construction site notice, respective to their role as an operator at the construction site, as required above and according to requirements in Part II.E.3 of this general permit.
   (b) Primary and secondary operators of small construction activities must post the TCEQ site notice as required in Part III.D.2.(a) above and for the specific type of small construction described in Part II.E.1 and 2 of the permit.
   (c) If the construction project is a linear construction project, such as a pipeline or highway, the notices must be placed in a publicly accessible location near where construction is actively underway. Site notices for small and large construction

activities at these linear construction sites may be located, as necessary, along the length of the project, but must still be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:

   i. the site-specific TPDES authorization number for the project if assigned;
   ii. the operator name, contact name, and contact phone number;
   iii. a brief description of the project; and
   iv. the location of the SWP3.

3. This permit does not provide the general public with any right to trespass on a construction site for any reason, including inspection of a site; nor does this permit require that permittees allow members of the general public access to a construction site.

Section E. Revisions and Updates to SWP3s

The permittee must revise or update the SWP3 within seven days of when any of the following occurs:

1. a change in design, construction, operation, or maintenance that has a significant effect on the discharge of pollutants and that has not been previously addressed in the SWP3;
2. changing site conditions based on updated plans and specifications, new operators, new areas of responsibility, and changes in BMPs; or
3. results of inspections or investigations by construction site personnel authorized by the permittee, operators of a municipal separate storm sewer system receiving the discharge, authorized TCEQ personnel, or a federal, state or local agency approving sediment and erosion plans indicate the SWP3 is proving ineffective in eliminating or significantly minimizing pollutants in discharges authorized under this general permit.

Section F. Contents of SWP3

The SWP3 must be developed and implemented by primary operators of small and large construction activities and include, at a minimum, the information described in this section and must comply with the construction and development effluent guidelines in Part III, Section G of the general permit.

1. A site or project description, which includes the following information:
   (a) a description of the nature of the construction activity;
   (b) a list of potential pollutants and their sources;
   (c) a description of the intended schedule or sequence of activities that will disturb soils for major portions of the site, including estimated start dates and duration of activities;
   (d) the total number of acres of the entire property and the total number of acres where construction activities will occur, including areas where construction support activities (defined in Part I.B of this general permit) occur;
   (e) data describing the soil or the quality of any discharge from the site;
   (f) a map showing the general location of the site (e.g. a portion of a city or county map);
   (g) a detailed site map (or maps) indicating the following:

i. drainage patterns and approximate slopes anticipated after major grading activities;

ii. areas where soil disturbance will occur;

iii. locations of all controls and buffers, either planned or in place;

iv. locations where temporary or permanent stabilization practices are expected to be used;

v. locations of construction support activities, including those located off-site;

vi. surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicate whether those waters are impaired;

vii. locations where stormwater discharges from the site directly to a surface water body or a municipal separate storm sewer system;

viii. vehicle wash areas; and

ix. designated points on the site where vehicles will exit onto paved roads (for instance, this applies to construction transition from unstable dirt areas to exterior paved roads).

Where the amount of information required to be included on the map would result in a single map being difficult to read and interpret, the operator shall develop a series of maps that collectively include the required information.

(h) the location and description of support activities authorized under the permittee's NOI, including asphalt plants, concrete plants, and other activities providing support to the construction site that is authorized under this general permit;

(i) the name of receiving waters at or near the site that may be disturbed or that may receive discharges from disturbed areas of the project;

(j) a copy of this TPDES general permit;

(k) the NOI and the acknowledgement of provisional and non-provisional authorization for primary operators of large construction sites, and the site notice for small construction sites and for secondary operators of large construction sites;

(l) stormwater and allowable non-stormwater discharge locations, including storm drain inlets on site and in the immediate vicinity of the construction site where construction support activities will occur; and

(m) locations of all pollutant-generating activities at the construction site and where construction support activities will occur, such as the following: Paving operations; concrete, paint and stucco washout and water disposal; solid waste storage and disposal; and dewatering operations.

2. A description of the BMPs that will be used to minimize pollution in runoff.

The description must identify the general timing or sequence for implementation. At a minimum, the description must include the following components:

(a) General Requirements

i. Erosion and sediment controls must be designed to retain sediment on-site to the extent practicable with consideration for local topography, soil type, and rainfall.

ii. Control measures must be properly selected, installed, and maintained according to the manufacturer's or designer's specifications.

iii. Controls must be developed to minimize the offsite transport of litter, construction debris, and construction materials.

(b) Erosion Control and Stabilization Practices

The SWP3 must include a description of temporary and permanent erosion control and stabilization practices for the construction site, where small or large construction activity will occur. The erosion control and stabilization practices selected by the permittee must be compliant with the requirements for sediment and erosion control, located in Part III.G of this permit. The description of the SWP3 must also include a schedule of when the practices will be implemented. Site plans must ensure that existing vegetation at the construction site is preserved where it is possible.

i. Erosion control and stabilization practices may include but are not limited to: establishment of temporary or permanent vegetation, mulching, geotextiles, sod stabilization, vegetative buffer strips, protection of existing trees and vegetation, slope texturing, temporary velocity dissipation devices, flow diversion mechanisms, and other similar measures.

ii. The following records must be maintained and either attached to or referenced in the SWP3, and made readily available upon request to the parties listed in Part III.D.1 of this general permit:

(A) the dates when major grading activities occur;

(B) the dates when construction activities temporarily or permanently cease on a portion of the site; and

(C) the dates when stabilization measures are initiated.

iii. Erosion control and stabilization measures must be initiated immediately in portions of the site where construction activities have temporarily ceased and will not resume for a period exceeding 14 calendar days. Stabilization measures that provide a protective cover must be initiated immediately in portions of the site where construction activities have permanently ceased. The term "immediately" is used to define the deadline for initiating stabilization measures. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Except as provided in (A) through (D) below, these measures must be completed as soon as practicable, but no more than 14 calendar days after the initiation of soil stabilization measures:

(A) Where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased due to frozen conditions, non-vegetative controls must be implemented until thawing conditions (as defined in Part I.B of this general permit) are present, and vegetative stabilization measures can be initiated as soon as practicable.

(B) In arid areas, semi-arid areas, or drought-stricken areas, as they are defined in Part I.B of this general permit, where the immediate initiation of vegetative stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, other types of erosion control and stabilization measures must be initiated at the site as soon as practicable. Where vegetative controls are infeasible due to arid conditions, and within 14 calendar days of a temporary or permanent cessation of construction activity in any portion of the site, the operator shall immediately install non-

vegetative erosion controls in areas of the construction site where construction activity is complete or has ceased. If non-vegetative controls are infeasible, the operator shall install temporary sediment controls as required in Part III.F.2.(b).iii.(C) below.

(C) In areas where non-vegetative controls are infeasible, the operator may alternatively utilize temporary perimeter controls. The operator must document in the SWP3 the reason why stabilization measures are not feasible, and must demonstrate that the perimeter controls will retain sediment on site to the extent practicable. The operator must continue to inspect the BMPs at the frequencies established in Part III.F.7.(c) for unstabilized sites.

(D) The requirement for permittees to initiate stabilization is triggered as soon as it is known with reasonable certainty that construction activity at the site or in certain areas of the site will be stopped for 14 or more additional calendar days. If the initiation or completion of vegetative stabilization is prevented by circumstances beyond the control of the permittee, the permittee must employ and implement alternative stabilization measures immediately. When conditions at the site changes that would allow for vegetative stabilization, then the permittee must initiate or complete vegetative stabilization as soon as practicable.

iv. Final stabilization must be achieved prior to termination of permit coverage.

v. TCEQ does not expect that temporary or permanent stabilization measures to be applied to areas that are intended to be left un-vegetated or un-stabilized following construction (e.g., dirt access roads, utility pole pads, areas being used for storage of vehicles, equipment, or materials).

(c) Sediment Control Practices

The SWP3 must include a description of any sediment control practices used to remove eroded soils from stormwater runoff, including the general timing or sequence for implementation of controls.

i. Sites With Drainage Areas of Ten or More Acres

(A) Sedimentation Basin(s)

(1) A sedimentation basin is required, where feasible, for a common drainage location that serves an area with ten (10) or more acres disturbed at one time. A sedimentation basin may be temporary or permanent, and must provide sufficient storage to contain a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained. When calculating the volume of runoff from a 2-year, 24-hour storm event, it is not required to include the flows from offsite areas and flow from onsite areas that are either undisturbed or have already undergone permanent stabilization, if these flows are diverted around both the disturbed areas of the site and the sediment basin. Capacity calculations shall be included in the SWP3.

(2) Where rainfall data is not available or a calculation cannot be performed, the sedimentation basin must provide at least 3,600 cubic feet of storage per acre drained until final stabilization of the site.

(3) If a sedimentation basin is not feasible, then the permittee shall provide equivalent control measures until final stabilization of the site. In determining whether installing a sediment basin is feasible, the permittee may consider factors such as site soils, slope, available area, public safety, precipitation patterns, site geometry, site vegetation, infiltration capacity, geotechnical factors, depth to groundwater, and other similar considerations. The permittee shall document the reason that the sediment basins are not feasible, and shall utilize equivalent control measures, which may include a series of smaller sediment basins.

(4) Unless infeasible, when discharging from sedimentation basins and impoundments, the permittee shall utilize outlet structures that withdraw water from the surface.

(B) Perimeter Controls: At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

ii. Controls for Sites With Drainage Areas Less than Ten Acres:

(A) Sediment traps and sediment basins may be used to control solids in stormwater runoff for drainage locations serving less than ten (10) acres. At a minimum, silt fences, vegetative buffer strips, or equivalent sediment controls are required for all down slope boundaries of the construction area, and for those side slope boundaries deemed appropriate as dictated by individual site conditions.

(B) Alternatively, a sediment basin that provides storage for a calculated volume of runoff from a 2-year, 24-hour storm from each disturbed acre drained may be utilized. Where rainfall data is not available or a calculation cannot be performed, a temporary or permanent sediment basin providing 3,600 cubic feet of storage per acre drained may be provided. If a calculation is performed, then the calculation shall be included in the SWP3.

(C) If sedimentation basins or impoundments are used, the permittee shall comply with the requirements in Part III.G.6 of this general permit.

3. Description of Permanent Stormwater Controls

A description of any stormwater control measures that will be installed during the construction process to control pollutants in stormwater discharges that may occur after construction operations have been completed must be included in the SWP3. Permittees are responsible for the installation and maintenance of stormwater management measures, as follows:

(a) permittees authorized under the permit for small construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site; or

(b) permittees authorized under the permit for large construction activities are responsible for the installation and maintenance of stormwater control measures prior to final stabilization of the site and prior to submission of an NOT.

4. Other Required Controls and BMPs

(a) Permittees shall minimize, to the extent practicable, the off-site vehicle tracking of sediments and the generation of dust. The SWP3 shall include a description of controls utilized to accomplish this requirement.

(b) The SWP3 must include a description of construction and waste materials expected to be stored on-site and a description of controls to minimize pollutants from these materials.

(c) The SWP3 must include a description of potential pollutant sources in discharges of stormwater from all areas of the construction site where construction activity, including construction support activities, will be located, and a description of controls and measures that will be implemented at those sites to minimize pollutant discharges.

(d) Permittees shall place velocity dissipation devices at discharge locations and along the length of any outfall channel (i.e., runoff conveyance) to provide a non-erosive flow velocity from the structure to a water course, so that the natural physical and biological characteristics and functions are maintained and protected.

(e) Permittees shall design and utilize appropriate controls to minimize the offsite transport of suspended sediments and other pollutants if it is necessary to pump or channel standing water from the site.

(f) Permittees shall ensure that all other required controls and BMPs comply with all of the requirements of Part III.G of this general permit.

(g) For demolition of any structure with at least 10,000 square feet of floor space that was built or renovated before January 1, 1980, and the receiving waterbody is impaired for polychlorinated biphenyls (PCBs):

i. Implement controls to minimize the exposure of PCB-containing building materials, including paint, caulk, and pre-1980 fluorescent lighting fixtures to precipitation and to stormwater; and

ii. Ensure that disposal of such materials is performed in compliance with applicable state, federal, and local laws.

5. Documentation of Compliance with Approved State and Local Plans

(a) Permittees must ensure that the SWP3 is consistent with requirements specified in applicable sediment and erosion site plans or site permits, or stormwater management site plans or site permits approved by federal, state, or local officials.

(b) SWP3s must be updated as necessary to remain consistent with any changes applicable to protecting surface water resources in sediment erosion site plans or site permits, or stormwater management site plans or site permits approved by state or local official for which the permittee receives written notice.

(c) If the permittee is required to prepare a separate management plan, including but not limited to a WPAP or Contributing Zone Plan in accordance with 30 TAC Chapter 213 (related to the Edwards Aquifer), then a copy of that plan must be either included in the SWP3 or made readily available upon request to authorized personnel of the TCEQ. The permittee shall maintain a copy of the approval letter for the plan in its SWP3.

6. Maintenance Requirements

(a) All protective measures identified in the SWP3 must be maintained in effective operating condition. If, through inspections or other means, as soon as the permittee determines that BMPs are not operating effectively, then the permittee shall perform maintenance as necessary to maintain the continued effectiveness

of stormwater controls, and prior to the next rain event if feasible. If maintenance prior to the next anticipated storm event is impracticable, the reason shall be documented in the SWP3 and maintenance must be scheduled and accomplished as soon as practicable. Erosion and sediment controls that have been intentionally disabled, run-over, removed, or otherwise rendered ineffective must be replaced or corrected immediately upon discovery.

(b) If periodic inspections or other information indicates a control has been used incorrectly, is performing inadequately, or is damaged, then the operator shall replace or modify the control as soon as practicable after making the discovery.

(c) Sediment must be removed from sediment traps and sedimentation ponds no later than the time that design capacity has been reduced by 50%. For perimeter controls such as silt fences, berms, etc., the trapped sediment must be removed before it reaches 50% of the above-ground height.

(d) If sediment escapes the site, accumulations must be removed at a frequency that minimizes off-site impacts, and prior to the next rain event, if feasible. If the permittee does not own or operate the off-site conveyance, then the permittee shall work with the owner or operator of the property to remove the sediment.

7. Inspections of Controls

(a) Personnel provided by the permittee must inspect disturbed areas (cleared, graded, or excavated) of the construction site that do not meet the requirements of final stabilization in this general permit, all locations where stabilization measures have been implemented, areas of construction support activity covered under this permit, stormwater controls (including pollution prevention controls) for evidence of, or the potential for, the discharge of pollutants, areas where stormwater typically flows within the construction site, and points of discharge from the construction site.

i. Personnel conducting these inspections must be knowledgeable of this general permit, the construction activities at the site, and the SWP3 for the site.

ii. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC §305.128.

(b) Requirements for Inspections

i. Inspect all stormwater controls (including sediment and erosion control measures identified in the SWP3) to ensure that they are installed properly, appear to be operational, and minimizing pollutants in discharges, as intended.

ii. Identify locations on the construction site where new or modified stormwater controls are necessary.

iii. Check for signs of visible erosion and sedimentation that can be attributed to the points of discharge where discharges leave the construction site or discharge into any surface water in the state flowing within or adjacent to the construction site.

iv. Identify any incidents of noncompliance observed during the inspection.

v. Inspect locations where vehicles enter or exit the site for evidence of off-site sediment tracking.

vi. If an inspection is performed when discharges from the construction site are occurring: identify all discharge points at the site, observe and document the visual quality of the discharge (i.e., color, odor, floating, settled, or

suspended solids, foam, oil sheen, and other such indicators of pollutants in stormwater).

vii. Complete any necessary maintenance needed, based on the results of the inspection and in accordance with the requirements listed in Part III.F.6 above.

(c) Inspection frequencies:

i. Inspections of construction sites must be conducted at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, unless as otherwise provided below in Part III.F.7.(c).ii – v below.

ii. Inspection frequencies must be conducted at least once every month in areas of the construction site that meet final stabilization or have been temporarily stabilized.

iii. Inspection frequencies for construction sites, where runoff is unlikely due to the occurrence of frozen conditions at the site, must be conducted at least once every month until thawing conditions begin to occur (See definitions for thawing conditions in Part I.B). The SWP3 must also contain a record of the approximate beginning and ending dates of when frozen conditions occurred at the site, which resulted in inspections being conducted monthly, while those conditions persisted, instead of at the interval of once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

iv. In arid, semi-arid, or drought-stricken areas, inspections must be conducted at least once every month and within 24 hours after the end of a storm event of 0.5 inches or greater. The SWP3 must also contain a record of the total rainfall measured, as well as the approximate beginning and ending dates of when drought conditions occurred at the site, which resulted in inspections being conducted monthly, while those conditions persisted, instead of at the interval of once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater.

v. As an alternative to the inspection schedule in Part III.F.7.(c).i above, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, then the inspection must occur regardless of whether or not there has been a rainfall event since the previous inspection.

vi. The inspection procedures described in Part III.F.7.(c).i. – v above can be performed at the frequencies and under the applicable conditions indicated for each schedule option, provided that the SWP3 reflects the current schedule and that any changes to the schedule are made in accordance with the following provisions: the inspection frequency schedule can only be changed a maximum of one time each month; the schedule change must be implemented at the beginning of a calendar month; and the reason for the schedule change documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(d) Utility line installation, pipeline construction, and other examples of long, narrow, linear construction activities may provide inspection personnel with limited access to the areas described in Part III.F.7.(a) above.

i. Inspection of linear construction sites could require the use of vehicles that could compromise areas of temporary or permanent stabilization, cause

additional disturbance of soils, and result in the increase the potential for erosion. In these circumstances, controls must be inspected at least once every 14 calendar days and within 24 hours of the end of a storm event of 0.5 inches or greater, but representative inspections may be performed.

ii. For representative inspections, personnel must inspect controls along the construction site for 0.25 mile above and below each access point where a roadway, undisturbed right-of-way, or other similar feature intersects the construction site and allows access to the areas described in Part III.F.7.(a) above. The conditions of the controls along each inspected 0.25 mile portion may be considered as representative of the condition of controls along that reach extending from the end of the 0.25 mile portion to either the end of the next 0.25 mile inspected portion, or to the end of the project, whichever occurs first.

As an alternative to the inspection schedule described in Part III.F.7.(c).i above, the SWP3 may be developed to require that these inspections will occur at least once every seven (7) calendar days. If this alternative schedule is developed, the inspection must occur regardless of whether or not there has been a rainfall event since the previous inspection.

iii. The SWP3 for a linear construction site must reflect the current inspection schedule. Any changes to the inspection schedule must be made in accordance with the following provisions:

(A) the schedule may be changed a maximum of one time each month;

(B) the schedule change must be implemented at the beginning of a calendar month, and

(C) the reason for the schedule change must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(e) In the event of flooding or other uncontrollable situations which prohibit access to the inspection sites, inspections must be conducted as soon as access is practicable.

(f) Inspection Reports

i. A report summarizing the scope of any inspection must be completed within 24-hours following the inspection. The report must also include the date(s) of the inspection and major observations relating to the implementation of the SWP3. Major observations in the report must include: the locations of where erosion and discharges of sediment or other pollutants from the site have occurred; locations of BMPs that need to be maintained; locations of BMPs that failed to operate as designed or proved inadequate for a particular location; and locations where additional BMPs are needed.

ii. Actions taken as a result of inspections must be described within, and retained as a part of, the SWP3. Reports must identify any incidents of non-compliance. Where a report does not identify any incidents of non-compliance, the report must contain a certification that the facility or site is in compliance with the SWP3 and this permit. The report must be retained as part of the SWP3 and signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

iii. The names and qualifications of personnel making the inspections for the permittee may be documented once in the SWP3 rather than being included in each report.

(g) The SWP3 must be modified based on the results of inspections, as necessary, to better control pollutants in runoff. Revisions to the SWP3 must be completed

within seven (7) calendar days following the inspection. If existing BMPs are modified or if additional BMPs are necessary, an implementation schedule must be described in the SWP3 and wherever possible those changes implemented before the next storm event. If implementation before the next anticipated storm event is impracticable, these changes must be implemented as soon as practicable.

8. The SWP3 must identify and ensure the implementation of appropriate pollution prevention measures for all eligible non-stormwater components of the discharge, as listed in Part II.A.3 of this permit.
9. The SWP3 must include the information required in Part III.B of this general permit.
10. The SWP3 must include pollution prevention procedures that comply with Part III.G.4 of this general permit.

Section G. Erosion and Sediment Control Requirements Applicable to All Sites

Except as provided in 40 CFR §§125.30-125.32, any discharge regulated under this general permit, with the exception of sites that obtained waivers based on low rainfall erosivity, must achieve, at a minimum, the following effluent limitations representing the degree of effluent reduction attainable by application of the best practicable control technology currently available (BPT).

1. *Erosion and sediment controls*. Design, install, and maintain effective erosion controls and sediment controls to minimize the discharge of pollutants. At a minimum, such controls must be designed, installed, and maintained to:
   (a) Control stormwater volume and velocity within the site to minimize soil erosion in order to minimize pollutant discharges;
   (b) Control stormwater discharges, including both peak flowrates and total stormwater volume, to minimize channel and streambank erosion and scour in the immediate vicinity of discharge point(s);
   (c) Minimize the amount of soil exposed during construction activity;
   (d) Minimize the disturbance of steep slopes;
   (e) Minimize sediment discharges from the site. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation, the nature of resulting stormwater runoff, and soil characteristics, including the range of soil particle sizes expected to be present on the site;
   (f) If earth disturbance activities are located in close proximity to a surface water in the state, provide and maintain appropriate natural buffers if feasible and as necessary, around surface water in the state, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas and maximize stormwater infiltration to reduce pollutant discharges, unless infeasible. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are infeasible and shall implement additional erosion and sediment controls to reduce sediment load;
   (g) Preserve native topsoil at the site, unless the intended function of a specific area of the site dictates that the topsoil be disturbed or removed, or it is infeasible; and
   (h) Minimize soil compaction. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:
      i. restrict vehicle and equipment use to avoid soil compaction; or

      ii. prior to seeding or planting areas of exposed soil that have been compacted, use techniques that condition the soils to support vegetative growth, if necessary and feasible;

   Minimizing soil compaction is not required where the intended function of a specific area of the site dictates that it be compacted.
   (i) TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface water" for the purposes of triggering the buffer requirement in Part III.G.1.(f) above.
2. *Soil stabilization*. Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating, or other earth disturbing activities have permanently ceased on any portion of the site, or temporarily ceased on any portion of the site and will not resume for a period exceeding 14 calendar days. In the context of this requirement, "immediately" means as soon as practicable, but no later than the end of the next work day, following the day when the earth-disturbing activities have temporarily or permanently ceased. Temporary stabilization must be completed no more than 14 calendar days after initiation of soil stabilization measures, and final stabilization must be achieved prior to termination of permit coverage. In arid, semi-arid, and drought-stricken areas where initiating vegetative stabilization measures immediately is infeasible, alternative non-vegetative stabilization measures must be employed as soon as practicable. Refer to Part III.F.2.(b) for complete erosion control and stabilization practice requirements. In limited circumstances, stabilization may not be required if the intended function of a specific area of the site necessitates that it remain disturbed.
3. *Dewatering*. Discharges from dewatering activities, including discharges from dewatering of trenches and excavations, are prohibited, unless managed by appropriate controls.
4. *Pollution prevention measures*. Design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must be designed, installed, implemented, and maintained to:
   (a) Minimize the discharge of pollutants from equipment and vehicle washing, wheel wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge;
   (b) Minimize the exposure of building materials, building products, construction wastes, trash, landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste, and other materials present on the site to precipitation and to stormwater;
   (c) Minimize the exposure of waste materials by closing waste container lids at the end of the work day. For waste containers that do not have lids, where the container itself is not sufficiently secure enough to prevent the discharge of pollutants absent a cover and could leak, the permittee must provide either a cover (e.g., a tarp, plastic sheeting, temporary roof) to minimize exposure of wastes to precipitation, or a similarly effective means designed to minimize the discharge of pollutants (e.g., secondary containment);and
   (d) Minimize the discharge of pollutants from spills and leaks, and implement chemical spill and leak prevention and response procedures.
5. *Prohibited discharges*. The following discharges are prohibited:

   (a) Wastewater from wash out of concrete, unless managed by an appropriate control;
   (b) Wastewater from wash out and cleanout of stucco, paint, form release oils, curing compounds and other construction materials;
   (c) Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance;
   (d) Soaps or solvents used in vehicle and equipment washing; and
   (e) Toxic or hazardous substances from a spill or other release.
6. *Surface outlets*. When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.

Part IV. Stormwater Runoff from Concrete Batch Plants

Discharges of stormwater runoff from concrete batch plants present at regulated construction sites and operated as a construction support activity may be authorized under the provisions of this general permit, provided that the following requirements are met for concrete batch plant(s) authorized under this permit. Only the discharges of stormwater runoff and non-stormwater from concrete batch plants that meet the requirements of a construction support activity can be authorized under this permit (see the requirements for "Non-Stormwater Discharges" in Part II.A.3 and "Discharges of Stormwater Associated with Construction Support Activity" in Part II.A.2).

If discharges of stormwater runoff or non-stormwater from concrete batch plants are not authorized under this general permit, then discharges must be authorized under an alternative general permit or individual permit [see the requirement in Part II.A.2.(c)].

This permit does not authorize the discharge or land disposal of any wastewater from concrete batch plants at regulated construction sites. Authorization for these wastes must be obtained under an individual permit or an alternative general permit.

Section A. Benchmark Sampling Requirements

1. Operators of concrete batch plants authorized under this general permit shall sample the stormwater runoff from the concrete batch plants according to the requirements of this section of this general permit, and must conduct evaluations on the effectiveness of the SWP3 based on the following benchmark monitoring values:

Table 1. Benchmark Parameters

Benchmark Parameter	Benchmark Value	Sampling Frequency	Sample Type
Oil and Grease (*1)	15 mg/L	1/quarter (*2) (*3)	Grab (*4)
Total Suspended Solids (*1)	50 mg/L	1/quarter (*2) (*3)	Grab (*4)
pH	6.0 – 9.0 Standard Units	1/quarter (*2) (*3)	Grab (*4)
Total Iron(*1)	1.3 mg/L	1/quarter (*2) (*3)	Grab (*4)

(*1) All analytical results for these parameters must be obtained from a laboratory that is accredited based on rules located in 30 TAC §25.4 (a) or through the National Environmental Laboratory Accreditation Program (NELAP). Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §136.1(c) and 40 CFR §122.44(i)(1)(iv).

(*2) When discharge occurs. Sampling is required within the first 30 minutes of discharge. If it is not practicable to take the sample, or to complete the sampling, within the first 30 minutes, sampling must be completed within the first hour of discharge. If sampling is not completed within the first 30 minutes of discharge, the reason must be documented and attached to all required reports and records of the sampling activity.

(*3) Sampling must be conducted at least once during each of the following periods. The first sample must be collected during the first full quarter that a stormwater discharge occurs from a concrete batch plant authorized under this general permit.

January through March
April through June
July through September
October through December

For projects lasting less than one full quarter, a minimum of one sample shall be collected, provided that a stormwater discharge occurred at least once following submission of the NOI or following the date that automatic authorization was obtained under Section II.E.2, and prior to terminating coverage.

(*4) A grab sample shall be collected from the stormwater discharge resulting from a storm event that is at least 0.1 inches of measured precipitation that occurs at least 72 hours from the previously measurable storm event. The sample shall be collected downstream of the concrete batch plant, and where the discharge exits any BMPs utilized to handle the runoff from the batch plant, prior to commingling with any other water authorized under this general permit.

2. The permittee must compare the results of sample analyses to the benchmark values above, and must include this comparison in the overall assessment of the SWP3's effectiveness. Analytical results that exceed a benchmark value are not a violation of this permit, as these values are not numeric effluent limitations. Results of analyses are indicators that modifications of the SWP3 should be assessed and may be necessary to protect water quality. The operator must investigate the cause for each exceedance and must document the results of this investigation in the SWP3 by the end of the quarter following the sampling event.

   The operator's investigation must identify the following:

   (a) any additional potential sources of pollution, such as spills that might have occurred;
   (b) necessary revisions to good housekeeping measures that are part of the SWP3;
   (c) additional BMPs, including a schedule to install or implement the BMPs; and
   (d) other parts of the SWP3 that may require revisions in order to meet the goal of the benchmark values.

   Background concentrations of specific pollutants may also be considered during the investigation. If the operator is able to relate the cause of the exceedance to background concentrations, then subsequent exceedances of benchmark values for that pollutant may be resolved by referencing earlier findings in the SWP3. Background concentrations may be identified by laboratory analyses of samples of stormwater run-on to the permitted facility, by laboratory analyses of samples of stormwater run-off from adjacent non-industrial areas, or by identifying the pollutant is a naturally occurring material in soils at the site.

Section B. Best Management Practices (BMPs) and SWP3 Requirements

Minimum SWP3 Requirements – The following are required in addition to other SWP3 requirements listed in this general permit, which include, but are not limited to the applicable requirements located in Part III.F.7 of this general permit, as follows:

1. Description of Potential Pollutant Sources - The SWP3 must provide a description of potential sources (activities and materials) that can cause, have a reasonable potential to cause or contribute to a violation of water quality standards or have been found to cause, or contribute to, the loss of a designated use of surface water in the state in stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe the implementation of practices that will be used to minimize to the extent practicable the discharge of pollutants in stormwater discharges associated with industrial activity and non-stormwater discharges (described in Part II.A.3 of this general permit), in compliance with the terms and conditions of this general permit, including the protection of water quality, and must ensure the implementation of these practices.

   The following must be developed, at a minimum, in support of developing this description:

   (a) Drainage – The site map must include the following information:

      i. the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;

      ii. a depiction of the drainage area and the direction of flow to the outfall(s);

      iii. structural controls used within the drainage area(s);

      iv. the locations of the following areas associated with concrete batch plants that are exposed to precipitation: vehicle and equipment maintenance activities (including fueling, repair, and storage areas for vehicles and equipment scheduled for maintenance); areas used for the treatment, storage, or disposal of wastes; liquid storage tanks; material processing and storage areas; and loading and unloading areas; and

      v. the locations of the following: any bag house or other dust control device(s); recycle/sedimentation pond, clarifier or other device used for the treatment of facility wastewater (including the areas that drain to the treatment device); areas with significant materials; and areas where major spills or leaks have occurred.

   (b) Inventory of Exposed Materials – A list of materials handled at the concrete batch plant that may be exposed to stormwater and that have a potential to affect the quality of stormwater discharges associated with concrete batch plants that are authorized under this general permit.

   (c) Spills and Leaks - A list of significant spills and leaks of toxic or hazardous pollutants that occurred in areas exposed to stormwater and that drain to stormwater outfalls associated with concrete batch plants authorized under this general permit must be developed, maintained, and updated as needed.

   (d) Sampling Data - A summary of existing stormwater discharge sampling data must be maintained, if available.

2. Measures and Controls - The SWP3 must include a description of management controls to regulate pollutants identified in the SWP3's "Description of Potential Pollutant Sources" from Part IV.B.1 of this permit, and a schedule for implementation of the measures and controls. This must include, at a minimum:

   (a) Good Housekeeping - Good housekeeping measures must be developed and implemented in the area(s) associated with concrete batch plants.

      i. Operators must prevent or minimize the discharge of spilled cement, aggregate (including sand or gravel), settled dust, or other significant materials from paved portions of the site that are exposed to stormwater. Measures used to minimize the presence of these materials may include regular sweeping or other equivalent practices. These practices must be conducted at a frequency that is determined based on consideration of the amount of industrial activity occurring in the area and frequency of precipitation, and shall occur at least once per week when cement or aggregate is being handled or otherwise processed in the area.

      ii. Operators must prevent the exposure of fine granular solids, such as cement, to stormwater. Where practicable, these materials must be stored in enclosed silos, hoppers or buildings, in covered areas, or under covering.

   (b) Spill Prevention and Response Procedures - Areas where potential spills that can contribute pollutants to stormwater runoff, and the drainage areas from these locations, must be identified in the SWP3. Where appropriate, the SWP3 must specify material handling procedures, storage requirements, and use of equipment. Procedures for cleaning up spills must be identified in the SWP3 and made available to the appropriate personnel.

   (c) Inspections - Qualified facility personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) must be identified to inspect designated equipment and areas of the facility specified in the SWP3. Personnel conducting these inspections are not required to have signatory authority for inspection reports under 30 TAC §305.128. Inspections of facilities in operation must be performed once every seven days. Inspections of facilities that are not in operation must be performed at a minimum of once per month. The current inspection frequency being implemented at the facility must be recorded in the SWP3. The inspection must take place while the facility is in operation and must, at a minimum, include all areas that are exposed to stormwater at the site, including material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, truck wash down and equipment cleaning areas. Follow-up procedures must be used to ensure that appropriate actions are taken in response to the inspections. Records of inspections must be maintained and be made readily available for inspection upon request.

   (d) Employee Training - An employee training program must be developed to educate personnel responsible for implementing any component of the SWP3, or personnel otherwise responsible for stormwater pollution prevention, with the provisions of the SWP3. The frequency of training must be documented in the SWP3, and at a minimum, must consist of one training prior to the initiation of operation of the concrete batch plant.

   (e) Record Keeping and Internal Reporting Procedures - A description of spills and similar incidents, plus additional information that is obtained regarding the quality and quantity of stormwater discharges, must be included in the SWP3. Inspection and maintenance activities must be documented and records of those inspection and maintenance activities must be incorporated in the SWP3.

   (f) Management of Runoff - The SWP3 shall contain a narrative consideration for reducing the volume of runoff from concrete batch plants by diverting runoff or otherwise managing runoff, including use of infiltration, detention ponds, retention ponds, or reusing of runoff.

3. Comprehensive Compliance Evaluation – At least once per year, one or more qualified personnel (i.e., a person or persons with knowledge of this general permit, the concrete batch plant, and the SWP3 related to the concrete batch plant(s) for the site) shall conduct a compliance evaluation of the plant. The evaluation must include the following.

   (a) Visual examination of all areas draining stormwater associated with regulated concrete batch plants for evidence of, or the potential for, pollutants entering the drainage system. These include, but are not limited to: cleaning areas, material handling areas, above ground storage tanks, hoppers or silos, dust collection/containment systems, and truck wash down and equipment cleaning areas. Measures implemented to reduce pollutants in runoff (including structural controls and implementation of management practices) must be evaluated to determine if they are effective and if they are implemented in accordance with the terms of this permit and with the permittee's SWP3. The operator shall conduct a visual inspection of equipment needed to implement the SWP3, such as spill response equipment.

   (b) Based on the results of the evaluation, the following must be revised as appropriate within two weeks of the evaluation: the description of potential pollutant sources identified in the SWP3 (as required in Part IV.B.1, "Description of Potential Pollutant Sources"); and pollution prevention measures and controls identified in the SWP3 (as required in Part IV.B.2, "Measures and Controls"). The revisions may include a schedule for implementing the necessary changes.

   (c) The permittee shall prepare and include in the SWP3 a report summarizing the scope of the evaluation, the personnel making the evaluation, the date(s) of the evaluation, major observations relating to the implementation of the SWP3, and actions taken in response to the findings of the evaluation. The report must identify any incidents of noncompliance. Where the report does not identify incidences of noncompliance, the report must contain a statement that the evaluation did not identify any incidence(s), and the report must be signed according to 30 TAC §305.128, relating to Signatories to Reports.

   (d) The Comprehensive Compliance Evaluation may substitute for one of the required inspections delineated in Part IV.B.2.(c) of this general permit.

Section C. Prohibition of Wastewater Discharges

Wastewater discharges associated with concrete production including wastewater disposal by land application are not authorized under this general permit. These wastewater discharges must be authorized under an alternative TCEQ water quality permit or otherwise disposed of in an authorized manner. Discharges of concrete truck wash out at construction sites may be authorized if conducted in accordance with the requirements of Part V of this general permit.

Part V. Concrete Truck Wash Out Requirements

This general permit authorizes the land disposal of wash out from concrete trucks at construction sites regulated under this general permit, provided the following requirements are met. Any discharge of concrete production waste water to surface water in the state must be authorized under a separate TCEQ general permit or individual permit.

A. Discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.

B. Concrete truck wash out water shall be disposed in areas at the construction site where structural controls have been established to prevent discharge to surface water

in the state, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent discharge to surface water in the state. Structural controls may consist of temporary berms, temporary shallow pits, temporary storage tanks with slow rate release, or other reasonable measures to prevent runoff from the construction site.

C. Wash out of concrete trucks during rainfall events shall be minimized. The discharge of concrete truck wash out water is prohibited at all times, and the operator shall insure that its BMPs are sufficient to prevent the discharge of concrete truck wash out as the result of rainfall or stormwater runoff.

D. The disposal of wash out water from concrete trucks, made under authorization of this general permit must not cause or contribute to groundwater contamination.

E. If a SWP3 is required to be implemented, the SWP3 shall include concrete wash out areas on the associated site map.

Part VI. Retention of Records

The permittee must retain the following records for a minimum period of three (3) years from the date that a NOT is submitted as required in Part II.F.1 and 2 of this permit. For activities in which an NOT is not required, records shall be retained for a minimum period of three (3) years from the date that the operator terminates coverage under Section II.F.3 of this permit. Records include:

A. A copy of the SWP3;

B. All reports and actions required by this permit, including a copy of the construction site notice;

C. All data used to complete the NOI, if an NOI is required for coverage under this general permit; and

D. All records of submittal of forms submitted to the operator of any MS4 receiving the discharge and to the secondary operator of a large construction site, if applicable.

Part VII. Standard Permit Conditions

A. The permittee has a duty to comply with all permit conditions. Failure to comply with any permit condition is a violation of the permit and statutes under which it was issued (CWA and TWC), and is grounds for enforcement action, for terminating, revoking and reissuance, or modification, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit, based on rules located in TWC §23.086, 30 TAC §305.66 and 40 CFR §122.41 (a).

B. Authorization under this general permit may be modified, suspended, revoked and reissued, terminated or otherwise suspended for cause, based on rules located in TWC §23.086, 30 TAC §305.66 and 40 CFR §122.41(f). Filing a notice of planned changes or anticipated non-compliance by the permittee does not stay any permit condition. The permittee must furnish to the executive director, upon request and within a reasonable time, any information necessary for the executive director to determine whether cause exists for modifying, revoking and reissuing, terminating or, otherwise suspending authorization under this permit, based on rules located in TWC §23.086, 30 TAC §305.66 and 40 CFR §122.41 (h). Additionally, the permittee must provide to the executive director, upon request, copies of all records that the permittee is required to maintain as a condition of this general permit.

C. It is not a defense for a discharger in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with the permit conditions.

D. Inspection and entry shall be allowed under TWC Chapters 26-28, Texas Health and Safety Code §§361.032-361.033 and 361.037, and 40 CFR §122.41(i). The statement in TWC §26.014 that commission entry of a facility shall occur according to an establishment's rules and regulations concerning safety, internal security, and fire protection is not grounds for denial or restriction of entry to any part of the facility or site, but merely describes the commission's duty to observe appropriate rules and regulations during an inspection.

E. The discharger is subject to administrative, civil, and criminal penalties, as applicable, under TWC Chapter 7 for violations including but not limited to the following:

1. negligently or knowingly violating the federal CWA §§301, 302, 306, 307, 308, 318, or 405, or any condition or limitation implementing any sections in a permit issued under CWA §402, or any requirement imposed in a pretreatment program approved under CWA §§402(a)(3) or 402(b)(8);
2. knowingly making any false statement, representation, or certification in any record or other document submitted or required to be maintained under a permit, including monitoring reports or reports of compliance or noncompliance; and
3. knowingly violating CWA §303 and placing another person in imminent danger of death or serious bodily injury.

F. All reports and other information requested by the executive director must be signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

G. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

H. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

I. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems that are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

J. The permittee shall comply with the monitoring and reporting requirements in 40 CFR §122.41(j) and (l), as applicable.

K. Analysis must be performed using sufficiently sensitive methods for analysis that comply with the rules located in 40 CFR §136.1(c) and 40 CFR §122.44(i)(1)(iv).

Part VIII. Fees

A. A fee of must be submitted along with the NOI:

1. $325 if submitting a paper NOI, or
2. $225 if submitting an NOI electronically.

B. Fees are due upon submission of the NOI. An NOI will not be declared administratively complete unless the associated fee has been paid in full.

C. No separate annual fees will be assessed for this general permit. The Water Quality Annual Fee has been incorporated into the NOI fees as described above.

D. Effective September 1, 2018, applicants seeking coverage under an NOI or LREW must submit their application using the online e-Permits system available through the TCEQ website, or request and obtain a waiver from electronic reporting from the TCEQ. Waivers from electronic reporting are not transferrable and expire on the same date as the authorization to discharge.

Appendix A: Automatic Authorization

Periods of Low Erosion Potential by County – Eligible Date Ranges

Andrews: Nov. 15 - Apr. 30

Archer: Dec. 15 - Feb. 14

Armstrong: Nov. 15 - Apr. 30

Bailey: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Baylor: Dec. 15 - Feb. 14

Borden: Nov. 15 - Apr. 30

Brewster: Nov. 15 - Apr. 30

Briscoe: Nov. 15 - Apr. 30

Brown: Dec. 15 - Feb. 14

Callahan: Dec. 15 - Feb. 14

Carson: Nov. 15 - Apr. 30

Castro: Nov. 15 - Apr. 30

Childress: Dec. 15 - Feb. 14

Cochran: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Coke: Dec. 15 - Feb. 14

Coleman: Dec. 15 - Feb. 14

Collingsworth: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

Concho: Dec. 15 - Feb. 14

Cottle: Dec. 15 - Feb. 14

Crane: Nov. 15 - Apr. 30

Crockett: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Crosby: Nov. 15 - Apr. 30

Culberson: Nov. 1 - May 14

Dallam: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Dawson: Nov. 15 - Apr. 30

Deaf Smith: Nov. 15 - Apr. 30

Dickens: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Dimmit: Dec. 15 - Feb. 14

Donley: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

Eastland: Dec. 15 - Feb. 14

Ector: Nov. 15 - Apr. 30

Edwards: Dec. 15 - Feb. 14

El Paso: Jan. 1 - Jul. 14, or May 15 - Jul. 31, or Jun. 1 - Aug. 14, or Jun. 15 - Sept. 14, or Jul. 1 - Oct. 14, or Jul. 15 - Oct. 31, or Aug. 1 - Apr. 30, or Aug. 15 - May 14, or Sept. 1 - May 30, or Oct. 1 - Jun. 14, or Nov. 1 - Jun. 30, or Nov. 15 - Jul. 14

Fisher: Dec. 15 - Feb. 14

Floyd: Nov. 15 - Apr. 30

Foard: Dec. 15 - Feb. 14

Gaines: Nov. 15 - Apr. 30

Garza: Nov. 15 - Apr. 30

Glasscock: Nov. 15 - Apr. 30

Hale: Nov. 15 - Apr. 30

Hall: Feb. 1 - Mar. 30

Hansford: Nov. 15 - Apr. 30

Hardeman: Dec. 15 - Feb. 14

Hartley: Nov. 15 - Apr. 30

Haskell: Dec. 15 - Feb. 14

Hockley: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Howard: Nov. 15 - Apr. 30

Hudspeth: Nov. 1 - May 14

Hutchinson: Nov. 15 - Apr. 30

Irion: Dec. 15 - Feb. 14

Jeff Davis: Nov. 1 - Apr. 30 or Nov. 15 - May 14

Jones: Dec. 15 - Feb. 14

Kent: Nov. 15 - Jan. 14 or Feb. 1 - Mar. 30

Kerr: Dec. 15 - Feb. 14

Kimble: Dec. 15 - Feb. 14

King: Dec. 15 - Feb. 14

Kinney: Dec. 15 - Feb. 14

Knox: Dec. 15 - Feb. 14

Lamb: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Loving: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Lubbock: Nov. 15 - Apr. 30

Lynn: Nov. 15 - Apr. 30

Martin: Nov. 15 - Apr. 30

Mason: Dec. 15 - Feb. 14

Maverick: Dec. 15 - Feb. 14

McCulloch: Dec. 15 - Feb. 14

Menard: Dec. 15 - Feb. 14

Midland: Nov. 15 - Apr. 30

Mitchell: Nov. 15 - Apr. 30

Moore: Nov. 15 - Apr. 30

Motley: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Nolan: Dec. 15 - Feb. 14

Oldham: Nov. 15 - Apr. 30

Parmer: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Pecos: Nov. 15 - Apr. 30

Potter: Nov. 15 - Apr. 30

Presidio: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Randall: Nov. 15 - Apr. 30

Reagan: Nov. 15 - Apr. 30

Real: Dec. 15 - Feb. 14

Reeves: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Runnels: Dec. 15 - Feb. 14

Schleicher: Dec. 15 - Feb. 14

Scurry: Nov. 15 - Apr. 30

Shackelford: Dec. 15 - Feb. 14

Sherman: Nov. 15 - Apr. 30

Stephens: Dec. 15 - Feb. 14

Sterling: Nov. 15 - Apr. 30

Stonewall: Dec. 15 - Feb. 14

Sutton: Dec. 15 - Feb. 14

Swisher: Nov. 15 - Apr. 30

Taylor: Dec. 15 - Feb. 14

Terrell: Nov. 15 - Apr. 30

Terry: Nov. 15 - Apr. 30

Throckmorton: Dec. 15 - Feb. 14

Tom Green: Dec. 15 - Feb. 14

Upton: Nov. 15 - Apr. 30

Uvalde: Dec. 15 - Feb. 14

Val Verde: Nov. 15 - Jan. 14, or Feb. 1 - Mar. 30

Ward: Nov. 1 - Apr. 14, or Nov. 15 - Apr. 30

Wichita: Dec. 15 - Feb. 14

Wilbarger: Dec. 15 - Feb. 14

Winkler: Nov. 1 - Apr. 30, or Nov. 15 - May 14

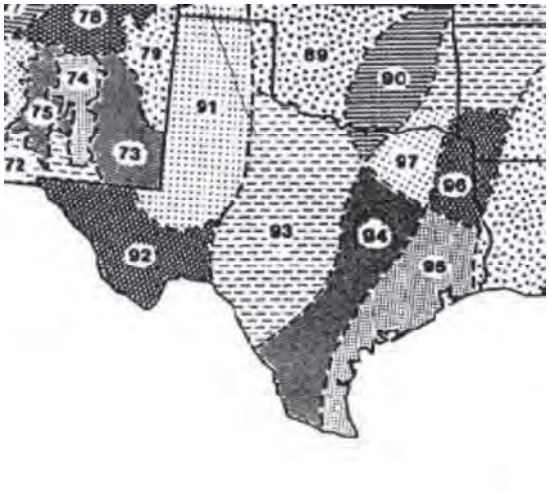
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Young: Dec. 15 - Feb. 14

Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

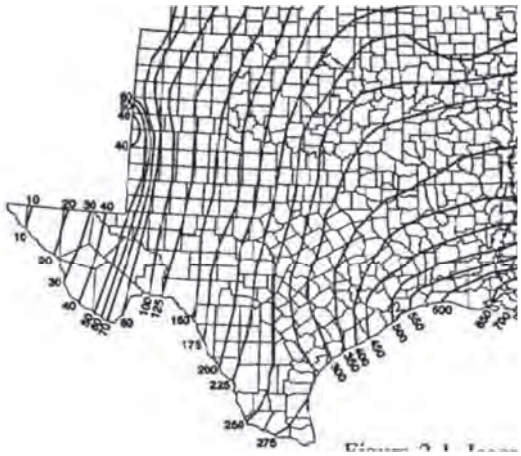
Zavala: Dec. 15 - Feb. 14

Appendix B: Erosivity Index (EI) Zones in Texas



Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix C: Isoerodent Map



Adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix D: Erosivity Indices for EI Zones in Texas

Periods:

EI #	1/1	1/16	1/31	2/15	3/1	3/16	3/31	4/15	4/30	5/15	5/30	6/14	6/29	7/14	7/29	8/13	8/28	9/12	9/27	10/12	10/27	11/11	11/26	12/11	12/31
89	0	1	1	2	3	4	7	2	8	27	38	48	55	62	69	76	83	90	94	97	98	99	100	100	100
90	0	1	2	3	4	6	8	13	21	29	37	46	54	60	65	69	74	81	87	92	95	97	98	99	100
91	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100	100
92	0	0	0	0	1	1	1	2	6	16	29	39	46	53	60	67	74	81	88	95	99	99	100	100	100
93	0	1	1	2	3	4	6	8	13	25	40	49	56	62	67	72	76	80	85	91	97	98	99	99	100
94	0	1	2	4	6	8	10	15	21	29	38	47	53	57	61	65	70	76	83	88	91	94	96	98	100
95	0	1	3	5	7	9	11	14	18	27	35	41	46	51	57	62	68	73	79	84	89	93	96	98	100
96	0	2	4	6	9	12	17	23	30	37	43	49	54	58	62	66	70	74	78	82	86	90	94	97	100
97	0	1	3	5	7	10	14	20	28	37	48	56	61	64	68	72	77	81	86	89	92	95	98	99	100
106	0	3	6	9	13	17	21	27	33	38	44	49	55	61	67	71	75	78	81	84	86	90	94	97	100

* Each period begins on the date listed in the table above and lasts until the day before the following period. The final period begins on December 11 and ends on December 31.

Table adapted from Chapter 2 of USDA Agriculture Handbook 703: "Predicting Soil Erosion by Water: A Guide to Conservation Planning With the Revised Universal Soil Loss Equation (RUSLE)," U.S. Department of Agriculture, Agricultural Research Service

Appendix H
Local Regulations-Rules-Ordinances

Appendix I
Inspection Report

a) Routine SWPPP compliance inspections every seven (7) calendar days without regard to significant rain event
b) Assess and certify non-storm water discharges
c) Directs employees to maintain construction exit, silt fence, rock check dams/berms, etc..
d) Ensure that graded and disturbed areas are temporarily stabilized immediately upon completion of work in that area if area will not be disturbed again within 14 days
e) Verify final site stabilization
f) Directs employees to remove temporary BMPs
g) Photo documents removal of temporary BMPs
h) Completes documentation in the SWPPP
i) Instructs main office when site is ready for filing of Notice of Intent (NOT)
j) Ensures that all documents are provided to main Primary Operator office or archiving for a minimum of three (3) years after NOT submitted

Stormwater Construction Site Inspection Report

General Information			
Project Name			
TPDES Tracking No.		**Location**	
Date of Inspection		**Start/End Time**	
Inspector's Name(s)			
Inspector's Title(s)			
Inspector's Contact Information			
Inspector's Qualifications			
Describe present phase of construction			
Type of Inspection: Regular Pre-storm event During storm event Post-storm event			

Weather Information
Has there been a storm event since the last inspection? Yes No **If yes, provide:** Storm Start Date & Time: Storm Duration (hrs): Approximate Amount of Precipitation (in):
Weather at time of this inspection? Clear Cloudy Rain Sleet Fog Snowing High Winds Other: Temperature:
Have any discharges occurred since the last inspection? Yes No **If yes, describe:**
Are there any discharges at the time of inspection? Yes No **If yes, describe:**

Site-specific BMPs

- *Number the structural and non-structural BMPs identified in your SWPPP on your site map and list them below (add as many BMPs as necessary).*
- *Carry a copy of the numbered site map with you during your inspections. This list will ensure that you are inspecting all required BMPs at your site.*
- *Describe corrective actions initiated, date completed, and note the person that completed the work in the*

Corrective Action Log

	BMP	BMP Installed?	BMP Maintenance Required?	Corrective Action Needed and Notes
1	Stabilized Construction Exits	Yes No	Yes No	
2	Silt Fence	Yes No	Yes No	
3	Combined Staging and Materials Storage Area	Yes No	Yes No	
4	Dumpsters and Sanitary Facilities	Yes No	Yes No	
5	Vegetated Swale	Yes No	Yes No	
6	Sediment Trap	Yes No	Yes No	
7	Topsoil Stockpile	Yes No	Yes No	
8	Storm Drain Inlets	Yes No	Yes No	
9	Concrete Washout Area	Yes No	Yes No	
10		Yes No	Yes No	

Overall Site Issues

- *Below are some general site issues that should be assessed during inspections. Customize this list as needed for conditions at your site.*

	BMP/activity	Implemented?	Maintenance Required?	Corrective Action Needed and Notes
1	Are all slopes and disturbed areas not actively being worked properly stabilized?	Yes No	Yes No	
2	Are natural resource areas (e.g., streams, wetlands, mature trees, etc.) protected with barriers or similar BMPs?	Yes No	Yes No	
3	Are perimeter controls and sediment barriers adequately installed and maintained?	Yes No	Yes No	
4	Are discharge points and receiving waters free of any sediment deposits?	Yes No	Yes No	
5	Are storm drain inlets properly protected?	Yes No	Yes No	
6	Is trash/litter from work areas collected and placed in covered dumpsters?	Yes No	Yes No	
7	Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?	Yes No	Yes No	
8	Are vehicle and equipment fueling, cleaning, and maintenance areas free of spills, leaks, or any other deleterious material?	Yes No	Yes No	
9	Are materials that are potential stormwater contaminants stored inside or under cover?	Yes No	Yes No	
10	Are non-stormwater discharges (e.g., wash water, dewatering) properly controlled?	Yes No	Yes No	

Non-Compliance

Describe any incidents of non-compliance not described above:

CERTIFICATION STATEMENT

Check box if: ☐
No incidents of non-compliance were found, and I certify that this inspection found this site to be fully in compliance with the both the Stormwater Pollution Prevention Plan (SWPPP) and EPA's Construction General Permit (CGP).

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Print name and title: _____

Signature:_____ **Date:**_____

Appendix J
Corrective Action Log

Corrective Action Log

Project Name:
SWPPP Contact:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person

Corrective Action Log

Project Name:
SWPPP Contact:

Inspection Date	Inspector Name(s)	Description of BMP Deficiency	Corrective Action Needed (including planned date/responsible person)	Date Action Taken/Responsible person