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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 14, 2025

Mr. Zachary Elkins
Western Hills Athletic Club
4801 Rollingwood Dr.
Rollingwood, TX 78746-5669

Re: Modification of an Approved Water Pollution Abatement Plan (WPAP-MOD)
Western Hills Athletic Club; Located at 4801 Rollingwood Dr.; Rollingwood, Travis
County, Texas
Edwards Aquifer Protection Program ID: 11004292; Regulated Entity No. RN106890072

Dear Mr. Elkins:

The Texas Commission on Environmental Quality (TCEQ) has completed its review on the application for the above-referenced project submitted to the Edwards Aquifer Protection Program (EAPP) by MWM Design Group on behalf of the applicant, Western Hills Athletic Club, on December 31, 2024. Final review of the application was completed after additional material was received on March 10, 2025.

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

This approval expires two years from the date of this letter, unless, prior to the expiration date, more than 10 percent of the construction has commenced on the project or an extension of time has been officially requested. This approval or extension will expire, and no extension will be granted if more than 50 percent of the project has not been completed within ten years from the date of this letter.

The applicant or a person affected may file with the chief clerk a motion for reconsideration of the executive director's final action on this Edwards Aquifer protection plan. A motion for reconsideration must be filed in accordance with 30 TAC §50.139.

BACKGROUND

The Western Hills Athletic Club Exception to the Requirements of a WPAP (WPAP-EXP), approved by letter dated November 8, 2013 (EAPP ID No. 11-13082702), included the construction of recreational facilities, vegetative filter strips, and a rainwater harvesting system. A WPAP-EXP approved by letter dated March 10, 2015 (EAPP ID No. 11-15012901), included the construction of a bioretention basin to replace the originally approved BMPs and provide treatment for the approved 1.30 acres of IC. A survey conducted after the construction of all proposed improvements demonstrated that a total of 1.22 acres of IC were onsite.

PROJECT DESCRIPTION

The proposed non-residential project will have an area of approximately 3.21 acres. The modification will include demolition, the construction of two additional tennis courts, refurbishment of the two existing tennis courts, associated sidewalks, and a bioretention basin. The IC will be increased by 0.29 acres for a total of 1.51 acres (47 percent). No wastewater will be generated by this project.

PERMANENT POLLUTION ABATEMENT MEASURES

To prevent the pollution of stormwater runoff originating on-site or upgradient of the site and potentially flowing across and off the site after construction, a bioretention basin, designed using the TCEQ technical guidance, *RG-348, Complying with the Edwards Aquifer Rules: Technical Guidance on Best Management Practices*, will be constructed to treat stormwater runoff. The required total suspended solids (TSS) treatment for this project is 252 pounds of TSS generated from the additional 0.29 acres of impervious cover. The proposed permanent BMPs and measures meet the required 80 percent removal of the increased load in TSS caused by the project.

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

GEOLOGY

According to the Geologic Assessment (GA) included with the application, the surficial unit of the site is Georgetown Formation. No sensitive geologic features were identified in the GA. The site assessment revealed the site to be generally as described by the GA.

SPECIAL CONDITIONS

- I. This modification is subject to all the special and standard conditions listed in the approval letters dated November 8, 2013 (EAPP ID No. 11-13082702), and March 10, 2015 (EAPP ID No. 11-15012901).

STANDARD CONDITIONS

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

Prior to Commencement of Construction:

3. Within 60 days of receiving written approval of an Edwards Aquifer protection plan, the plan holder must submit to the EAPP proof of recordation of notice in the county deed records, with the volume and page number(s) of the county record. A description of the property boundaries shall be included in the deed recordation in the county deed records. TCEQ form, Deed Recordation Affidavit (TCEQ-0625), may be used.
4. The plan holder of any approved Edwards Aquifer protection plan must notify the EAPP and obtain approval from the executive director prior to initiating any modification to the activities described in the referenced application following the date of the approval.
5. The plan holder must provide written notification of intent to commence construction, replacement, or rehabilitation of the referenced project. Notification must be submitted to the EAPP no later than 48 hours prior to commencement of the regulated activity.

Notification must include the date on which the regulated activity will commence, the name of the approved plan and program ID number for the regulated activity, and the name of the prime contractor with the name and telephone number of the contact person.

6. Temporary erosion and sedimentation (E&S) controls as described in the referenced application, must be installed prior to construction, and maintained during construction. Temporary E&S controls may be removed when vegetation is established, and the construction area is stabilized. The TCEQ may monitor stormwater discharges from the site to evaluate the adequacy of temporary E&S control measures. Additional controls may be necessary if excessive solids are being discharged from the site.
7. All borings with depths greater than or equal to 20 feet must be plugged with non-shrink grout from the bottom of the hole to within three (3) feet of the surface. The remainder of the hole must be backfilled with cuttings from the boring or gravel. All borings less than 20 feet must be backfilled with cuttings from the boring. All borings must be backfilled or plugged within four (4) days of completion of the drilling operation.

During Construction:

8. This approval does not authorize the installation of temporary or permanent aboveground storage tanks on this project that will have a total storage capacity of 500 gallons or more of static hydrocarbons or hazardous substances without prior approval of an Aboveground Storage Tank facility application.
9. If any sensitive feature is encountered during construction, replacement, or rehabilitation on this project, all regulated activities must be **immediately** suspended near it and notification must be made to TCEQ EAPP staff. Temporary BMPs must be installed and maintained to protect the feature from pollution and contamination. Regulated activities near the feature may not proceed until the executive director has reviewed and approved the methods proposed to protect the feature and the aquifer from potentially adverse impacts to water quality.
10. All water wells, including injection, dewatering, and monitoring wells shall be identified in the geologic assessment and must be in compliance with the requirements of the Texas Department of Licensing and Regulation 16 TAC Chapter §76 and all other locally applicable rules, as appropriate.
11. If sediment escapes the construction site, the sediment must be removed at a frequency sufficient to minimize offsite impacts to water quality (e.g., fugitive sediment in street being washed into surface streams or sensitive features by the next rain). Sediment must be removed from sediment traps or sedimentation ponds not later than when design capacity has been reduced by 50 percent. Litter, construction debris, and construction chemicals shall be prevented from becoming stormwater discharge pollutants.
12. Intentional discharges of sediment laden water are not allowed. If dewatering becomes necessary, the discharge must be filtered through appropriately selected BMPs.
13. The following records shall be maintained and made available to the executive director upon request: the dates when major grading activities occur, the dates when construction activities temporarily or permanently cease on a portion of the site, and the dates when stabilization measures are initiated.
14. Stabilization measures shall be initiated as soon as practicable in portions of the site where construction activities have temporarily or permanently ceased, and construction activities will not resume within 21 days. When the initiation of stabilization measures by the 14th day is precluded by weather conditions, stabilization measures shall be initiated as soon as practicable.

After Completion of Construction:

15. Owners of permanent BMPs and temporary measures must ensure that the BMPs and measures are constructed and function as designed. A Texas licensed PE **must certify** in

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writing that the permanent BMPs or measures were constructed as designed. The certification letter must be submitted to the EAPP within 30 days of site completion.

16. The applicant shall be responsible for maintaining the permanent BMPs after construction until such time as the maintenance obligation is either assumed in writing by another entity having ownership or control of the property or the ownership of the property is transferred to the entity. A copy of the transfer of responsibility must be filed with the executive director through the EAPP within 30 days of the transfer. TCEQ form, Change in Responsibility for Maintenance on Permanent BMPs and Measures (TCEQ-10263), may be used.

The holder of the approved Edwards Aquifer protection plan is responsible for compliance with Chapter §213 and any condition of the approved plan through all phases of plan implementation. Failure to comply with any condition within this approval letter is a violation of Chapter §213 and is subject to administrative rule or orders and penalties as provided under §213.10 of this title (relating to Enforcement). Such violations may also be subject to civil penalties and injunction. Upon legal transfer of this property, the new owner is required to comply with all terms of the approved Edwards Aquifer protection plan.

This action is taken as delegated by the executive director of the Texas Commission on Environmental Quality. If you have any questions or require additional information, please contact Ms. Miki Chilarescu of the Edwards Aquifer Protection Program at 512-239-6175 or the regional office at 512-339-2929.

Sincerely,

Monica Reyes

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

MR/mec

cc: Mr. Tomas Rodriguez, P.E. - MWM Design Group