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March 9, 2018

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Les Whitman, Registered Agent
S.J. Louis Construction of Texas, Ltd.
520 6th Avenue South
Mansfield, Texas 76063

RE: Notice of intent to file Citizens suit, TCEQ Construction General Permit Number TXR 15ZN70, Project/Site # RN107142739, Operator CN602548919 S.J. Louis Construction of Texas, LTD

Gentlemen:

Justin Jinright, Cameron Parker, and Michael McChesney (LANDOWNERS) give notice to the addressed persons of their intent to file suit pursuant to Section 505 of the Federal Water Pollution Control Act ("Clean Water Act," "CWA," or "Act"), 33 U.S.C. § 1365(a), for violations of the Act specified below. This letter constitutes notice pursuant to 40 C.F.R., part 135 to the addressed persons of LANDOWNERS's intention to file suit in the United States District Court of the Eastern District of Texas, seeking appropriate equitable relief, civil penalties, and other relief no earlier than 60 days from the postmark date of this Notice letter.

Incorporated and made part of this notice letter herein is the report of Thomas W. Schneider, CPESC, attached as Exhibit 1. The report gives a detailed analysis of the relevant data, findings and requirements associated with the construction activity that S.J. Louis was contracted by the North Texas Municipal Water District (NTMWD) to perform on the property associated with the North McKinney Pipeline Phase I and II, Project number 210, ("Project"), a project based primarily in Collin County Texas. S.J. Louis applied for and obtained permit coverage under TPDES Construction General Permit on March 5, 2014, permit number TXR15ZN70. As part of and incorporated with the TCEQ Construction General Permit, S.J. Louis developed a Storm Water Pollution Prevention Plan (SWPPP) for implementation. NTMWD is listed in the SWPPP as the Operator with control over construction plans and specifications. S.J. Louis is listed as the entity with day to day operational control of the project. Both of these entities are "Primary Operators" for this and other reasons outlined in Mr. Schneider's report, and as such are coequally bound to comply with the requirements of the TCEQ CGP and the SWPPP. The construction on this project required the disturbance of approximately 48 acres of soil, and construction on the specific plot at issue began in the Spring of 2014. Construction activity was to have ceased on the subject property on or about September 15, 2014; however, large machinery traversed the permanent and temporary easement path well into August of 2015. Although construction activity on the project has ceased for over 3 years on the subject property and the project as a whole for some time (the entire project was completed on or about September 1, 2015), the permit is still open.

Clean Water Act Violations Summary

The compliance efforts associated with the Clean Water Act (CWA) and specifically the National Pollutant Discharge Elimination System (NPDES) and TPDES Construction General Permit are inadequate in fulfilling the regulatory requirement and any meaningful reduction of the ongoing discharge of pollutants into Sloan Creek. S. J. Louis failed to implement the SWPPP they developed, and NTMWD failed to ensure that S.J. Louis stabilized the disturbed soil upon completion of the construction activity. They failed to follow the tree protection plan in the SWPPP. They also failed to implement basic erosion and sediment control measures that would have prevented pollutants from entering Sloan Creek. With regard to the construction activity on the Jinright property, the actions of S.J. Louis and NTMWD would be a good case study on how not to conduct a construction site when trying to prevent the discharge of pollutants and return the property to its original condition. Further, the NTMWD and S.J. Louis have engaged in these activities in conscious indifference to the permitting and SWPPP requirements, which calls into serious question NTMWD's and S.J. Louis' ability to competently and faithfully implement the permitting and SWPPP requirements on any project they have constructed.

Lack of any inspections

An integral part of the implementation of The SWPPP is that S.J. Louis was to provide personnel to perform the GCP required inspections per the schedule listed in the SWPPP. The SWPPP inspection schedule (Part 4.1 of the SWPPP) requires inspection to be performed every fourteen (14) calendar days and within 24 hours after a rainfall of 0.5 inches or greater. This section of the SWPPP also requires the inspection reports be kept in the SWPPP. The SWPPP provided did not contain any inspection forms or reports in Appendix "N", the location the table of contents listed for completed inspection reports. The failure to complete inspection reports per the schedule in the SWPPP would be a violation of the permit conditions. Inspections are required to be completed until the Notice of Termination (NOT) is filed, by the permittee, with the TCEQ. A review of the TCEQ data base shows the S.J. Louis permit TXR15ZN70 is still an open and active as of February 12, 2018. The lack of following inspection protocol is in violation of the CGP III.F.7. Had proper inspections been scheduled and performed, the problems further outlined below could have been prevented, addressed, and/or corrected, including the lack of stabilization, the lack of structural controls, the lack of topsoil preservation, and the failure to abide by the tree protection plan.

Lack of Stabilization

The CGP requires that the SWPPP include the methods that will be utilized to achieve temporary stabilization on the project. The methods listed in The SWPPP were not initiated or completed on the construction site. Part 2.2.1 of The SWPPP called for the following;

Where land disturbance is necessary, one of the following methods of soil stabilization will be utilized:
- *Temporary seeding*
- *Permanent seeding*

- *Mulching*
- *Sod stabilization*
- *Geotextiles I erosion control matting*
- *Gabion Mattresses*

In addition, CGP III. F.2(b)(iii) provides the timeframe for which soil stabilization measures must be implemented, either temporary or permanent, prior to the termination of permit coverage. To date no stabilization measures have been implemented that provide, a protective cover on the Jinright property.

Lack of Structural Controls

Among other requirements, the CGP in section II.E.3(a) states that Operators must "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 an operator and implement that plan prior to commencing construction activities."

The design of the structural controls shown on plan sheet PL-14, in Section D of the SWPPP raise concern as to the effectiveness of the design itself. From station 157+00 to station 159+31.29, the contour shown on the plans indicate the storm water runoff from the construction area will drain to the area around station 159+31 and form a small pool. When the pool is full it would have directly discharged into Sloan Creek, a WOTUS, which is in direct contravention to the requirements of the CGP. Photos which show pooling of the water on the subject property abutting Sloan Creek are attached as Exhibits 2-4. The Construction plans do not indicate, nor has there ever been, placement of a structural control between the construction area disturbance and Sloan Creek. The CGP requires *"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." (See CGP Attachment "A" page 30).*

Rather, and to further exacerbate the inadequate design, S.J. Louis, with knowledge of the NTMWD, simply dug a trench to empty the water directly into Sloan Creek, as shown in the photo, attached as Exhibits 5-6. Attached as Exhibit 7 (obtained through court ordered discovery) are the notes of Jeff Hogan, project manager for NTMWD. He describes a meeting with the property owner and project supervisor for S.J. Louis on or about September 12, 2014 wherein several concerns regarding the subject property were discussed, including observing the trench. The construction of this trench, which allowed construction debris to flow directly into Sloan Creek, was never documented in any of the appendices as required by the SWPPP, in violation of Part III Section E, and the Construction of the trench itself is violative of Part III: *"The 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"*. Part III Section F 7(d) requires the SWPPP to be modified based on the results of the inspection. The failure to modify the SWPPP and install controls that would prevent the discharge of pollutants from the construction site directly into WOTUS is another failure to implement the SWPPP and a failure to meet CGP requirements. Part 4.6 of The SWPPP requires modifications to the SWPPP be recorded on revision log in Appendix "L". The review of

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Appendix "L" show that no revisions have been recorded on the form. The SWPPP also showed no annotation in Appendix "M" Construction Activities Record.

The trench has subsequently been graded over by NTMWD and S.J. Louis— how this was done is unclear because no documentation of the process (or of the trench itself) exists. As further described in Tom Schneider's report (and as evidenced by the google map photos of the property and description therein), to date there are no structural controls, or any soil stabilization measures as required by the TPDES permit and SWPPP. The lack of any implemented stabilization measures constitutes an ongoing violation of Part III Section F2(b) and Part III Section G 2 of the TPDES CGP.

Lack of topsoil preservation

TCEQ CGP part III Section G.1(g) has a minimum requirement to preserve topsoil. TCEQ CGP Part III Section G.1.(h)(2) also has minimum requirement for soil conditioning.

Under G3, general notes in the SWPPP, D3 provides:

"D3. The top 12 inches of trench backfill material shall be native topsoil or have a gradation similar to existing ground adjacent to the trench. Maximum rock quantity and size within the 12 inch top layer shall not exceed that of the surrounding topsoil."

This requirement in the general notes, which are part of the plan ensures that there is sufficient topsoil, with its attendant nutrients that are vital to regeneration and to support the new native growth sufficient to establish a sustainable groundcover. This was not done in the disturbed soil path. Instead, rich soil was placed directly over the top of the pipeline, and then covered with approximately 24 inches of rock trench soil backfill (as shown in the photo attached as Exhibit 17) and compacted sufficiently to establish a road that would support the weight of the heavy machinery as they traversed the subject property to access other parts of the easement, leaving road and construction debris that were then deposited directly into Sloan Creek due to the construction activity and lack of structural controls.

Trees

Over 700 trees existed on the subject property prior to pipeline construction. A total of 373 trees were slated for removal in accordance with the engineer's specifications. The tree protection plan is vital to the prevention of erosion and the discharge of pollutants from the construction site. Appendix D of the SWPPP contains the erosion control plan and outlines the structural protections on or near the easement path for the existing trees that were not to be removed. As shown in photographs attached as Exhibits 8-14, the structural plan was ignored. Orange plastic barrier, not chain-link fencing per TP-33, was placed around the base of some trees on the property, not the dripline as required by the SWPPP plan. As a result of NTMWD's and SJ Louis' failure to abide by the plan that they created, many large trees that were set to remain on the property and contribute to the stabilization of the soil were badly damaged due to heavy

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equipment damage and root compaction, among other things. Further, the general construction notes, incorporated in the SWPPP, state:

F4. Contractor shall not damage existing trees larger than 8-inches in diameter (measured 4 ft. above the existing grade) that are outside of the permanent easement, the contractor must obtain approval from the owner before any trees outside of the permanent easement can be removed or trimmed.";

F5. Contractor shall replace any trees removed or destroyed without the Owner's permission or shall pay the fair market value (as determined by the owner) to the Owner.

Exhibit 15 contains a list of the specific tree tag numbers of the preserve and preserve/protect trees that were not slated for removal, and whose designation corresponds to the tree tag numbers provided in the Tree Plan Index in Appendix D of the SWPPP. Exhibit 15 delineates two separate categories of trees: those that were damaged during construction not slated for removal, and those Preserve/Protect trees that were actually removed but not slated removal. As referenced throughout this letter and in the report of Tom Schneider, no documentation regarding the necessity of removal or damaging any of these trees exists (violative of Part III Section E), nor have there been any efforts to replace those trees damaged or removed pursuant to the requirements of F4 and F5.

When questioned under oath regarding the significance of the SWPPP requirements, specifically as to the necessity of following their own plans, Peter Stahl, corporate representative for S.J. Louis, stated the following:

Q. Based on these plans [referring to the SWPPP tree protection plan], would you agree that it is a requirement that the chain link fence be installed?
A. (Peter Stahl). I would say it's a detail.

According to the corporate rep for S.J. Louis, the context of the attached deposition testimony, Exhibit 16, clearly indicates that S.J. Louis considers the SWPPP as simply a set of guidelines, rather than requirements. The District and S.J. Louis' conscious indifference to the SWPPP requirements, and the "beg for forgiveness rather than ask for permission" attitude warrants a closer look of not only the intentional acts on the subject property, but on this project and on other projects as a whole.

Failure to timely modify and update the SWPP

Part 4.6 of The SWPPP requires modifications to the SWPPP be recorded on revision log in Appendix "L". The review of Appendix "L" show that no revisions have been recorded on the form. The SWPPP also showed no annotation in Appendix "M" Construction Activities Record.

These violations are ongoing and continuous, or capable of repetition, and barring full compliance with the permitting requirements of the Clean Water Act, these violations are likely to continue indefinitely. NTMWD is liable for the above-described violations occurring prior to the date of this letter, and for every day that these violations continue. Pursuant to Section 309(d) of the Clean Water Act, 33 U.S.C. § 1319(d), and the Adjustment of Civil Monetary Penalties for Inflation, 40 C.F.R. §§19.2, 19.4, each separate violation of the Act subjects NTMWD to a penalty up to $27,500 per day for each violation that occurred after April 1, 2014. LANDOWNERS will seek the full penalties allowed by law. In addition to civil penalties, LANDOWNERS will seek declaratory relief and injunctive relief to prevent further violations of the Clean Water Act pursuant to Sections 505(a) and (d), 33 U.S.C. § 1365(a) and (d), and such other relief as permitted by law. LANDOWNERS will seek an order from the Court requiring NTMWD to correct all identified violations through direct implementation of control measures and demonstration of full regulatory compliance. Lastly, pursuant to Section 505(d) of the Act, 33 U.S.C. § 1365(d), LANDOWNERS will seek recovery of costs and fees associated with matter.

CONCLUSION

During the notice period of 60 days under the Clean Water Act, LANDOWNERS are willing to discuss effective remedies for the violations noted in this letter that may avoid the necessity of litigation. If you wish to pursue such discussions, please have your attorney contact LANDOWNERS within the next 20 days so that negotiations may be completed before the end of the notice period. We do not intend to delay the filing of a complaint in federal court if discussions are continuing at the conclusion of the notice period.

Sincerely yours,

J. David Caldwell, Jr.

JDC/mpm
Enclosures

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Stormwater Construction General Permit (TXR150000) Compliance Assessment

This report comprises a general discussion of the of the relevant data, findings and requirements associated with the construction activity that S.J Louis was contracted by North Texas Municipal Water District (NTMWD) to perform on the property associated with the North McKinney Pipeline Phase I and II Project No. 210, (hereafter the "Project"). The report will focus on the requirements of the Texas Pollution Discharge Elimination System (TPDES) requirements, S.J Louis's Stormwater Pollution Prevention Plan (SWPPP) and if S.J. Louis or NTMWD failed to meet the requirements of either or both. The report will also include the estimated cost of bring the property back to its original condition.

I. Introduction:

This assessment is based on information provided through court ordered discovery together with information provided by Mr. Justin Jinright, who is one of the owners of the property. I have also reviewed reports provided by arborist Rick Zampino, the Texas Commission on Environmental Quality (TCEQ) online database and have additionally made site visits to the property in question.

II. Overview of Compliance Findings:

The compliance efforts associated with the Clean Water Act (CWA) and specifically the National Pollutant Discharge Elimination System (NPDES) and TPDES Construction General Permit are found to be inadequate in fulfilling the regulatory requirement and any meaningful reduction of the discharge of pollutants into Sloan Creek. S. J. Louis and NTMWD failed to implement the SWPPP developed by them. They failed to stabilize the disturbed soil upon completion of the construction activity. They failed to follow the tree protection plan in the SWPPP. They also failed to implement basic erosion and sediment control measures that would have prevented pollutants from entering Sloan Creek. With regard to the construction activity on the Jinright property, the actions of S.J. Louis and NTMWD would be a good case study on how not to conduct a construction site when trying to prevent the discharge of pollutants, and return the property to its original condition.

PENGAD 800-631-6989

EXHIBIT

1

III. Background on Clean Water Act (CWA)

HISTORY BEHIND TPDES PERMITTING

The Clean Water Act (CWA) is the primary federal law in the United States governing water pollution. Its objective is to restore and maintain the chemical, physical and biological integrity of the nation's waters by preventing point and nonpoint pollution sources, providing assistance to publicly owned treatment works for the improvement of wastewater treatment, and maintaining the integrity of wetlands. It is one of the United States' first and most influential modern environmental laws. As with many other major U.S. federal environmental statutes, it is administered by the U.S. Environmental Protection Agency (EPA) in coordination with state governments. Its implementing regulations are codified at 40 C.F.R. Subchapters D, N and O (Parts 100-140, 401-471, and 501-503).

Early Legislation: During the 1880s and 1890s, Congress directed USACE to prevent dumping and filling in the nation's harbors, and the program was vigorously enforced. Congress first addressed water pollution issues in the Rivers and Harbors Act of 1899 giving the Corps the authority to regulate most kinds of obstructions to navigation, including hazards resulting from effluents. Some sections of the 1899 act have been superseded by various amendments, including the 1972 CWA.

Technically, the name of the law is the Federal Water Pollution Control Act. The first FWPCA was enacted in 1948, but took on its modern form when completely rewritten in 1972 in an act entitled the Federal Water Pollution Control Act Amendments of 1972. Major changes have subsequently been introduced via amendatory legislation including the Clean Water Act of 1977 and the Water Quality Act of 1987.

All waters with a "significant nexus" to "navigable waters" are covered under the CWA; however, the phrase "significant nexus" remains open to judicial interpretation and considerable controversy. The 1972 statute frequently uses the term "navigable waters," but also defines the term as "waters of the United States, including the territorial seas." Some regulations interpreting the 1972 law have included water features such as intermittent streams, playa lakes, prairie potholes, sloughs and wetlands as "waters of the United States." In the 2006 case Rapanos v. United States, a plurality of the Supreme Court held that the term "waters of the United States":

> *...includes only those relatively permanent, standing or continuously flowing bodies of water "forming geographic features" that are described in ordinary parlance as "streams[,] ... oceans, rivers, [and] lakes.*

Waters protected under the CWA are required to have Discharge permits. Section 301 of the CWA prohibits discharges to waters of the U.S. except with a permit.

State Law Permitting Rule: Texas Water Code (TWC) §26.121 makes it unlawful to discharge pollutants into or adjacent to water in the state except as authorized by a rule, permit, or order issued by the commission. TWC §26.027 authorizes the commission to issue permits and amendments to permits for the discharge of waste or pollutants into or adjacent to water in the state. TWC §26.040 provides the

commission with the authority to amend or adopt, as necessary to implement this section, rules adopted under TWC §26.040, and to authorize waste discharges by general permit. On September 14, 1998, the TCEQ received authority from the United States Environmental Protection Agency (EPA) to administer the National Pollutant Discharge Elimination System (NPDES) program. The approved state program is known as the Texas Pollutant Discharge Elimination System (TPDES) program. The TCEQ and the EPA have signed a Memorandum of Agreement, which establishes policies, responsibilities, and procedures for program commitments between TCEQ and EPA Region 6 for the assumption of the NPDES program by the TCEQ.

The Construction General Permit TXR150000 (CGP) regulates construction sites according to the area of land disturbed.

- Large construction activities are defined as disturbances of 5 or more acres, or are part of a larger common plan of development that will disturb 5 or more acres;
- Small construction activities are defined as disturbances at least 1 but less than 5 acres or are part of a larger common plan of development that will disturb at least 1, but less than 5 acres.
- Construction activities that disturb less than 1 acre and are *not* part of a larger common plan of development that would disturb 1 or more acres, are not required to obtain TPDES CGP coverage.

Enforcement: Under section 309, the EPA can issue administrative orders against violators, and seek civil or criminal penalties when necessary. (See: Statute: 33 U.S.C. 1319(1) & (2))

- Direct Discharge to Waters of the US or wetlands: If a person negligently or knowingly discharges a pollutant from a point source into a water of the US without a NPDES or 404 Permit (obtained from the U.S. Corps of engineers for dredge and fill and/or construction within the boundaries of waters of the U.S.) or in violation of a permit can be subject to criminal and/or civil fines as follows:
- Negligent violations: 1 year and/or $2,500-25,000 per day; subsequent convictions are 2 years and/or $50,000 per day.
- Knowing violations: 3 years and/or $5,000 and/or $5,000 - $50,000 per day.
- CWA False Statements (See: 33 USC 1319(4): If a person knowingly makes a false statement, representation or certification statement/representation/certification that was material in any document filed or required to be maintained under the CWA, the penalty is 2 years and/or $10,000; subsequent convictions include 4 years and/or $20,000 per day.
- Rivers and Harbors Act of 1899 (See 33 USC 401): If a person or corporation builds, excavates, fills, alters the course, condition or capacity of any traditionally navigable water of the US without a permit, the penalty for misdemeanor level offenses include up to 1 year imprisonment and/or fines of up to $100,000 for individuals and $200,000 for corporations. (See: Alternative Fines Act 18 USC 3571). Violations of section 407/411 have mandatory minimum imprisonment of 30 days and a fine of $500.00. Violations of section 403/406 have a mandatory minimum fine of $500.00.

Current search (May 6, 2017) of the EPA's Enforcement and Compliance History Online (ECHO) shows the following:

- Of a total of 29,276 permitted facilities in Region VI, there are 4,346 facilities with current violations; 795 facilities have facilities with current significant violations; 8,552 facilities have

violations within the past 3 years; 2,082 facilities have formal enforcement violations in the past 5 years; and 5,809 facilities have had information enforcement actions within the last 5 years.

- Based on the EPA's enforcement Notes on Section 505 Citizen Suits dated February 3, 1986, "The majority of CWA enforcement cases resulting in new case law are now citizen suits." (See: https://www.epa.gov/enforcement/notes-section-505-cwa-citizen-suits-dated-february-3-1986 If 505 Citizen suits were prevalent as early as 1986, it would stand to reason that many more citizens and citizen groups are becoming aware of their ability to affect the outcome of water compliance.

Citizen Suits: Any U.S. citizen may file a citizen suit against any person who has allegedly violated an effluent limitation regulation or against the EPA Administrator if the EPA Administrator failed to perform any non-discretionary act or duty required by the CWA.

IV. Findings

A. North McKinney Pipeline Phase I and II Project NO. 210

The Project is located within the NTMWD easement in Collin County. The project begins in Allen, Texas then heads east through Lucas, Texas. Once the project leaves Lucas it heads north through Fairview, Texas and ends in McKinney, Texas. The project consisted of the installation of approximately 38, 096 linear feet of water pipe. Size and quantity of the pipe are as follows: 60" 6.5 miles (34,320 LF), 36" 3500 LF, 24" 650 LF and 12" 4500 LF. The construction of this project would require the disturbance of approximately 48 acres of soil.

(See Attachment "B" section 1.2 &1.6)

The TPDES program and specifically the TCEQ Construction General Permit (CGP) requires that construction projects that cause earth disturbance in excess of one (1) acre be permitted. There are two categories of construction projects referred to in the CGP, small construction and large construction. Small construction projects are construction projects that will disturb more than one (1) acre of soil but less than five (5) acres. Large construction projects are projects that either disturb more than five (5) acres or disturb less than five (5) acre but are part of a larger common plan of development. The main difference in the two categories is the way in which an operator obtains permit coverage. Small construction projects are required to develop an SWPPP and post a Small Construction Site Notice (SCSN) at the site. For large construction projects, the operator is required to develop an SWPPP and complete a Notice Of Intent (NOI) and submit the NOI to the TCEQ and pay a permit fee. Once the NOI is filed with the TCEQ and the permit fee is paid, the TCEQ will then issue a permit number to the operator. All CGP numbers begin with TXR15.

The TCEQ provides a flow chart on page five (5) of the CGP that assists in determining if a project needs to apply for coverage. The flow chart asks the user to make to the proper determination. The first question asks: are the earth disturbing activities associated with the

project of a size in access of the minimum permit requirements? If a project will disturb over one (1) acre, the next action is to determine if the entity meets the definition of operator. If the answer is yes, then a permit is required. After this determination is made the remainder of the flow chart is used to determine if the project is a large or small construction project and the operators associated with the project that will need permit coverage.

(See Attachment "A" page 5)

A review of the SWPPP and the construction plans contain in section "D" of the SWPPP shows that the project exceeded the five (5) acre threshold and would require a permit. The next step is to determine the operators associated with the project. It is important to remember the CGP permitting program is not only project specific, but also entity specific. If an entity meets the definition of operator for a construction site of the size that requires CGP coverage, then that operator must permit. If there is more than one entity that meets the definition, each of the entities are required to permit and each entity will receive separate permit coverage. The CGP program does not allow any operator to work under another operator's permit. This is something that is somewhat unique to the TPDES CGP program. Part III Section A "*Operators must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.*"

(see Attachment "A" Section A page 24)

B. North Texas Municipal Water District findings

NTMWD was the entity that had on-site operational control over construction plans and specifications, including the ability to make modifications to those plans and specifications for the Project.

While researching the NTMWD website I found the website only contained past board meeting agendas and minutes going back to October 2015. An internet query for documents relating to this project was performed that produced 198,000 results. Most of the results directed the searcher to pdf documents. Many of the pdf documents were blank pages that "failed to load properly". I was able to find, however, a copy of the November 21, 2013 NTMWD board agenda. The NTMWD Board of Directors Meeting agenda dated November 21, 2013 clearly shows that NTMWD was the entity paying Freese and Nichols to develop the construction plans and specifications for the Project. Consent agenda item No. 13-11-07 authorized additional engineering services for the Project. I contacted Mr. Scott Maughn, who works for Freese and Nichols, and confirmed that he was the engineer that affixed his stamp to the construction plans for the North McKinney Pipeline Phase I and II project No. 210. Mr. Maughn also confirmed that NTMWD did pay Freese and Nichols to develop the construction plans and specification for the Project.

Change Order No. 1 and No. 3, provided through court ordered discovery, further confirm that NTMWD was in charge of the construction plans and specifications and did maintain the ability to initiate changes to the construction plans and specifications for the Project.

The Stormwater Pollution Prevention Plan (SWPPP) prepared by S.J. Louis (1.5 section B:1.) listed NTMWD as the Operator with control over construction plans and specifications.

(see S.J Louis SWPPP attachment "B")

(see North Texas Municipal Water District Board of Directors Meeting Consent agenda Item 'G" in attachment "D")

(see Change orders #1 & #3 attachment "E")

A review of the CGP requirements clearly indicate NTMWD does meet the definition of operator as contained in the CGP and therefore is (or was) required to seek coverage for this construction project either under the CGP or seek coverage under an alternative individual TPDES permit according to 30 TAC §305.

TCEQ CGP definitions:

*"**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 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)."

The Small Business and Environmental Assistance Division developed a guidance document that further explains the definitions of operators contained in the CGP. The guidance document is titled *Primary and Secondary Operator under the Construction General Permit for Stormwater Discharges* (TXR150000) or also known as form "RG-468". The purpose of the document is described as: *"This document is intended to help individuals, businesses, and governments determine if they are a primary or a secondary operator under the construction stormwater general permit. It also discusses who must submit a Notice of Intent (NOI) and an operator's responsibility towards compliance with the permit and the Stormwater Pollution Prevention Plan (SWP3). This guide is not intended to replace the rules but merely a tool to assist with compliance."* The information and guidance contained in RG-468 also clearly shows NTMWD meets the definition of operator for this project and therefore is/was required to permit.

(see Attachment "C")

Part II Section E.3(b) of the CGP requires all operators associated with a construction site that will disturb over 5 acres file a Notice of Intent (NOI) 7 days prior to

commencing construction activities. Part II Section H 1. of the CGP allows the operator to seek coverage for stormwater discharge associated with construction activity to be covered under an individual permit. This provision of the CGP also requires that if the operator chooses to utilize this alternative permit path, the application must be submitted at least three hundred and thirty (330) days prior to commencement of construction activities.

(see CGP attachment "A" page 17 & 23)

With the information provided to me and alternate research performed, it is my conclusion that NTMWD does/did meet the definition of operator and the construction project does/did indeed disturb over five (5) acres, therefore NTMWD is/was required to seek permit coverage. After reviewing the TCEQ permit database I found no permits issued for this project in the name of NTMWD. The date construction began is not known but it is assumed to be around March 5, 2014.

C. S.J. Louis

S.J. Louis was the entity with day-to-day operational control of those activities at a construction site necessary to ensure compliance with a Storm Water Pollution Prevention Plan (SWPPP) 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).

S.J. Louis did develop an SWPPP and obtain permit coverage for this construction project under the TPDES CGP. On page 5 of the CGP, the previously-mentioned flow chart provides the steps to be implemented once an entity determines permit coverage is required.

1. Prepare and Implement SWPPP
2. Submit NOI to TCEQ
3. Post Site Notice
4. Submit Copy of NOI to MS4 Operator

(MS4 is an acronym which refers to Municipal Separate Storm Sewer System the definition of MS4 is included in the CGP in attachment "A" page 9)

(See S.J Louis SWPPP attachment "B")

Although the information provided does not give the actual date that construction began on this project, S.J. Louis did apply for and obtain permit coverage under the TPDES CGP on March 5, 2014. A permit was issued on this date under permit number TXR15ZN70. It is not known whether the permit was issued prior to or after the date that earth disturbing activities began. If construction activity, as defined in the CGP, did occur prior to this date, S.J. Louis would have been conducting construction activities without a permit for that time period. The Notice of Intent (NOI) filed by S.J. Louis was signed by a Mr. Les V. Whitman, where Mr. Whitman is shown to be an owner of S.J. Louis.

The Part II Section E.7 of the CGP "Signatory Requirements for NOI forms,..." requires that the NOI be signed in accordance with 30 TAC § 305.44 which sets out who can legally sign an application for the entity. On the NOI filed by S.J. Louis it lists the type of customer as a Partnership. 30 TAC § 305.44 requires the application (NOI) submitted by a Partnership must be signed by a general partner. Research produced an "Application for contractor prequalification certificate City of Oklahoma" signed by Les V. Whitman on 10-27-14. This document listed Mr. Whitman as a General Manager, not a General Partner. If Mr. Whitman does not meet the signatory requirements of 30 TAC § 305.44, the application would be filed incorrectly leaving S.J. Louis without permit coverage.

(See CGP Attachment "A" page 19)

(See S.J. Louis NOI Attachment "F" bottom page 1 of 5)

(See 30 TAC § 305.44 Attachment "G")

(See Application for Contractors Prequalification Certificate Attachment "H")

S.J. Louis did develop a Stormwater Pollution Prevention Plan, (hereafter the "SWPPP"), that was certified by Seth Rowney on 2/28/14 as the SWPPP that S. J. Louis would implement on the project. Throughout the SWPPP it refers to the National Pollutant Discharge Elimination System (NPDES) Program, which should have been the Texas Commission on Environmental Quality (TCEQ) Texas Pollutant Discharge Elimination System (TPDES) Program. Once the TCEQ was granted the administrative rights to stormwater permitting in Texas, the permit fell under the Texas Pollutant Discharge Elimination System (TPDES) Construction General Permit (CGP) Program for administration and enforcement. This came about in 2003. Although this may not be a violation of any rule it does indicate a general lack of understanding of the permitting authorities and requirements by the preparer of the SWPPP. Consistently throughout the SWPPP, reference is made to a permit that no longer exists as it pertains to stormwater regulations and enforcement within the State of Texas.

The implementation of the SWPPP requires the use of Best Management Practices (BMPs). The term "BMP" is made up of all controls that will be utilized on the site to reduce or eliminate pollutants from exiting the construction site and entering into Waters of the United States (WOTUS). These controls can be structural or nonstructural in nature. An example of a structural control would be silt fence as shown in Appendix "H" of The SWPPP. Structural controls are devices constructed in locations so that the stormwater runoff from the construction site is intercepted by the control so the suspended sediment in the stormwater runoff can be removed from the runoff prior to the stormwater entering WOTUS. An example of a nonstructural control would be the preservation of topsoil, thus limiting the amount of disturbance, or conditioning of a seed bed prior to seeding. Selection of the location of any structural control would be considered a nonstructural BMP. It is a practice that, if done correctly, aids in the prevention of pollutants from entering WOTUS. Another nonstructural control is the inspection of the controls and practices (including the required modification of the SWPPP) based on the results of the inspections. The review of the SWPPP shows many requirements of the CGP were overlooked or ignored when the SWPPP was developed and implemented.

The design of the structural controls shown on plan sheet PL-14, in Section "D "of The SWPPP, raise concern as to the effectiveness of the design itself. From station 157+00 to station 159+31.29, the contour shown on the plans indicate the stormwater runoff from the construction area will drain to the area around station 159+31 and form a small pool. When the pool is full it would have directly discharged into Sloan Creek, a WOTUS, which is in direct contravention to the requirements of the CGP. The Construction plans do not indicate the placement of a structural control between the construction area disturbance and Sloan Creek. The CGP requires *"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."*

(See CGP Attachment "A" page 30)

Not only did the plan fail to meet the CGP requirements, it was made known to me during a site visit that S.J. Louis dug a ditch from the small pool of water directly to the bank of Sloan creek so that the water would drain from the construction area into the creek, thus allowing construction to continue, such discharge being in direct violation of the TPDES. This information was given to me by Mr. Justin Jinright. Mr. Jinright showed me pictorial evidence of the ditch and walked me to the area where I saw that parts of the ditch that remain intact. Mr. Jiright also showed me where the creek bank had been eroded by the water flowing from the trench and the creek bank stabilization efforts S.J. Louis had attempted. Regardless of how the ditch was formed, the Stormwater inspections should have indicated there was the potential for or that there had been a discharge of pollutants from the site and modifications to BMPs and the SWPPP were required. Part III Section F 7(d) requires the SWPPP to be modified based on the results of the inspection. The failure to modify the SWPPP and install controls that would prevent the discharge of pollutants from the construction site directly into WOTUS is another failure to implement the SWPPP and a failure to meet CGP requirements. Part 4.6 of The SWPPP requires modifications to the SWPPP be recorded on revision log in Appendix "L". The review of Appendix "L" show that no revisions have been recorded on the form. The SWPPP also showed no annotation in Appendix "M" Construction Activities Record.

(See CGP Attachment "A" page 33)

(See S.J. Louis SWPPP "B" Part 2.2.2, 4.6 and Appendix "L" and "M")

An integral part of the implementation of The SWPPP is that S.J. Louis was to provide personnel to perform the GCP required inspections per the schedule listed in the SWPPP. The SWPPP inspection schedule (Part 4.1 of the SWPPP) requires inspection to be performed every fourteen (14) calendar days and within 24 hours after a rainfall of 0.5 inches or greater. This section of The SWPPP also requires the inspection reports be kept in the SWPPP. The SWPPP provided did not contain any inspection forms or reports in Appendix "N" the location the table of content listed for completed inspection reports. The failure to complete inspection reports per the schedule in the SWPPP would be a violation of the permit conditions. Inspections are required to be completed until the Notice of Termination (NOT) is filed, by the permittee, with the TCEQ. A review of the TCEQ data base shows the S.J. Louis permit TXR15ZN70 is still an open and active as of May 21, 2017.

(See CGP Attachment "A" pages 32 & 33)

(See S.J. Louis SWPPP Part 4.1)

Stabilization is an integral part of the CGP and has very specific requirements. The CGP lists two (2) types of stabilization: temporary and final.

The CGP defines Temporary Stabilization as *"A condition where exposed soils or disturbed areas are provided a protective cover or other structural control to prevent the migration of pollutants."* The CGP also has specific requirements as to the minimum time frame in which this requirement is to be accomplished. The S.J. Louis SWPPP included a stabilization timeframe; however, the timeframes in The SWPPP fell well short of the timeframe requirements of the current TCEQ TPDES CGP requirements.

The SWPPP include the following in part 2.2.1;

> *The TCEQ NPDES Storm Water General Permit requires all disturbed ground that will remain dormant for longer than 21 days be seeded with temporary seed and/or protected with mulch. Required permanent seeding and/or mulching will take place within 14 days after construction ceases as specified in the Contract Documents. Permanent erosion and sediment control plans outlined in the Contract Documents must contain provisions for permanent stabilization of disturbed areas. Required permanent stabilization will initiate within 14 days after construction activity has ceased. In arid areas (areas with an average annual rainfall of 0-10 inches) and semi-arid areas (areas with an average annual rainfall of 10-20 inches), where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.*
>
> *(See S.J. Louis SWPPP Attachment "B" Part 2.2.1)*

The TCEQ TPDES CGP Part III Section F 2 (b) (iii) requirements are as follows;

> *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.*

(See CGP Attachment "A" page 28)

This is another illustration of the SWPPP not meeting the requirements of the CGP and additional proof that the SWPPP originator's knowledge level of stormwater compliance was

not at a level proficient to create an SWPPP that would meet the minimum requirements of the TCEQ TPDES CGP.

The CGP requires that the SWPPP include the methods that will be utilized to achieve temporary stabilization on the project. The SWPPP fulfilled the requirements of the CGP, however the methods listed in The SWPPP were not initiated or completed on the construction site. Part 2.2.1 of The SWPPP called for the following;

> *Where land disturbance is necessary, one of the following methods of soil stabilization will be utilized:*
>
> - *Temporary seeding*
> - *Permanent seeding*
> - *Mulching*
> - *Sod stabilization*
> - *Geotextiles / erosion control matting*
> - *Gabion Mattresses*

None of these BMPs were utilized on the Jinright property during or after construction activities had temporarily or permanently ceased.

The CGP defines Final Stabilization as *"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."*

Final stabilization is only required if a permittee wants to close out permit coverage. Prior to filing an NOT, final stabilization must be achieved on all parts of the permitted project. S. J. Louis has not filed an NOT and their permit is still open, so there is no requirement at this time to provide final stabilization. However, once construction activities have permanently ceased, the requirements for temporary stabilization increase. The CGP requires that *"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."* To date no stabilization measures that provide, or do not provide, a protective cover has been employed on the Jinright property. This is another violation of the CGP and another failure to implement the SWPPP.

V. Protection of existing vegetation

The protection of existing vegetation is one the most important parts of an SWPPP. The SWPPP is meant to address all pollutants on the construction site. The erosion and sediment control plan is part of the SWPPP. Trees play an important role in the erosion control plan and the prevention of erosion. In

the north Texas area, the ground will naturally be covered with vegetation whenever trees are not present. This vegetative cover absorbs the kinetic energy of the raindrops as they fall and prevents the soil from being dislodged and carried offsite by the storm water runoff. When trees are present the canopy of leaves provide shade and can prevent the growth of vegetation on the forest floor. The leaves of the canopy provide the same protection from the kinetic energy of the raindrops as low growing vegetative cover. The leaves absorb the kinetic energy and allow the raindrop to fall harmlessly to the forest floor where it infiltrates into the soil and drains to a receiving water without suspended sediment. Once a tree is removed the protective cover no longer exists and the raindrops fall directly onto the exposed soil, dislodging soil particles. The tree protection plan is vital to the prevention of erosion and the discharge of pollutants from the construction site.

NTMWD did develop a tree protection plan that was included in the civil construction plans. S.J. Louis made these civil drawings part of the SWPPP. The civil drawings included erosion and sediment controls, tree protection plan and indicated the area that construction activity was to be limited to. The tree protection plan identified all the trees within or near the defined construction area. Once the trees were identified and marked, the trees that needed to be removed to allow for the construction of the pipeline were identified. The trees that were not identified as needing to be removed were identified as protected. The tree protection contained specific details and instructions on what was required to be installed to protect the identified protected trees. The videos and photos I reviewed clearly indicate that tree protection was not implemented in any meaningful way. The fact that trees with protected status were removed or damaged and the failure to provide tree protection as shown on the tree protection detail, is evidence of that failure. Approximately 28 trees identified and marked as protected were removed and approximately 35 trees identified and marked as protected were damaged by S.J. Louis. The failure to provide tree protection as shown in the construction plans and the failure of NTMWD to require S.J. Louis to install the specific tree physical protection for which they were contracted, further illustrates the lack of importance placed on the preservation of the trees, as well as the importance of proper implementation of the SWPPP.

VI. Stabilization Efforts

Google Earth photos show the ground was disturbed between 10/18/2013 and 11/22/2014. The Jinright property remains in a denuded state as of this date. The following Google earth pictures begin 10/18/2013, just prior to construction and continue through 1/27/2017. The series of pictures includes 10/18/2013, 11/22/2014, 3/28/2015, 12/01/2015, 4/27/2016 and 1/27/2017. These photos indicate the lack of effort to stabilize disturbed areas of the Jinright property. The failure to temporarily stabilize the Jinright property is a violation of the specific requirements of the CGP and is also a failure to implement The SWPPP as required by the CGP.

Jinright 10/18/2013

Jinright property 11/22/2014

Jinright property 3-28-2015

Jinright property 12/01/2015

Jinright property 4/27/2016

Jinright property 1/27/2017

The series of Google Earth photos above indicate the only stabilization occurring on the Jinright property is natural stabilization by regrowth. Observations made during site visits confirm that the stabilization is a naturally occurring process and has not been aided or encouraged by any man-made intervention. It is also noted that trench excavation areas will not completely naturally revegetate due to the absence of any top soil. It is not clear if top soil was placed over the backfill material in the trench area and washed away by storm events or if there was a failure to preserve and replace the topsoil upon completion of the construction activities. Mr. Jinright informed me that S.J. Louis nor NTMWD placed top soil over, or conditioned the disturbed area to promote vegetative growth. In either case, the chance of complete, naturally-occurring revegetation covering the affected area is minimal.

TCEQ CGP part III Section G.1(g) has a minimum requirement to preserve topsoil. TCEQ CGP Part III Section G.1.(h)(2) also has minimum requirement for soil conditioning. *(See CGP in attachment "A")*

The following picture indicates that neither of these requirements have been meet. In addition to the failure to meet the CGP requirements, S.J. Louis and NTMWD failed to meet the requirements set forth in the construction plans and in the SWPPP. *(See Attachment "B")*

TCEQ CGP Part III Section G.1.(h)(2) requires at a minimum *"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"*

Section "D" of The SWPPP General note D3 "the top 12 inches of trench backfill material shall be native topsoil or have a gradation similar to existing ground adjacent to the trench. Maximum rock quantity and size within the 12-inch top layer shall not exceed that of the surrounding topsoil."

This picture was taken 5/6/2017 approximately 3 years after construction activities in the area had ceased. There is still a clear delineation of the trench boundary. Failure to replace the topsoil or condition the compacted soil has prevented the regrowth of vegetation.

This picture further illustrates the contrast between the compacted area with no topsoil and the area contiguous to the trench excavation area. On the left-hand side of the picture you see the trench area with no vegetative growth and on the right hand side a thick stand of vegetation. The picture was taken on 5/6/2017, approximately 3 years post-construction.

In this photo the trench area in the foreground shows very little vegetation and the area that was not disturbed or trenched is shown in the back ground. This an indication that the disturbed area was not returned to preconstruction conditions. Within the SWPPP and the CGP there are specific requirements for soil preservation and conditioning, along with specific time frames that temporary stabilization must be accomplished.

10/18/2013 Google earth photo shows the preconstruction condition of the Jinright property and the construction area to the east of the Jinright property.

The Google earth photo dated 11/22/2014 shows the disturbed area on the Jinright property and the construction area east of the Jinright property.

The Google earth photo dated 3/28/2015 clearly shows the disturbed area east of the Jinright property is stabilized with vegetation while the Jinright property remained denuded. The Google Earth views indicate no effort was made to apply temporary seeding or a protective mulch covering as stated in the SWPPP provided by S.J. Louis. The lack of stabilization effort was confirmed during an interview with Mr. Jinright. Mr. Jinright confirmed that neither S.J. Louis nor NTMWD made any efforts to stabilize the disturbed area. The SWPPP indicated that S.J. Louis was to implement specific stabilization measures. Section "A" **2.2.1 Soil Stabilization**, **2.2.3 Management Practices** and **4.4 Soil Stabilization Inspections** describe the plan S.J. Louis developed and was to have implemented to ensure the project would be stabilized. *(see Attachment "B")*

VII. Compliance

At present, for the portion of the project that falls within the Jinright property to come into compliance with the CGP, minimum the temporary stabilization requirements of the CGP must be implemented. The implementation of the temporary stabilization will not correct the noncompliance that has occurred to date, but will prevent any further noncompliance as it applies to temporary stabilization and will minimize the possibility of further pollutants entering Sloan Creek due to the failure of S.J. Louis and NTMWD to provide temporary stabilization. The temporary stabilization must meet not only what is required by the CGP, but also what is set out in the S.J. Louis SWPPP.

The failure to achieve final stabilization on the areas disturbed by the construction activity has prevented S.J. Louis from filing a Notice of Termination (NOT) and closing out their permit. Because the construction project is ongoing due to the failure to achieve final stabilization, NTMWD would be required to file for permit coverage due to their operator status of being in control of construction plans and specifications. This would also require NTMWD to perform the required inspections and fulfill the remaining responsibilities under the SWPPP. The filing of an NOI by NTMWD would not correct the prior non-compliance, but would prevent future noncompliance for failure to permit. There is no remedy for not having done any inspections during the ongoing non-compliance.

It is recommended that S.J. Louis and NTMWD work to achieve final stabilization on the project so an NOT can be filed by both entities. The filling of an NOT prior to achieving final stabilization would be an additional violation of the TCEQ TPDES CGP and is not recommended.

VIII. Reclamation of the Jinright Property

The reclamation of the area affected by the construction process includes not only the area of the trench excavation, but also areas that construction equipment compacted during the construction activity. The trench excavation area shows little regrowth of vegetation and is clearly not in compliance with the CGP nor has the vegetation been returned to preconstruction conditions. The areas outside of the trenched area have also be negatively affected by the construction activity. This area has seen compaction of the soil due construction traffic. Conditioning of these areas is needed to bring the property back to the condition it was prior the construction activities taking place. Some revegetation has occurred in these areas but vegetation does not prove the soil is in the same condition as prior to construction and that it has the same ability to provide an enduring perennial vegetated cover to the soil. The CGP requires the compacted areas, prior to seeding or planting, be conditioned to support vegetative growth.

The pictures and videos provided to me show that large areas have been compacted by the construction activity. It is my opinion to bring the area affected by the construction activity back to a condition equal to the preconstruction condition, the soil in the trench needs to be removed to a depth of 12 inches and replaced with certified topsoil. All compacted areas with or without vegetation will need to be cleared, conditioned and then reseeded. The construction traffic shown in the video and pictures indicates that

the spoils from the trenching activity were spread across the area and packed into the existing soil. This is not the native condition of the soil and has affected permanent vegetative cover. Numerous trees were removed during the construction activity, although many remain. The pictures and videos show that spoil materials were placed adjacent to and around many of the remaining trees. Construction traffic can be seen in operation in these areas. The areas around and near the trees will need to be conditioned in a manner as to prevent damage to the trees or their root systems. It is estimated the cost of bringing to property back to preconstruction conditions will be approximately two hundred and thirty thousand dollars ($230,000.00) per the attached estimate compilation. *(see Attachment "J")*

If additional information is furnished, this report will be subject to change based on that new information. I reserve the right to review these documents and materials prior to issuing a supplemental report, at deposition or trial.

Respectfully submitted

Thomas W. Schneider, CPESC

Attachment "A"

TCEQ CGP

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, 2008

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, 2013

ISSUED DATE: FEB 19 2013

Bryan W. Shaw

For the Commission

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

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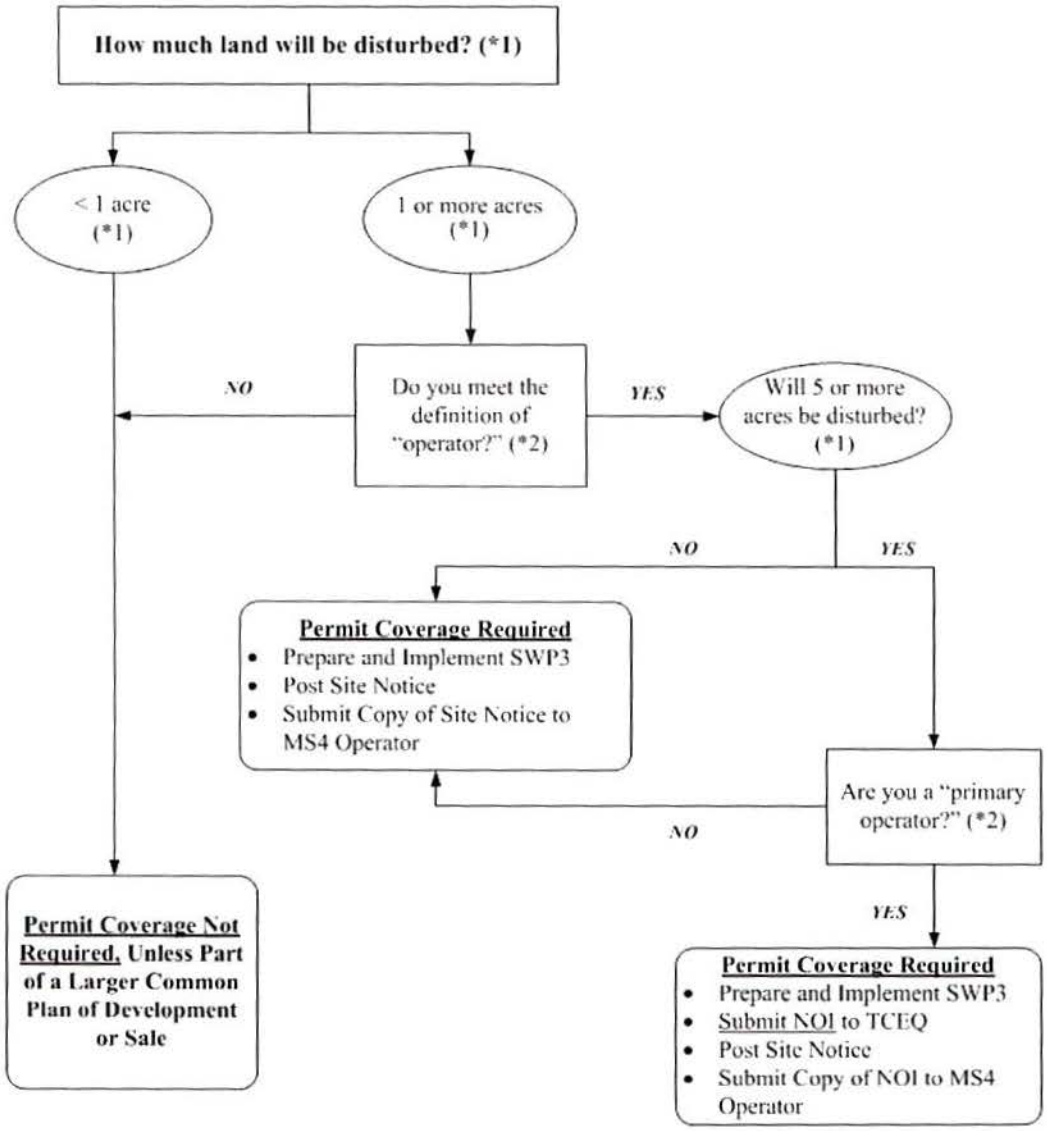
Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required



*(*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, and excavating; and 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.

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, a construction site or construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtances used at a construction site or industrial site described by this general permit.

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.

Fullfillment 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 on the latest approved CWA §303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

Indian Country Land – (from 40 CFR §122.2) (1) 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.

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

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.

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 a 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 a large or small 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 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.

Point Source – (from 40 CFR §122.2) 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.

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 - (from Texas Water Code (TWC) §26.001(14)) 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.

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 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 from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

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 nonnavigable, 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.

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 - (from 40 CFR §122.2) 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 (other than cooling ponds as defined in 40 CFR §423.11(m) which also meet the criteria of this definition) 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 from small and large construction activities may be authorized under this general permit.

2. Discharges of Stormwater Associated with Construction Support Activities

Examples of construction support activities include, but are not limited to, concrete batch plants, rock crushers, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas. Construction support activities authorized under this general permit are not commercial operations, and do not serve multiple unrelated construction projects. Discharges of stormwater runoff from construction support activities may be authorized under this general permit, provided that the following conditions are met:

(a) the activities are located within one (1) mile from the boundary of the permitted construction site and directly support the construction activity;

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

(c) the construction support activities either do not operate beyond the completion date of the construction activity or, at the time that they do, are authorized under separate Texas Pollutant Discharge Elimination System (TPDES) authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), separate authorization under this general permit if applicable, coverage under an alternative general permit if available, or authorization under 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 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.2. of this general permit.

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

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 standards and are listed on the EPA approved 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 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.

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

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. If discharges of stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

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 the 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 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 TPDES general permit TXR150000 (effective on March 5, 2008), 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 period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

2. Small Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction 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 would not meet the conditions to qualify for termination of this permit as described in Part II.E. 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 previous TPDES permit.

Section E. Obtaining Authorization to Discharge

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

If all of the following conditions are met, then a small construction activity is determined to occur during periods of low potential for erosion, and a site operator may be automatically authorized under this general permit without being required to develop an SWP3 or submit an NOI:

(a) the construction activity occurs in a county 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 construction site notice, including the certification statement;

(e) a signed copy of the construction site notice 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;

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

(g) any supporting concrete batch plant or asphalt batch plant is separately authorized for discharges of stormwater runoff or other non-stormwater discharges 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, or are not considered to be a wastewater.

Part II.G. of this general permit describes how an operator may apply for and obtain a waiver from permitting, for certain small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available.

2. Automatic Authorization For All Other Small Construction Activities:

Operators of small construction activities not described in Part II.E.1. above may be automatically authorized under this general permit, and operators of these sites shall not be required to submit an NOI, 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 that plan prior to commencing construction activities;

(b) sign and certify a completed TCEQ small construction site notice, post the notice 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, prior to commencing construction, 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); and

(c) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system receiving the discharge prior to commencement of 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.

As described in Part I (Definitions) 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 for which the applicant is the operator, and implement that plan prior to commencing construction activities;

(b) primary operators must submit an NOI, using a form provided by the executive director, at least seven (7) days prior to commencing construction activities, or if utilizing electronic submittal, prior to commencing construction activities. If an additional primary operator is added after the initial NOI is submitted, the new primary operator must submit an NOI at least seven (7) days before assuming operational control, or if utilizing electronic NOI submittal, prior to assuming operational control. If the primary operator changes after the initial NOI is submitted, the new primary operator must submit a paper NOI or an electronic NOI at least ten (10) days before assuming operational control;

(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, 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) prior to commencing construction activities, all primary operators must (1) provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and (2) 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 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 must provide a copy of the signed and certified Secondary Operator construction site notice to the operator of any MS4 receiving the discharge prior to commencement of construction activities.

4. Waivers for Small Construction Activities:

Part II.G. describes how operators of certain small construction activities may obtain a waiver from coverage.

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 are provisionally authorized seven (7) days from the date that a completed NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. If electronic submission of the NOI is provided, and unless otherwise notified by the executive director, primary operators are authorized immediately following confirmation of receipt of the NOI by the TCEQ. Authorization is non-provisional when the executive director finds the NOI is administratively complete and an authorization number is issued for the activity. 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.

(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 actions for any unpermitted activities that may have occurred between the time construction commenced and authorization was obtained.

6. Notice of Change (NOC)

If relevant information provided in the NOI changes, an NOC must be submitted at least 14 days before the change occurs, if possible. Where 14-day advance notice is not possible, the operator must submit an NOC 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 provided to the executive director 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 must also be provided to the operator of any MS4 receiving the discharge, and a list must be included in the SWP3 that includes the names and addresses of all MS4 operators receiving a copy.

Information that may be included on an NOC includes, but is not limited to, the following: the description of the construction project, an increase in the number of acres disturbed (for increases of one or more acres), or the operator name. A transfer of operational control from one operator to another, including a transfer of the ownership of a company, may not be included in an NOC.

A transfer of ownership of a company includes 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.

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 construction, 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.

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

Each operator that has submitted an NOI for authorization under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit. Authorization must be terminated by submitting an NOT on a form supplied by the executive director. Authorization to discharge under this general permit terminates at midnight on the day the NOT is postmarked for delivery to the TCEQ. If electronic submission of the NOT is provided, authorization to discharge under this permit terminates immediately following confirmation of receipt of the NOT by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

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 permittee;

(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 was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for the construction site;

(b) an indication of whether the construction activity is completed 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

Each operator that has obtained automatic authorization and has not been required to submit an NOI must remove the site notice upon meeting any of the conditions listed below, complete the applicable portion of the site notice related to removal of the site notice, and 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), within 30 days of meeting any of the following conditions:

(a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;

(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 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 Operational Control

Coverage under this general permit is not transferable. A transfer of operational control includes 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.

When the primary operator of a large construction activity changes or operational control is transferred, the original operator must 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 (a) or (b) below. A copy of the NOT must be provided to the operator of any MS4 receiving the discharge in accordance with Section II.F.1. above.

Operators of regulated construction activities who are not required to submit an NOI 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 condition (a) or (b) below. A copy of the completed site notice must be provided to the operator of any MS4 receiving the discharge, in accordance with Section II.F.3. above.

A transfer of operational control occurs when either of the following criteria is met:

(a) Another operator has assumed control over all areas of the site that have not been finally stabilized; and 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 permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Record of this notification (or attempt at notification) shall be retained by the 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.

(b) 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 listed above, including the development of a SWP3 if necessary. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to lot(s) it has operational control over, 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, where all of the following conditions are met. This waiver from coverage does not apply to non-stormwater discharges. The operator must insure that any non-stormwater discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

(a) the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5);

(b) the operator submits to the TCEQ a signed waiver certification form, supplied by the executive director, certifying that the construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5); and

(c) the waiver certification form is postmarked for delivery to the TCEQ at least seven (7) days before construction activity begins or, if electronic filing is available, then any time following the receipt of written confirmation from TCEQ that a complete electronic application was submitted and acknowledged.

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.

The waiver certification form is not required to be posted at the small construction site.

3. Effective Date of Waiver

Operators of small construction activities are provisionally waived from the otherwise applicable requirements of this general permit seven (7) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, if electronic form submittals are available.

4. Activities Extending Beyond the Waiver 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 delineated in either Part II.E.2. or Part II.E.3. before the end of the approved waiver 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 should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely authorization.

2. Individual Permit Required

The executive director may suspend an authorization or deny an NOI in accordance with the procedures set forth in 30 TAC §205 (relating to General Permits for Waste Discharges), including the requirement that the executive director provide written notice to the permittee. 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 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."

Additionally, the executive director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit, relating to 30 TAC §60.3 (Use of Compliance History). Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

3. 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.

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., including discharges to MS4s and privately owned separate storm sewer systems that drain to Waters of the U.S., to identify and address potential sources of pollution that are reasonably expected to affect the quality of discharges from the construction site, including off-site material storage areas, overburden and stockpiles of dirt, borrow areas, equipment staging areas, vehicle repair areas, fueling areas, etc., used solely by the permitted project. The 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.

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, permittees 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.

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 must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each operator participating in the shared plan must also sign the 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 the party with day-to-day operational control has not been authorized or has abandoned the site, the person with control over project specifications is considered to be the responsible party until the authority is transferred to another party and the SWP3 is updated.

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) includes, for areas where they have operational control over day-to-day activities, the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications.

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. A primary operator of a large construction activity must post the TCEQ site notice near the main entrance of the construction site. An operator of a small construction activity seeking authorization under this general permit and a secondary operator of a large construction activity must post the TCEQ site notice required in Part II.E.1., 2., or 3. of this general permit in order to obtain authorization. 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. Notices for these linear sites may be relocated, as necessary, along the length of the project. The notices must be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:
   (a) the site-specific TPDES authorization number for the project if assigned;
   (b) the operator name, contact name, and contact phone number;
   (c) a brief description of the project; and
   (d) 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 whenever 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 site operators, 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 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 off-site material storage areas, overburden and stockpiles of dirt, and borrow areas that are authorized under the permittee's NOI;
   (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 off-site activities, that are authorized under the permittee's NOI, including material, waste, borrow, fill, or equipment or chemical storage areas;
      (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicating those that are impaired waters;
      (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 acknowledgement certificate 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; and

(m) locations of all pollutant-generating activities, such as 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 site, compliant with the requirements of Part III.G.1 and G.2 of this general permit, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation 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 stabilization measures after construction activity temporarily or permanently ceased is precluded

by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.

(B) In arid areas, semi-arid areas, or drought-stricken areas where the immediate initiation of stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the operator shall immediately install, and within 14 calendar days of a temporary or permanent cessation of work in any portion of the site complete, non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (C) below.

(C) In areas where temporary stabilization measures 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 frequency established in Section III.F.7.(a) for unstabilized sites.

(D) If the initiation or completion of vegetative stabilization is affected by circumstances beyond the control of the permittee, vegetative stabilization must be initiated or completed as soon as conditions or circumstances allow it on the site. The requirement to initiate stabilization is triggered as soon as it is known with reasonable certainty that work will be stopped for 14 or more additional calendar days.

(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 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 only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site or 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 from areas other than construction (such as stormwater discharges from dedicated asphalt plants and dedicated concrete batch plants), 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.

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, 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 of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections 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.

Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g. site is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. 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 winter or drought conditions resulting in monthly frequency of inspections.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, 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.

The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may 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 must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(b) 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. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and 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. 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 above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, 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. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may 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 must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(c) 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.

(d) 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.

(e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; 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.

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 signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

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.

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;

   (b) If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;

   (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, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are not feasible, and shall implement additional erosion and sediment controls to reduce sediment load;

   (g) Preserve native topsoil at the site, unless infeasible; and

   (h) Minimize soil compaction in post-construction pervious areas. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:

      (1) restrict vehicle and equipment use to avoid soil compaction; or

      (2) 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;

   (i) TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface waters" for the purposes of triggering the buffer requirement in Part III.G.(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.

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; and
   (c) 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 trucks, unless managed by an appropriate control (see Part V of the general permit);
   (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; and
   (d) Soaps or solvents used in vehicle and equipment washing.
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 at regulated construction sites 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. If discharges of stormwater runoff from concrete batch plants are not covered under this general permit, then discharges must be authorized under an alternative general permit or individual permit. 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	15 mg/L	1/quarter (*1) (*2)	Grab (*3)
Total Suspended Solids	100 mg/L	1/quarter (*1) (*2)	Grab (*3)
pH	6.0 – 9.0 Standard Units	1/quarter (*1) (*2)	Grab (*3)
Total Iron	1.3 mg/L	1/quarter (*1) (*2)	Grab (*3)

(*1) 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.

(*2) 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.

(*3) 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 runon 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 (including, but not limited to Part III.F.7. of this permit):

1. Description of Potential Pollutant Sources - The SWP3 must provide a description of potential sources (activities and materials) that may reasonably be expected to affect the quality of stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe practices that that will be used to reduce the pollutants in these discharges to assure compliance with 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:

      (1) the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;

      (2) a depiction of the drainage area and the direction of flow to the outfall(s);

      (3) structural controls used within the drainage area(s);

      (4) 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

      (5) 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.(a) 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.

(1) 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.

(2) 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. The inspection frequency must be specified in the SWP3 based upon a consideration of the level of concrete production at the facility, but must be a minimum of once per month while the facility is in operation. 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 wash out of concrete trucks at construction sites regulated under Sections II.E.1., 2., and 3. of this general permit, provided the following requirements are met. Authorization is limited to the land disposal of wash out water from concrete trucks. Any other direct discharge of concrete production waste water must be authorized under a separate TCEQ general permit or individual permit.

1. Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.
2. Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. 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.
3. Wash out of concrete trucks during rainfall events shall be minimized. The direct 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.
4. The discharge of wash out water must not cause or contribute to groundwater contamination.
5. 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 by Part II.E.3. 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:

1. A copy of the SWP3;
2. All reports and actions required by this permit, including a copy of the construction site notice;
3. All data used to complete the NOI, if an NOI is required for coverage under this general permit; and
4. 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

1. 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, and is grounds for enforcement action, for terminating, revoking, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.
2. Authorization under this general permit may be suspended or revoked for cause. 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 revoking, suspending, or

terminating authorization under this permit. 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.

3. 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.
4. 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.
5. 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:
   (a) 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);
   (b) 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
   (c) knowingly violating §303 of the federal CWA, and placing another person in imminent danger of death or serious bodily injury.
6. 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).
7. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.
8. 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.
9. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which 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 which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.
10. The permittee shall comply with the reporting requirements in 40 CFR §122.41(l), as applicable.

Part VIII. Fees

1. A fee of must be submitted along with the NOI:
   (a) $325 if submitting a paper NOI, or
   (b) $225 if submitting an NOI electronically.

2. 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.
3. 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.

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

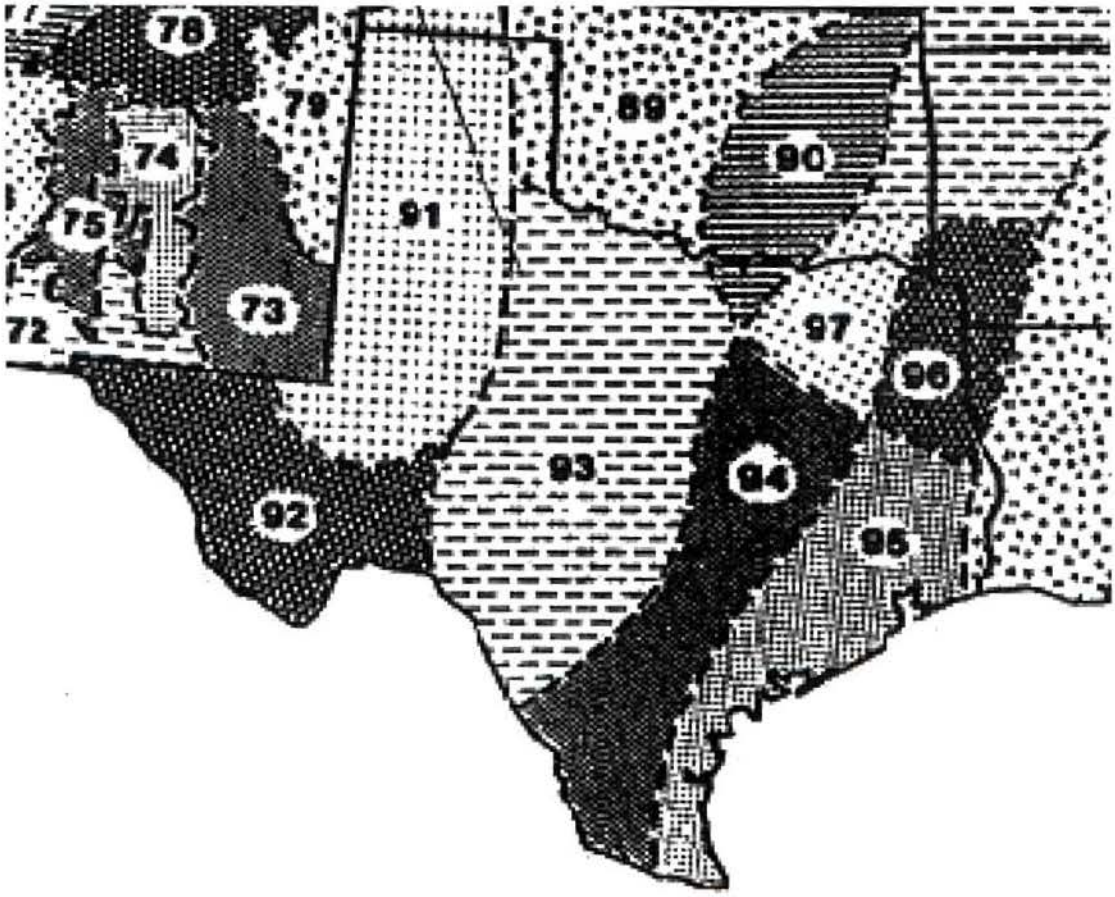
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Young: Dec. 15 - Feb. 14

Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

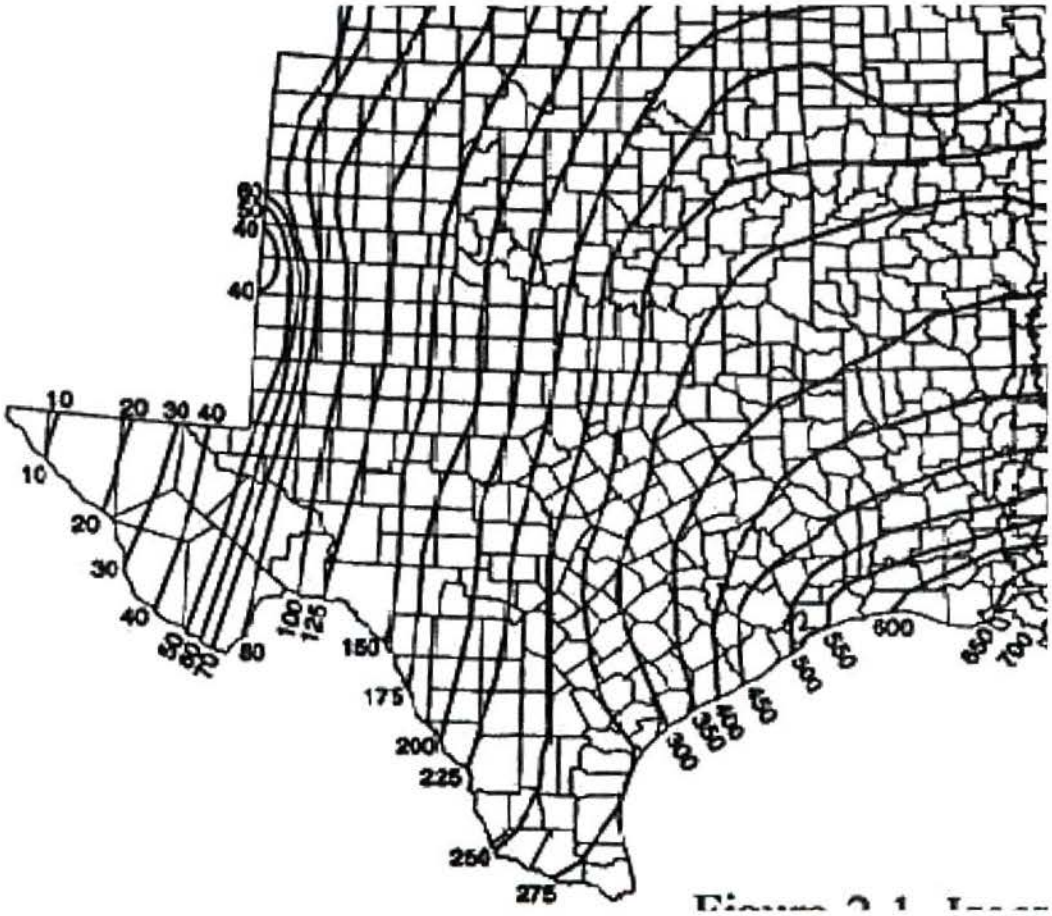
Zavala: Dec. 15 - Feb. 14

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

Attachment "B"

S.J. Louis SWPPP

STORM WATER POLLUTION PREVENTION PLAN FOR CONSTRUCTION ACTIVITY

North McKinney Pipeline Phase I & II

Project No. 210

North Texas Municipal Water District

2/28/14

S.J. Louis Construction of Texas, Ltd.

520 South 6th Avenue, P.O. Box 834
Mansfield, Texas 76063
(817) 477-0320 Office (817) 477-0552 Fax

EXECUTIVE SUMMARY

North McKinney Pipeline Phase I & II
North Texas Municipal Water District

The Texas Commission on Environmental Quality (TCEQ) promulgated storm water regulations to the National Pollutant Discharge Elimination System (NPDES) Program. This Storm Water Pollution Prevention Plan (SWPPP) has been developed in accordance with the conditions of the General Permit for Storm Water Discharges from Construction Activity authorized pursuant to the TCEQ NPDES Program.

The purpose of the SWPPP is to minimize the potential release of pollutants directly or indirectly into the storm water collection system or waters of the United States. To achieve this objective, S.J. Louis Construction of Texas, Ltd. will implement the TCEQ NPDES policies and procedures presented in this SWPPP, including, but not limited to, the following:

- Post for public viewing at the construction site (such as on the inside door of job storage trailer) a copy of the following: the name and telephone number of a local contact person; a brief Project description; the location of the SWPPP if the site is inactive or does not have an on-site location to store the plan.

- Implement and properly maintain all erosion and sediment controls presented in this SWPPP.

- Maintain a record of the dates when major grading activities occur, when construction activities temporarily or permanently cease on a portion of the Project site, and when final stabilization measures are implemented (a copy of the Record of Temporary/ Permanent Ceasing of Construction Activities sheet is provided in **Appendix A**).

- Conduct regular inspections of the erosion and sediment controls. These inspections will occur at least once every fourteen (14) calendar days and within 24 hours of the end of a storm that is 0.5 inches or greater (a copy of the Inspection Report sheet is provided in **Appendix G**). Submit each inspection report to the Owner's authorized signatory for signature in accordance with the TCEQ NPDES Storm Water General Permit, Part VI.G and filed in this SWPPP.

- Based on the outcome of the inspections, implement any needed repairs or modifications to the control(s) within seven (7) calendar days following the inspection. Modifications specific to construction projects will be authorized by the Owner or Owner's Engineer prior to implementation by S.J. Louis Construction of Texas, Ltd. and/or subcontractors.

- Update the SWPPP within seven (7) calendar days each time a significant modification to the construction activities or pollutant control practices occur. Record these modifications on the Record of Revision sheet located in **Appendix L** and in additional appendix material, if required.

- Maintain a copy of this SWPPP on the Project Site throughout the duration of construction activities.

- This SWPPP along with supporting documentation must be retained for a period of three (3) years after the completion of the Project. It is recommended that each of the operator(s) maintain a copy of the SWPPP for the three-year period.

The SWPPP has been developed for the construction activities to occur at the above-referenced Project. The SWPPP allows flexibility in complying with the provisions of the TCEQ NPDES General Permit for Storm Water Discharges Associated with Construction Activity.

S.J. Louis Construction of Texas, Ltd. strives to ensure that the company and all other participating subcontractors are in compliance with the provisions of the SWPPP. It is the policy of the S.J. Louis Construction of Texas, Ltd. that all construction activities performed by the company and/or a subcontractor are in compliance with all federal, state and local environmental laws and regulations.

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1.0 SITE DESCRIPTION

1.1 Project Name

Name:	North McKinney Pipeline Phase I & II North Texas Municipal Water District

1.2 Project Location

Location:	The Project is located through the North Texas Municipal Water District Easement in Collin County. The Project starts in Allen, TX then heads East through Lucas, TX. Once the Project leaves Lucas, TX it heads North through Fairview, TX and Ends in McKinney, TX. The Project is Approx. 38,096 LF long.

1.3 Owner's Information

Name:	North Texas Municipal Water District
Address:	505 E. Brown Street Wylie, TX 75098
Representative:	Mr. Jeff Hogan, P.E.
Telephone:	(972) 442-5405
Facsimile:	(972) 295-6441

1.4 S.J. Louis Construction of Texas, Ltd. Information

Name:	S.J. Louis Construction of Texas, Ltd.
Address:	P.O. Box 834 Mansfield, Texas 76063
Representative:	Mr. Seth Rowney
Telephone:	(817) 477-0320
Facsimile:	(817) 477-0552
Mobile:	(817) 905-5014
Email:	sethr@sjlouis.com

1.5 Shared SWPPP Development

Section A: Shared SWPPP Development:

Permit Numbers:

1.) Operator: S.J. Louis Construction of Texas Ltd. – TXR15ZN70

North Texas Municipal Water District

Responsibilities:

2.) Operator: S.J. Louis Construction of Texas – Contractor – Day to day control of project.

North Texas Municipal Water District – Owner – Controls Plans and Specifications.

Section B: Responsibilities of Operators:

1.) The operator with the control over construction plans and specifications will be: North Texas Municipal Water District

a.) The above operator will ensure the project specifications will provide adequate best management practices (BMP) to meet the requirements of the TPDES General Permit.

b.) The above operator has operational control over plans and specifications for all areas of the project.

c.) The above operator will notify the other operator(s) in a timely manner if any modifications are necessary to remain compliant with the general permit.

d.) The operator with the day-to-day operational control of the site is: ***S.J. Louis Construction of Texas Ltd.*** – TXR15ZN70

2.) The operator with day-to-day operational control over the project site will be: S.J. Louis Construction of Texas Ltd.

a.) The above operator will ensure the project meets the requirements of the TPDES General permit.

b.) The party responsible for implementing the BMP's for the project is: ***S.J. Louis Construction of Texas Ltd. - TXR15ZN70***

c.) The above operator has day-to-day operational control over all areas of the project.

d.) The operator with control over the construction plans and specifications is: ***North Texas Municipal Water District – Permit No.***

1.6 Project Description / Nature of Construction Activity

The project consists of the construction of the following improvements:

- Construction of approximately 6.5 miles of 60" potable water pipeline and appurtenances.

- Construction of approximately 3500 LF of 36" potable water pipeline and appurtenances.
- Construction of approximately 650 LF of 24" potable water pipeline and appurtenances.
- Construction of approximately 4500 LF of 12' potable water pipeline and appurtenances.
- Construction of a control valve vault which will include the installation of a magnetic meter, control valve and associated appurtenances.
- Installation of a 6" BOV pertaining to an existing NTMWD 24" water line.

A copy of the project description is provided in **Appendix J** for posting at the construction site.

1.7 Sequence of Construction Activities

The anticipated sequence of construction activities which will disturb significant amounts of soil are as follows:

- Clear area for silt fence (if required)
- Construct silt fence (if required)
- Install stabilized construction entrance/roadways (if required)
- Construct equipment fueling and storage area
- Clear and grub
- Site excavating, backfilling, and grading activities
- Trenching, backfilling, and compacting for water pipe
- Temporary seeding for erosion control
- Final soil stabilization
- Hydromulch Seeding

1.8 Estimate of Total Construction Site Area and Disturbed Area

The Project site is approximately 48 acres of which approximately 48 acres will be disturbed by construction activities.

1.9 Facility and Project Area Maps

Project construction drawings (103 sheets) are available at the project site. Erosion and Sediment Control Plan and Details are shown on (67 sheets).

1.10 Construction and Waste Materials to be Stored On-Site

The following materials will be staged or stored on site at various points during construction of the project:

- Construction fill storage and staging areas
- Gravel / Embedment
- Precast manholes
- Miscellaneous fittings, materials & appurtenances
- Steel pipe
- Concrete / Rebar
- Asphalt

The following waste materials will be stored temporarily on site prior to appropriate disposal:

- excess / broken steel water pipe
- broken rock / concrete
- packaging materials
- litter

1.11 Receiving Waters

Receiving waters for the Project area are identified as follows:

- Wilson Creek

1.12 Endangered and Threatened Species

Based on information provided in the Contract Documents, endangered and threatened species in the Project area are identified as follows:

- None

2.0 MEASURES AND CONTROLS

2.1 Performance Standards

In keeping in compliance with Part IV.D.2.a of the TCEQ's General Construction Permit, the following short and long term goals and criteria will be applied. It is TCEQ's intent that erosion and sediment controls should be designed to retain sediment on site to the extent practicable.

All control measures must be properly selected, installed, and maintained in accordance with the manufacturer's specifications and good engineering practices. If periodic inspections or other information indicates a control has been used inappropriately, or incorrectly, S.J. Louis Construction of Texas, Ltd. or its subcontractors will replace or modify the control for site situations.

If sediment escapes the construction site, off-site accumulations of sediment will be removed at a frequency sufficient to minimize off-site impacts (e.g., fugitive sediment in street could be washed into storm sewers by the next rain and / or pose a safety hazard to users of public streets).

Sediment will be removed from sediment traps of sedimentation ponds when design capacity has been reduced by 50%.

2.2 Erosion and Sediment Controls

Erosion and sediment control practices can be divided into three broad categories: (1) soil stabilization, (2) structural controls, and (3) management practices. Each of these categories has temporary and permanent control measures to be considered. Soil stabilization and structural practices should be selected and designed in accordance with North Central Texas Council of Government's *Best Management Practices and Erosion Control Manual for Construction Activities* (BMP Manual). Not all of the structural controls discussed in the BMP Manual will necessarily apply to this project. Management practices are construction management techniques which, if properly utilized, can minimize the need for physical controls and possibly reduce costs.

2.2.1 Soil Stabilization

Where land disturbance is necessary, one of the following methods of soil stabilization will be utilized:

- Temporary seeding
- Permanent seeding
- Mulching
- Sod stabilization
- Geotextiles / erosion control matting
- Gabion Matresses

The TCEQ NPDES Storm Water General Permit requires all disturbed ground that will remain dormant for longer than 21 days be seeded with temporary seed and/or protected with mulch. Required permanent seeding and/or mulching will take place within 14 days after construction ceases as specified in the Contract Documents. Permanent erosion and sediment control plans outlined in the Contract Documents must contain provisions for permanent stabilization of disturbed areas. Required permanent stabilization will initiate within 14 days after construction activity has ceased. In arid areas (areas with an average annual rainfall of 0-10 inches) and semi-arid areas (areas with an average annual rainfall of 10-20 inches), where the initiation of stabilization measures by the 14th day after construction activity has temporarily or permanently ceased is precluded by seasonal arid conditions, stabilization measures shall be initiated as soon as practicable.

Permanent vegetation will include native grasses, shrubs, and trees as outlined in the Contract Documents.

2.2.2 Structural Controls

Erosion and sediment controls should be selected, designed and constructed according to the standards in the BMP Manual and construction drawings. Listed below are the structural controls that may be used at the Project site.

- Hay Bale Dike
- Silt Fence
- Stabilized Construction Entrance

In addition to the above erosion and sediment controls, the construction site may require sediment traps, silt fences or equivalent sediment controls for all side slope and down slope boundaries of the construction area unless a sediment basin providing 3,600 cubic feet of storage per acre drained is provided (in accordance with *TCEQ NPDES Storm Water General Permit* regarding drainage areas serving less that 10 acres).

2.2.3 Management Practices

The following are some management considerations which may be employed in conjunction with the erosion and sediment controls described above:

- Sequence construction so that no area remains exposed for unnecessarily long periods of time.
- Anticipate the site conditions that will exist as the construction progresses toward the final product.
- Have the materials on-hand to complete the work without delay.
- Apply temporary stabilization shortly after grading.
- Stage the construction, when practical, so that one area can be stabilized before another is disturbed.
- Consider the time of year; be prepared for sudden thunderstorms.
- Install erosion and sediment controls immediately.
- Use straw mulch for grass seed, especially during poor germination periods.
- Physically mark off limits of disturbance on the site with tape, signs or other methods, so that workers can see areas to be protected.
- Carry out a regular maintenance schedule for erosion and sediment control practices.
- Designate one individual responsible for implementing the erosion and sediment control plan. Make sure that all workers understand the provisions of the erosion and sediment control plan. Establish reporting procedures for problems identified by workers.

2.3 Storm Water Management Controls

During the construction activities, storm water will be managed through the erosion and sediment controls discussed in this SWPPP. Permanent storm water management controls are presented in the construction drawings as follows:

- Articulated Concrete Blocks

2.4 Other Controls

This section refers to additional controls related to construction activity at the Project.

2.4.1 Solid Waste Disposal

No solid material, including building materials, will be discharged to surface waters or buried on site. All solid waste materials, including disposable materials incidental to the construction activity, will be collected in containers or closed dumpsters or otherwise properly managed and hauled from the site. The collection containers must be emptied periodically and the collected material hauled to a landfill permitted by the State and/or appropriate local municipality to accept the waste for disposal.

A foreman or supervisor will be designated to oversee, enforce and instruct construction workers on proper solid waste disposal.

2.4.2 Hazardous Waste

Whenever possible, the use of hazardous materials and generation of hazardous wastes will be minimized. All hazardous waste materials will be disposed in the manner specified by federal, state, or local regulations or by the manufacturer.

Use contaminant berms or overflow catch pans in fueling and maintenance areas and where potential for spills is high.

A foreman or supervisor will be designated to oversee, enforce and instruct construction workers on proper hazardous waste storage areas.

2.4.3 Dust Control/Off-Site Vehicle Tracking

During construction, water trucks will be used, as needed, by S.J. Louis Construction of Texas, Ltd. or its subcontractors to reduce dust. After construction, the site will be stabilized to reduce dust.

Construction traffic will enter and exit the site at a Construction Entrance(s) with a rock pad or equivalent device. The purpose of the rock pad is to minimize the amount of soil and mud that is tracked onto existing streets. If sediment escapes the construction site, offsite accumulations of sediment will be removed at a frequency sufficient to minimize offsite impacts.

2.4.4 Sanitary/Septic

S.J. Louis Construction of Texas, Ltd. and its subcontractors will comply with all state and local sanitary sewer, portable toilet or septic system regulations. Sanitary facilities will be provided at the site as required throughout construction activities. The sanitary facilities will be utilized by all construction personnel and will be serviced regularly.

2.4.5 Water Source

Water used to establish and maintain grass, to control dust, and for other construction purposes will originate from a public water supply, private well, or natural water body as approved by the Owner.

2.4.6 Equipment Fueling and Storage Areas

During construction, S.J. Louis Construction of Texas, Ltd. and its subcontractors will employ the following practices:

- Equipment fueling, maintenance and cleaning will only be done in protected areas. Leaking equipment and maintenance fluids will be collected and not allowed to discharge onto soil where they may be washed away during a rain event.
- Equipment wash down (except for wheel washers) will take place in an appropriate area.

2.4.7 Hazardous Material Storage

Chemicals, paints, solvents, fertilizers and other toxic or hazardous materials should be stored in their original containers (if original container is not resealable, store the products in clearly labeled, waterproof containers). Except during application, the containers should be kept in trucks or in protected storage facilities. Runoff containing such materials will be collected, removed from the site and disposed of in accordance with the federal, state and local regulations.

LOG OF BORING NO. B-03

FREESE AND NICHOLS

Project Description: North McKinney Pipeline System
Project Location: Collin County, Texas
Date Drilling Started: 8/1/2013
Logged By: MH
Rig Type: CME 75
Northing/Latitude: 33.130594

Drilling Co.: Total Depth
Hammer Type: Automatic
Easting/Longitude: -96.605512

Project No.: NTD11224
Phase No.: 0001
Date Drilling Completed: 8/1/2013
Drill Method: CFA & DRY
Hammer Wt. & Drop: 140 lb.; 30 in.
Elevation:

DEPTH, ft	SAMPLE TYPE	BLOW COUNTS	HAND PENETROMETER (P) / TORVANE (T), tsf	RECOVERY, %	RQD, %	SYMBOL	MATERIAL DESCRIPTION	WATER CONTENT, %	UNIT DRY WEIGHT, pcf	% PASSING NO. 200 SIEVE	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	UNC. COMPRESSIVE STRENGTH, tsf	STRAIN AT FAILURE, %	ELEVATION, ft
	U-1			100			FAT CLAY (CH), gray, dry, with limestone fragments, with rootlets (Fill)									
	SPT-2	3-5-8 (13)														
	U-3			100			FAT CLAY (CH), dark gray, hard, moist, blocky, slickensided 2.5/									
	TCP	50/2.875" 50/1.5"					LIMESTONE, yellow-brown, hard, weathered 4/									
5							-gray below 6 feet									
	A-4															
10	TCP	50/1" 50/0.375"					-with a yellow-brown seam from 10 to 11 feet									
	A-5															
15	TCP	50/1.125" 50/0.875"					Total boring depth 15.2 ft.									
20																
25																

Water Observations:
None At Time Of Drilling

Remarks: 0-15.2 feet - 6-inch continuous flight augers. Backfilled with auger cuttings upon completion of drilling and sampling.

The stratification lines represent approximate strata boundaries. In situ, the transition may be gradual. These logs are subject to the limitations, conclusions, and recommendations in the associated report.

LOG OF BORING NO. B-04

Project Description: North McKinney Pipeline System
Project Location: Collin County, Texas
Date Drilling Started: 8/1/2013
Logged By: MH
Rig Type: CME 75
Northing/Latitude: 33.141597

Drilling Co.: Total Depth
Hammer Type: Automatic
Easting/Longitude: -96.599761

Project No.: NTD11224
Phase No.: 0001
Date Drilling Completed: 8/1/2013
Drill Method: CFA & DRY
Hammer Wt. & Drop: 140 lb.; 30 in.
Elevation:

DEPTH, ft	SAMPLE TYPE	BLOW COUNTS	HAND PENETROMETER (P) / TORVANE (T), tsf	RECOVERY, %	RQD, %	SYMBOL	MATERIAL DESCRIPTION	WATER CONTENT, %	UNIT DRY WEIGHT, pcf	% PASSING NO. 200 SIEVE	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	UNC. COMPRESSIVE STRENGTH, tsf	STRAIN AT FAILURE, %	ELEVATION, ft
	SPT-1	10-25-50/2.50"					FAT CLAY (CH), dark gray, dry 0.0833/									
							LIMESTONE, light gray and yellow-brown, hard, weathered									
	A-2						-yellow-brown below 3 feet									
5	TCP	50/0.625" 50/0.25"					-gray from 5 to 6 feet									
	A-3															
10	TCP	50/2.25" 50/0.75"					-with occasional alternating yellow-brown and gray seams below 10 feet									
	A-4															
15	TCP	50/0.875" 50/0.50"					Total boring depth 15.1 ft.									
20																
25																

Water Observations:
None At Time Of Drilling

Remarks: 0-15.1 feet - 6-inch continuous flight augers. Backfilled with auger cuttings upon completion of drilling and sampling.

The stratification lines represent approximate strata boundaries. In situ, the transition may be gradual. These logs are subject to the limitations, conclusions, and recommendations in the associated report.

FREESE AND NICHOLS

LOG OF BORING NO. B-05

Project Description: North McKinney Pipeline System
Project Location: Collin County, Texas
Date Drilling Started: 8/1/2013
Logged By: MH
Rig Type: CME 75
Northing/Latitude: 33.148479

Drilling Co.: Total Depth
Hammer Type: Automatic
Easting/Longitude: -96.590589

Project No.: NTD11224
Phase No.: 0001
Date Drilling Completed: 8/1/2013
Drill Method: CFA & DRY
Hammer Wt. & Drop: 140 lb.; 30 in.
Elevation:

DEPTH, ft	SAMPLE TYPE	BLOW COUNTS	HAND PENETROMETER (P) / TORVANE (T), tsf	RECOVERY, %	RQD, %	SYMBOL	MATERIAL DESCRIPTION	WATER CONTENT, %	UNIT DRY WEIGHT, pcf	% PASSING NO. 200 SIEVE	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	UNC. COMPRESSIVE STRENGTH, tsf	STRAIN AT FAILURE, %	ELEVATION, ft
	U-1		4.5+ (P)	100			FAT CLAY (CH), dark gray, hard, dry to moist, blocky									
	TCP	14/6" 12/6"					-with a limestone fragment at 1 foot									
	SPT-2	7-9-8 (17)					-dry, silty below 2.5 feet									
5	U-3		4.5+ (P)	100												
	U-4		4.5+ (P)	100			-yellow-brown, marly, with limestone fragments below 6 feet									
	U-5		4.5+ (P)	100			-lensed below 7 feet									
	U-6		1.0 (P)	100			-stiff, moist below 8 feet									
10	U-7		1.0 (P)	75												
	U-8		1.5+ (P)	100			-wet at 15 feet									
15							Total boring depth 15.0 ft.									
20																
25																

Water Observations:
None At Time Of Drilling
11.4 ft After Drilling

Remarks: 0-15 feet - 6-inch continuous flight augers. Backfilled with auger cuttings upon completion of drilling and sampling.

The stratification lines represent approximate strata boundaries. In situ, the transition may be gradual. These logs are subject to the limitations, conclusions, and recommendations in the associated report.

LOG OF BORING NO. B-06

FREESE AND NICHOLS

Project Description: North McKinney Pipeline System
Project Location: Collin County, Texas
Date Drilling Started: 8/1/2013
Logged By: MH
Rig Type: CME 75
Northing/Latitude: 33.16126

Drilling Co.: Total Depth
Hammer Type: Automatic
Easting/Longitude: -96.59768

Project No.: NTD11224
Phase No.: 0001
Date Drilling Completed: 8/1/2013
Drill Method: CFA & DRY
Hammer Wt. & Drop: 140 lb.; 30 in.
Elevation:

DEPTH, ft	SAMPLE TYPE	BLOW COUNTS	HAND PENETROMETER (P) / TORVANE (T), tsf	RECOVERY, %	RQD, %	SYMBOL	MATERIAL DESCRIPTION	WATER CONTENT, %	UNIT DRY WEIGHT, pcf	% PASSING NO. 200 SIEVE	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	UNC. COMPRESSIVE STRENGTH, tsf	STRAIN AT FAILURE, %	ELEVATION, ft
	U-1		4.5+ (P)	79			FAT CLAY (CH), dark gray, hard, dry, blocky, slickensided									
	U-2		4.5+ (P)	71			-moist below 2.5 feet									
	U-3		4.5+ (P)	100												
	U-4		4.5+ (P)	100												
5	U-5		4.5 (P)	100												
	U-6		4.5 (P)	100												
	U-7		4.5 (P)	100												
	U-8		3.0 (P)	83			-with light gray, very stiff, less blocky below 8 feet									
10																
	U-9		1.0 (P)	75			MARL, yellow-brown, with light gray, very soft to soft, moist 13/									
15							Total boring depth 15.0 ft.									
20																
25																

Water Observations:
None At Time Of Drilling

Remarks: 0-15 feet - 6-inch continuous flight augers. Backfilled with auger cuttings upon completion of drilling and sampling.

The stratification lines represent approximate strata boundaries. In situ, the transition may be gradual. These logs are subject to the limitations, conclusions, and recommendations in the associated report.

LOG OF BORING NO. B-07

FREESE AND NICHOLS

Project Description: North McKinney Pipeline System
Project Location: Collin County, Texas
Date Drilling Started: 8/1/2013
Logged By: MH
Rig Type: CME 75
Northing/Latitude: 33.177409

Drilling Co.: Total Depth
Hammer Type: Automatic
Easting/Longitude: -96.598114

Project No.: NTD11224
Phase No.: 0001
Date Drilling Completed: 8/1/2013
Drill Method: CFA & DRY
Hammer Wt. & Drop: 140 lb.; 30 in.
Elevation:

DEPTH, ft	SAMPLE TYPE	BLOW COUNTS	HAND PENETROMETER (P) / TORVANE (T), tsf	RECOVERY, %	RQD, %	SYMBOL	MATERIAL DESCRIPTION	WATER CONTENT, %	UNIT DRY WEIGHT, pcf	% PASSING NO. 200 SIEVE	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	UNC. COMPRESSIVE STRENGTH, tsf	STRAIN AT FAILURE, %	ELEVATION, ft
	U-1		4.5+ (P)	75			FAT CLAY (CH), dark gray, hard, dry, blocky									
	U-2		4.5+ (P)	100												
	U-3			50												
	TCP	50/2.5" 50/0.25"					LIMESTONE, yellow-brown, with light gray, hard, weathered 2.5/									
	A-4															
5	TCP	50/1.50" 50/0.75"														
	A-5															
10	TCP	50/0.625" 50/0"					-gray below 10 feet									
							-yellow-brown from 12 to 13.5 feet									
	A-6															
15	TCP	50/1" 50/0.50"					Total boring depth 15.1 ft.									
20																
25																

Water Observations:
None At Time Of Drilling

Remarks: 0-15.1 feet - 6-inch continuous flight augers. Backfilled with auger cuttings upon completion of drilling and sampling.

The stratification lines represent approximate strata boundaries. In situ, the transition may be gradual. These logs are subject to the limitations, conclusions, and recommendations in the associated report.

LOG OF BORING NO. B-08

FREESE AND NICHOLS

Project Description: North McKinney Pipeline System
Project Location: Collin County, Texas
Date Drilling Started: 8/1/2013
Logged By: MH
Rig Type: CME 75
Northing/Latitude: 33.187705

Drilling Co.: Total Depth
Hammer Type: Automatic
Easting/Longitude: -96.605108

Project No.: NTD11224
Phase No.: 0001
Date Drilling Completed: 8/1/2013
Drill Method: CFA & DRY
Hammer Wt. & Drop: 140 lb.; 30 in.
Elevation:

DEPTH, ft	SAMPLE TYPE	BLOW COUNTS	HAND PENETROMETER (P) / TORVANE (T), tsf	RECOVERY, %	RQD, %	SYMBOL	MATERIAL DESCRIPTION	WATER CONTENT, %	UNIT DRY WEIGHT, pcf	% PASSING NO. 200 SIEVE	LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	UNC. COMPRESSIVE STRENGTH, tsf	STRAIN AT FAILURE, %	ELEVATION, ft
	U-1		4.5+ (P)	63			FAT CLAY (CH), dark gray, hard, dry to moist, slightly blocky, partially slickensided									
	U-2		4.5+ (P)	100			-moist below 2 feet									
	U-3		4.5+ (P)	83												
	U-4		4.5+ (P)	83												
5	U-5		3.5 (P)	100			-very stiff below 5 feet									
	U-6		1.0 (P)	100			-soft, slickensided below 6 feet									
	U-7		1.0 (P)	100			-with light gray and weathered limestone nodules below 7 feet									
	U-8		1.0 (P)	100												
	TCP	37/6" 50/0.25"					LIMESTONE, yellow-brown, hard, weathered, marly									
10																
	A-9						-with gray below 14 feet									
15	TCP	50/0.50" 50/0.125					Total boring depth 15.1 ft.									
20																
25																

Water Observations:
None At Time Of Drilling

Remarks: 0-15.1 feet - 6-inch continuous flight augers. Backfilled with auger cuttings upon completion of drilling and sampling.

The stratification lines represent approximate strata boundaries. In situ, the transition may be gradual. These logs are subject to the limitations, conclusions, and recommendations in the associated report.

BORING LOG LEGEND AND NOMENCLATURE

Abbreviations		
U – Undisturbed Sample (tube)	SPT – Standard Penetration Test	TV – Torvane
A – Auger Sample	TCP – Texas Cone Penetration	NP – Non Plastic
CS – Continuous Sample	CFA – Continuous Flight Auger	ATD – At Time of Drilling
C – Rock Core	HSA – Hollow Stem Auger	AD – After Drilling

General Terms

Term	Description
Blow Counts	Results from either the Standard Penetration Test (SPT) or the Texas Cone Penetration (TCP) test.
Recovery	Length of sample or core recovered divided by the total length pushed, driven, or cored (expressed as a %)
Rock Quality Designation (RQD)	Cumulative length of unfractured pieces of core material more than 4 inches in length divided by the total length of material cored (expressed as a percentage)

Consistency of Cohesive Soil

Description	Comp. Strength, tsf	SPT Blows	TCP Blows	Criteria
Very Soft	< 0.25	0 – 2	0 – 8	Sample sags under its own weight and is easily deformed
Soft	≥ 0.25 – < 0.5	> 2 – 4	> 8 – 20	Easily pinched between fingers and remolded with light finger pressure
Medium Stiff	≥ 0.5 – < 1.0	> 4 – 8	N/A for TxDOT	Imprinted easily with fingers and remolded with firm finger pressure
Stiff	≥ 1.0 – < 2.0	> 8 – 15	>20 – 40	Imprinted with strong finger pressure or indented easily with fingernail
Very Stiff	≥ 2.0 – < 4.0	> 15 – 30	> 40 to 80	Light imprint from finger or light indent with fingernail
Hard	≥ 4.0	> 30	>80	Difficult to indent with fingernail

Apparent Density of Cohesionless Soil

Description	SPT Blow Count	Texas Cone Blow Count
Very Loose	0 – 4	0 – 8
Loose	> 4 – 10	> 8 – 20
Medium Dense	> 10 – 30	> 20 to 80
Dense	> 30 – 50	80 to ≥ 5"
Very Dense	> 50	0" to < 5"

Soil Structure

Description	Criteria
Stratified	Alternating layers of varying material/color with layers ≥ 1/4-inch thick
Laminated	Alternating layers of varying material/color with layers < 1/4-inch thick
Fissured	Breaks along definite planes with little resistance
Slickensided	Fracture planes appear polished or glossy; shows movement direction
Blocky	Cohesive soil that can be broken into small, angular lumps
Lensed	Inclusion of small pockets of soil that is different from dominate type
Homogenous	Same color and appearance throughout

Moisture Condition

Description	Criteria
Dry	Absence of moisture, dusty, dry to the touch
Moist	Damp but no visible water
Wet	Visible free water

Textural Adjectives

Textural Item	Description
Pit	Pinhole sized openings
Vug	Small openings up to 4 inches in size
Cavity	Opening larger than 4 inches
Honeycomb	Numerous and grouped pits and vugs
Vesicle	Small openings in volcanic rocks

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BORING LOG LEGEND AND NOMENCLATURE

Rock Hardness Descriptors

Grade	Approx. Comp. Strength, tsf	Approx. TCP Range	Field Test
Very Soft	< 10 - 100	>6"	Can be peeled with pocket knife, crumbles under firm blows of geological hammer
Soft	100 - 500	4" - 6"	Can be peeled with pocket knife with difficulty, indented by firm blows of geological hammer
Hard	500 - 1000	1" - 5"	Cannot be peeled with pocket knife, can be fractured by single firm blow of hammer
Very Hard	1000 - 2000	0" - 2"	Specimen requires more than one blow of geological hammer to fracture it
Extremely Hard	> 2000	0"	Specimen requires many blows of geological hammer to fracture it

Degree of Rock Weathering

Description	Criteria
Unweathered	No evidence of chemical or mechanical alteration
Slightly Weathered	Slight discoloration of surface or discontinuities; < 10% volume altered
Weathered	Discoloring evident; 10 to 50% of volume altered
Highly Weathered	Entire mass discolored; alteration through majority of rock
Decomposed	Rock reduced to soil consistency with some rock-like texture

Rock Bedding Structure

Description	Criteria
Laminated	< 3/8 inch
Very Thinly Bedded	3/8—1 inch
Thinly Bedded	1 inch—4 inches
Moderately Bedded	4 inches—1 foot
Thickly Bedded	1 foot—3 feet
Very Thickly Bedded	3– 10 feet
Massive	> 10 feet

Soil Column Graphic Symbols*

Graphic	Represented Soil Types	Graphic	Represented Soil Types
	Fat Clay, Fat Clay with sand, Sandy Fat Clay		Well-Graded Sand or Poorly-Graded Sand; little to no fines
	Lean Clay, Lean Clay with sand, Sandy Lean Clay, Silty Clay		Clayey Gravel, Gravel-Sand-Clay Mixtures
	Inorganic Silt and Organic Silt		Silty Gravel, Gravel-Sand-Silt Mixtures
	Clayey Sand, Clay-Sand Mixtures		Well-Graded Gravel or Poorly-Graded Gravel; little to no fines
	Silty Sands, Sand-Silt Mixtures		Fill with Significant Debris or Deleterious Material

Rock Column Graphic Symbols*

Graphic	Represented Rock Types	Graphic	Represented Rock Types
	Limestone, Shaly/Marly Limestone, Limestone with Shale		Marl, Marl with Limestone, Marl with Shale
	Shale, Shale with Limestone		Sandstone, Shaly Sandstone, Sandstone with Shale
	Mudstone		Generic Bedrock Symbol

* Combined graphics may be used for dual classifications. Not all graphics represented. Refer to lithology description for soil classification or rock type.

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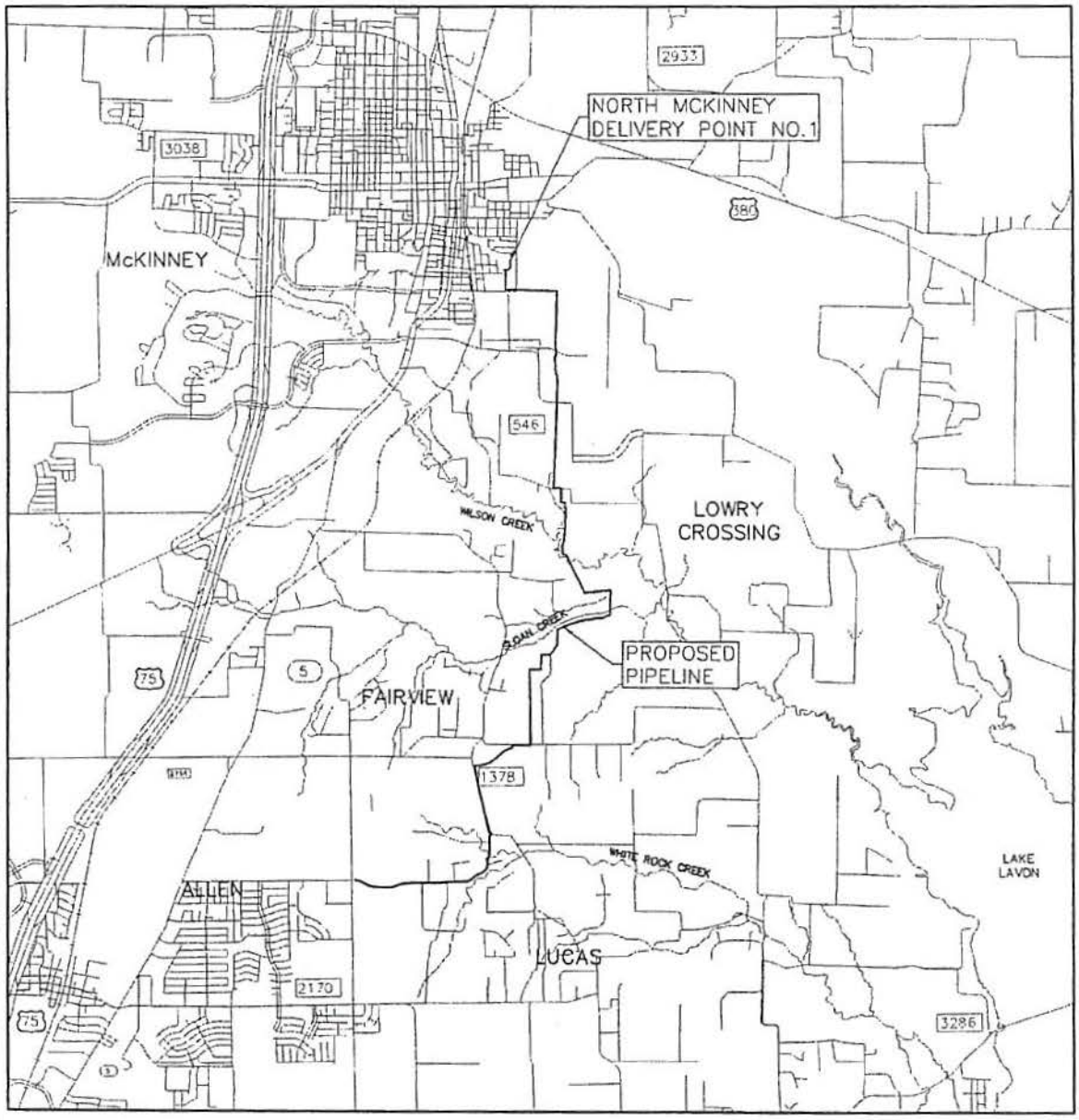
Appendix C
General Location Map



VICINITY MAP
1"=3000'

Appendix D

Site Map – See Erosion Control Plan &
Drainage Area Maps (See Plan Sheets)

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

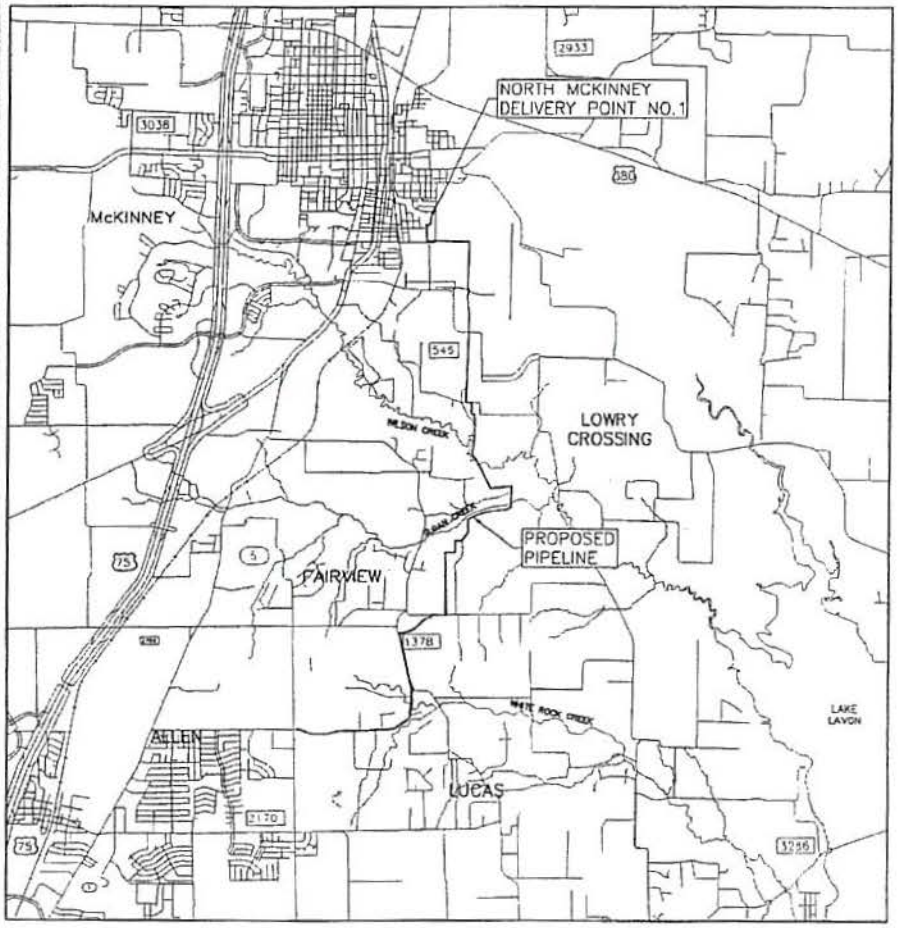
PHASE I AND II

PROJECT NO. 210

OCTOBER 2013

FREESE AND NICHOLS

NTD10273/NTD11224



VICINITY MAP
1"=3000'

INDEX OF DRAWINGS

SEQ.	SHT. NO.	TITLE
		COVER SHEET
		GENERAL
	G-1	VICINITY MAP AND INDEX OF DRAWINGS
	G-2	GENERAL NOTES
	G-3	
	G-4	HYDRAULIC GRADE LINE OVERALL PIPELINE
	G-5	PROJECT CONTROL PLAN
		PIPELINE
	PL-1A	12-INCH LUCAS WATER LINE STA 1+00 TO STA 3+71
	PL-1	PLAN AND PROFILE STA 1+00 TO STA 13+00
	PL-2	PLAN AND PROFILE STA 13+00 TO STA 25+00
	PL-3	PLAN AND PROFILE STA 25+00 TO STA 37+00
	PL-4	PLAN AND PROFILE STA 37+00 TO STA 49+00
	PL-5	PLAN AND PROFILE STA 49+00 TO STA 61+00
	PL-6	PLAN AND PROFILE STA 61+00 TO STA 73+00
	PL-7	PLAN AND PROFILE STA 73+00 TO STA 85+00
	PL-8	PLAN AND PROFILE STA 85+00 TO STA 97+00
	PL-9	PLAN AND PROFILE STA 97+00 TO STA 109+00
	PL-10	PLAN AND PROFILE STA 109+00 TO STA 121+00
	PL-11	PLAN AND PROFILE STA 121+00 TO STA 133+00
	PL-12	PLAN AND PROFILE STA 133+00 TO STA 145+00
	PL-13	PLAN AND PROFILE STA 145+00 TO STA 157+00
	PL-14	PLAN AND PROFILE STA 157+00 TO STA 169+00
	PL-15	PLAN AND PROFILE STA 169+00 TO STA 181+00
	PL-16	PLAN AND PROFILE STA 181+00 TO STA 193+00
	PL-17	PLAN AND PROFILE STA 193+00 TO STA 205+00
	PL-18	PLAN AND PROFILE STA 205+00 TO STA 217+00
	PL-19	PLAN AND PROFILE STA 217+00 TO STA 229+00
	PL-20	PLAN AND PROFILE STA 229+00 TO STA 241+00
	PL-21	PLAN AND PROFILE STA 241+00 TO STA 253+00
	PL-22	PLAN AND PROFILE STA 253+00 TO STA 265+00
	PL-23	PLAN AND PROFILE STA 265+00 TO STA 277+00
	PL-24	PLAN AND PROFILE STA 277+00 TO STA 289+00
	PL-25	PLAN AND PROFILE STA 289+00 TO STA 301+00
	PL-26	PLAN AND PROFILE STA 301+00 TO STA 313+00
	PL-27	PLAN AND PROFILE STA 313+00 TO STA 325+00
	PL-28	PLAN AND PROFILE STA 325+00 TO STA 337+00
	PL-29	PLAN AND PROFILE STA 337+00 TO STA 349+00
	PL-30	PLAN AND PROFILE STA 349+00 TO STA 361+00
	PL-31	PLAN AND PROFILE STA 361+00 TO STA 373+00
	PL-32	PLAN AND PROFILE STA 373+00 TO END
	PL-33	N. MCKINNEY NO. 1 DELIVERY LINE STA 1+00 TO END
		STANDARD DETAILS
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	DT-2	TRENCH DETAILS
	DT-3	PARALLEL PIPELINE TRENCH DETAILS
	DT-4	CREEK CROSSING DETAILS
	DT-5	STEEL PIPE DETAILS
	DT-6	BAR-WRAPPED PIPE DETAILS
	DT-7	PIPELINE APPURTENANCES
	DT-8	PIPELINE APPURTENANCES
	DT-9	BUTTERFLY VALVE MANHOLE DETAILS
	DT-10	MISCELLANEOUS DETAILS
	DT-11	MISCELLANEOUS DETAILS
	DT-12	MISCELLANEOUS DETAILS
		SPECIAL DETAILS
	SP-1	CONNECTION DETAILS
	SP-2	McKINNEY NO. 1 VALVE VAULT PLAN & SECTION
	SP-3	EXISTING TANK CONNECTION
	SP-4	BLOW OFF VALVE INSTALLATION
		STRUCTURAL
	S-1	VALVE VAULT SECTIONAL PLAN
	S-2	VALVE VAULT TOP PLAN
		ELECTRICAL
	E-1	LEGEND I
	E-2	LEGEND II
	E-3	SITE PLAN
	E-4	VAULT FLOOR PLAN
	E-5	INTERCONNECTION DIAGRAM AND DETAILS
	E-6	ONE-LINE DIAGRAM
	E-7	PANELBOARD SCHEDULES
	E-8	CONTROL SCHEMATICS
	E-9	DETAILS
		PROCESS AND INSTRUMENTATION
	PI-1	LEGEND
	PI-2	SCADA SYSTEM ARCHITECTURE
	PI-3	LOOP DIAGRAMS
		TREE PLAN
	TP-1	TREE PLAN STA 55+00 TO STA 69+00
	TP-2	TREE PLAN STA 69+00 TO STA 83+00
	TP-3	TREE PLAN STA 83+00 TO STA 97+00
	TP-4	TREE PLAN STA 97+00 TO STA 111+00
	TP-5	TREE PLAN STA 111+00 TO STA 125+00
	TP-6	TREE PLAN STA 125+00 TO STA 139+00
	TP-7	TREE PLAN STA 139+00 TO STA 153+00
	TP-8	TREE PLAN STA 153+00 TO STA 167+00
	TP-9	TREE PLAN STA 167+00 TO STA 181+00
	TP-10	TREE PLAN STA 181+00 TO STA 195+00
	TP-11	TREE PLAN STA 195+00 TO STA 209+00
	TP-12	TREE PLAN STA 209+00 TO STA 223+00
	TP-13	TREE PLAN STA 223+00 TO STA 237+00
	TP-14	TREE PLAN STA 237+00 TO STA 251+00
	TP-15	TREE PLAN STA 251+00 TO STA 265+00
	TP-16	TREE PLAN STA 265+00 TO STA 279+00
	TP-17	TREE PLAN STA 279+00 TO STA 293+00
	TP-18	TREE PLAN STA 293+00 TO STA 307+00
	TP-19	TREE PLAN STA 307+00 TO STA 321+00
	TP-20	TREE PLAN STA 321+00 TO STA 335+00
	TP-21	TREE PLAN STA 335+00 TO STA 349+00
	TP-22	TREE PLAN STA 349+00 TO STA 363+00
	TP-23	TREE PLAN STA 363+00 TO STA 377+00
	TP-24	TREE PLAN STA 377+00 TO END
	TP-25	TREE PLAN INDEX
	TP-26	TREE PLAN INDEX
	TP-27	TREE PLAN INDEX
	TP-28	TREE PLAN INDEX
	TP-29	TREE PLAN INDEX
	TP-30	TREE PLAN INDEX
	TP-31	TREE PLAN INDEX
	TP-32	TREE PLAN INDEX
	TP-33	TREE DETAILS

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
GENERAL
VICINITY MAP AND INDEX OF DRAWINGS

G-1

LEGEND OF SYMBOLS

	AIR VALVE – PLAN VIEW		TELEPHONE PEDESTAL
	AIR VALVE – PROFILE VIEW		SIGN
	POST MOUNTED TEST STATION		WELL
	FLUSH MOUNTED TEST STATION	I.R. FOUND	IRON ROD
	AIR VALVE MOUNTED TEST STATION		P.I.
	BLOWOFF VALVE	CP-2	SURVEY CONTROL POINT
	WATER VALVE		MONUMENT
B-1	BORING	BM-2	BENCH MARK AND / OR T.B.M.
	EXISTING WATER VALVE		TREE
	WATER METER OR GAS METER	MB	MAILBOX
FH	FIRE HYDRANT		BARBED WIRE FENCE
OHE	OVERHEAD ELECTRIC		CHAIN LINK OR WOOD FENCE
10" W	UNDERGROUND WATER LINE		RAILROAD
F/O	UNDERGROUND FIBER OPTIC		CONCRETE PAVING
UCT	UNDERGROUND TELEPHONE		ASPHALT PAVING
G	UNDERGROUND GAS		BRUSH OR TREELINE
AG	ABOVE GROUND GAS	10" W	ABANDON EXISTING WATERLINE
PP	POWER POLE		CREEK OR DRAINAGE PATH
	STREET LIGHT		LIMITS OF TEMPORARY EASEMENT
	GUY WIRE AND ANCHOR		LIMITS OF PERMANENT EASEMENT
			PROPERTY LINE AND / OR R.O.W.
		FINAL GRADE	CUT/FILL AREA ON PIPELINE

EXISTING UTILITY OWNERS

NORTH TEXAS MUNICIPAL WATER DISTRICT	
JEFF HOGAN	(972) 442-5405
GREG BRADLEY	
ONCOR	
JACK HINDS (DISTRIBUTION)	(972) 569-6324
RON ROARK (TRANSMISSION)	(817) 215-6237
CITY OF LUCAS	
STANTON FOERSTER	(972) 727-8999
TOWN OF FAIRVIEW	
JAMES CHANCELLOR	(972) 886-4235
CITY OF McKINNEY	
ROB DAAKE	(972) 547-7398
CITY OF ALLEN	
CHRIS FLANIGAN	(214) 509-4578
AT&T	
DAVID JORDAN	(972) 569-4770
COSERV GAS	
HANK OGDEN	(940) 321-7800
GCEC	
MICHAEL LAUER	(903) 482-7183
VERIZON	
DAN DANCER	(972) 841-4651
GRANDE COMMUNICATIONS	
CHRIS LANGSTON	(940) 270-7016
ATMOS ENERGY	
JACKIE COOPER	(972) 881-4161
TxDOT	
BARRY HEARD	(972) 542-2345
TEXAS ONE CALL SYSTEM	(800) 245-4545
TEXAS EXCAVATION SAFETY SYSTEM	(800) 344-8377

GENERAL PROJECT NOTES (NO SEPARATE PAY ITEMS)

A. REGULATORY, PERMITTING AND SAFETY

A1 CONTRACTOR SHALL ABIDE BY ALL APPLICABLE GOVERNMENTAL AND REGULATORY STANDARDS AND REQUIREMENTS AND OBTAIN ALL NECESSARY PERMITS AND APPROVALS FOR CONSTRUCTION OF THE PIPELINE FACILITIES SHOWN IN THE PLANS.

A2 CONTRACTOR SHALL BE RESPONSIBLE FOR MAINTAINING GENERAL SAFETY AT AND ADJACENT TO THE PROJECT AREA, INCLUDING THE PERSONAL SAFETY OF THE CONSTRUCTION STAFF AND THE GENERAL PUBLIC, AND FOR THE SAFETY OF PUBLIC AND PRIVATE PROPERTY.

A3 CONTRACTOR IS RESPONSIBLE FOR ALL TRENCH SAFETY. THE CONTRACTOR SHALL CONSTRUCT THE PROPOSED WORK UTILIZING A TRENCH SAFETY PLAN PREPARED BY A PROFESSIONAL ENGINEER LICENSED IN THE STATE OF TEXAS, FOR THIS PROJECT. THIS TRENCH SAFETY PLAN SHALL BE SUBMITTED PRIOR TO ANY WORK ACTIVITIES.

A4 CONTRACTOR SHALL PROVIDE A STORM WATER POLLUTION PREVENTION PLAN AND PROVIDE ALL FACILITIES TO COMPLY WITH THE LATEST TCEQ STORM WATER POLLUTION PREVENTION REGULATIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR FILING A NOTICE OF INTENT (NOI) AT THE START OF CONSTRUCTION WITH THE TCEQ AND A NOTICE OF TERMINATION (NOT) AT THE END, ALSO WITH THE TCEQ.

A5 CONTRACTOR SHALL EMPLOY ADEQUATE METHODS TO MINIMIZE TURBIDITY IN WATERWAYS DURING ALL PHASES OF THE PROJECT. THE CONTRACTOR SHALL COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS CONCERNING WATER POLLUTION PREVENTION.

A6 CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ADEQUATE MEASURES FOR PREVENTING STORM WATER RUNOFF FROM ENTERING THE TRENCH DURING CONSTRUCTION.

A7 CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING INSTALLED EROSION AND STORM WATER CONTROL DEVICES AND SHALL REPAIR OR REPLACE ANY SUCH DEVICES AT HIS EXPENSE OR REIMBURSE THE CONTRACTOR'S SUBCONTRACTOR FOR COMPLETING SUCH REPAIRS.

A8 CONTRACTOR IS RESPONSIBLE FOR KEEPING ROADWAYS AND SIDEWALKS ADJACENT TO THE PROJECT FREE OF MUD, TRASH, AND CONSTRUCTION DEBRIS.

A9 CONTRACTOR SHALL NOTIFY TXDOT OF THE CONSTRUCTION SCHEDULE OF ALL TUNNELS TO BE INSTALLED WITHIN STATE HIGHWAYS AND ROADWAYS. NOTIFY TXDOT AT LEAST 48 HOURS PRIOR TO STARTING CONSTRUCTION SO THAT TXDOT CAN HAVE A REPRESENTATIVE PRESENT. CONTRACTOR SHALL COMPLY WITH ALL OF THE REQUIREMENTS OF THE CROSSING PERMITS ATTACHED TO THE PROJECT SPECIFICATIONS.

A10 CONTRACTOR SHALL LEAVE AT LEAST ONE LANE OF TRAFFIC OPEN WHEN CROSSING OPEN CUT ROADWAYS.

A11 ALL APPROVED PERMITS AND REQUIREMENTS OBTAINED PRIOR TO CONSTRUCTION ARE LOCATED IN APPENDIX C OF THE PROJECT SPECIFICATIONS.

B. GENERAL AND CONSTRUCTION

B1 CONSTRUCTION SURVEYING IS THE RESPONSIBILITY OF THE CONTRACTOR INCLUDING BUT NOT LIMITED TO LIMITS OF PERMANENT EASEMENT, TEMPORARY EASEMENT, CENTERLINE, ETC. THE INSTALLATION CONTRACTOR SHALL VERIFY ALL CONTROL MONUMENTATION PRIOR TO BEGINNING CONSTRUCTION.

B2 CONTRACTOR SHALL INSTALL ALL PIPE ON GRADUAL VERTICAL CURVATURES, EXCEPT AS SHOWN ON PLANS TO PRECLUDE THE NECESSITY OF USING FITTINGS FOR VERTICAL BENDS. HOWEVER, PIPE JOINTS AND FITTINGS SHALL NOT BE DEFLECTED MORE THAN 75% OF THE MANUFACTURER'S ALLOWABLE DEFLECTION PER JOINT.

B3 VALVE AND MANHOLE RIMS & LIDS SHALL BE INSTALLED A MAXIMUM OF 18 INCHES ABOVE FINAL GRADE OF TRENCH OR STRUCTURAL BACKFILL, AND BE OF SUFFICIENT DEPTH TO ACCOMMODATE VALVE ASSEMBLY WITH HEADROOM UNLESS OTHERWISE NOTED IN PLANS. REFER TO PIPELINE DETAILS FOR ADDITIONAL INFORMATION.

B4 AIR VALVES SHALL BE INSTALLED AT HIGH POINTS AND OTHER VARIOUS LOCATIONS ALONG THE PIPELINE AS SHOWN IN THE PLANS. MINOR STATION LOCATION ADJUSTMENTS MAY BE MADE WITH PRIOR APPROVAL OF THE ENGINEER.

B5 BLOW-OFF VALVE DISCHARGE PIPING IS SHOWN IN THE PLANS AS A GENERAL LOCATION AND ORIENTATION OF THE DISCHARGE PIPING AND VALVE. FINAL LOCATION AND DIRECTION OF BLOW-OFF VALVE DISCHARGE SHALL BE DETERMINED PRIOR TO INSTALLATION BY THE OWNER'S ON-SITE INSPECTOR. CONTRACTOR SHALL COORDINATE WITH THE OWNER'S INSPECTOR PRIOR TO INSTALLATION OF THE DISCHARGE PIPING AND DUCK BILL VALVE.

B6 CONTRACTOR SHALL PROVIDE AS-BUILT LOCATIONS AND ELEVATIONS OF APPURTENANCES, INCLUDING BUT NOT LIMITED TO AIR RELEASE, AIR/VACUUM, AND BLOW OFF VALVES, MANHOLE COVERS, IN-LINE VALVES, CORROSION TEST STATIONS, CONNECTIONS AND OUTLETS. CONTRACTOR SHALL ALSO PROVIDE AS-BUILT TOP-OF-PIPE SURVEY AS SPECIFIED IN THE CONTRACT DOCUMENTS AS IT IS BEING LAID, INCLUDING STATION AND ELEVATION INFORMATION. AS-BUILT DATA SHALL BE SUBMITTED WITH THE MONTHLY REQUEST FOR PAYMENT FOR THESE ITEMS.

B7 NO BLASTING WILL BE ALLOWED.

B8 NO BURNING WILL BE ALLOWED. ALL BRUSH AND CONSTRUCTION DEBRIS SHALL BE REMOVED FROM THE SITE.

B9 NEW PIPE SHALL BE DESIGNED FOR THE OPERATING PRESSURES INDICATED ON THE HYDRAULIC GRADE LINE SHEET AND AS INDICATED ON THE PLANS. IN NO CASE SHALL PIPE BE DESIGNED FOR LESS THAN 150 PSI.

B10 ALL OUTLETS ON THE WATERLINE SHALL BE FLANGED OUTLETS WITH THE EXCEPTION OF 4" PASS-THRU FOR WELD LEADS ON POLY-COATED STEEL PIPE. ALL VALVES CONNECTED TO THE OUTLETS SHALL BE FLANGED. ALL BURIED FLANGE BOLTS SHALL BE 316 STAINLESS STEEL.

B11 CONTRACTOR SHALL BE REQUIRED TO INSTALL TEMPORARY TEST PLUGS FOR HYDROSTATIC TESTING AS NECESSARY AT NO ADDITIONAL COST TO THE OWNER.

B12 ALL ABOVE GROUND METAL SHALL BE PAINTED OR COATED ACCORDING TO THE SPECIFICATIONS. CONTRACTOR SHALL COORDINATE THE COLORS WITH THE OWNER.

B13 VARIOUS LOCATIONS OF THE WORK ARE SUBJECT TO FLOODING OR STANDING WATER DURING WET WEATHER PERIODS. CONTRACTOR SHALL PLAN THIS WORK FOR DRY WEATHER PERIODS OR PROVIDE DEWATERING AND OTHER WET WEATHER PROVISIONS AS INCIDENTAL WORK.

B14 CONTRACTOR SHALL COORDINATE HIS PROPOSED CONSTRUCTION WITH OTHER CONTRACTORS IN THE EVENT THE OTHER CONTRACTORS ARE DOING WORK IN THE SAME AREA SIMULTANEOUSLY WITH HIS PROJECT. THIS INCLUDES, BUT IS NOT LIMITED TO, ALL CONNECTION POINTS OR OTHER SPECIAL ITEMS AS REQUIRED FOR TESTING.

B15 THIS PROJECT IMPACTS WATER SUPPLY ENTITIES WHO MAY HAVE FACILITIES LOCATED IN THE PROJECT TEMPORARY AND PERMANENT EASEMENTS. PRIOR TO RECEIVING FINAL PAYMENT FROM NTMWD, THE CONTRACTOR SHALL PROVIDE A RELEASE TO NTMWD ON BEHALF OF EACH WATER SUPPLY ENTITY.

B16 ALL STEEL PIPE JOINTS MUST BE WELDED.

Freese and Nichols, Inc. Texas Registered Engineering Firm F-2144

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NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
GENERAL

GENERAL NOTES

NO.	DATE	BY	DESCRIPTION

SHEET G-2

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale accordingly.

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C. ACCESS AND EASEMENT REQUIREMENTS

C1 CONTRACTOR'S OPERATIONS MUST STAY WITHIN THE PERMANENT AND TEMPORARY EASEMENTS DESIGNATED ON THE PLAN SHEETS. CONTRACTOR WILL STAKE THE LIMITS OF THE PERMANENT AND TEMPORARY EASEMENT PRIOR TO BEGINNING WORK. CONTRACTOR SHALL MAINTAIN STAKES UNTIL WORK IS COMPLETE, INCLUDING PROPERTY RESTORATION. ACCESS ROUTES OR OPERATIONS WHICH FALL OUTSIDE THE DESIGNATED AREAS WILL ONLY BE ALLOWED WITH PRIOR LANDOWNER CONSENT. CONTRACTOR SHALL PROVIDE THE OWNER WITH A DRAFT OF THEIR STANDARD AGREEMENT PRIOR TO ANY AGREEMENTS BEING MADE. CONTRACTOR SHALL ALSO PROVIDE A COPY OF ALL EXECUTED AGREEMENTS PRIOR TO WORK OR ACTION TAKING PLACE ON SUCH AGREEMENTS AND SHALL EXECUTE A SIGNED RELEASE FROM ALL LANDOWNERS UPON COMPLETION OF ACTION ON THE AGREEMENT.

C2 ALL GATES SHALL BE KEPT CLOSED TO CONTROL ACCESS TO THE PROJECT SITE. CONTRACTOR IS SOLELY RESPONSIBLE FOR SITE SECURITY AND ACCESS CONTROL AND SHALL PROVIDE APPROPRIATE STAFFING AND ACCESS CONTROLS INCLUDING GATES AND LOCKS AS REQUIRED.

C3 CONTRACTOR SHALL MAINTAIN AT LEAST ONE LANE OF TRAFFIC ON ALL ROADS AT ALL TIMES, AND CONSTRUCT TEMPORARY BYPASS, IF NECESSARY, IF THE ROADWAY MUST BE CLOSED TO FACILITATE CONSTRUCTION ACTIVITIES. ACCESS MUST BE MAINTAINED TO PRIVATE DRIVES AT ALL TIMES. CONTRACTOR SHALL NOTIFY PRIVATE DRIVE OWNERS AND CONTRACTOR A MINIMUM OF 7 DAYS PRIOR TO AFFECTING ACCESS TO DRIVES.

C4 CONTRACTOR SHALL SUBMIT A TRAFFIC CONTROL PLAN TO THE OWNER AND THE RIGHT-OF-WAY OWNER FOR THE ROADWAY FOR APPROVAL NO LESS THAN 14 DAYS IN ADVANCE OF THE PROPOSED ROADWAY CLOSURE. ANY COMMENTS RECEIVED ON THE PLAN BY THE OWNER OR RIGHT-OF-WAY OWNER SHALL BE INCORPORATED INTO THE PLAN. THE PLAN SHALL BE PREPARED SPECIFICALLY FOR THIS PROJECT AND SHALL BE SEALED AND SIGNED BY AN ENGINEER LICENSED IN THE STATE OF TEXAS.

C5 CONTRACTOR SHALL PROVIDE APPROPRIATE SIGNAGE, BARRICADES, FLAG MEN, ETC. REQUIRED TO MAINTAIN SAFE TRAFFIC FLOW AT ALL TIMES FOR ANY WORK ACTIVITY ON OR ADJACENT TO ANY CITY, COUNTY OR TXDOT ROADWAY. ALL TRAFFIC CONTROL MEASURES SHALL BE IN ACCORDANCE WITH TXDOT'S MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

C6 CONTRACTOR SHALL NOTIFY ALL CIVIC AUTHORITIES, EMERGENCY UNITS AND SCHOOL DISTRICTS OPERATING WITHIN THE AREA OF THE PROPOSED WORK OF LANE CLOSURES AND CONSTRUCTION SCHEDULES.

C7 CONTRACTOR SHALL NOTIFY ALL PROPERTY OWNERS AT LEAST 48 HOURS PRIOR TO PERFORMING ANY WORK ON THEIR PROPERTY. CONTRACTOR SHALL ALSO DISTRIBUTE A LETTER TO ALL AFFECTED PROPERTY OWNERS THAT INCLUDES NAMES AND TELEPHONE NUMBERS OF CONTRACTOR'S CONTACTS, A DESCRIPTION OF WORK TO BE DONE, AND THE TIME FRAME FOR DOING THE WORK. A COPY OF THE NOTICE LETTERS SHALL BE FORWARDED TO THE OWNER'S REPRESENTATIVE.

C8 CONTRACTOR SHALL NOT DISTURB PONDS, CREEKS OR OTHER WATERWAYS OUTSIDE OF THE PERMANENT EASEMENT.

D. EXCAVATION AND BACKFILL

D1 IN ACCORDANCE WITH TEXAS STATE LAW, AT LEAST 2 DAYS PRIOR TO BEGINNING CLEARING OR EXCAVATION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR NOTIFYING A TEXAS REGISTERED NOTIFICATION CENTER (I.E. TEXAS ONE CALL, DIG TESS, ETC.), IN ORDER TO HAVE EXISTING UTILITIES LOCATED. SUBMIT TICKETS AS RECORD DATA.

D2 CONTRACTOR SHALL SECURE EXCAVATION AT THE END OF EACH DAY. THE OWNER MAY REQUIRE THAT NO TRENCHES BE LEFT OPEN OVERNIGHT IN STREETS OR POPULATED AREAS.

D3 THE TOP 12 INCHES OF TRENCH BACKFILL MATERIAL SHALL BE NATIVE TOPSOIL OR HAVE A GRADATION SIMILAR TO EXISTING GROUND ADJACENT TO THE TRENCH. MAXIMUM ROCK QUANTITY AND SIZE WITHIN THE 12 INCH TOP LAYER SHALL NOT EXCEED THAT OF THE SURROUNDING TOPSOIL.

D4 FLOWABLE FILL REQUIRED FOR CROSSING FLEXIBLE BASE ROADS, DRIVES, ASPHALT PAVEMENT, CONCRETE ROADS, AND CREEK CROSSINGS AREAS IS SHOWN ON THE PLAN AND PROFILE SHEETS FOR REFERENCE.

D5 CONTRACTOR SHALL REMOVE ALL SURPLUS MATERIAL FROM THE PROJECT AREA INCLUDING EXCAVATED MATERIAL, SOIL, RUBBLE, TRASH, ETC. AND DISPOSE OF APPROPRIATELY. NO EXCAVATED MATERIAL SHALL BE DEPOSITED IN LOW AREAS OR ALONG NATURAL DRAINAGE WAYS. IF THE CONTRACTOR PLACES EXCESS MATERIAL IN AREAS WITHOUT WRITTEN PERMISSION, HE WILL BE RESPONSIBLE FOR ALL DAMAGES RESULTING FROM SUCH FILL AND HE SHALL REMOVE THE MATERIAL AT HIS OWN COST.

D6 BACKFILL OF THE TRENCH OR WORK AREA SHALL BE KEPT WITHIN 500 LF OF THE INSTALL OPERATION. TRENCH AND WORK AREA IS TO BE ADEQUATELY SECURED AND MADE SAFE AT THE CONCLUSION OF EACH WORK DAY TO THE SATISFACTION OF THE OWNER.

E. EASEMENT RESTORATION

E1 CONTRACTOR SHALL RESTORE ALL DISTURBED AREAS WITHIN THE CONSTRUCTION SITE AS PER THE EASEMENT REQUIREMENTS ASSOCIATED WITH THE PROJECT AND ANY OTHER REQUIREMENTS SHOWN ON THE PLANS. IF NOT OTHERWISE SPECIFIED, ALL STREETS, DRIVEWAYS, FENCING, LANDSCAPING, IRRIGATION, ETC. SHALL BE RETURNED TO A CONDITION EQUAL TO OR BETTER THAN EXISTED PRIOR TO CONSTRUCTION.

E2 THE CONTRACTOR SHALL PROVIDE A DVD TO THE OWNER DOCUMENTING THE CONDITION OF THE PIPELINE ROUTE, INCLUDING THE PERMANENT EASEMENT, TEMPORARY EASEMENT AND SURROUNDING AREA. CONTRACTOR SHALL REVIEW DVD PRIOR TO THE START OF ANY CONSTRUCTION.

E3 RESTORE GROUND TO ORIGINAL GRADE AND PREVENT PONDING OF STORM WATER RUNOFF ON ALL GROUND DISTURBED BY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL RESTORE GROUND THROUGHOUT THE WARRANTY PERIOD WHERE SETTLEMENT HAS CREATED STORM WATER PONDING.

E4 FOLLOWING INSTALLATION OF PIPELINE ACROSS WATERWAYS, THE WATERWAY BANK SLOPE SHALL BE RESTORED IN ACCORDANCE WITH PROJECT DETAILS.

E5 CONTRACTOR SHALL CLEAN THE RIGHT-OF-WAY OF ANY AND ALL TRASH AND OTHER CONSTRUCTION DEBRIS.

E6 IT SHALL BE THE COMPLETE RESPONSIBILITY OF THE CONTRACTOR TO REBUILD THE CONCRETE, ASPHALT OR FLEXBASE PAVEMENT REPLACEMENT SECTIONS INCLUDING SUBGRADE TO THE SAME LINE AND GRADE THAT EXISTED PRIOR TO PIPELINE CONSTRUCTION.

E7 THE CONTRACTOR SHALL RESTORE, AT HIS OWN EXPENSE, TEMPORARY ROADS AND CONSTRUCTION WORK AREAS TO PRE-CONSTRUCTION CONDITIONS.

E8 CONTRACTOR SHALL RESEED OR RESOD ALL DISTURBED AREAS WITHIN TXDOT RIGHT-OF-WAY AND EASEMENTS AS SHOWN.

F. TREES

F1 CONTRACTOR SHALL COMPLY WITH CITY TREE ORDINANCES DURING CONSTRUCTION WITHIN THE RESPECTIVE CITY LIMITS.

F2 CONTRACTOR SHALL OBTAIN A TREE REMOVAL PERMIT AS MAY BE REQUIRED BY CITY ORDINANCE OR OTHER AUTHORITY.

F3 CONTRACTOR SHALL CLEAR ALL TREES WITHIN THE PERMANENT EASEMENT UNLESS OTHERWISE SPECIFICALLY NOTED ON THE PLANS OR IN THE EASEMENT DOCUMENTS.

F4 CONTRACTOR SHALL NOT DAMAGE EXISTING TREES LARGER THAN 8-INCHES IN DIAMETER (MEASURED 4 FT. ABOVE THE EXISTING GRADE) THAT ARE OUTSIDE OF THE PERMANENT EASEMENT. THE CONTRACTOR MUST OBTAIN APPROVAL FROM THE OWNER BEFORE ANY TREES OUTSIDE OF THE PERMANENT EASEMENT CAN BE REMOVED OR TRIMMED.

F5 CONTRACTOR SHALL REPLACE ANY TREES REMOVED OR DESTROYED WITHOUT THE OWNERS PERMISSION OR SHALL PAY THE FAIR MARKET VALUE (AS DETERMINED BY THE OWNER) TO THE OWNER.

F6 TRIMMING OF TREES SHALL BE ACCOMPLISHED USING A SAW, PRUNING SHEARS, OR OTHER EQUIPMENT SPECIFICALLY DESIGNED TO TRIM BRANCHES RESULTING IN A CLEAN CUT. ALL CUT LIMBS OVER 1 INCH IN DIAMETER SHALL BE PAINTED WITH TREE WOUND PAINT IMMEDIATELY AFTER TREE TRIMMING IN RESIDENTIAL AND LANDSCAPED AREAS.

F7 ALL NEW TREES REQUESTED BY THE OWNER, SHOWN ON THE PLANS, OR REQUIRED BY THE EASEMENT DOCUMENTS, SHALL BE PLANTED BY A NURSERYMAN LICENSED IN THE STATE OF TEXAS.

G. FENCES AND GATES

G1 EXISTING FENCES, GATES, CATTLE GUARDS, ETC. USED FOR ACCESS SHALL BE LEFT IN CONDITION EQUAL TO OR BETTER THAN EXISTED PRIOR TO CONSTRUCTION. CONTRACTOR SHALL REPAIR OR REPLACE ALL DAMAGED FENCING ITEMS IN KIND WITH LIKE OR BETTER MATERIALS, AND PAINTED, STAINED OR TREATED TO MATCH EXISTING FENCING.

G2 CONTRACTOR SHALL REMOVE FENCES AND GATES AS REQUIRED FOR CONSTRUCTION AND REPLACE AFTER THE PIPELINE HAS BEEN INSTALLED AND TESTED. ALL FENCING INCLUDING BARBED WIRE, WROUGHT IRON, ORNAMENTAL AND CHAIN LINK FENCES SHALL BE REPLACED OR RECONSTRUCTED WITH NEW MATERIALS AND SHALL MATCH EXISTING FENCING UNLESS OTHERWISE NOTED IN THE PLANS OR EASEMENT DOCUMENTS.

G3 INSTALL PERMANENT STEEL GATES PER PROJECT DETAILS AT ALL FENCE CROSSINGS EXCEPT WHERE DESIGNATED OTHERWISE.

G4 TEMPORARY FENCING SHALL BE PROVIDED TO PROTECT LIVESTOCK OR IN PUBLIC AREAS. TEMPORARY FENCING SHALL BE INSTALLED WHERE PERMANENT FENCING IS NOT TO BE REPLACED BY END OF SAME WORK DAY OR AS DIRECTED BY OWNER. CONTRACTOR SHALL VERIFY PRESENCE OF LIVESTOCK WITH LANDOWNER PRIOR TO ENTERING PROPERTY.

G5 ANY DAMAGES RESULTING FROM GATES OR FENCING LEFT OPEN SHALL BE AT THE CONTRACTOR'S EXPENSE.

H. UTILITIES

H1 THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES SHOWN IN THE PLANS ARE APPROXIMATE ONLY AND SHALL BE VERIFIED BY THE CONTRACTOR BEFORE COMMENCING WORK. CONTRACTOR IS FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES RESULTING FROM FAILURE TO EXACTLY LOCATE AND PRESERVE THE UNDERGROUND UTILITIES.

H2 CONTRACTOR SHALL VERIFY THE LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO DELIVERY OF PIPE AND SUFFICIENTLY IN ADVANCE OF THE CONSTRUCTION SO THAT IF IT IS NECESSARY TO CHANGE OR MOVE THE UTILITY, THE PROGRESS OF THE WORK WILL NOT BE DELAYED. ANY EXISTING UTILITY DAMAGED DURING CONSTRUCTION SHALL BE REPAIRED OR REPLACED IMMEDIATELY WITH LIKE OR BETTER MATERIALS.

H3 CONTRACTOR SHALL TO SUBMIT A WRITTEN LAYING PLAN AND SCHEDULE 14 DAYS IN ADVANCE OF CONSTRUCTION ACTIVITIES REQUIRING REPLACEMENT OR SUPPORT OF EXISTING SANITARY SEWER PIPE, WATER PIPE OR STORM DRAIN PIPE. THE PLAN SHALL DESCRIBE IN DETAIL THE METHOD FOR REPLACING OR SUPPORTING EXISTING PIPE AND ASSOCIATED SCHEDULE.

H4 CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING SERVICE LINES CROSSED OR EXPOSED BY HIS CONSTRUCTION OPERATIONS. WHERE EXISTING SERVICE LINES ARE CUT, BROKEN OR DAMAGED THE CONTRACTOR SHALL IMMEDIATELY REPLACE THE SERVICE LINES IN KIND WITH LIKE OR BETTER MATERIALS. CONTRACTOR SHALL ENSURE PROPER COMPACTION TO MINIMIZE ANY FUTURE DEFLECTION OF THE SERVICE LINE.

H5 CONTRACTOR SHALL PROTECT ALL UNDERGROUND IRRIGATION SYSTEMS ENCOUNTERED WITHIN THE CONSTRUCTION AREA. ALL DAMAGE SHALL BE REPAIRED BY IRRIGATOR LICENSED IN THE STATE OF TEXAS.

H6 CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORT OF ALL POWER AND TELEPHONE POLES AND GUY WIRES WITHIN 15 FEET OF PROPOSED WATER LINE AND SHALL REPAIR DAMAGED POLES AND GUY WIRES OR RELOCATE POLES AND GUY WIRES AS REQUIRED BY THE UTILITY OWNER AT NO ADDITIONAL COST TO THE OWNER.

H7 CONTRACTOR, AT HIS DISCRETION, MAY TUNNEL UNDER EXISTING UTILITIES OR ROADWAYS OTHER THAN THOSE CROSSINGS SPECIFICALLY SHOWN ON THE DRAWINGS, AT NO ADDITIONAL COST TO THE OWNER.

H8 WHEN NEW WATERLINE CONSTRUCTION CROSSES UNDER EXISTING PIPELINES, CONTRACTOR SHALL BACKFILL EXISTING PIPELINE WITH GRANULAR EMBEDMENT FROM TOP OF PIPE ZONE OF NEW WATERLINE TO ONE FOOT ABOVE EXISTING PIPELINE.

H9 WHERE OVERHEAD ELECTRICAL POWER POLES AND GUY WIRES ARE CALLED OUT TO BE RELOCATED, CONTRACTOR SHALL COORDINATE THE RELOCATION WITH THE ELECTRICAL DISTRIBUTION COMPANY AND PAY FOR ALL COSTS ASSOCIATED WITH THE ACTIVITIES. OVERHEAD ELECTRICAL POLES AND GUY WIRES SHALL BE RELOCATED TO OUTSIDE OF THE PERMANENT EASEMENT. CONTRACTOR SHALL PROVIDE TEMPORARY SUPPORT OF ALL POWER POLES WITHIN 15 FEET OF CONSTRUCTION OR WHERE TEMPORARY REMOVAL OF GUY WIRES IS NECESSARY FOR CONSTRUCTION.

H10 CONTRACTOR SHALL RETURN ALL REMOVED FIRE HYDRANTS ALONG EXCHANGE PARKWAY AND ROCK RIDGE ROAD TO THE CITY OF LUCAS AT 665 COUNTRY CLUB ROAD, LUCAS, TEXAS 75002.

I. EXISTING STRUCTURES AND FACILITIES

I1 WHEN THE PLANS OR EASEMENTS INDICATE THE DEMOLITION OR REMOVAL OF AN EXISTING STRUCTURE OR FACILITY BY THE CONTRACTOR, THE CONTRACTOR SHALL PROVIDE AT LEAST 30 DAYS NOTICE TO THE PROPERTY OWNER OF THE PENDING REMOVAL.

I2 WHERE IT IS NECESSARY FOR LANDOWNERS TO MOVE TRAILERS, SHEDS, OR OTHER FACILITIES OR IMPROVEMENTS, THE CONTRACTOR SHALL NOTIFY THE PROPERTY OWNER AND THE PROJECT OWNER NO LESS THAN 30 DAYS PRIOR TO THE NEED FOR MOVING THE FACILITIES OR IMPROVEMENTS.

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
GENERAL

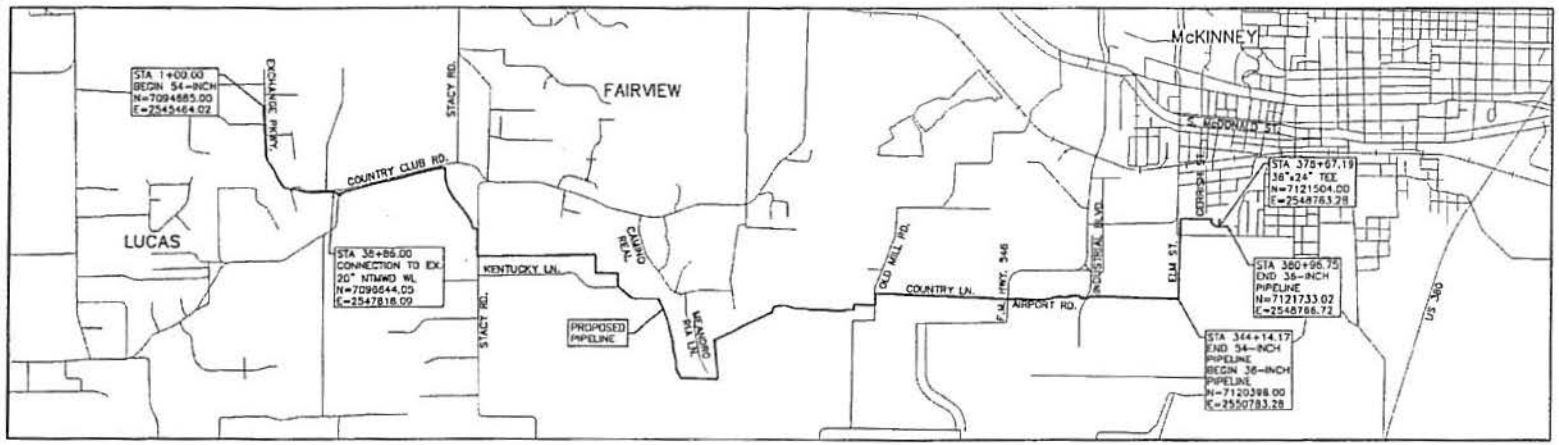
GENERAL NOTES

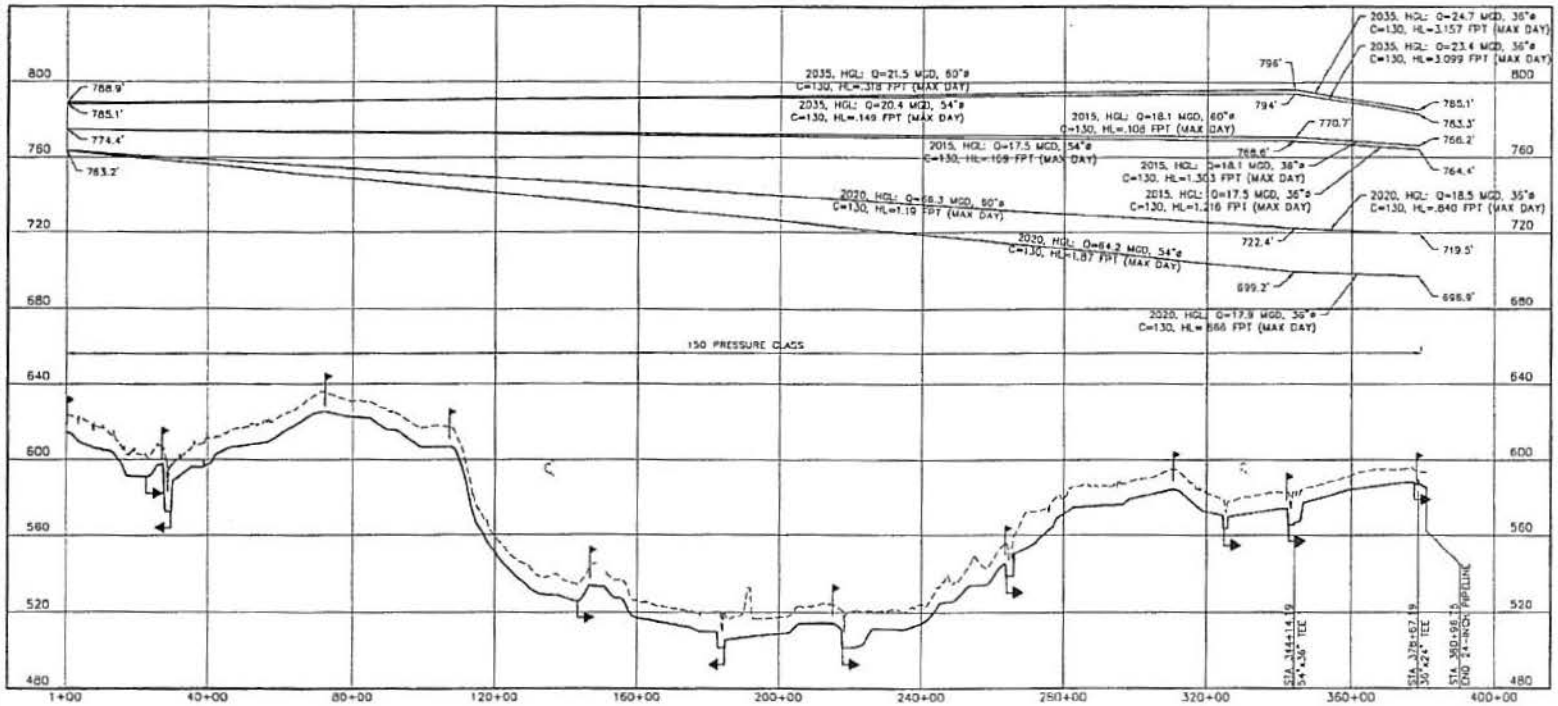
FREESE NICHOLS

FN JOB NO. NTD11324
DATE 10/16/13

SHEET G-3

VERIFY SCALE: Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.





0 1600' 3200'
HORIZONTAL SCALE
0 30' 60'
VERTICAL SCALE

FREESE AND NICHOLS
2301 North Central, 5th Floor
Dallas, TX 75204
Phone: (214) 217-2200
Fax: (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
GENERAL
HYDRAULIC GRADE LINE
OVERALL PIPELINE

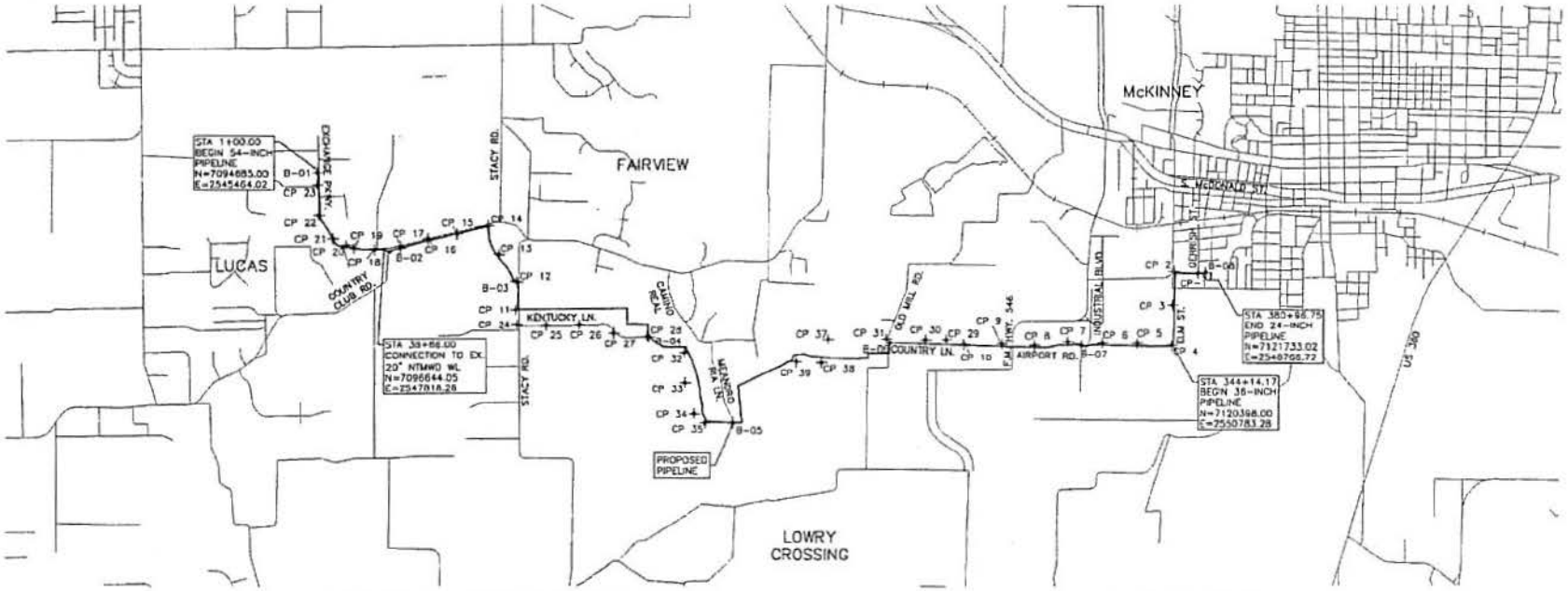
DATE	10/18/13	
DRAWN	WCG	
CHKD	LMB	
PCKD		ADM

FILE NAME: GH-ALL-HGL01.dwg

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

SHEET G-4

Date: Oct 18, 2013 - 3:31pm User: 02159 File: N:\Ufb\Drawings\GH-ALL-HGL01.dwg



POINT TABLE				
PNT	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP 1	7121131.72	2548545.19	595.54	5/8" CIRS
CP 2	7120397.05	2548492.95	595.44	5/8" CIRS
CP 3	7120371.05	2549509.47	588.99	5/8" CIRS
CP 4	7120346.62	2550752.67	582.41	5/8" CIRS
CP 5	7119323.62	2550680.00	582.28	5/8" CIRS
CP 6	7118272.48	2550695.08	581.49	5/8" CIRS
CP 7	7117243.28	2550629.37	592.36	5/8" CIRS
CP 8	7116246.08	2550729.73	593.77	5/8" CIRS
CP 9	7115260.24	2550687.02	587.14	5/8" CIRS
CP 10	7114108.07	2550697.23	583.60	5/8" CIRS
CP 11	7100585.28	2549638.25	615.91	5/8" CIRS
CP 12	7100635.82	2548812.39	626.69	5/8" CIRS
CP 13	7100064.38	2547984.94	631.85	5/8" CIRS
CP 14	7099753.48	2547136.59	635.58	5/8" CIRS
CP 15	7098621.19	2547377.49	623.41	5/8" CIRS
CP 16	7097943.29	2547515.70	618.47	5/8" CIRS
CP 17	7097121.03	2547716.32	614.43	5/8" CIRS
CP 18	7096365.54	2547828.26	606.54	5/8" CIRS
CP 19	7095765.85	2547781.22	588.50	5/8" CIRS

POINT TABLE				
PNT	NORTHING	EASTING	ELEVATION	DESCRIPTION
CP 20	7095541.91	2547680.98	607.05	5/8" CIRS
CP 21	7095141.22	2547499.63	603.00	5/8" CIRS
CP 22	7094719.28	2546819.64	612.56	5/8" CIRS
CP 23	7094677.38	2545912.28	622.51	5/8" CIRS
CP 24	7100622.71	2550105.11	611.41	5/8" CIRS
CP 25	7101511.91	2550135.09	610.59	PK NAIL W/ WASHER
CP 26	7102518.28	2550105.00	580.79	PK NAIL W/ WASHER
CP 27	7103551.40	2550359.96	559.44	PK NAIL W/ WASHER
CP 28	7104555.93	2550487.58	544.11	PK NAIL W/ WASHER
CP 29	7113580.82	2550554.64	579.64	5/8" CIRS
CP 30	7112946.22	2550553.21	576.07	5/8" CIRS
CP 31	7111786.56	2550526.36	536.42	5/8" CIRS
CP 32	7105683.67	2550945.02	527.11	5/8" CIRS
CP 33	7105711.26	2551856.69	532.23	5/8" CIRS
CP 34	7105987.26	2552798.38	518.64	5/8" CIRS
CP 35	7108313.34	2553082.69	517.36	5/8" CIRS
CP 37	7110022.33	2550537.18	522.19	5/8" CIRS
CP 38	7109826.05	2551241.20	521.00	5/8" CIRS
CP 39	7109057.53	2551218.35	515.95	5/8" CIRS

BORING LOCATION TABLE				
PNT	NORTHING	EASTING	ELEVATION	DESCRIPTION
B-01	7094688.00	2545547.35		B-01
B-02	7097116.53	2547784.74		B-02
B-03	7100572.75	2548785.61		B-03
B-04	7104607.68	2550473.62		B-04
B-05	7107160.57	2553085.76		B-05
B-06	7111873.65	2550648.64		B-06
B-07	7117845.65	2550741.82		B-07
B-08	7121352.95	2548534.35		B-08

ALL HORIZONTAL COORDINATES ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH AMERICAN DATUM OF 1983, CORS96 (EPOCH 2002.00), NORTH CENTRAL ZONE (4202) AND ADJUSTED TO SURFACE VALUES USING THE TEXAS DEPARTMENT OF TRANSPORTATION SURFACE ADJUSTMENT FACTOR FOR COLLIN COUNTY (1.000152710). DISTANCES AND AREAS SHOWN ARE IN SURFACE VALUES.

0 1600' 3200'
HORIZONTAL SCALE

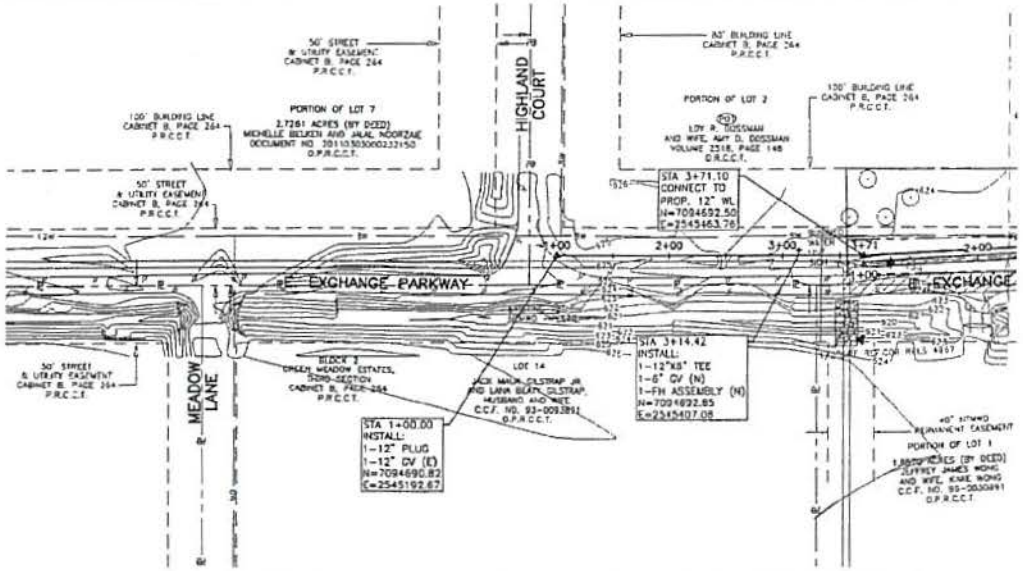
FREESE AND NICHOLS, INC.
Texas Registered Engineering Firm F-2144

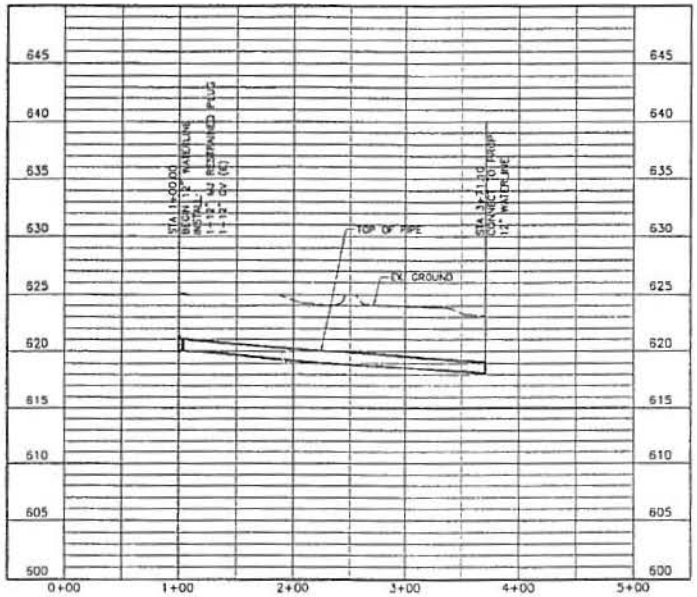
FREESE NICHOLS
2711 North Haskell Ave. 5th Floor
Dallas, TX 75204
Phone - (214) 217-2200
Fax - (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
GENERAL

PROJECT CONTROL PLAN

SHEET
G-5





NORTH

0 25' 50' 100'
HORIZONTAL SCALE

0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR MUST MAINTAIN WATER SERVICE TO ALL RESIDENTS DURING CONSTRUCTION. EXISTING WATER LINE AND/OR TEMPORARY SERVICES MUST BE MAINTAINED UNTIL NEW LUCAS WATER LINE HAS BEEN TESTED AND ACTIVATED.
3. CONTRACTOR SHALL MAINTAIN AT LEAST ONE LANE OF TRAFFIC OPEN DURING CONSTRUCTION ALONG EXCHANGE PKWY AND ROCK RIDGE RD.
4. CONTRACTOR SHALL RESTORE EXISTING DRAINAGE DITCHES ALONG DISTURBED SECTIONS OF EXCHANGE PARKWAY AND ROCK RIDGE ROAD TO PRE-CONSTRUCTION CONDITION, OR BETTER, AND DITCHES SHALL BE GRADED FOR SUFFICIENT DRAINAGE FOR ENTIRE LENGTH OF ROADWAY. REMOVE AND REPLACE EXISTING CULVERTS AS SHOWN.
5. ALL DISTURBED AREAS FROM STA 0+00 TO STA 3+71.10 SHALL BE RESTORED USING SOD.

Freese and Nichols, Inc.
Texas Registered Engineering Firm F-2144

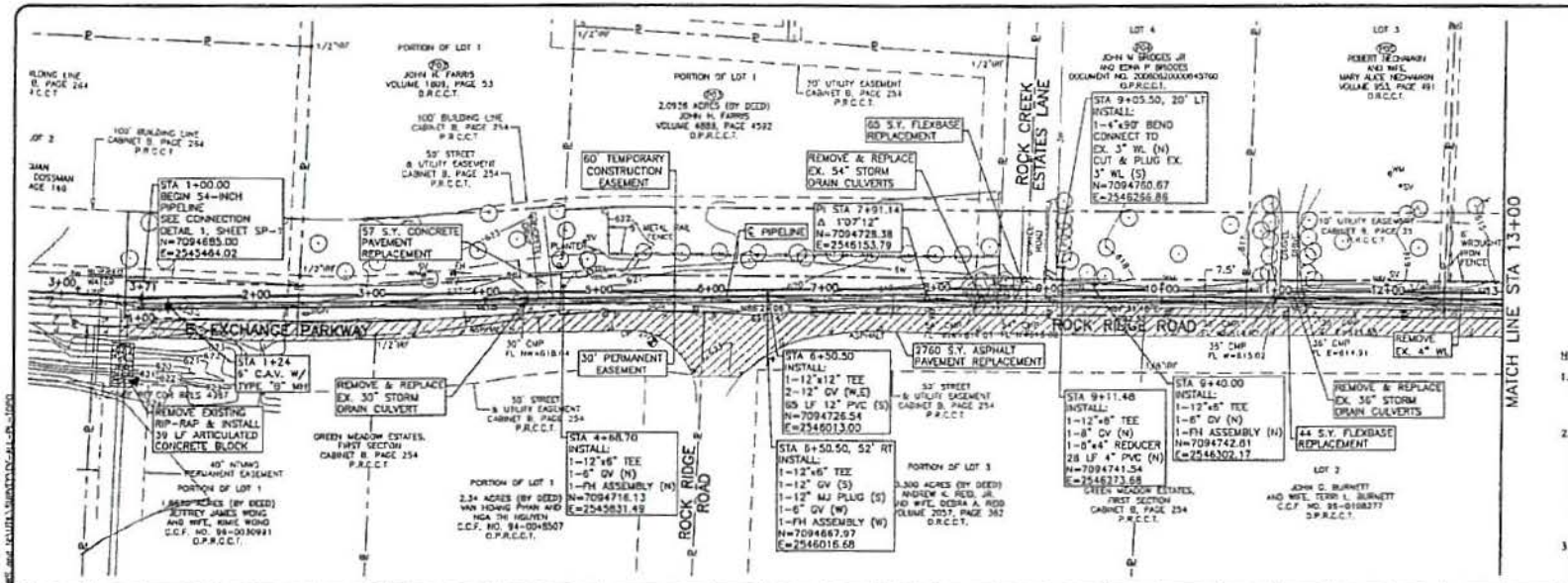
FREESE AND NICHOLS
2711 North Haskell, Suite Four
Dallas, TX 75204
Tel — (214) 217-2200
Fax — (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
12-INCH LUCAS WATER LINE
STA 1+00 TO STA 3+71

NTD11224			
10/16/13			
RGAMES	MRYO		
FRAME	TEF		
PLOTTED	CHECKED	A.S.M.	
Full name	C:\FNI_PP-WTR\1A.dwg		

VERITY SCALE Bar is one inch on original drawing. If not one inch, adjust scale accordingly.

SHEET
PL-1A



NORTH

0 25' 50' 100'
HORIZONTAL SCALE

0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR MUST MAINTAIN WATER SERVICE TO ALL RESIDENTS DURING CONSTRUCTION. EXISTING WATER LINE AND/OR TEMPORARY SERVICES MUST BE MAINTAINED UNTIL NEW LUCAS WATER LINE HAS BEEN TESTED AND ACTIVATED.
3. CONTRACTOR SHALL MAINTAIN AT LEAST ONE OPEN LANE OF TRAFFIC DURING CONSTRUCTION ALONG EXCHANGE PKWY AND ROCK RIDGE RD.
4. CONTRACTOR SHALL RESTORE EXISTING DRAINAGE DITCHES ALONG DISTURBED SECTIONS OF EXCHANGE PARKWAY AND ROCK RIDGE ROAD TO PRE-CONSTRUCTION CONDITION, OR BETTER, AND DITCHES SHALL BE GRADED FOR SUFFICIENT DRAINAGE FOR ENTIRE LENGTH OF ROADWAY. REMOVE AND REPLACE EXISTING CULVERTS AS SHOWN.
5. ALL DISTURBED AREAS FROM STA 1+00 TO STA 13+00 SHALL BE RESTORED USING SOD.
6. CONTRACTOR SHALL MATCH NEW PAVEMENT ELEVATION TO EXISTING DRIVEWAY AND STREET ELEVATIONS.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

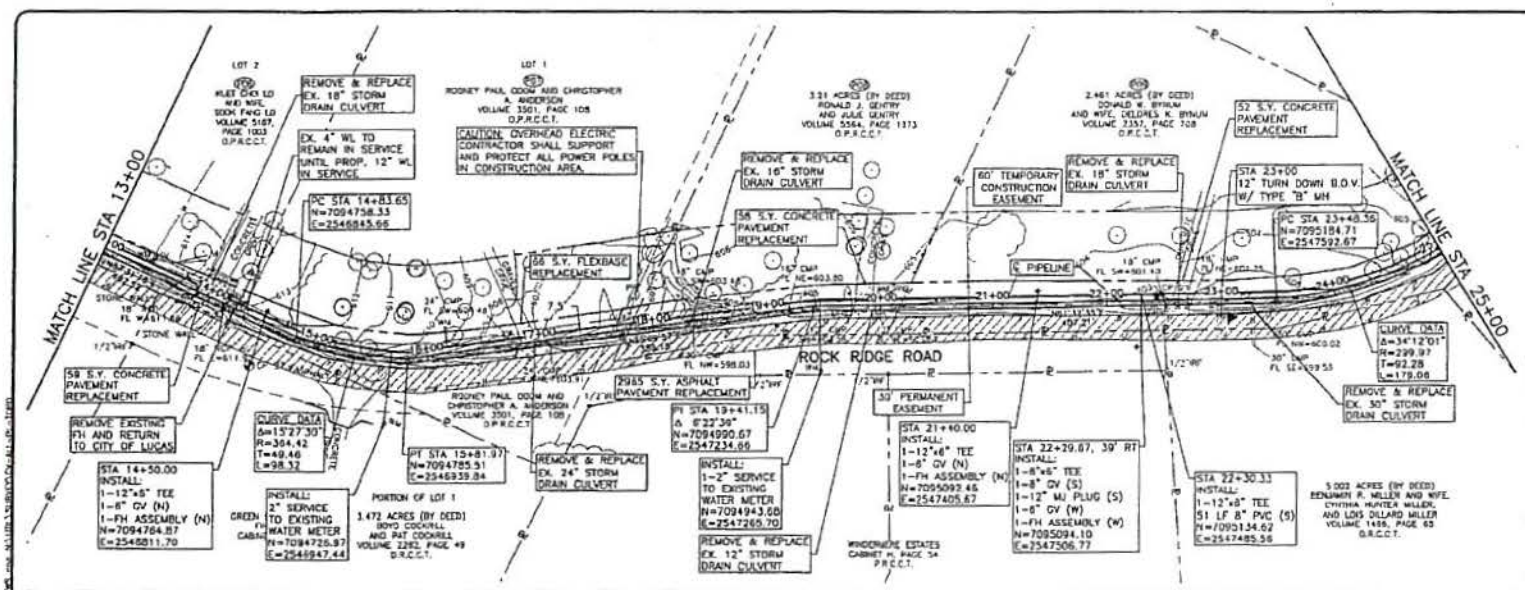
NORTH McKINNEY PIPELINE

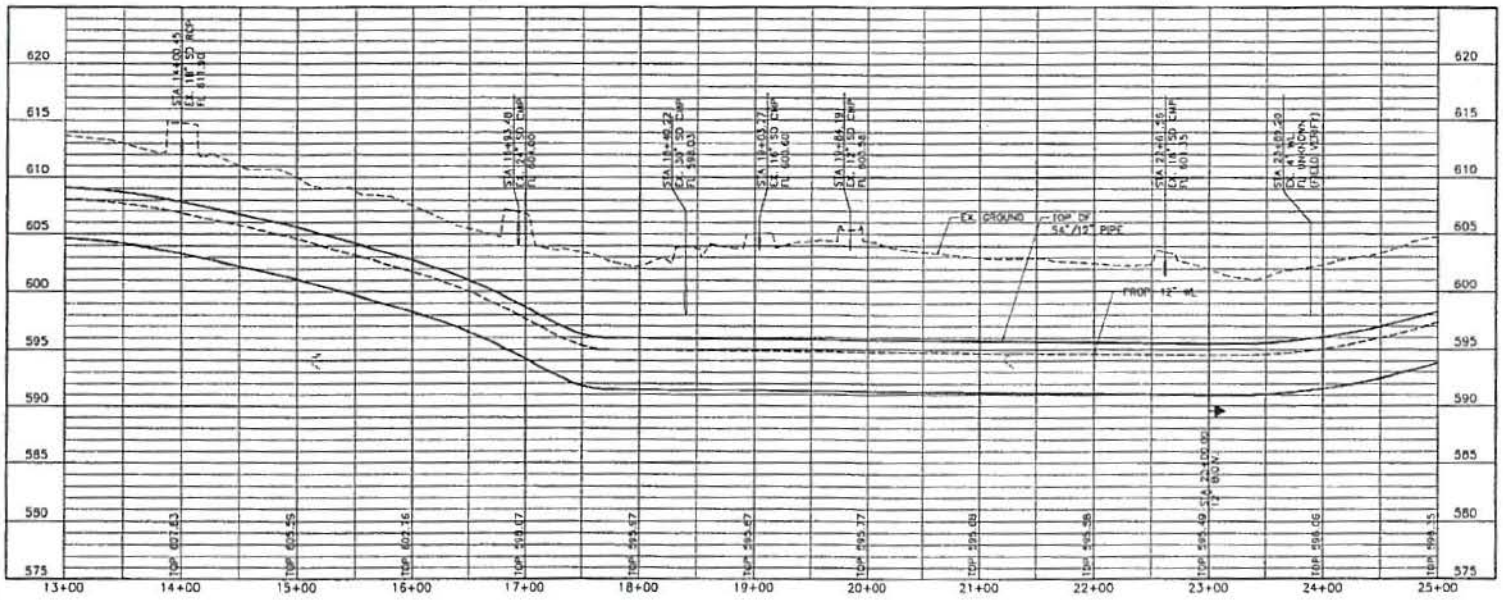
PHASE I AND II, PROJECT NO. 210

PIPELINE

PLAN AND PROFILE
STA 1+00 TO STA 13+00

SHEET PL-1





NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR MUST MAINTAIN WATER SERVICE TO ALL RESIDENTS DURING CONSTRUCTION. EXISTING WATER LINE AND/OR TEMPORARY SERVICES MUST BE MAINTAINED UNTIL NEW LUCAS WATER LINE HAS BEEN TESTED AND ACTIVATED.
3. CONTRACTOR SHALL MAINTAIN AT LEAST ONE OPEN LANE OF TRAFFIC DURING CONSTRUCTION ALONG EXCHANGE PKWY AND ROCK RIDGE RD.
4. CONTRACTOR SHALL RESTORE EXISTING DRAINAGE DITCHES ALONG DISTURBED SECTIONS OF EXCHANGE PARKWAY AND ROCK RIDGE ROAD TO PRE-CONSTRUCTION CONDITION, OR BETTER, AND DITCHES SHALL BE GRADED FOR SUFFICIENT DRAINAGE FOR ENTIRE LENGTH OF ROADWAY. REMOVE AND REPLACE EXISTING CULVERTS AS SHOWN.
5. ALL DISTURBED AREAS FROM STA 13+00 TO STA 25+00 SHALL BE RESTORED USING SOD.
6. CONTRACTOR SHALL MATCH NEW PAVEMENT ELEVATION TO EXISTING DRIVEWAY AND STREET ELEVATIONS.

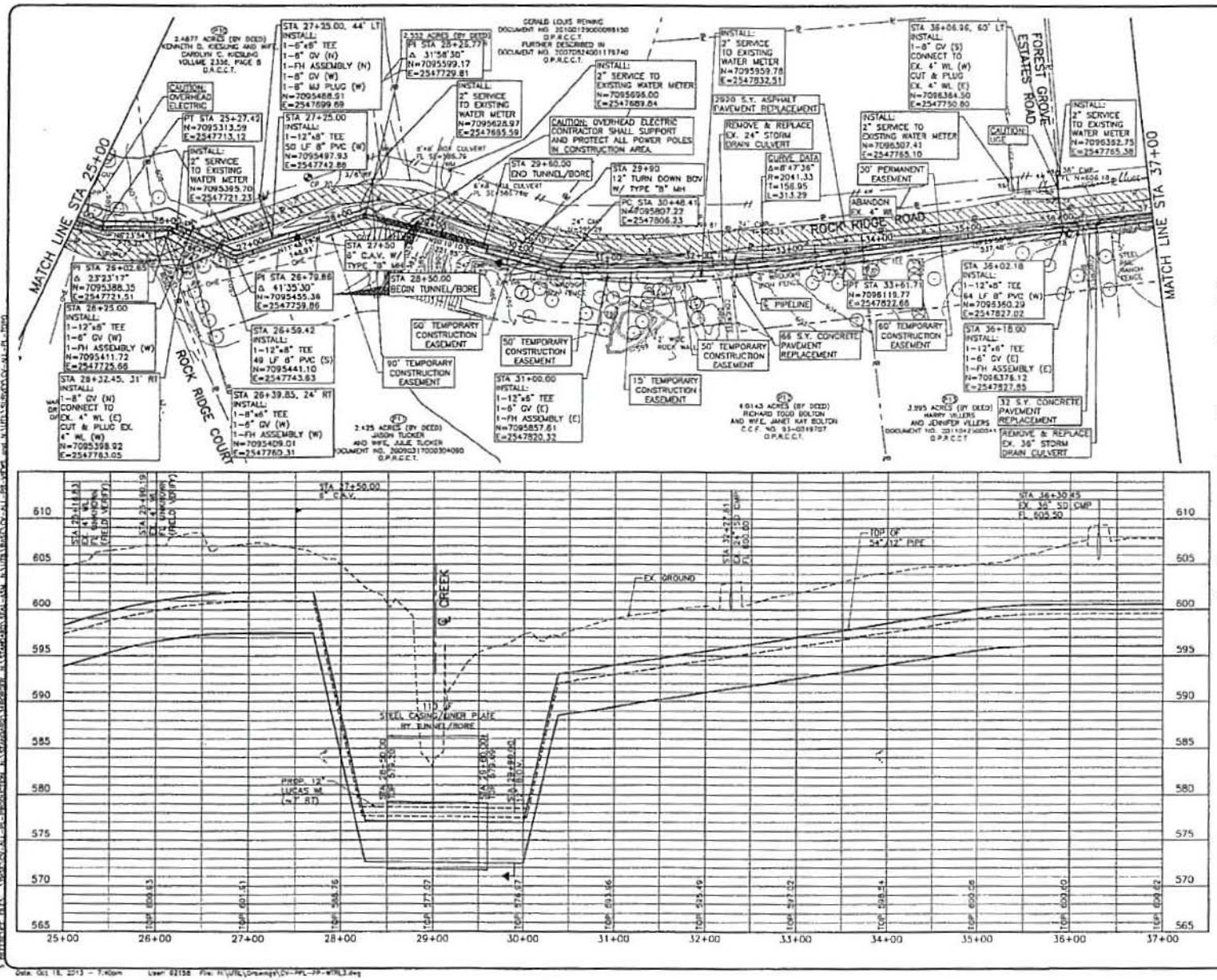
FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 13+00 TO STA 25+00

NTD11234
DATE 10/16/13
DRAWN MPS
CHKD LJB
PROJ MGR ASM
FILE NAME 01-PPL-HPP-HTRL2.dwg

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale accordingly.

SHEET PL-2



NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR MUST MAINTAIN WATER SERVICE TO ALL RESIDENTS DURING CONSTRUCTION. EXISTING WATER LINE AND/OR TEMPORARY SERVICES MUST BE MAINTAINED UNTIL NEW LUCAS WATER LINE HAS BEEN TESTED AND ACTIVATED.
3. CONTRACTOR SHALL MAINTAIN AT LEAST ONE OPEN LANE OF TRAFFIC DURING CONSTRUCTION ALONG EXCHANGE PKWY AND ROCK RIDGE RD.
4. CONTRACTOR SHALL RESTORE EXISTING DRAINAGE DITCHES ALONG DISTURBED SECTIONS OF EXCHANGE PARKWAY AND ROCK RIDGE ROAD TO PRE-CONSTRUCTION CONDITION, OR BETTER, AND DITCHES SHALL BE GRADED FOR SUFFICIENT DRAINAGE FOR ENTIRE LENGTH OF ROADWAY. REMOVE AND REPLACE EXISTING CULVERTS AS SHOWN.
5. ALL DISTURBED AREAS FROM STA 25+00 TO STA 37+00 SHALL BE RESTORED USING SOD.
6. CONTRACTOR SHALL MATCH NEW PAVEMENT ELEVATION TO EXISTING DRIVEWAY AND STREET ELEVATIONS.

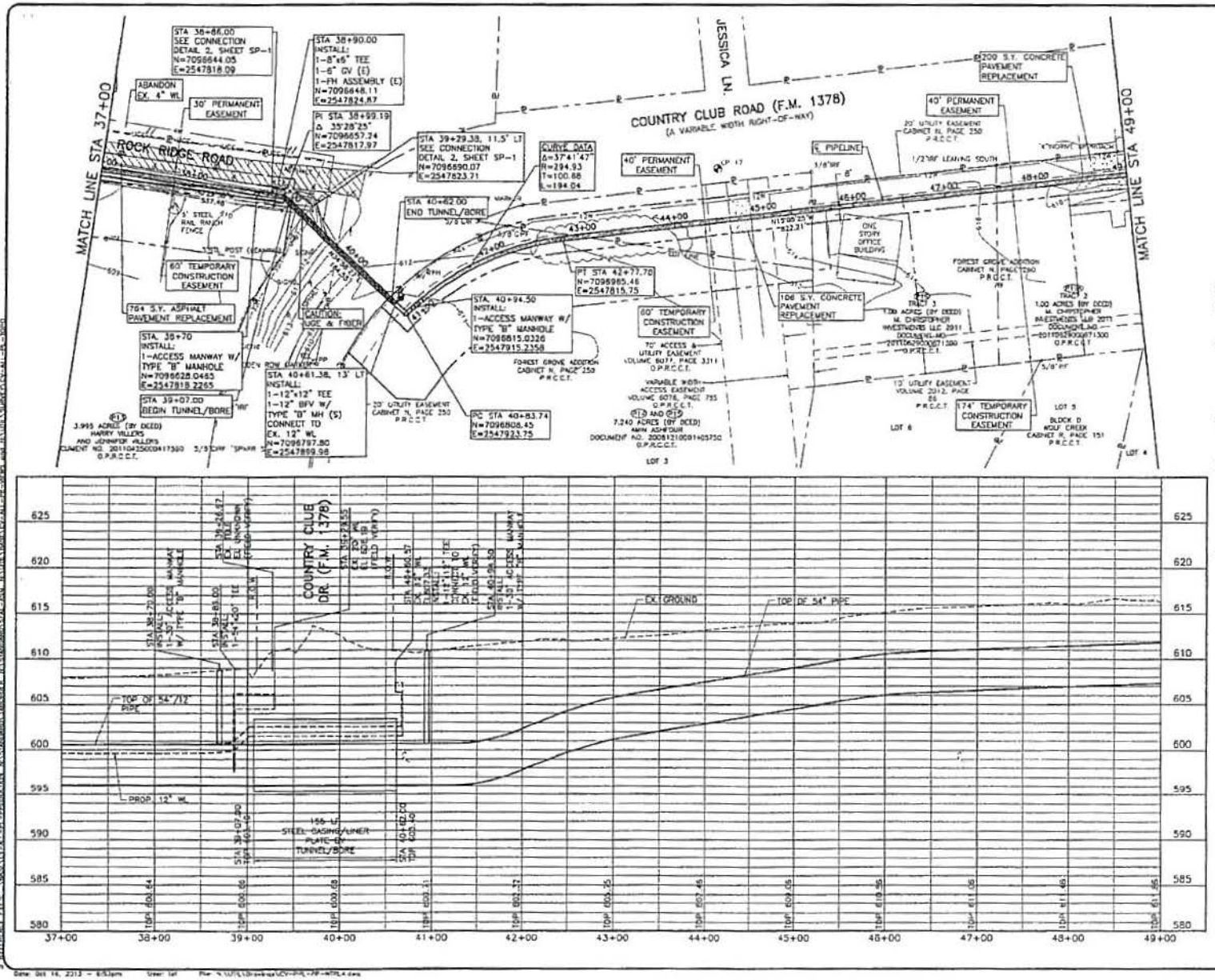
0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

FREESE NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210

PIPELINE
PLAN AND PROFILE
STA 25+00 TO STA 37+00

SHEET PL-3



0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR MUST MAINTAIN WATER SERVICE TO ALL RESIDENTS DURING CONSTRUCTION. EXISTING WATER LINE AND/OR TEMPORARY SERVICES MUST BE MAINTAINED UNTIL NEW LUCAS WATER LINE HAS BEEN TESTED AND ACTIVATED.
3. CONTRACTOR SHALL MAINTAIN AT LEAST ONE OPEN LANE OF TRAFFIC DURING CONSTRUCTION ALONG EXCHANGE PKWY AND ROCK RIDGE RD.
4. CONTRACTOR SHALL RESTORE EXISTING DRAINAGE DITCHES ALONG DISTURBED SECTIONS OF ROCK RIDGE ROAD TO PRE-CONSTRUCTION CONDITION, OR BETTER, AND DITCHES SHALL BE GRADED FOR SUFFICIENT DRAINAGE FOR ENTIRE LENGTH OF ROADWAY. REMOVE AND REPLACE EXISTING CULVERTS AS SHOWN.
5. ALL DISTURBED AREAS FROM STA 37+00 TO STA 39+43 SHALL BE RESTORED USING SOD.

FREESE AND NICHOLS, INC.
TEXAS REGISTERED ENGINEERING FIRM F-2144
2711 North Haskell, Ste 2300
Dallas, TX 75204
Phone: (214) 217-2200
Fax: (214) 217-2250

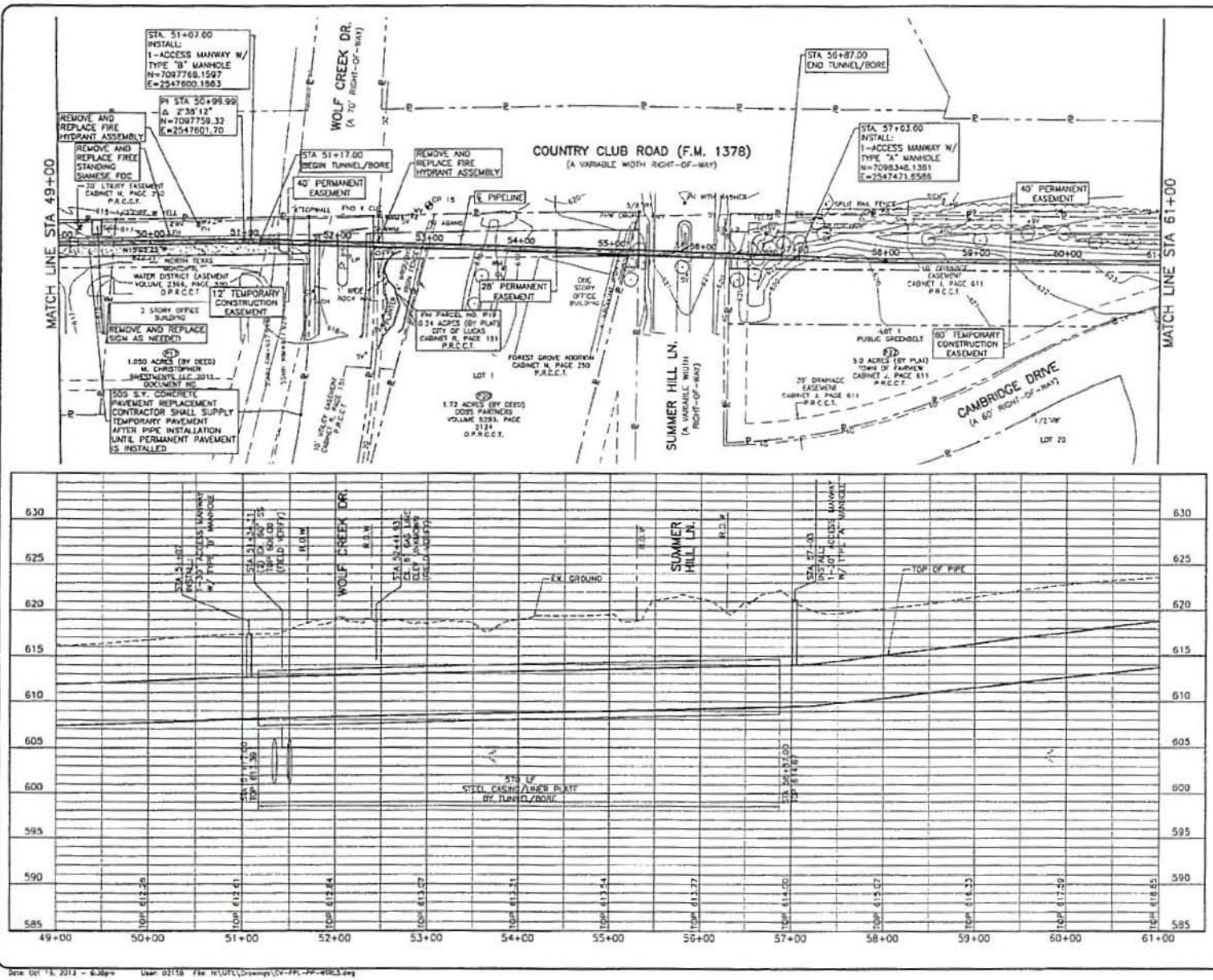
NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 37+00 TO STA 49+00

NO.	DATE	BY	REVISIONS

AS NOTED
FCD11325
DATE 10/16/13
DESIGNED WMS
DRAWN LMR
REVIEWED JCM
APPROVED ASM
FILE NAME CV-PPL-PP-HTRL4.dwg

HORIZ. SCALE: Bar is 1 inch on original drawing. If not one inch, adjust scale accordingly.

SHEET PL-4



0 25' 50' 100'
HORIZONTAL SCALE

0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 49+00 TO STA 61+00 SHALL BE RESTORED USING HYDROMULCH.

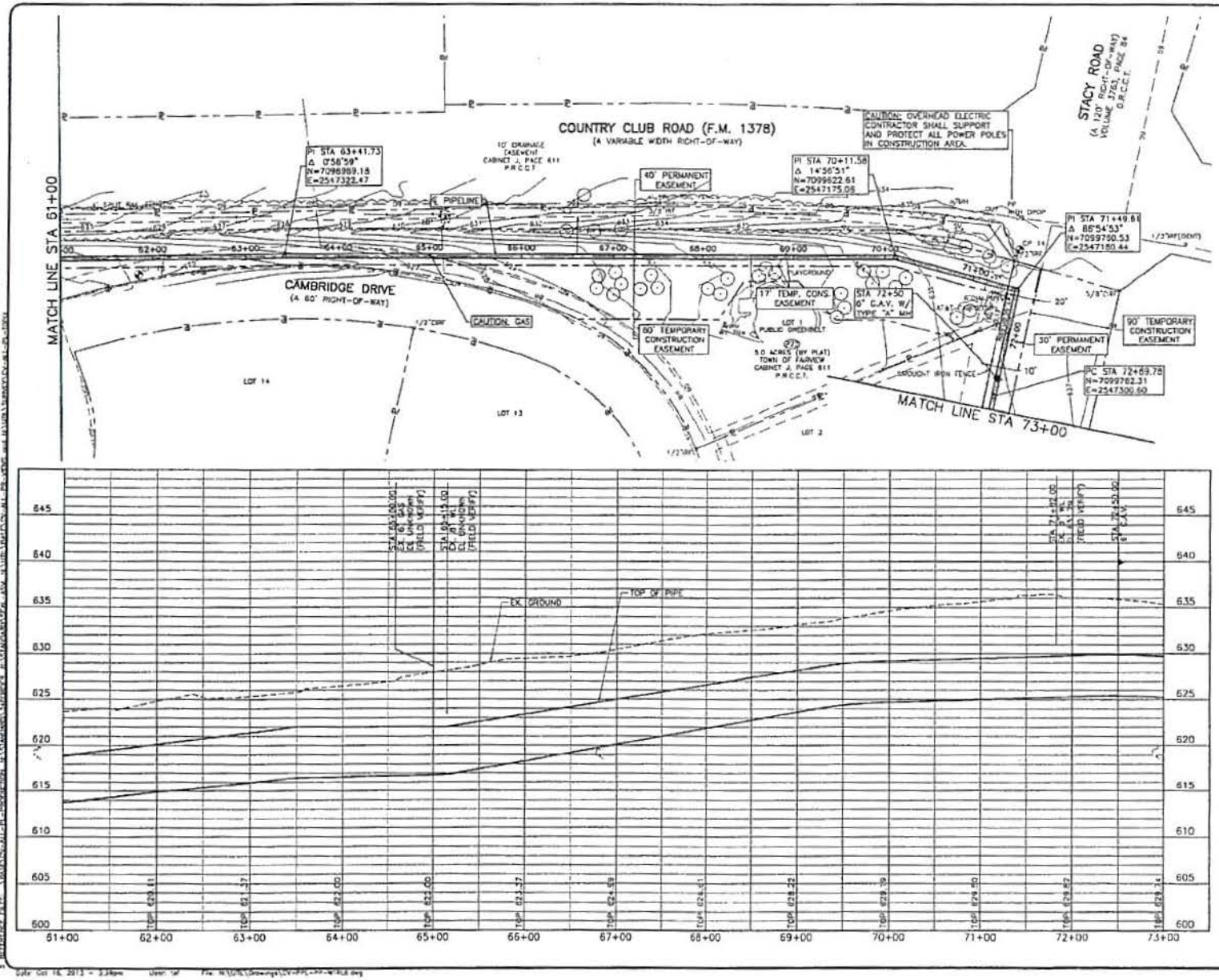
FREESE NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210

PIPELINE
PLAN AND PROFILE
STA 49+00 TO STA 61+00

SHEET PL-5

Date: Oct 16, 2013 - 6:38pm User: 02158 File: N:\UTL\Drawings\CV-PPL-PP-WTRLS.dwg



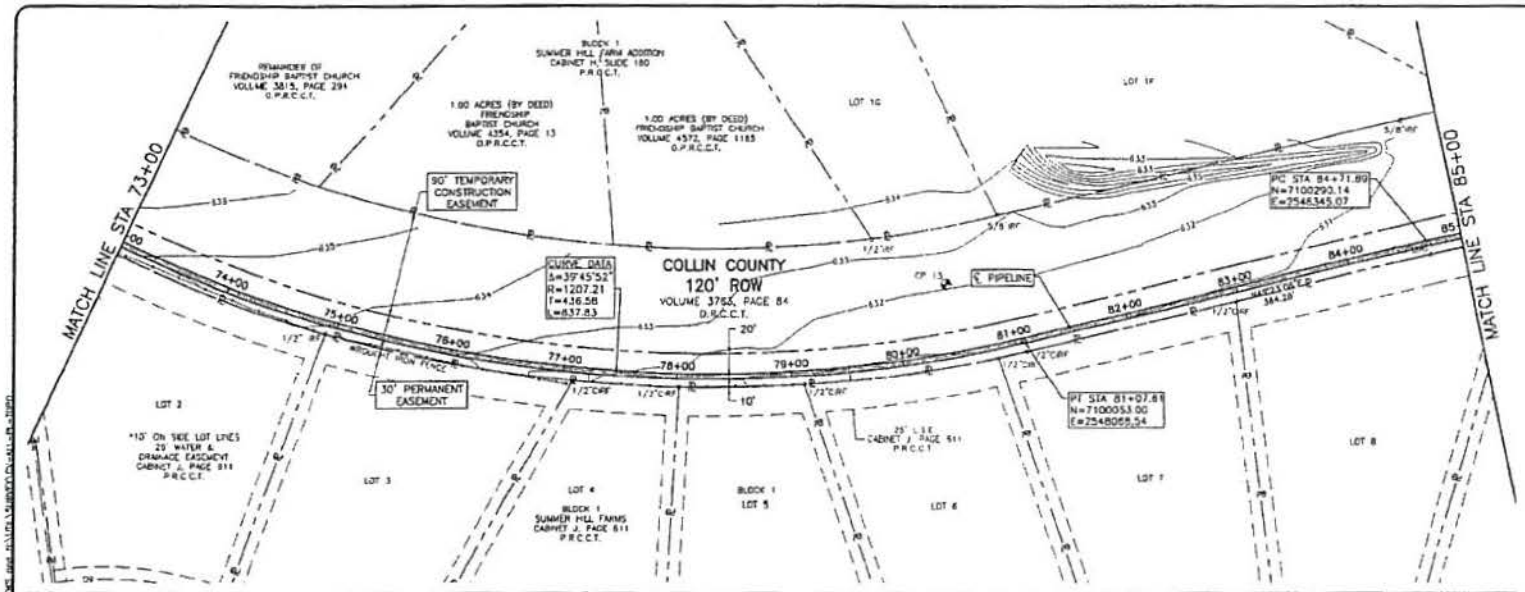
NOTES:

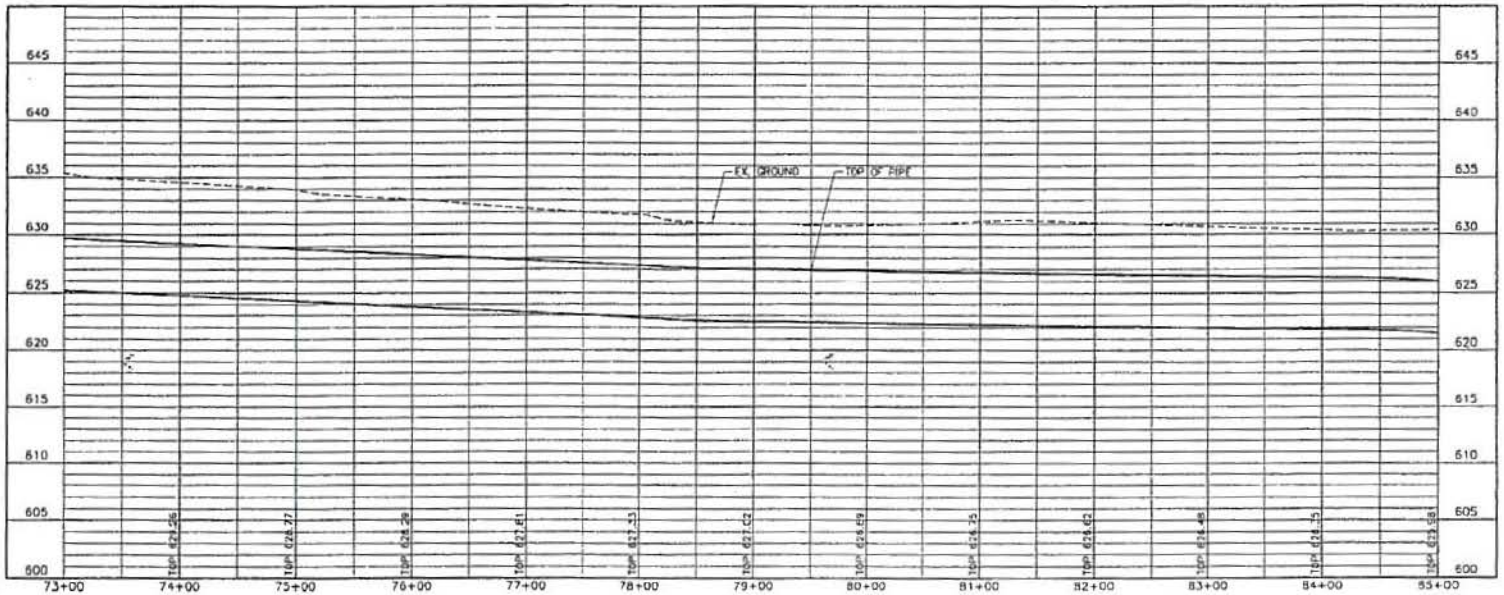
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. PLAYGROUND EQUIPMENT TO BE REMOVED AND REINSTALLED TO PRE-CONSTRUCTION CONDITIONS AS NECESSARY. DAMAGE TO PLAYGROUND EQUIPMENT WILL REQUIRE REPLACEMENT AT CONTRACTORS EXPENSE.
3. ALL DISTURBED AREAS FROM STA 61+00 TO STA 73+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 61+00 TO STA 73+00

SHEET PL-6





NOTES:

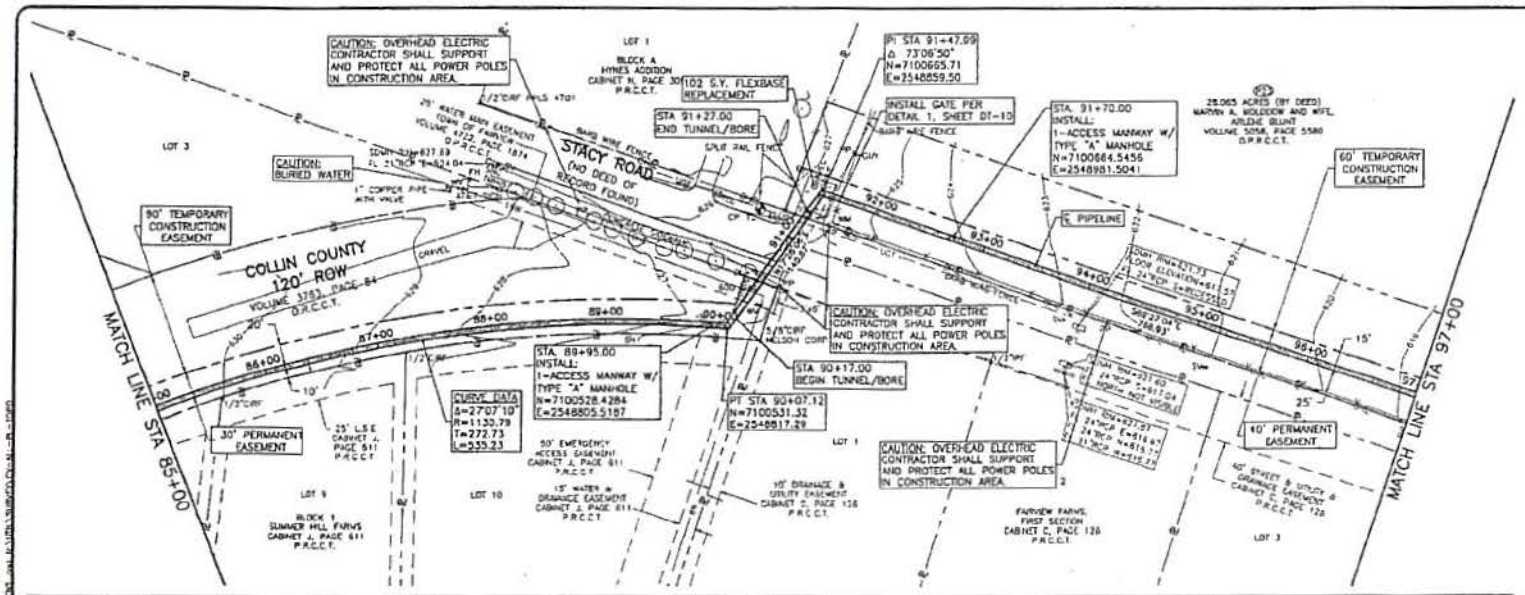
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 73+00 TO STA 85+00 SHALL BE RESTORED USING HYDROMULCH.

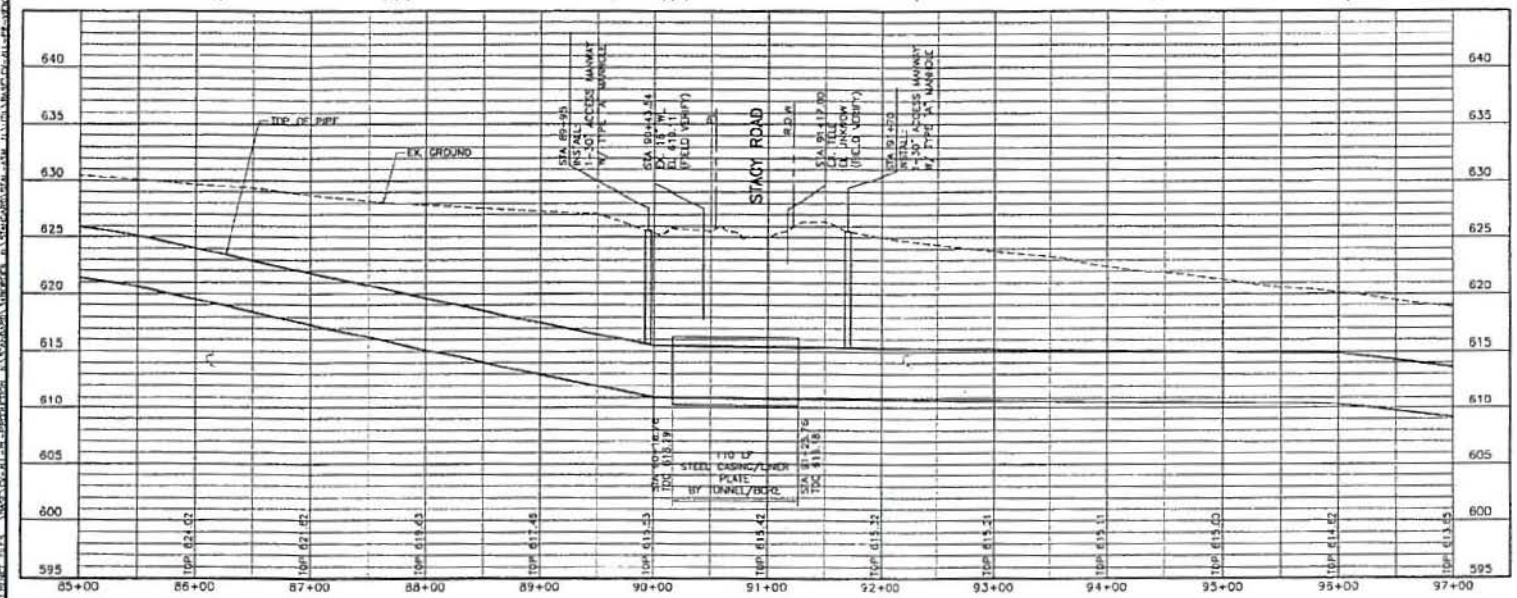
0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

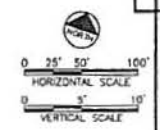
FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 73+00 TO STA 85+00

SHEET
PL-7







NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 85+00 TO STA 97+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

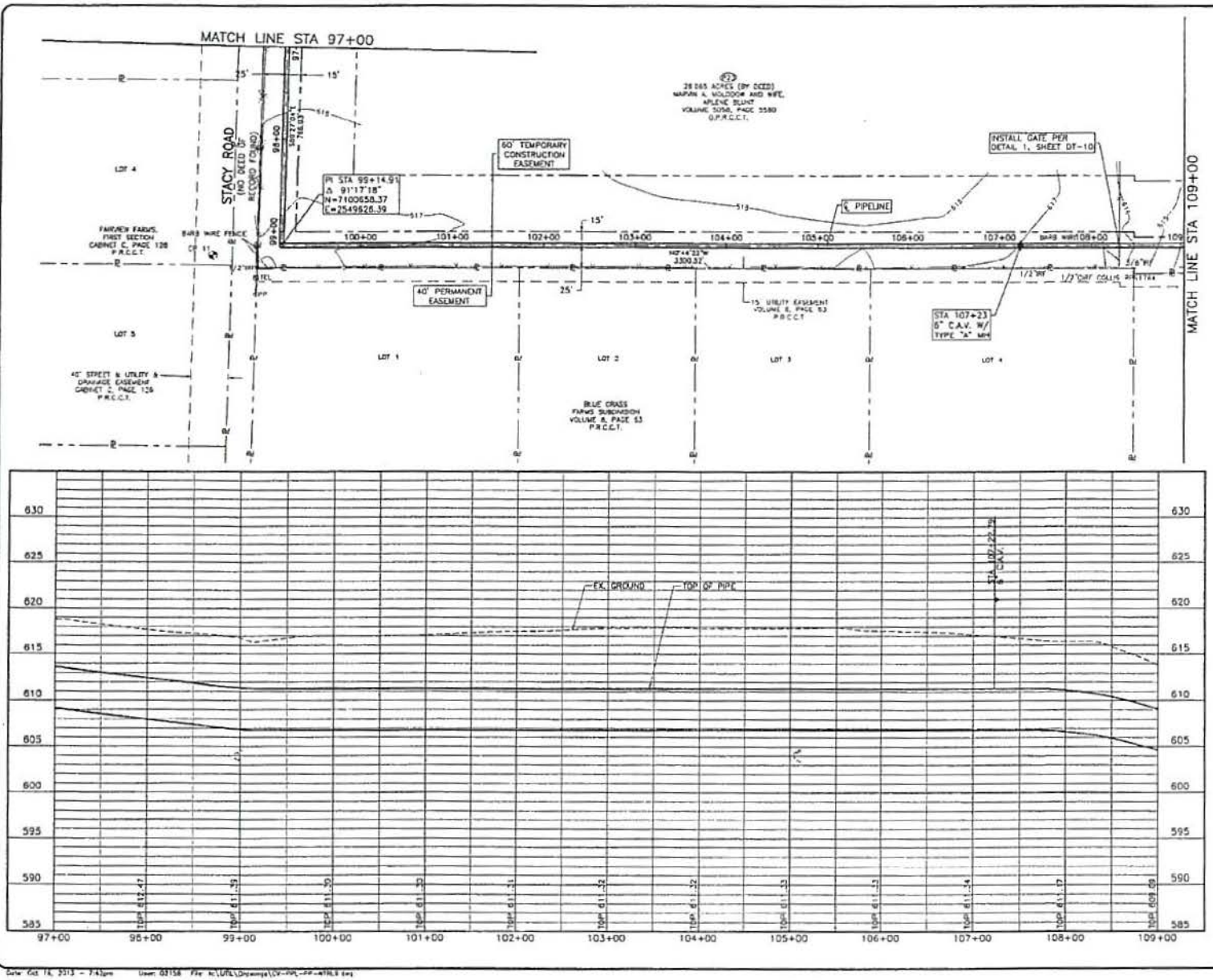
PIPELINE

PLAN AND PROFILE

STA 85+00 TO STA 97+00

NTD11224		
10/15/13	WS	
	WNS	
	LAN	
	A.S.A.	

SHEET PL-8



0 25' 50' 100'
HORIZONTAL SCALE

0 5' 10'
VERTICAL SCALE

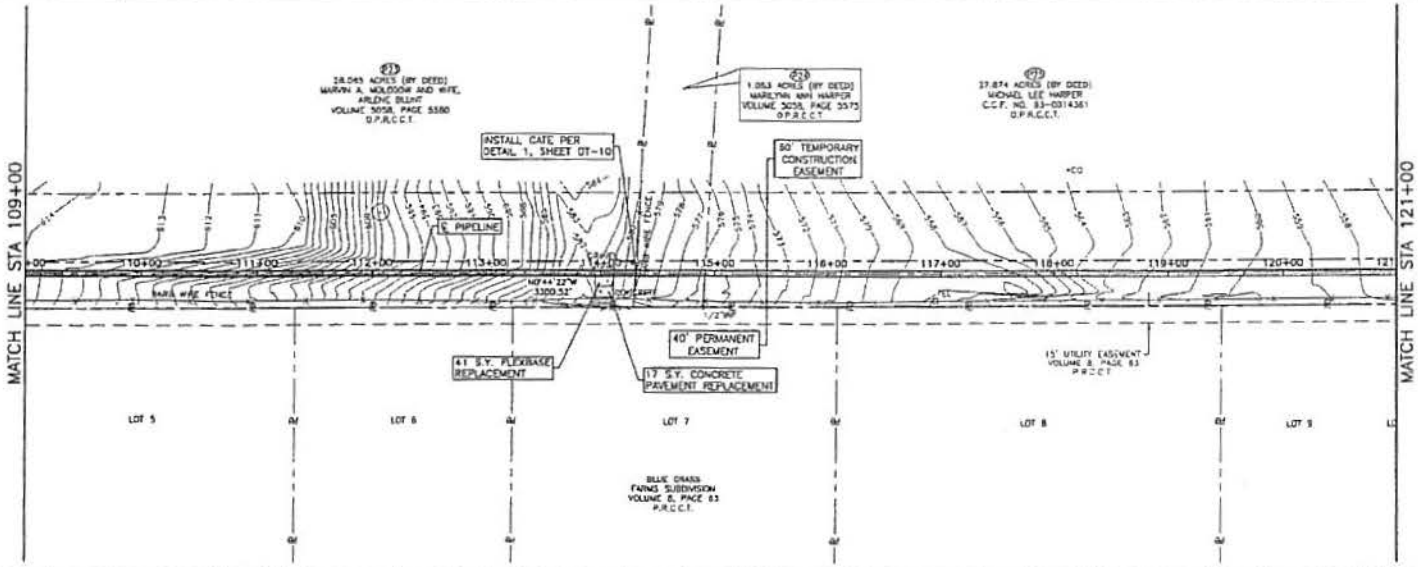
NOTES:

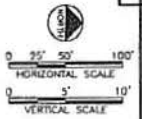
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 97+00 TO STA 109+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 97+00 TO STA 109+00

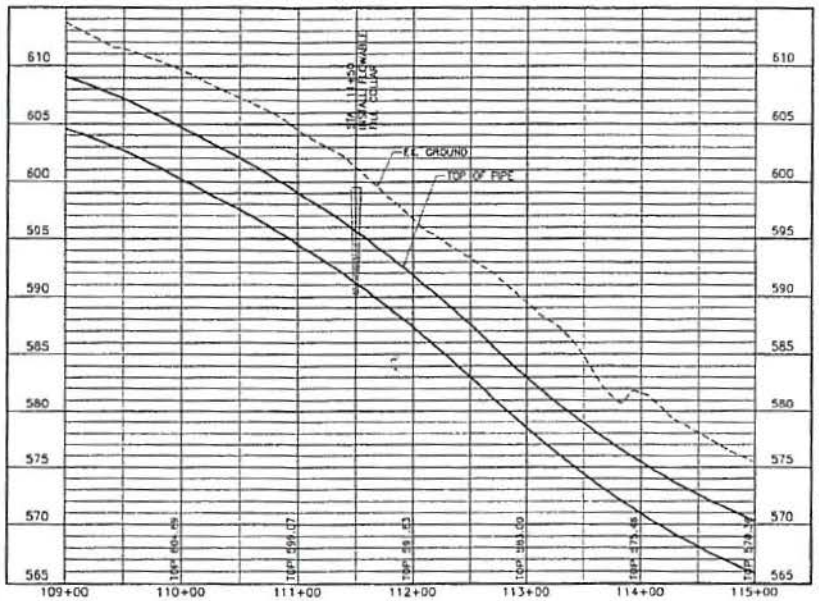
PL-9

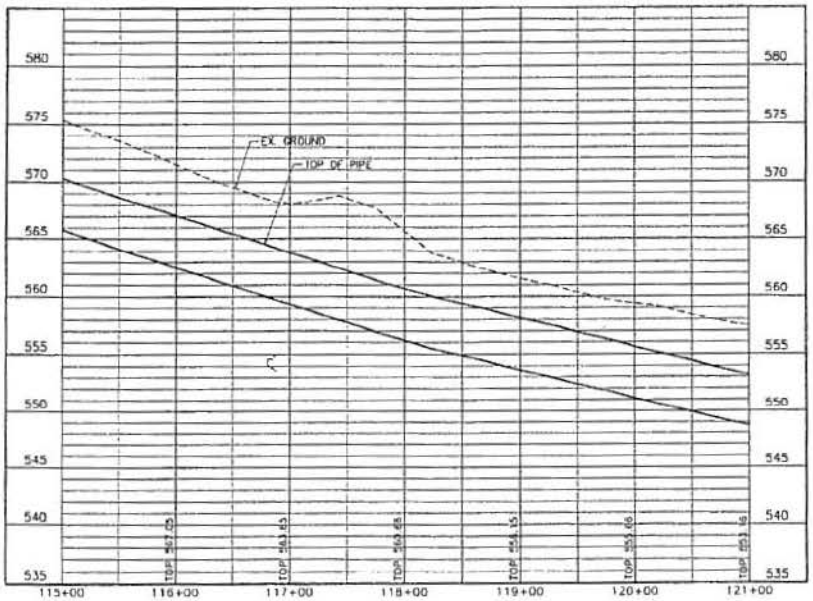




NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 109+00 TO STA 121+00 SHALL BE RESTORED USING HYDROMULCH.





NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 109+00 TO STA 121+00

FREESE AND NICHOLS
2711 North Haskell Ave.
Suite 3000
Dallas, TX 75204
Tel: (214) 217-2200
Fax: (214) 217-2836

Texas Registered Professional Engineer
A. SCOTT WRIGHT
91697

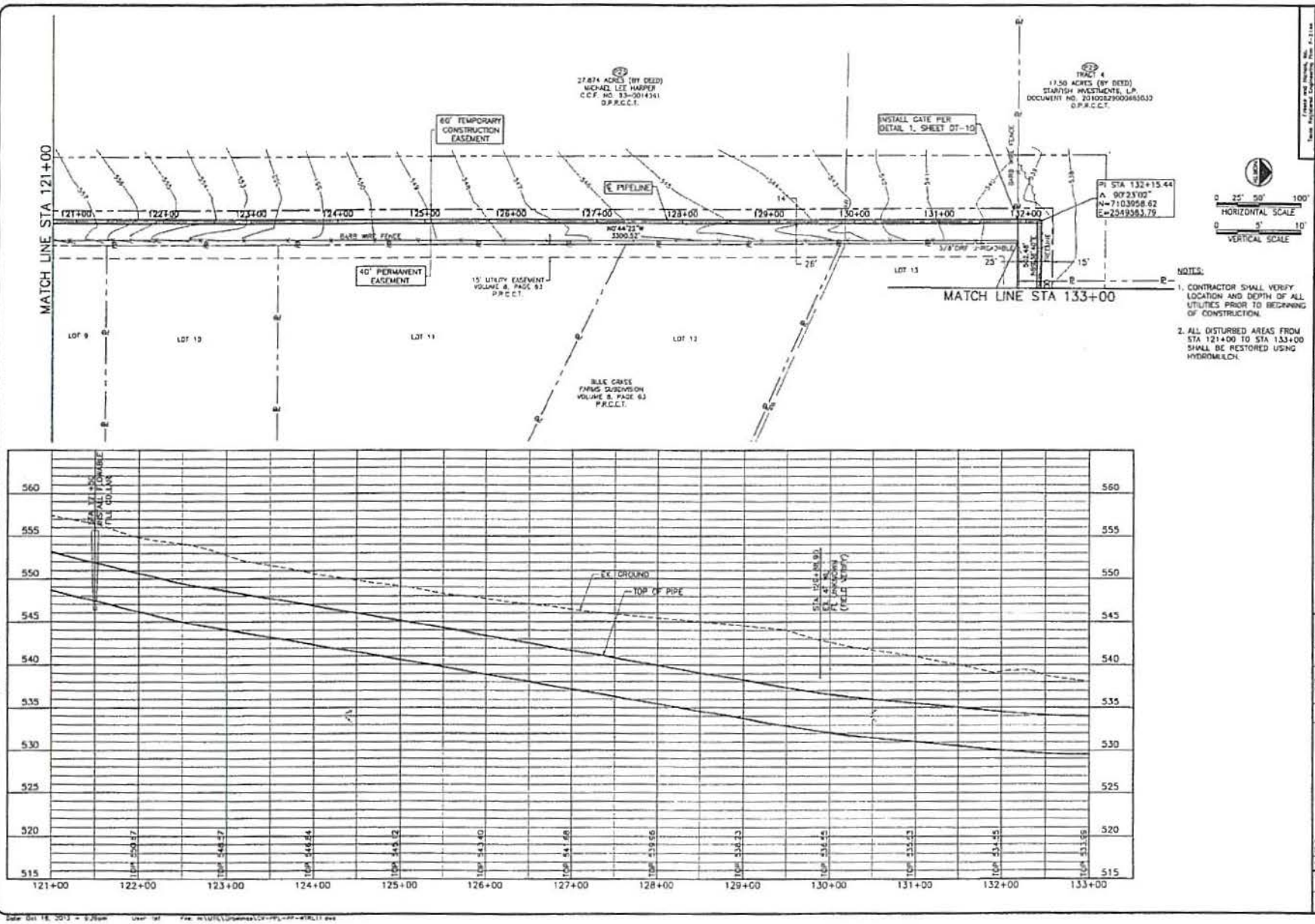
DATE	10/16/13	DESIGNED	WHG
		DRAWN	LJC
		REVIEWED	
		APPROVED	AJW

FILE NAME CV-PPL-PP-WTR_10-04

VERIFY SCALE Bar is one inch on original drawing. If not one inch, adjust scale accordingly.

SHEET PL-10

ECO



FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

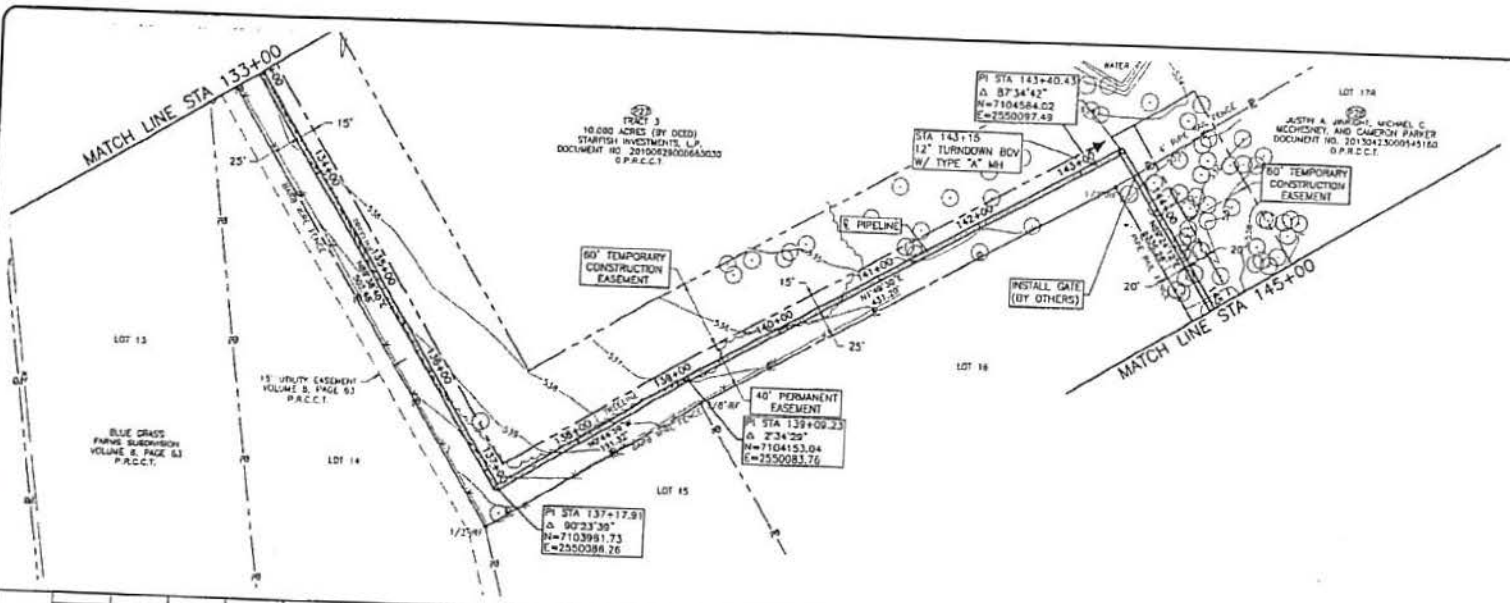
PHASE I AND II, PROJECT NO. 210

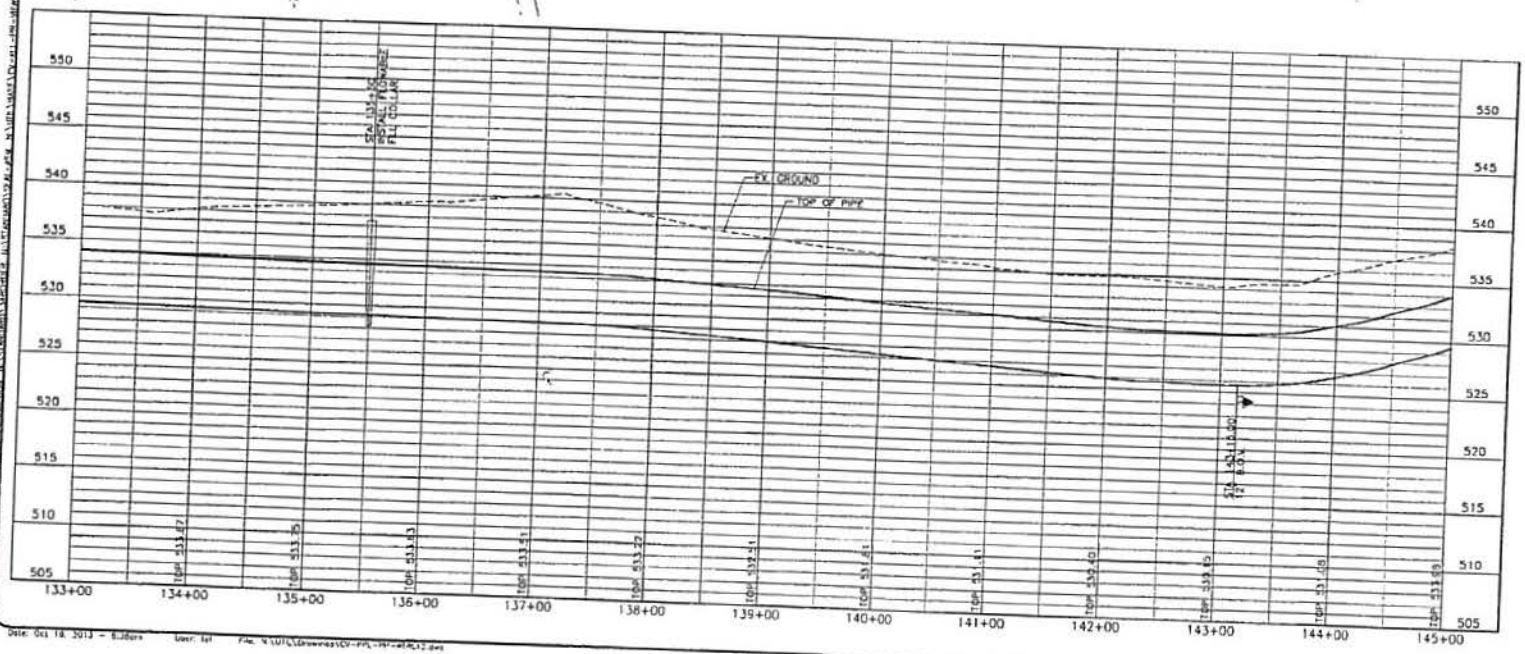
PIPELINE

PLAN AND PROFILE

STA 121+00 TO STA 133+00

SHEET PL-11





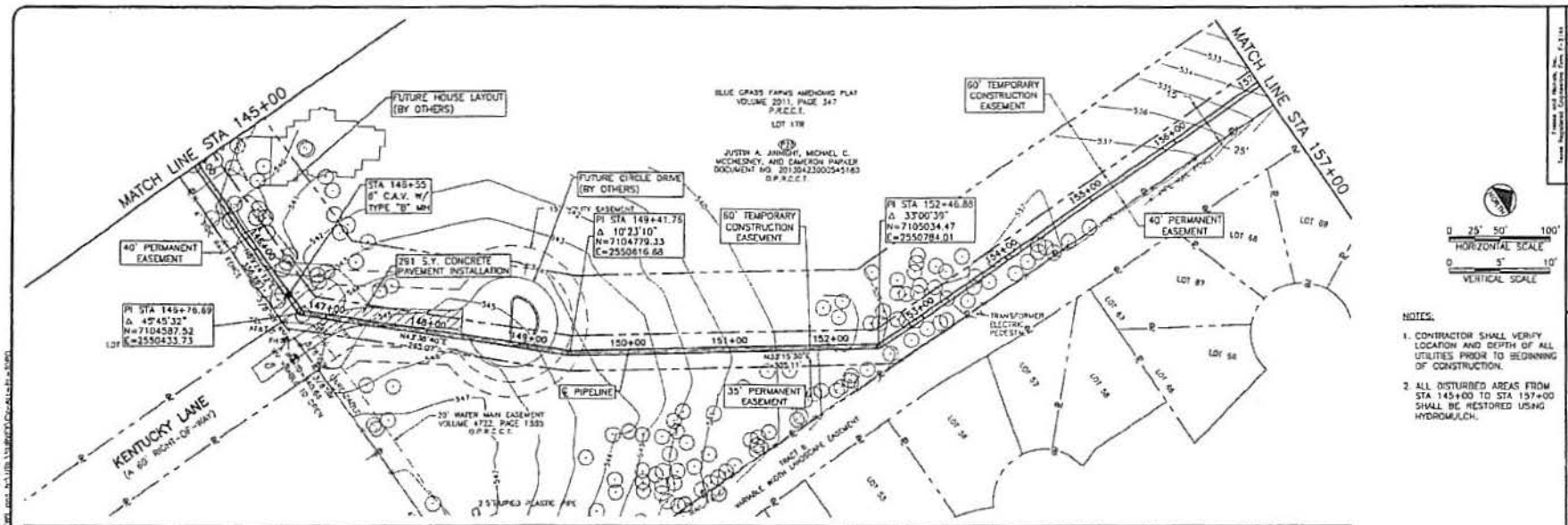
NOTES:

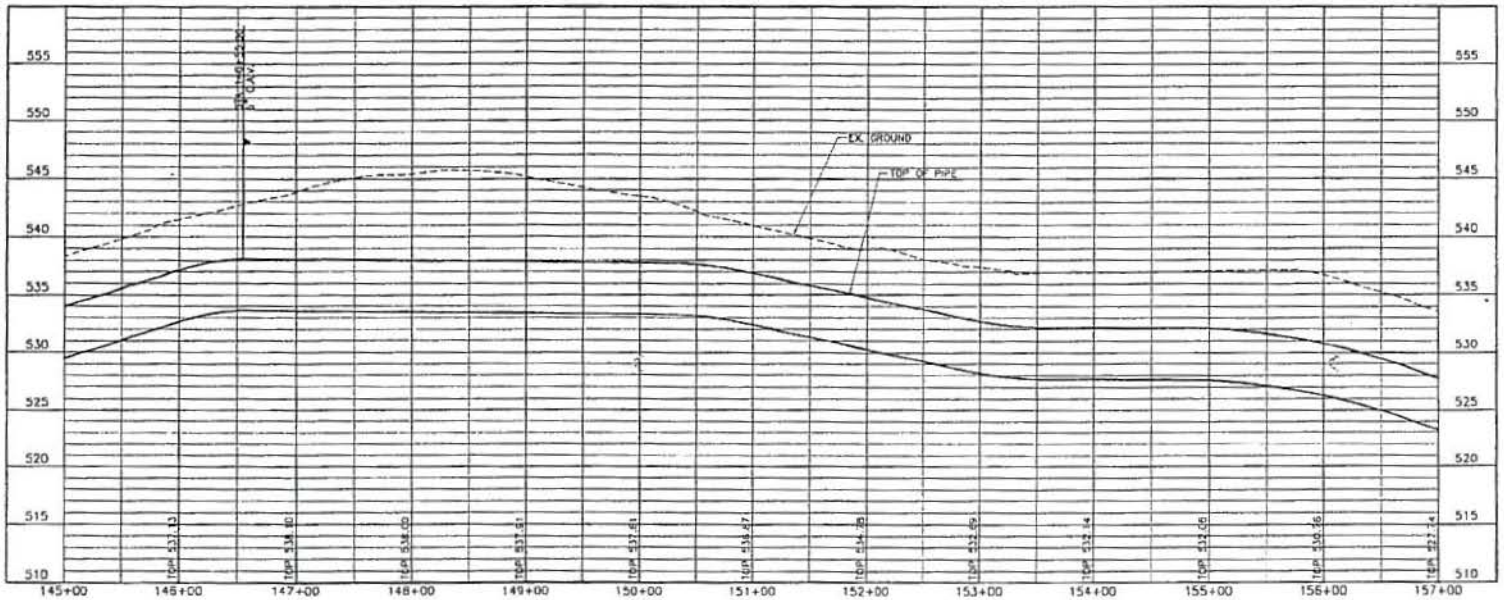
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 133+00 TO STA 145+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 133+00 TO STA 145+00

SHEET PL-12





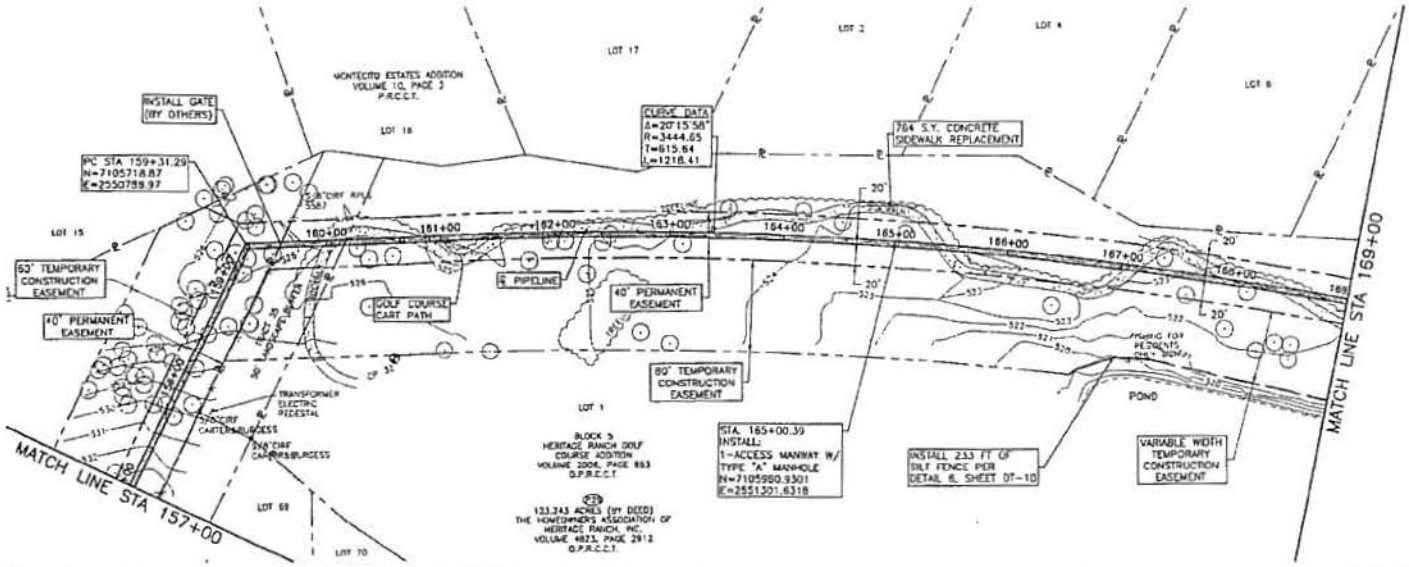
NOTES:

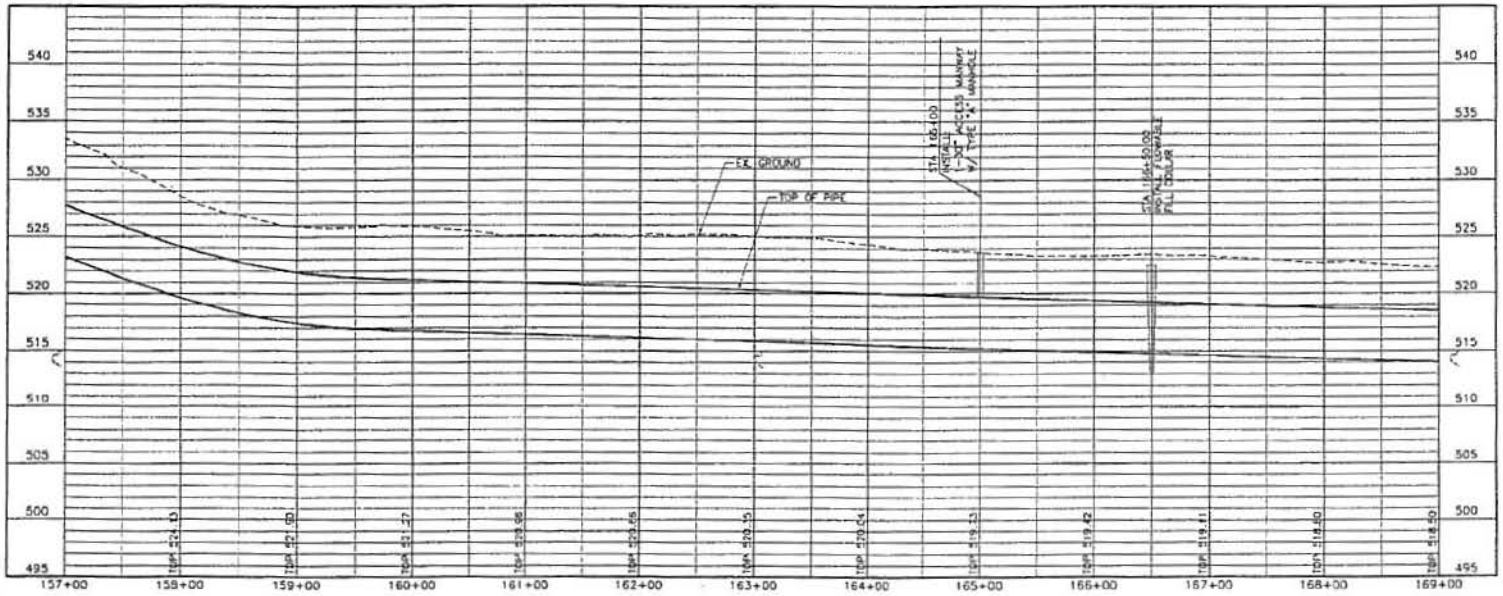
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 145+00 TO STA 157+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 145+00 TO STA 157+00

PL-13





NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR SHALL PROVIDE A TEMPORARY CART PATH DURING CONSTRUCTION.
3. ALL DISTURBED AREAS FROM STA. 157+00 TO STA. 168+00 SHALL BE RESTORED USING HYDROMULCH.

0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

FREESE AND NICHOLS

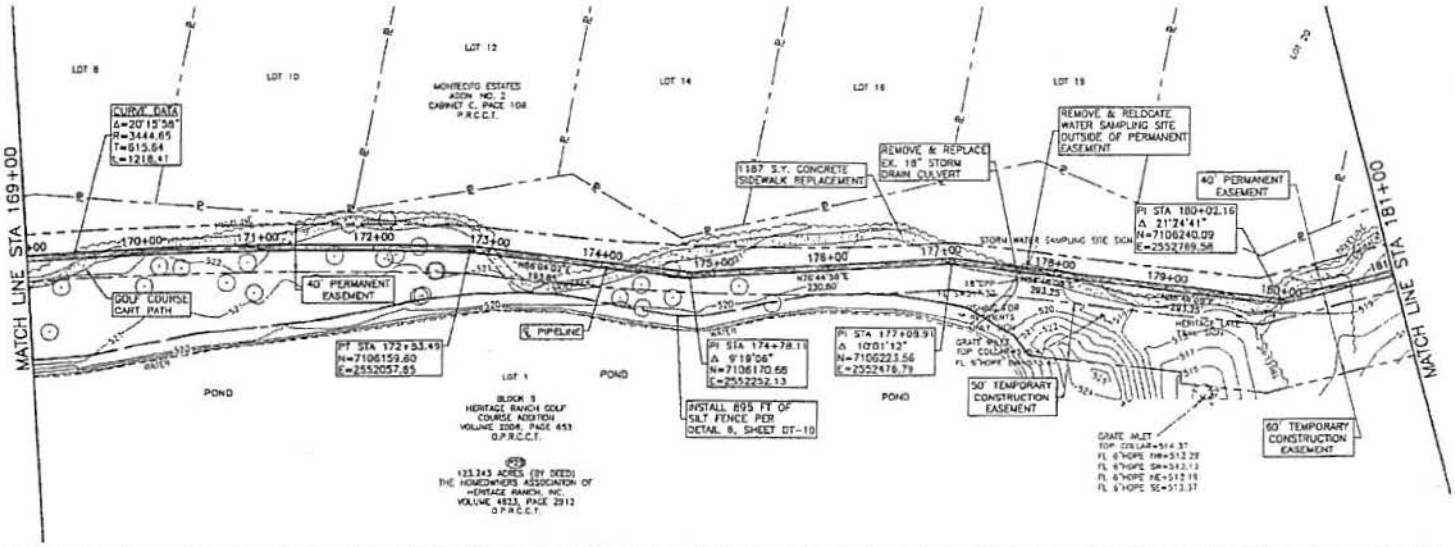
NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 157+00 TO STA 169+00

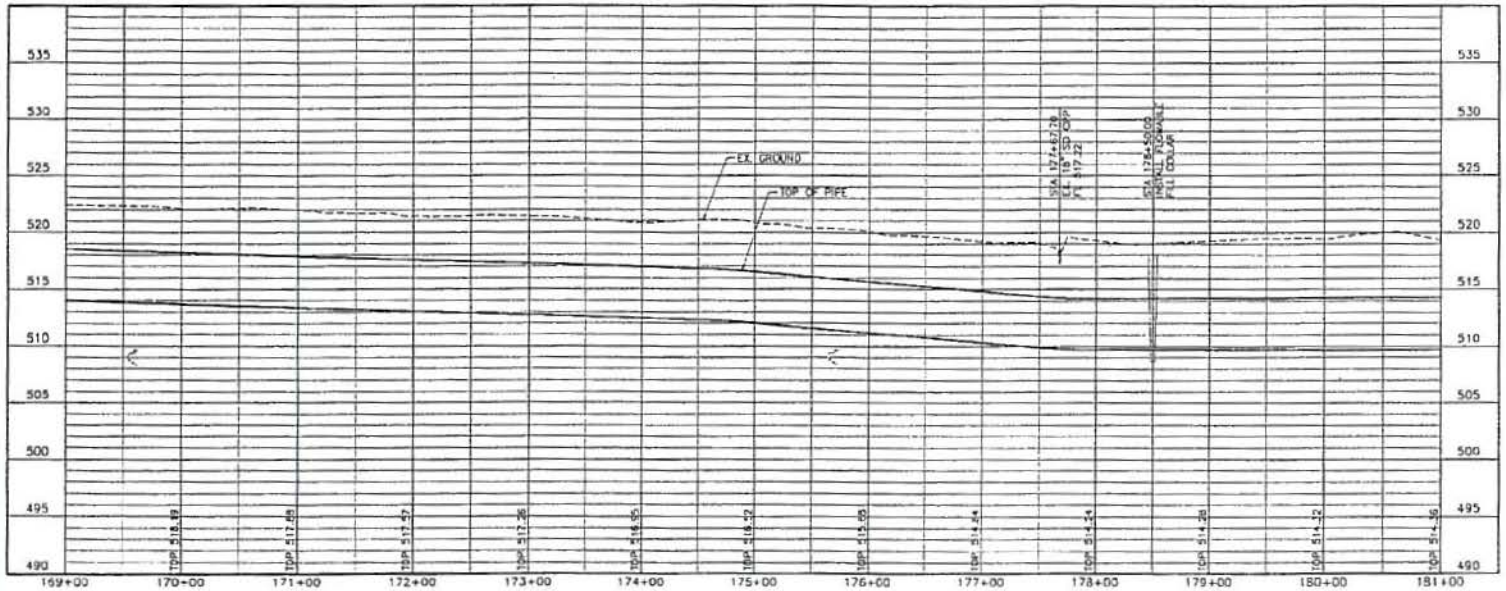
NO.	REVISIONS	BY	DATE

DATE	10/16/13	
DESIGN	MPS	
DRAWN	SJR	
REVIEW	JCM	

VERIFY SCALE Bar is one inch on original drawing. If not one inch, adjust scale accordingly.

SHEET PL-14





0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR SHALL PROVIDE A TEMPORARY CART PATH DURING CONSTRUCTION.
3. ALL DISTURBED AREAS FROM STA 169+00 TO STA 181+00 SHALL BE RESTORED USING HYDROMULCH.

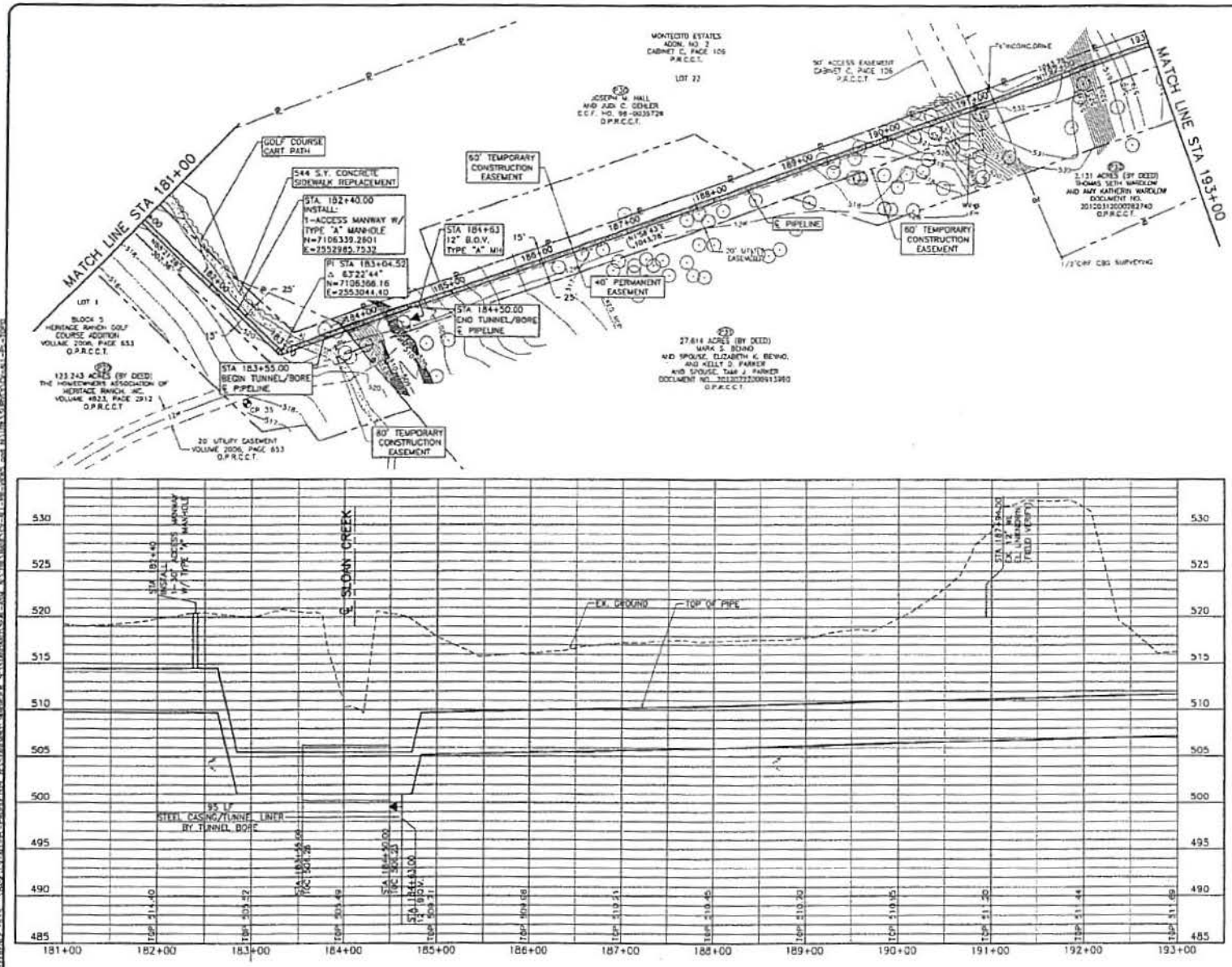
FREESE AND NICHOLS
2111 North Hassell, 3rd Floor
Dallas, TX 75201
Tel - (214) 217-2200
Fax - (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 169+00 TO STA 181+00

DATE	BY	AS NOTED	10/18/13
		DESIGNED	WPS
		DRAWN	LMP
		REVIEWED	
		FILE NAME	CV-PPL-PP-MTBL15.dwg

VERTICAL SCALE: Bar on one inch on original drawing is 0.25" for full size sheet, 0.50" half size

SHEET PL-15



0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

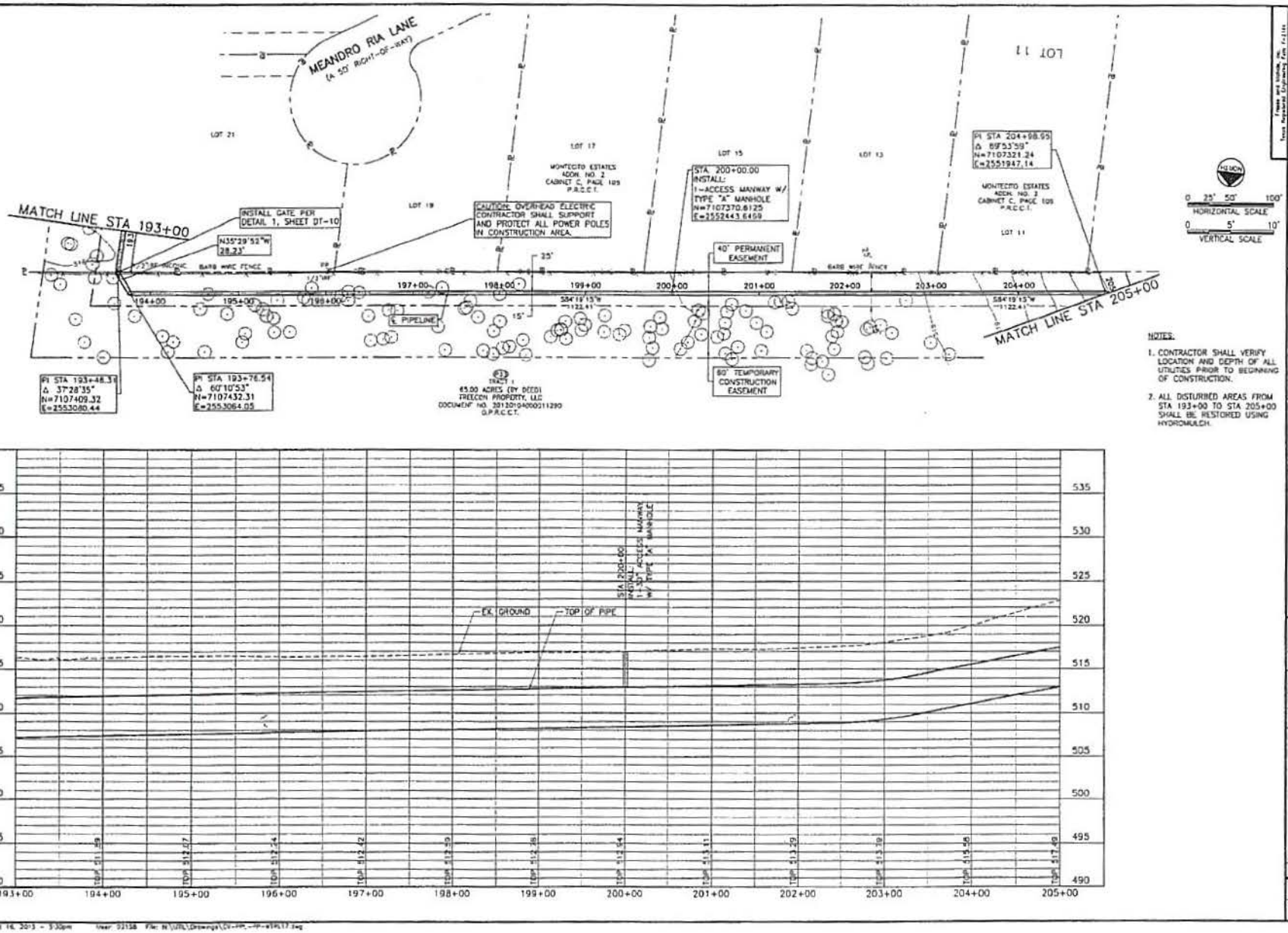
NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR SHALL PROVIDE A TEMPORARY CART PATH DURING CONSTRUCTION.
3. ALL DISTURBED AREAS FROM STA 181+00 TO STA 193+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 181+00 TO STA 193+00

SHEET PL-16



NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 193+00 TO STA 205+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS, INC. Texas Registered Engineering Firm F-2144

FREESE AND NICHOLS
2711 North Haskell, Suite 3300
Dallas, Texas 75204
Phone: (214) 217-2200
Fax: (214) 217-2201

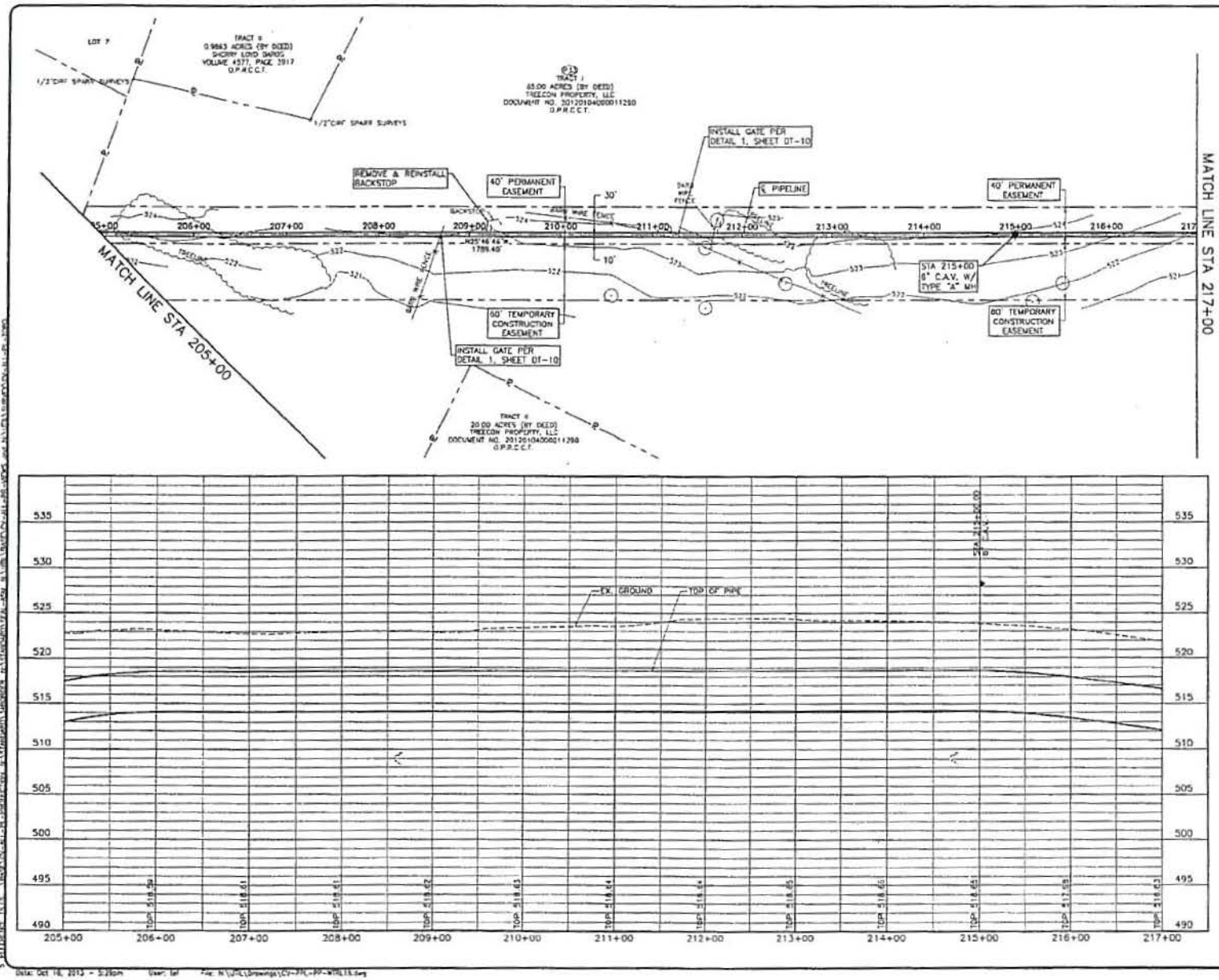
NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 193+00 TO STA 205+00

NO.	DESCRIPTION	BY	DATE

DATE 01/31/2014
W.O. 10/18/13
DESIGNED WRS
DRAWN SMR
REVIEWED
PROJ. MGR. ASM
FILE NAME (C)-PPL-PP-WTRL17.dwg

VERIFY SCALE Bar is one inch on original drawing. If not one inch, scale this sheet accordingly.

SHEET PL-17
SED.



HORIZONTAL SCALE 0 25' 50' 100'

VERTICAL SCALE 0 5' 10'

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 205+00 TO STA 217+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

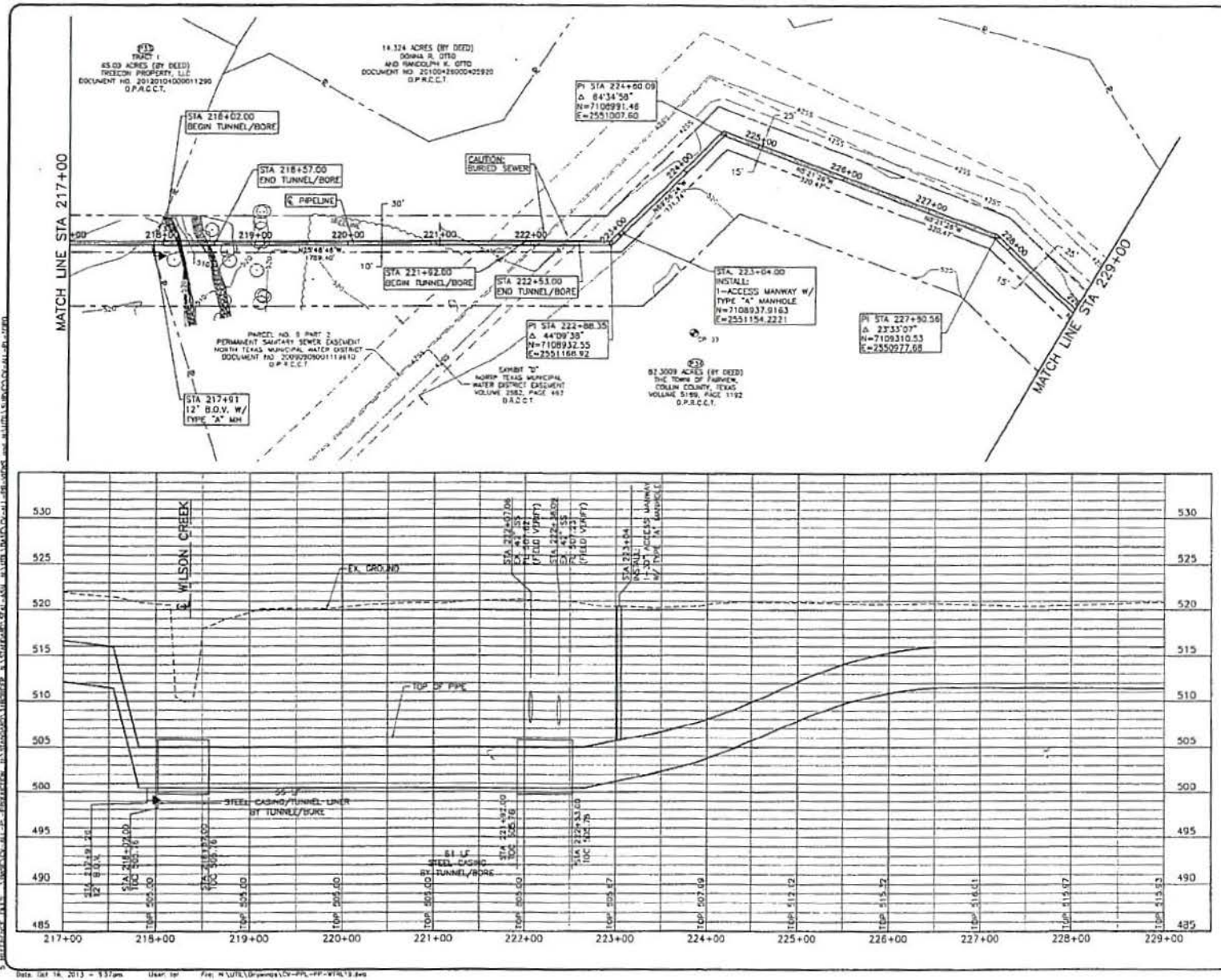
PHASE I AND II, PROJECT NO. 210

PIPELINE

PLAN AND PROFILE

STA 205+00 TO STA 217+00

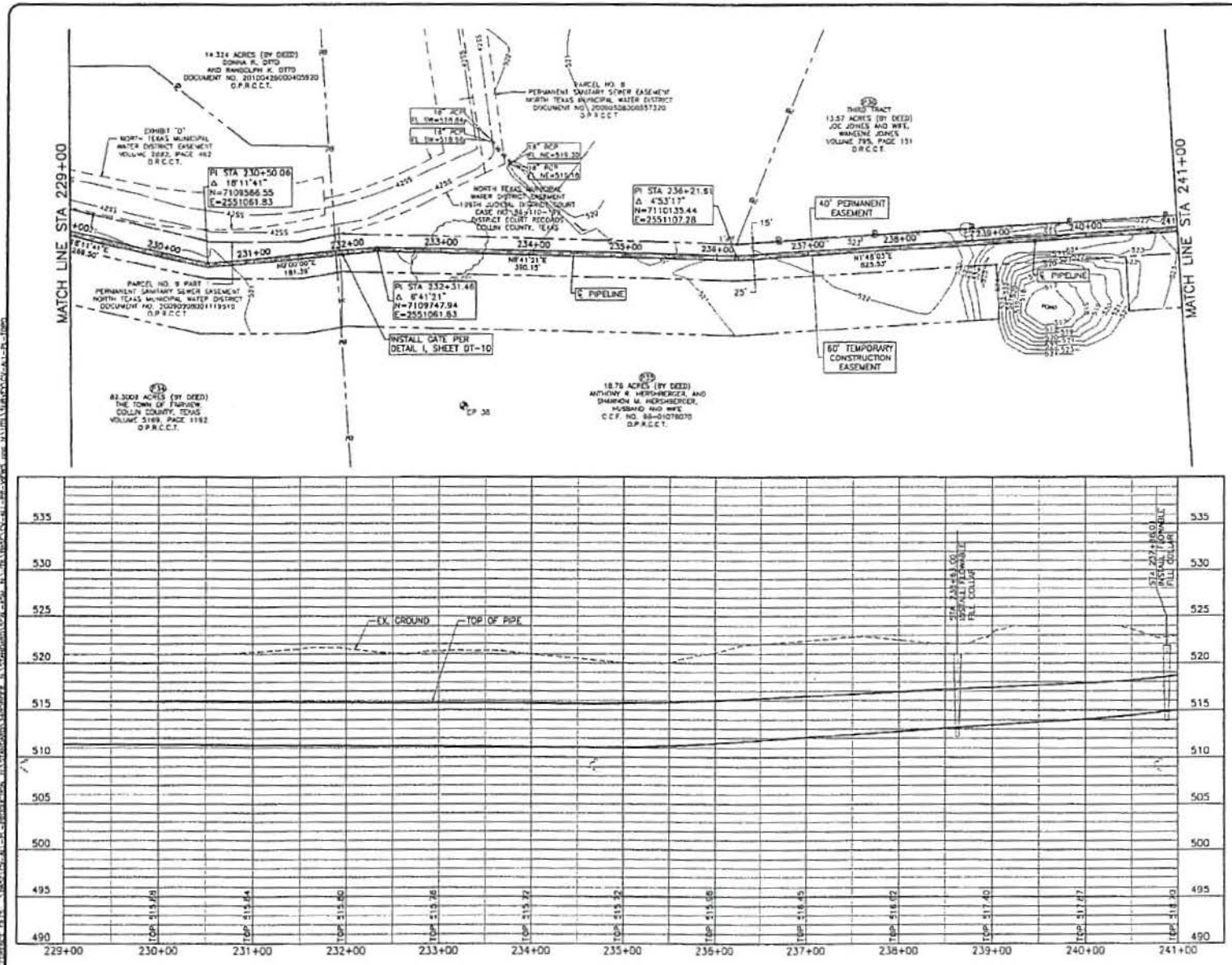
SHEET PL-18



NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 217+00 TO STA 229+00

FREESE AND NICHOLS

SHEET PL-19



NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 229+00 TO STA 241+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS, INC.
Texas Registered Engineering Firm F-2144

FREESE AND NICHOLS
2414 North Garland Ave Floor
Garland, TX 75041
Phone: (972) 271-2280
Fax: (214) 217-2201

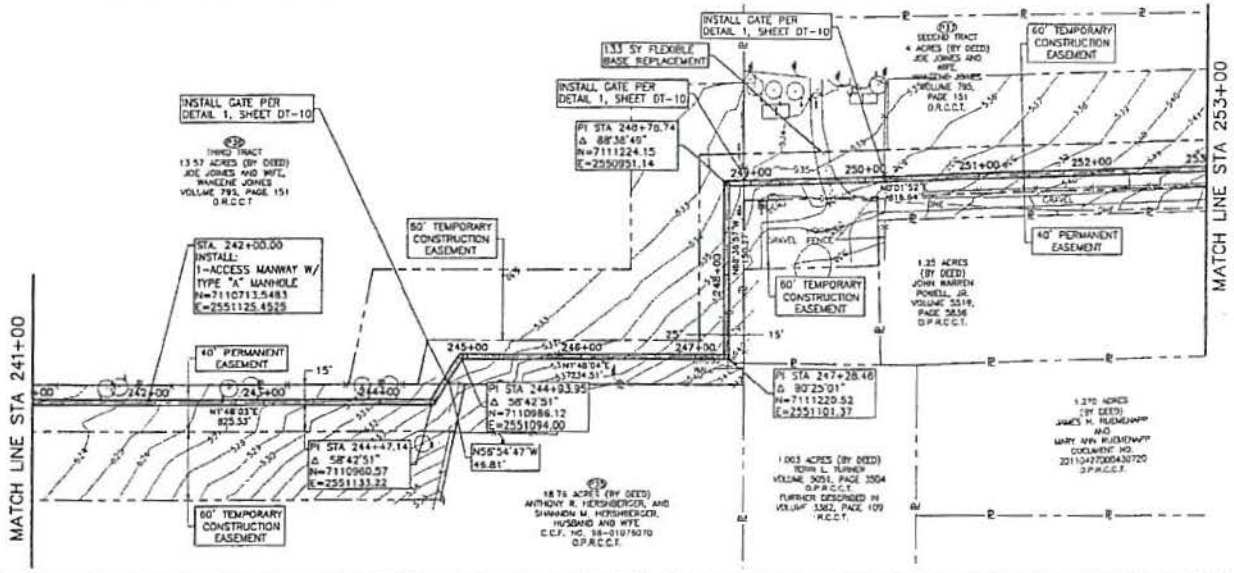
NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 229+00 TO STA 241+00

REV	DATE	BY	CHKD
0			
1			
2			

REV 10 W
NTU11224
PKL 10/18/13
SCALE NTS
DRAWN WPG
CHECKED LMH
DATE 10/18/13
PROJ MGR ASG
FILE NAME CV-PPL-PP-MTRL20.dwg

VERIFY SCALE
Bar is 1/2" long on original drawing. If not 1/2" scale the plan sheet, adjust scale.

SHEET
PL-20



0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

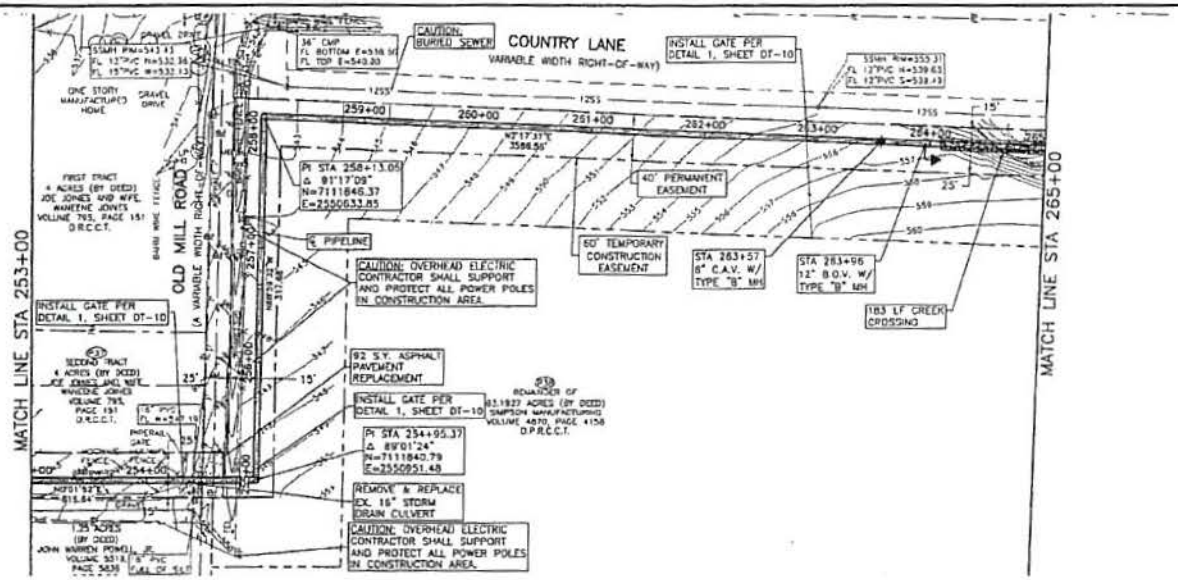
NOTES:

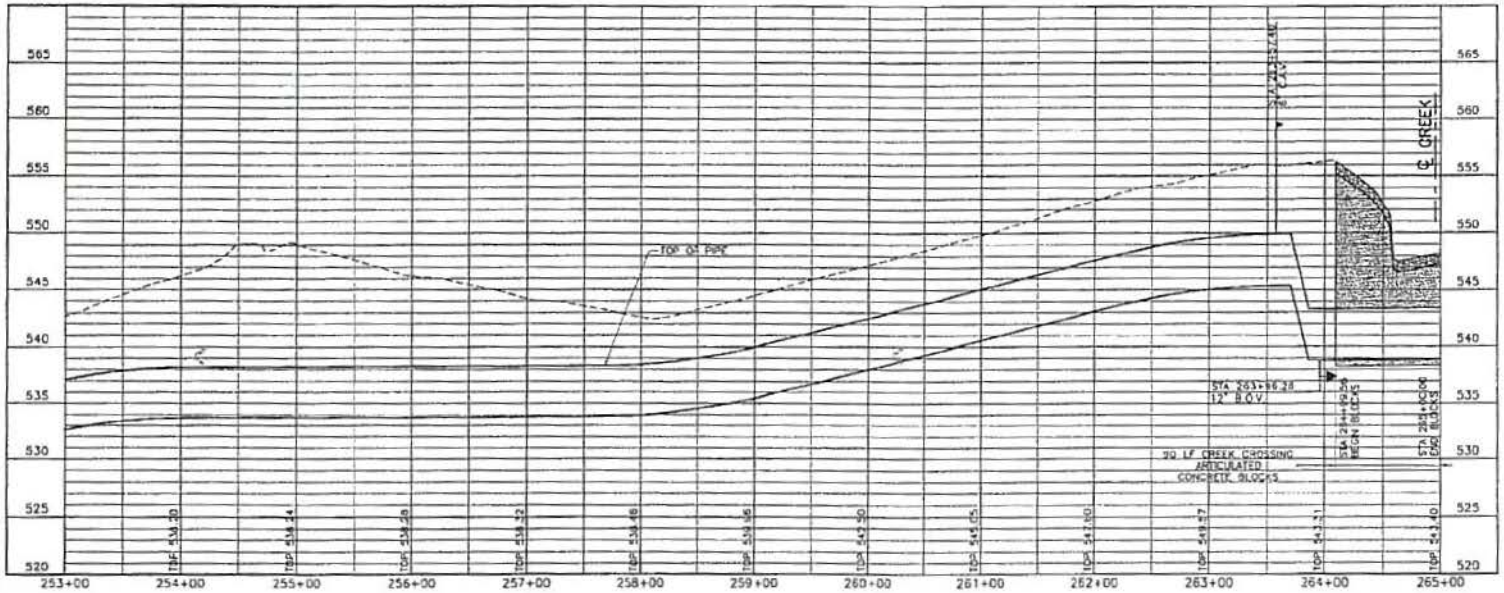
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 241+00 TO STA 253+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 241+00 TO STA 253+00

SHEET PL-21





0 25' 50' 100'
HORIZONTAL SCALE

0 5' 10'
VERTICAL SCALE

NOTES:

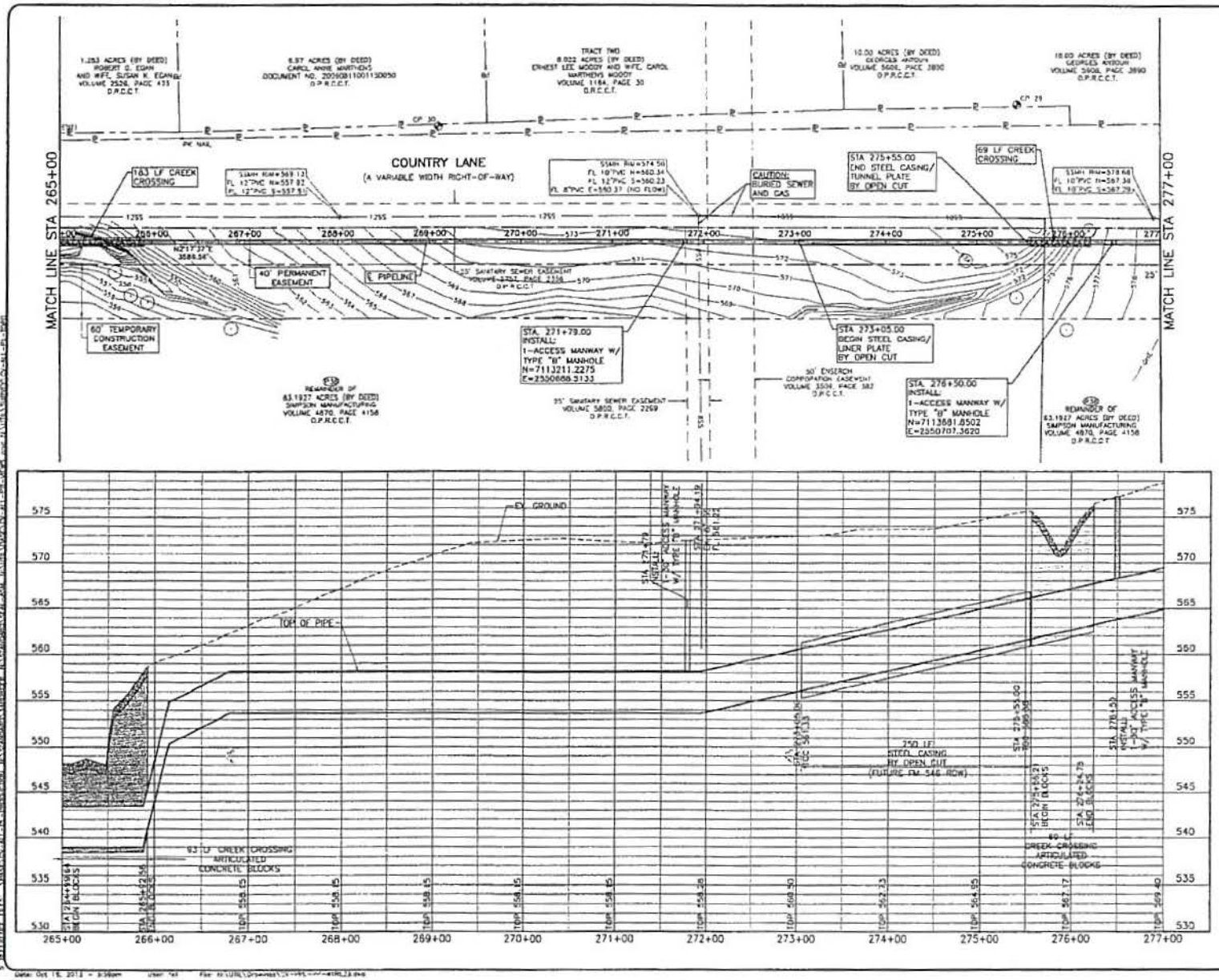
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 253+00 TO STA 265+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS, INC.
Texas Registered Engineering Firm F-2144
2711 North Haskell Ave., 33rd Floor
Dallas, Texas
Phone: (214) 217-2200
Fax: (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 253+00 TO STA 265+00

NO.	ISSUE	BY	DATE

JOB NO. 11511224
DATE 10/16/13
DESIGNED WRS
DRAWN LMP
CHECKED
FILE NAME DV-PPL-PP-WTRL22.dwg
SCALE: 1" = 50'
ORIGINAL SHEET SIZE 24" x 36"
SHEET PL-22



0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

NOTES:

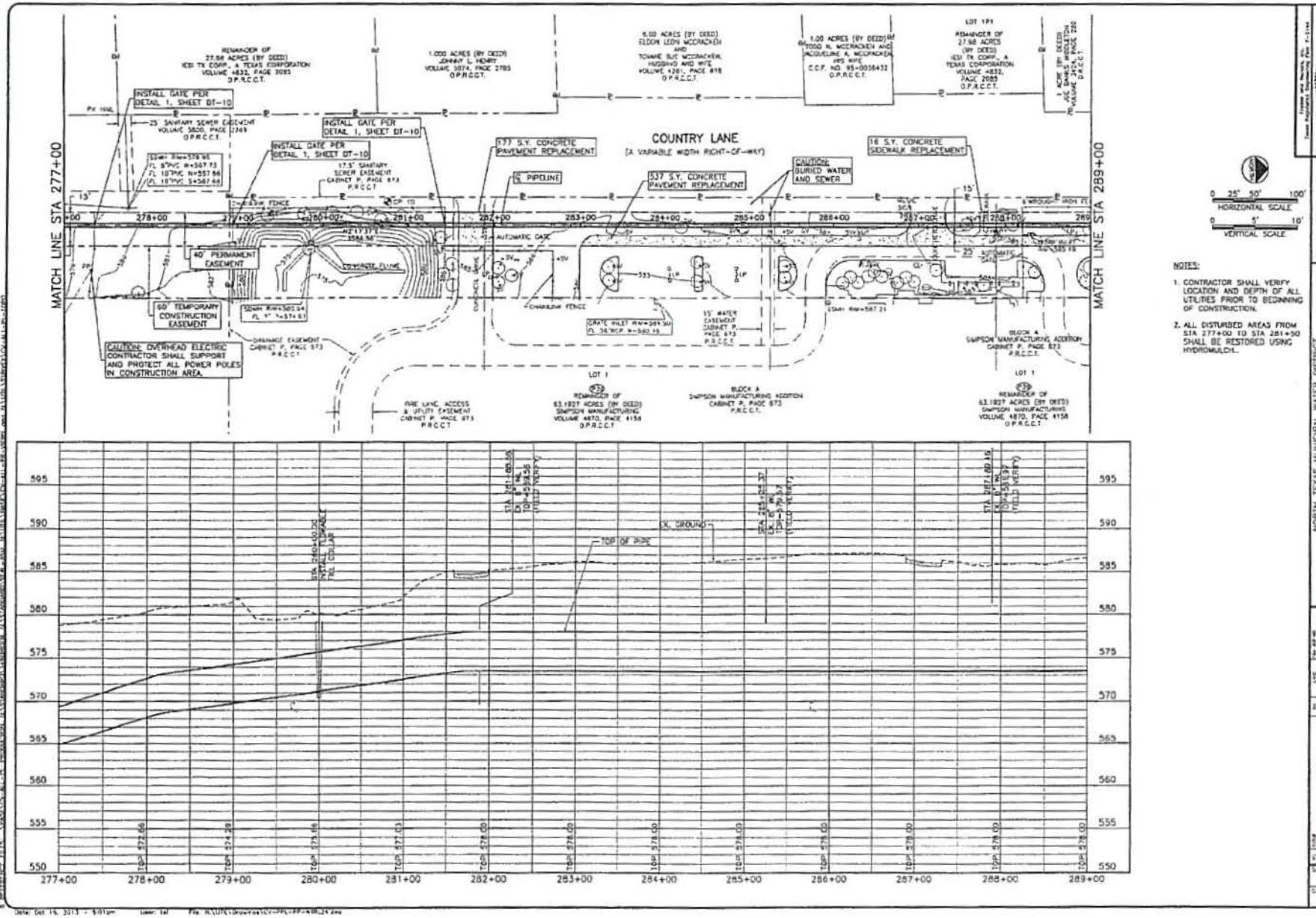
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 265+00 TO STA 277+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS, INC.
2711 North Haskell Ave. Suite 1500
Dallas, TX 75204
Tel: (214) 217-2200
Fax: (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 265+00 TO STA 277+00

DATE	10/18/13
PLANNED	WFS
DRAWN	LMR
DESIGNED	ASM
PLOT FILE	PL-23.dwg

SHEET PL-23



NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 277+00 TO STA 281+50 SHALL BE RESTORED USING HYDROMULCH.

FREESE NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

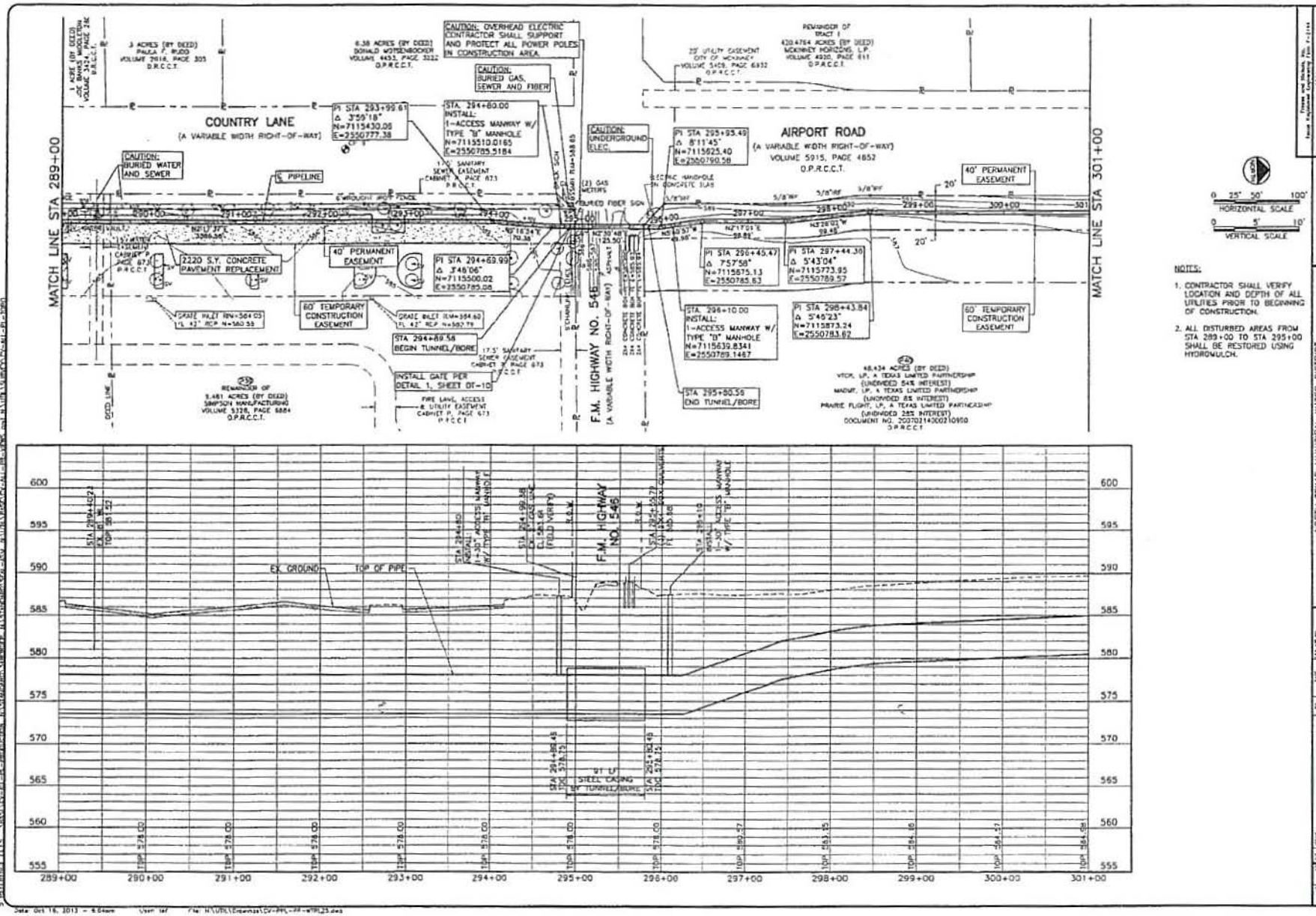
PHASE I AND II, PROJECT NO. 210

PIPELINE

PLAN AND PROFILE

STA 277+00 TO STA 289+00

SHEET PL-24



NOTES:

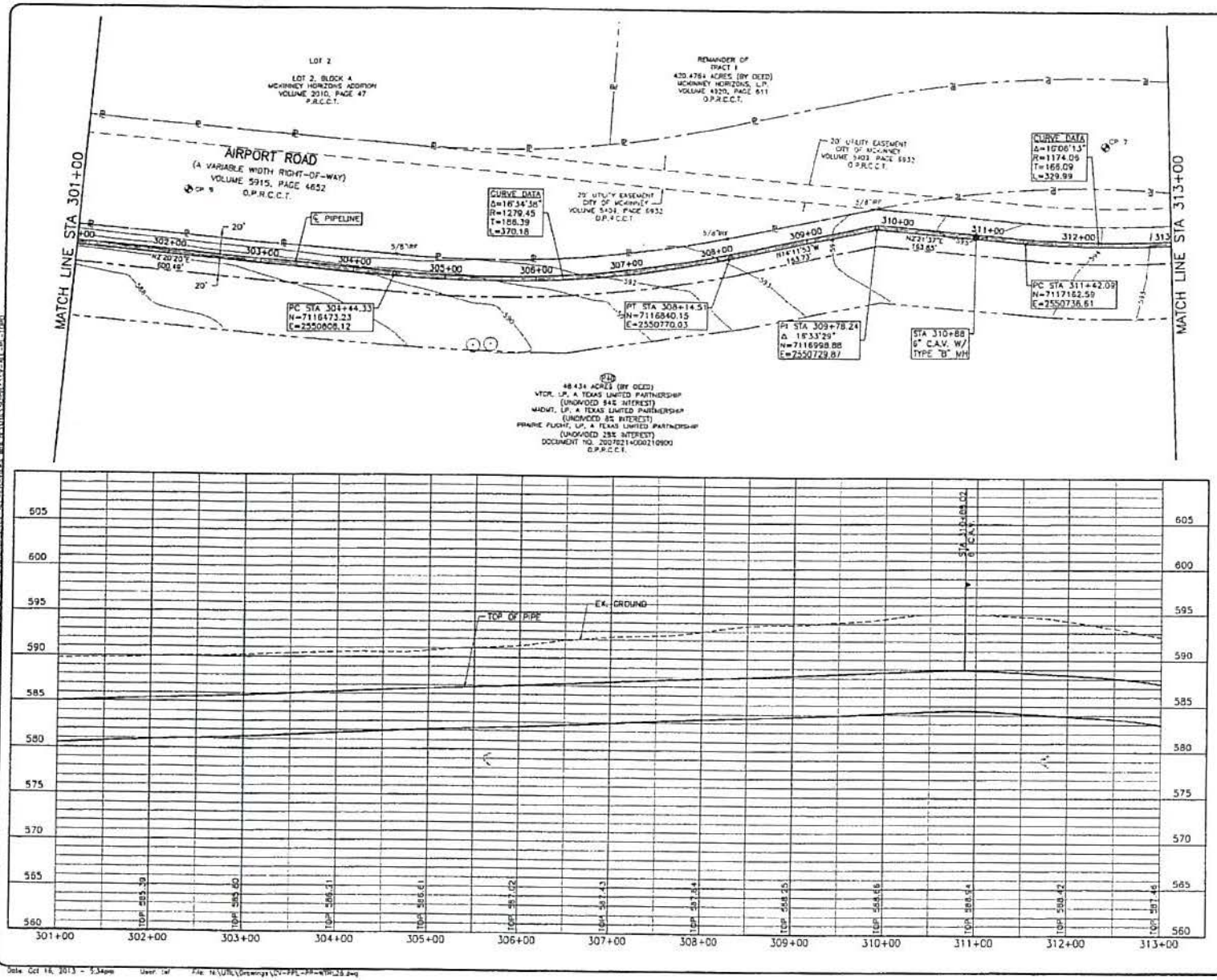
1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 289+00 TO STA 295+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210

PIPELINE
PLAN AND PROFILE
STA 289+00 TO STA 301+00

SHEET PL-25



NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 301+00 TO STA 313+00 SHALL BE RESTORED USING HYDROMULCH.

0 25' 50' 100'
HORIZONTAL SCALE

0 5' 10'
VERTICAL SCALE

FREESE AND NICHOLS
2711 North Haskell Ave., Suite 2500
Dallas, Texas 75204
Phone: (214) 217-2200
Fax: (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210

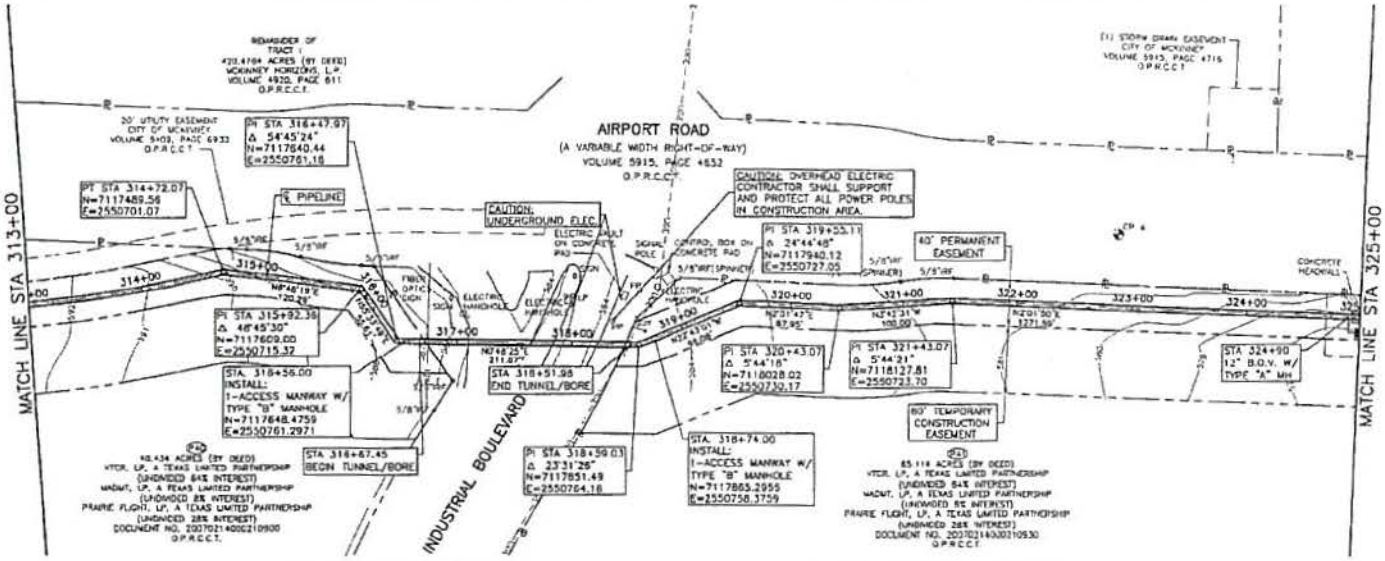
PLAN AND PROFILE
STA 301+00 TO STA 313+00

NO	DATE	BY	REVISIONS

FN 48 No. NTD11324
DATE 10/16/13
DESIGNED WRS
DRAWN LAB
CHECKED
FILE NAME 04448 A3M
D:\FPL-PP-NTP\26.dwg

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

SHEET PL-26



0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

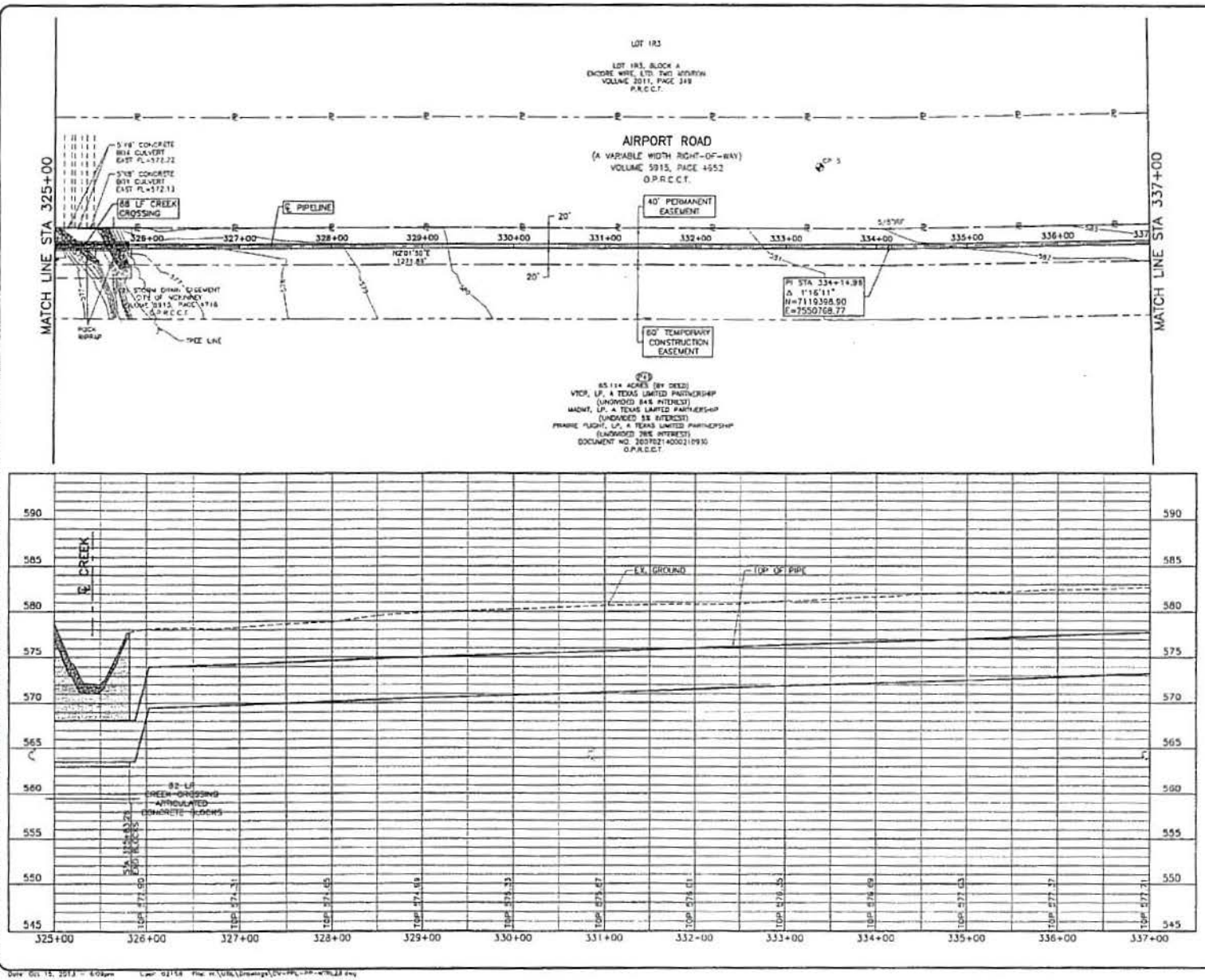
NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 313+00 TO STA 326+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 313+00 TO STA 325+00

SHEET
PL-27



0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 325+00 TO STA 337+00 SHALL BE RESTORED USING HYDROMULCH.

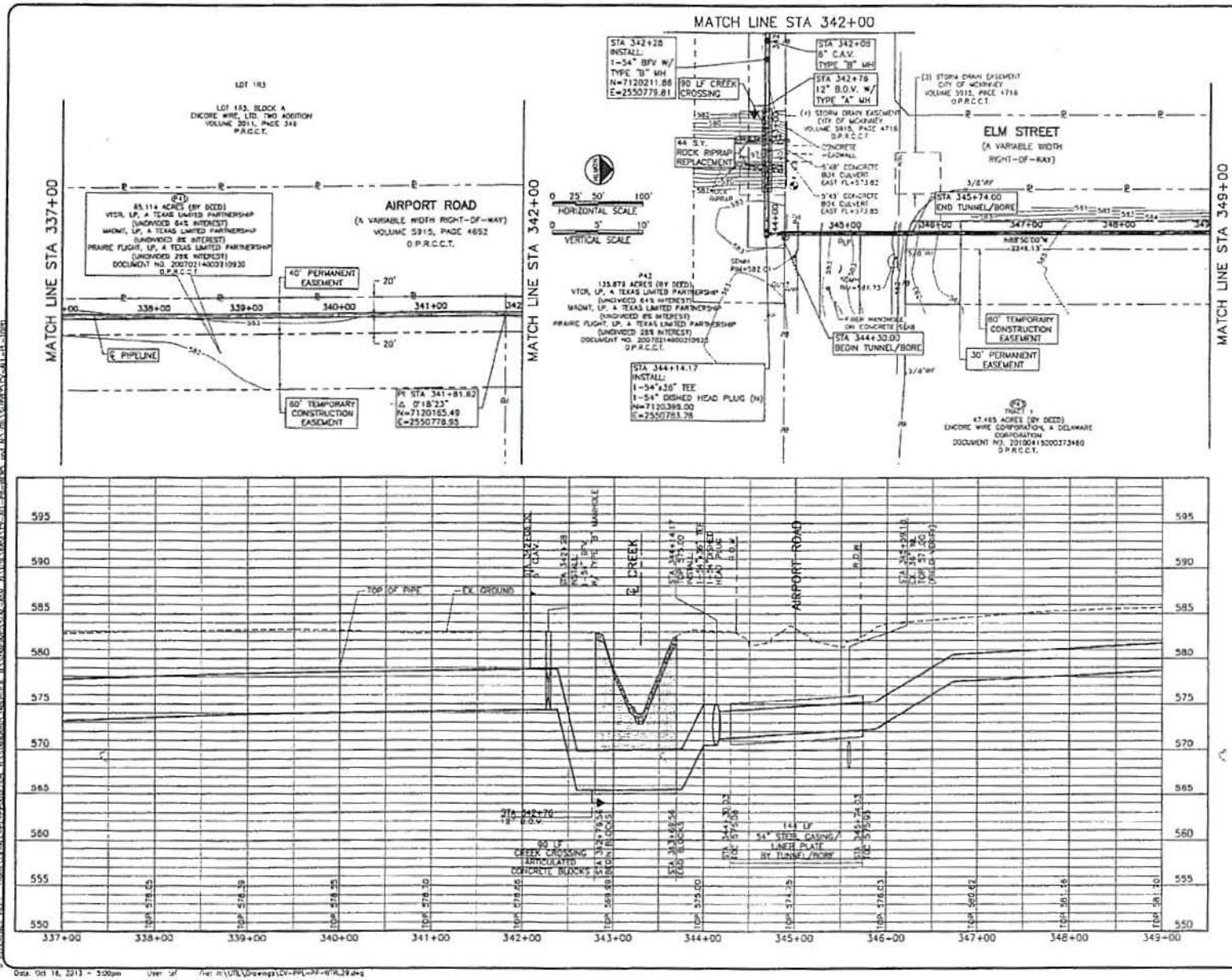
FREESE AND NICHOLS
2711 North Haskell, Ste 3300
Dallas, TX 75204
Phone: (214) 217-2200
Fax: (214) 217-2211

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 325+00 TO STA 337+00

NO.	DATE	BY	CHKD

HTD11224
DATE 12/19/13
DRAWN WRG
CHKD LJM
DWG NO. PL-28
SHEET PL-28

VOIDT SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.
0 1"



NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 337+00 TO STA 349+00 SHALL BE RESTORED USING HYDROMULCH.

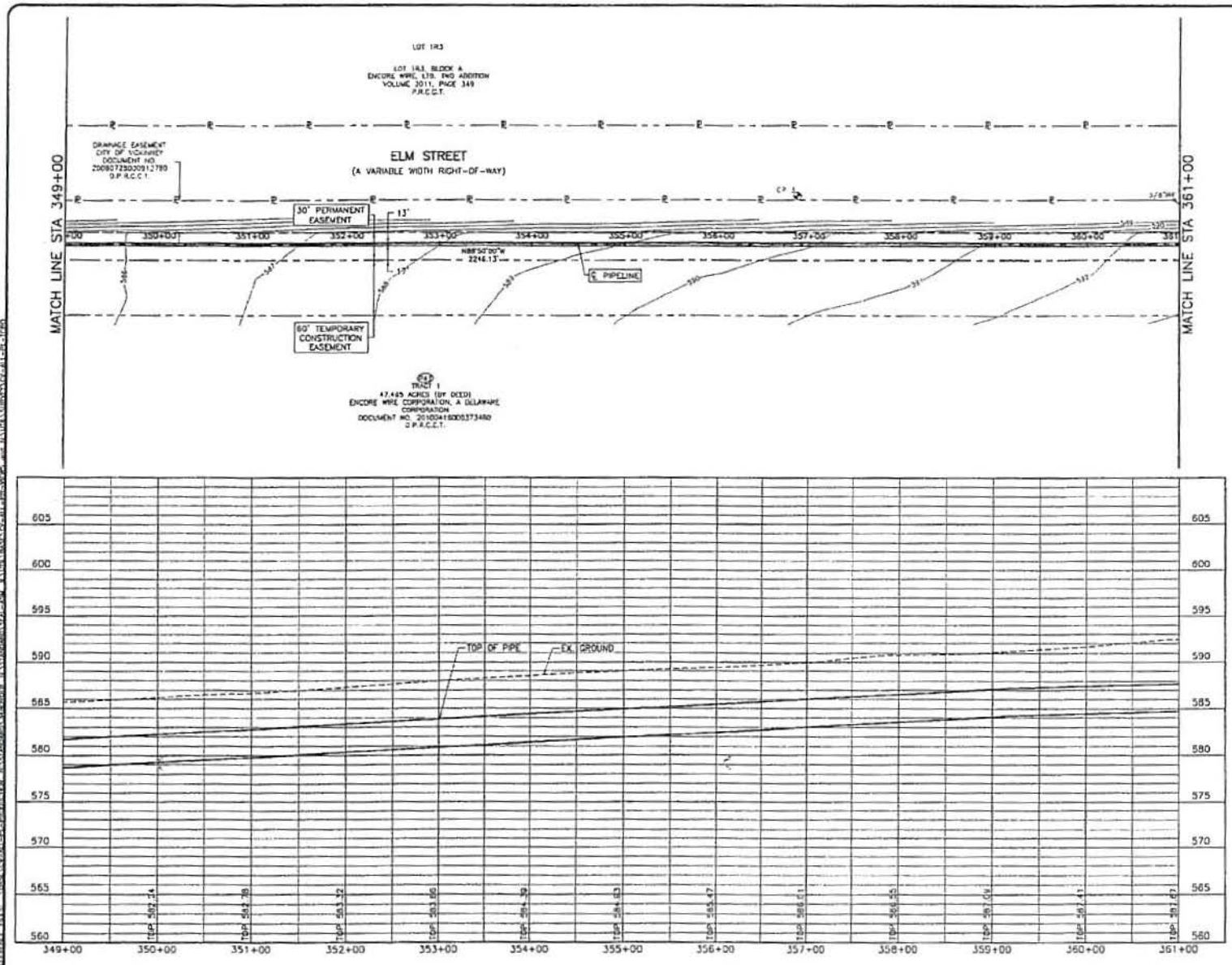
FREESE NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210

PIPELINE
PLAN AND PROFILE
STA 337+00 TO STA 349+00

SHEET PL-29

Date: Oct 16, 2013 - 5:00pm User: tef File: H:\UTIL\Drawings\CV-PPL-PP-WTRL29.dwg



HORIZONTAL SCALE 0 25' 50' 100'

VERTICAL SCALE 0 5' 10'

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 349+00 TO STA 361+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

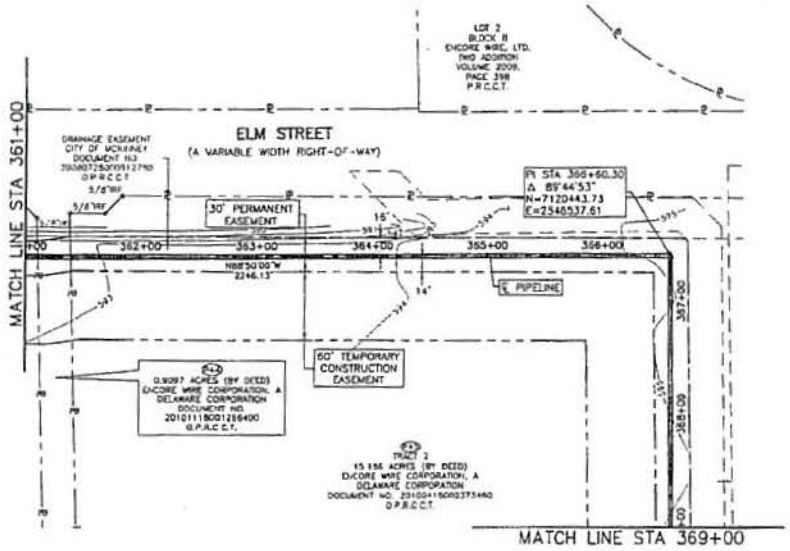
PIPELINE

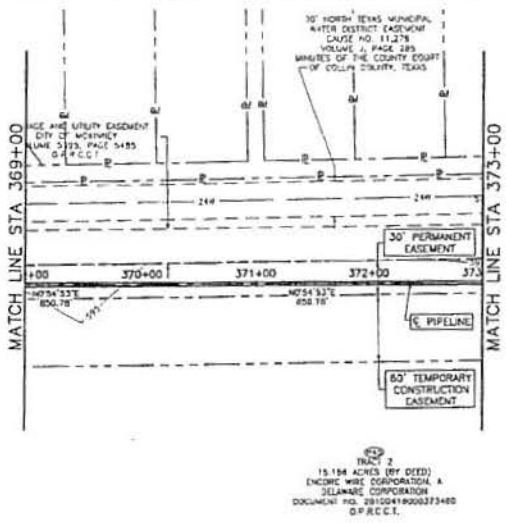
PLAN AND PROFILE

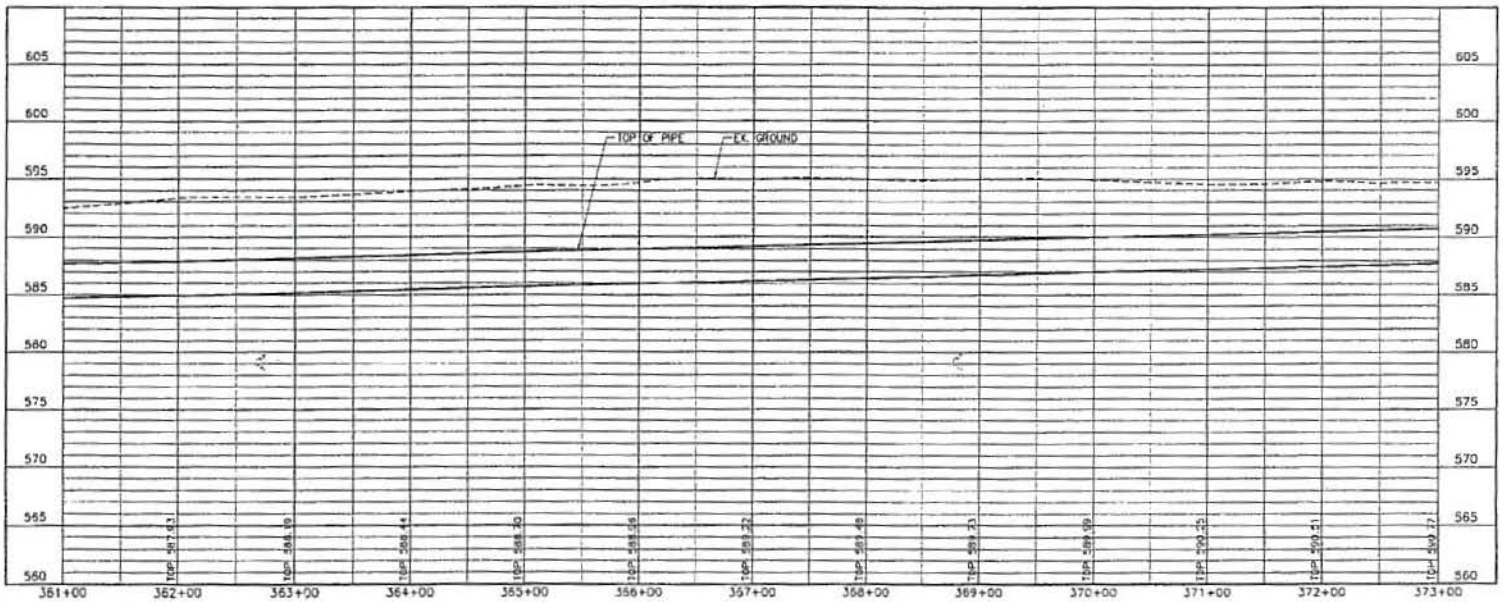
STA 349+00 TO STA 361+00

1=1'

PL-30







0 25' 50' 100'
HORIZONTAL SCALE
0 5' 10'
VERTICAL SCALE

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. ALL DISTURBED AREAS FROM STA 361+00 TO STA 373+00 SHALL BE RESTORED USING HYDROMULCH.

FREESE AND NICHOLS, INC.
Texas Registered Engineering Firm F-2144

FREESE NICHOLS
2711 North Haskell, 23th Floor
Dallas, TX 75204
Tel: (214) 217-2200
Fax: (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 361+00 TO STA 373+00

NO.	REVISION	BY	DATE

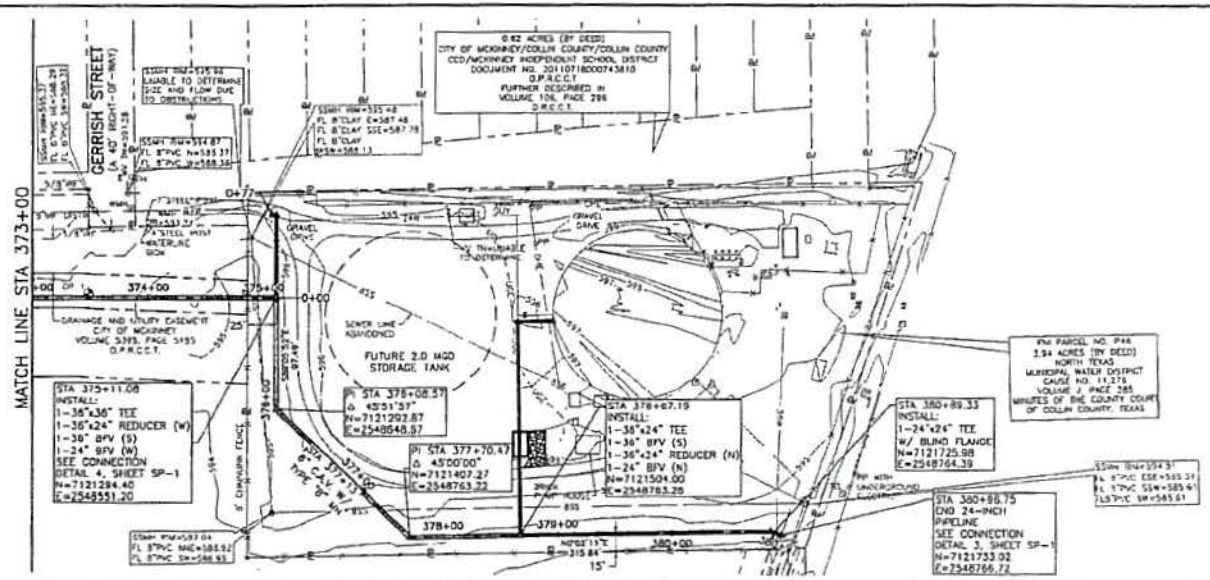
FAN JOB NO. N10112.24
DATE 10/18/13
DESIGNED WRG
DRAWN LMP
REVIEWED ASM
APPROVED ASM
FILE NAME CV-PPL-PP-W18L31.dwg

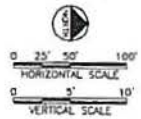
VERIFY SCALES
0 1 2
BAR IS ONE INCH ON ORIGINAL DRAWING. IF NOT ONE INCH ON THIS SHEET, ADJUST SCALE ACCORDINGLY

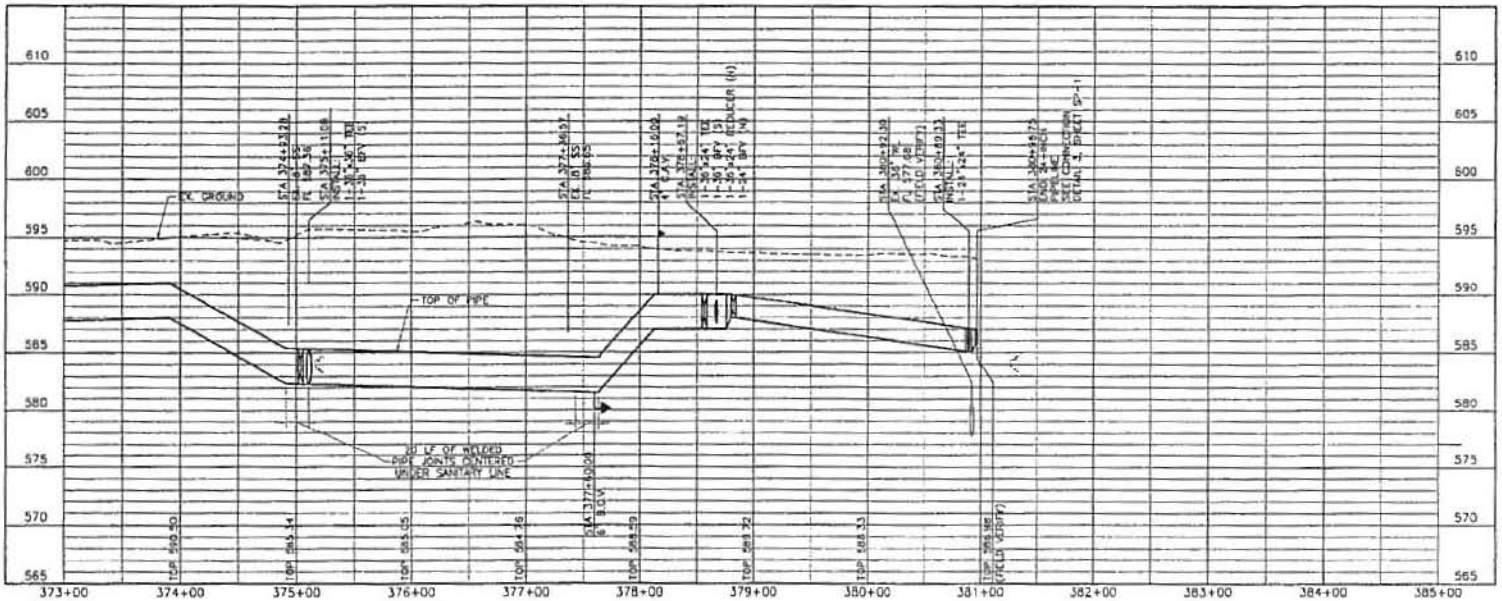
SHEET PL-31

NOTES:

1. CONTRACTOR SHALL VERIFY LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO BEGINNING OF CONSTRUCTION.
2. CONTRACTOR SHALL ENCASE ALL BURIED VALVES, FLOW CONDITIONERS, FITTINGS, AND THRUST HARNESSES IN WAX TAPE AND FLOWABLE FILL.
3. CONTRACTOR SHALL INSTALL FLEXIBASE DRIVES AT LOCATIONS SHOWN IN PLANS TO ORIGINAL GRADE TO PREVENT PONDING OF STORM WATER RUNOFF.
4. ALL FENCES DAMAGED OR REMOVED BY CONSTRUCTION ACTIVITIES SHALL BE REPLACED AT THE SAME LOCATION WITH A FENCE OF EQUAL OR SUPERIOR QUALITY AT NO ADDITIONAL COST TO THE OWNER. TEMPORARY SECURITY FENCING SHALL BE REQUIRED WHERE DAMAGED OR REMOVED FENCES ARE NOT TO BE REPLACED BY END OF SAME WORKDAY OR AS DIRECTED BY OWNER.







NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
PIPELINE
PLAN AND PROFILE
STA 373+00 TO END

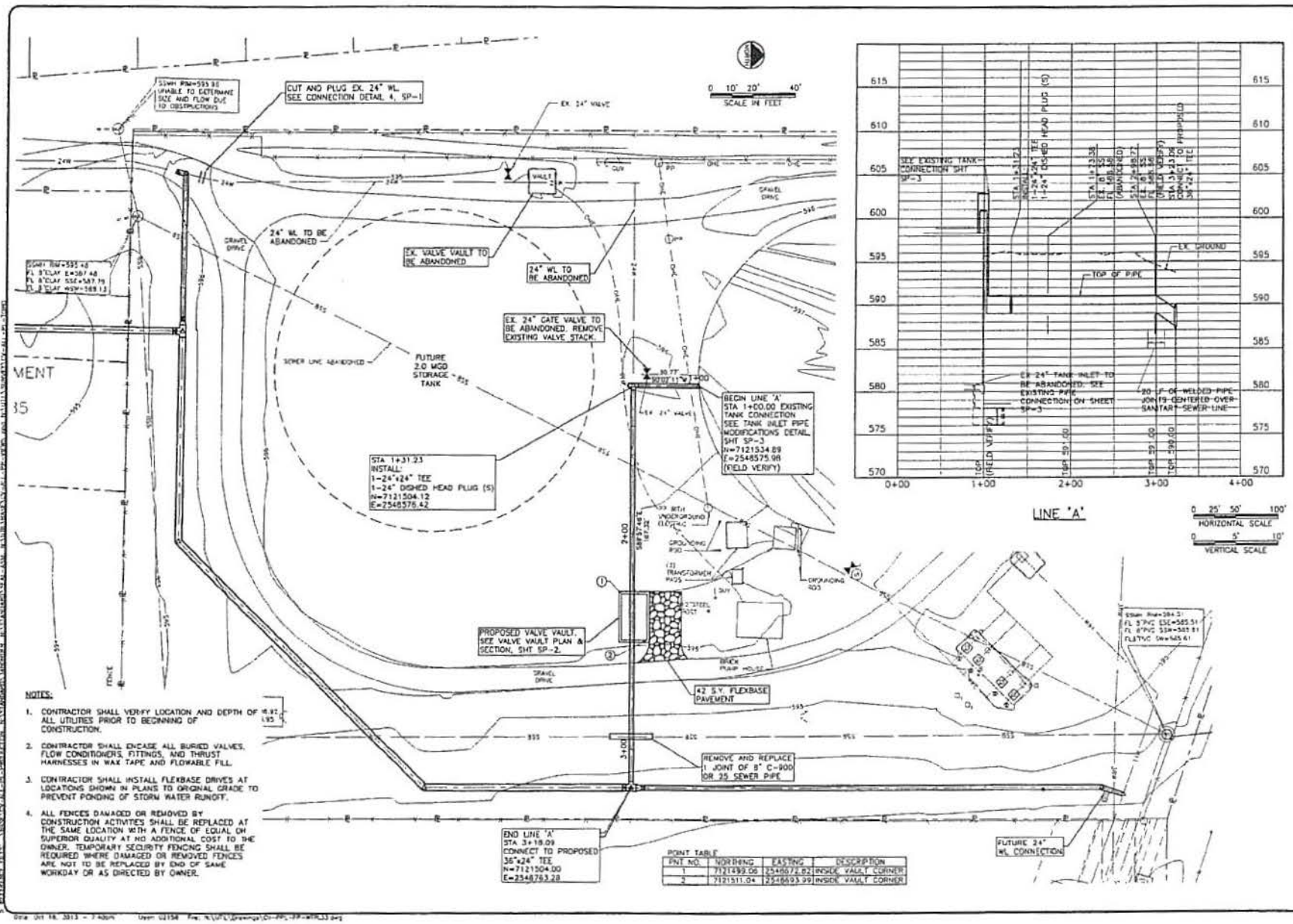
FREESE AND NICHOLS
2711 North Haskell, Ste. 1300
Dallas, TX 75204
Tel — (214) 217-2200
Fax — (214) 217-2201

Freese and Nichols, Inc.
Texas Registered Firm F-2144

NO. ISSUE | BY | DATE
SHEET NO. PL-32

SCALE: Bar is one inch on original drawing. If not one inch, adjust scale accordingly.

FILE NAME: C:\FNI\NTMWD\PL-PP-WTN32.dwg



POINT TABLE

PNT NO.	NORTHING	EASTING	DESCRIPTION
1	7121499.06	2548572.82	INSIDE VAULT CORNER
2	7121511.04	2548693.99	INSIDE VAULT CORNER

FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

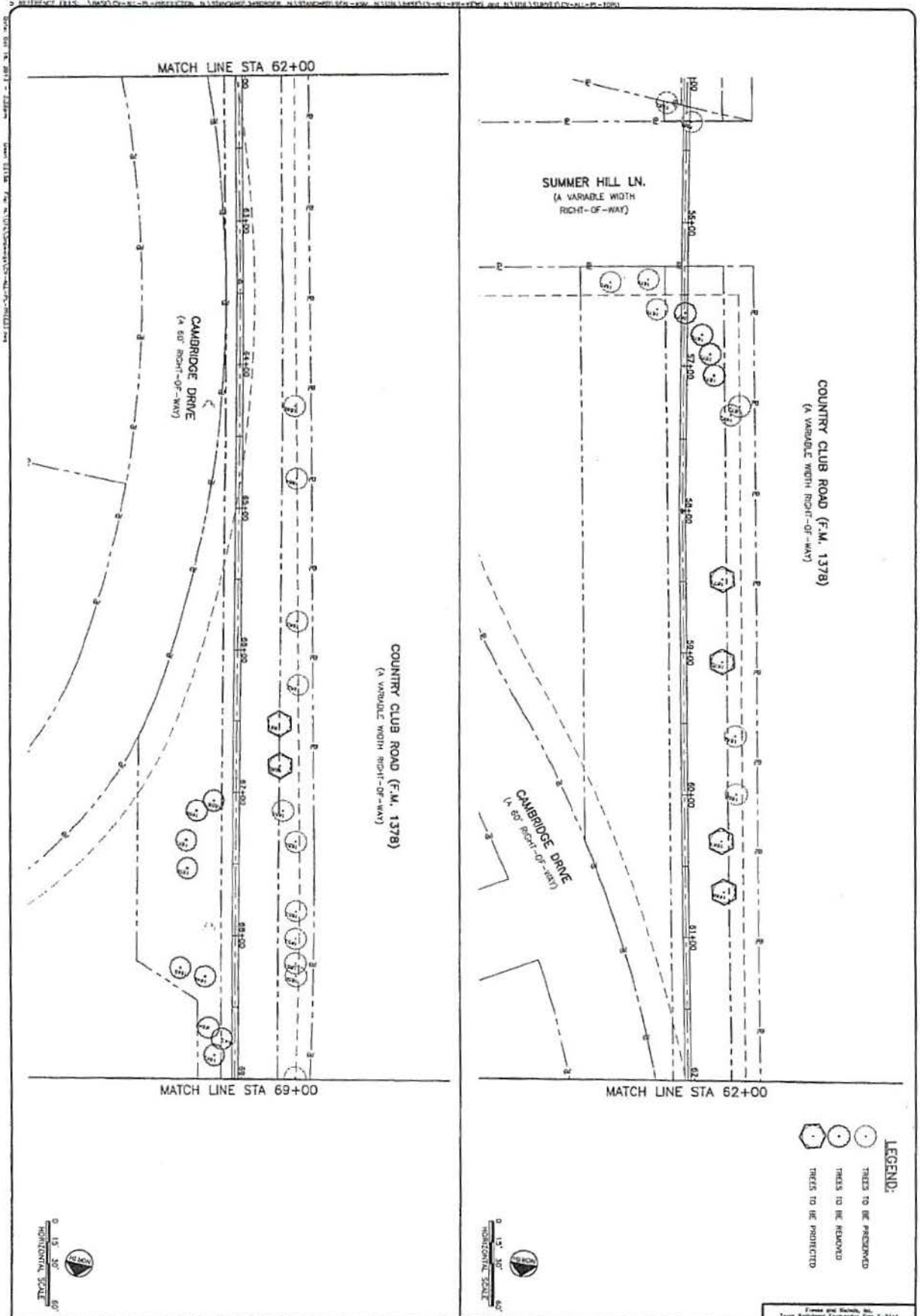
NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

PIPELINE

N. MCKINNEY NO. 1 DELIVERY LINE STA 1+00 TO END

PL-33



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

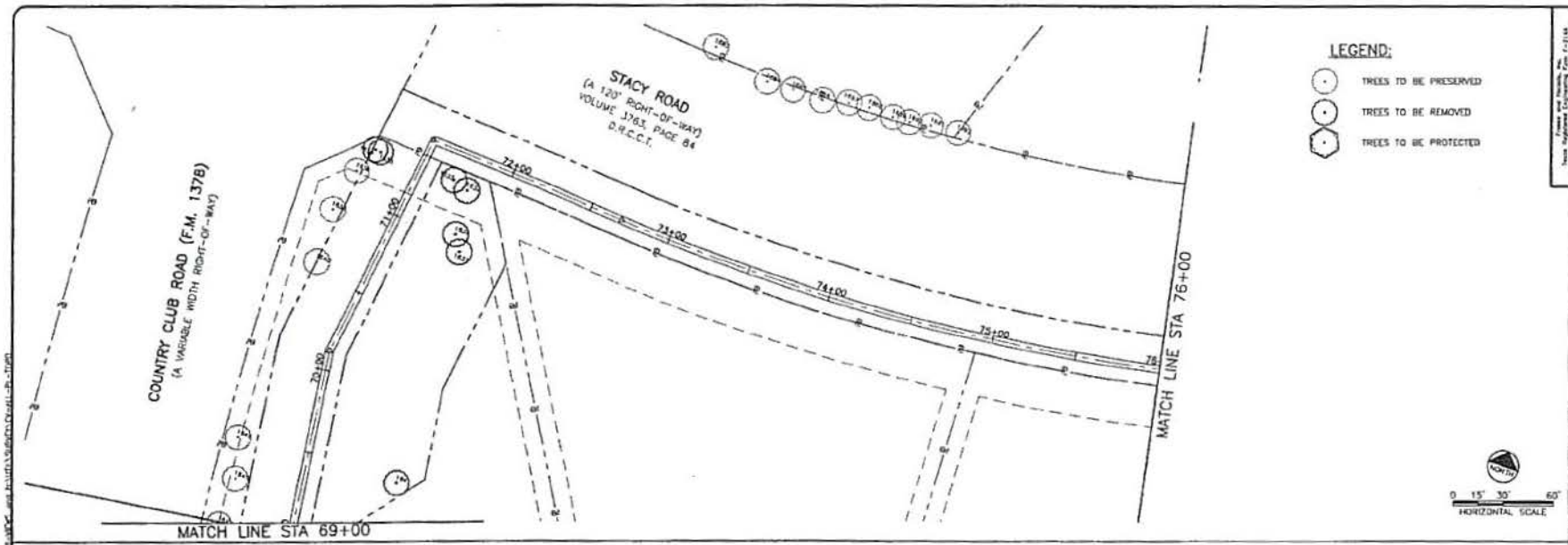
PHASE I AND II, PROJECT NO. 210

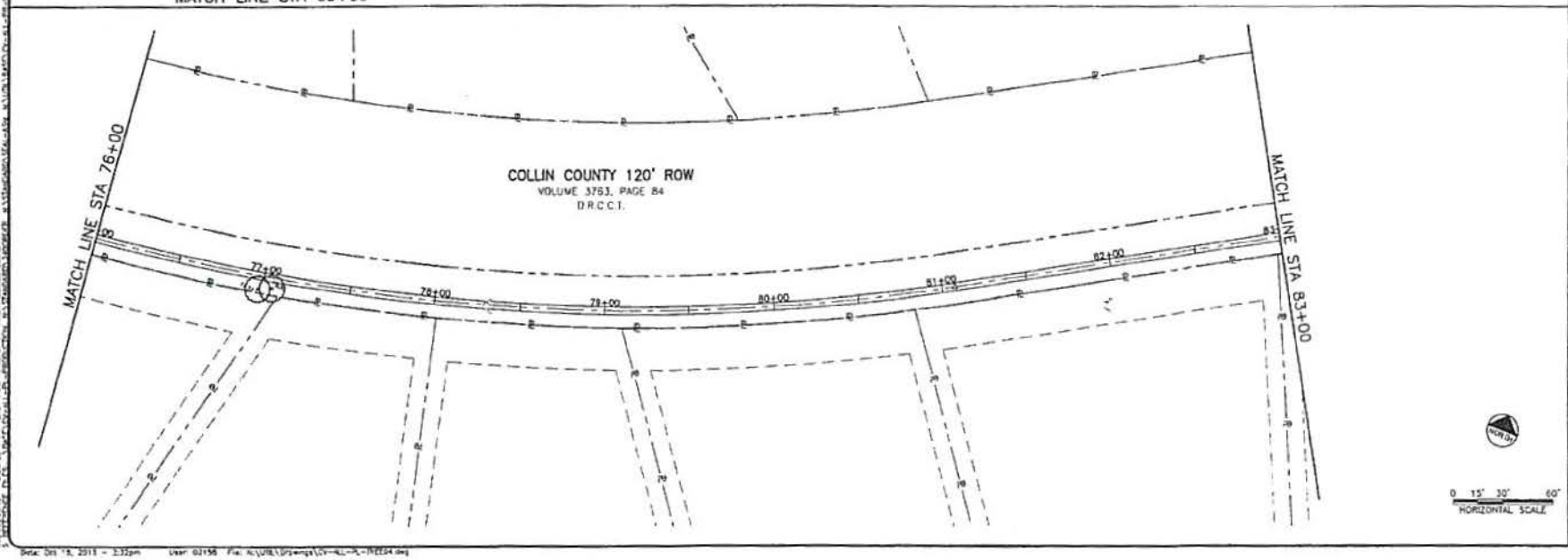
TREE PLAN

STA 55+00 TO STA 69+00

FREESE AND NICHOLS

TP-1





NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

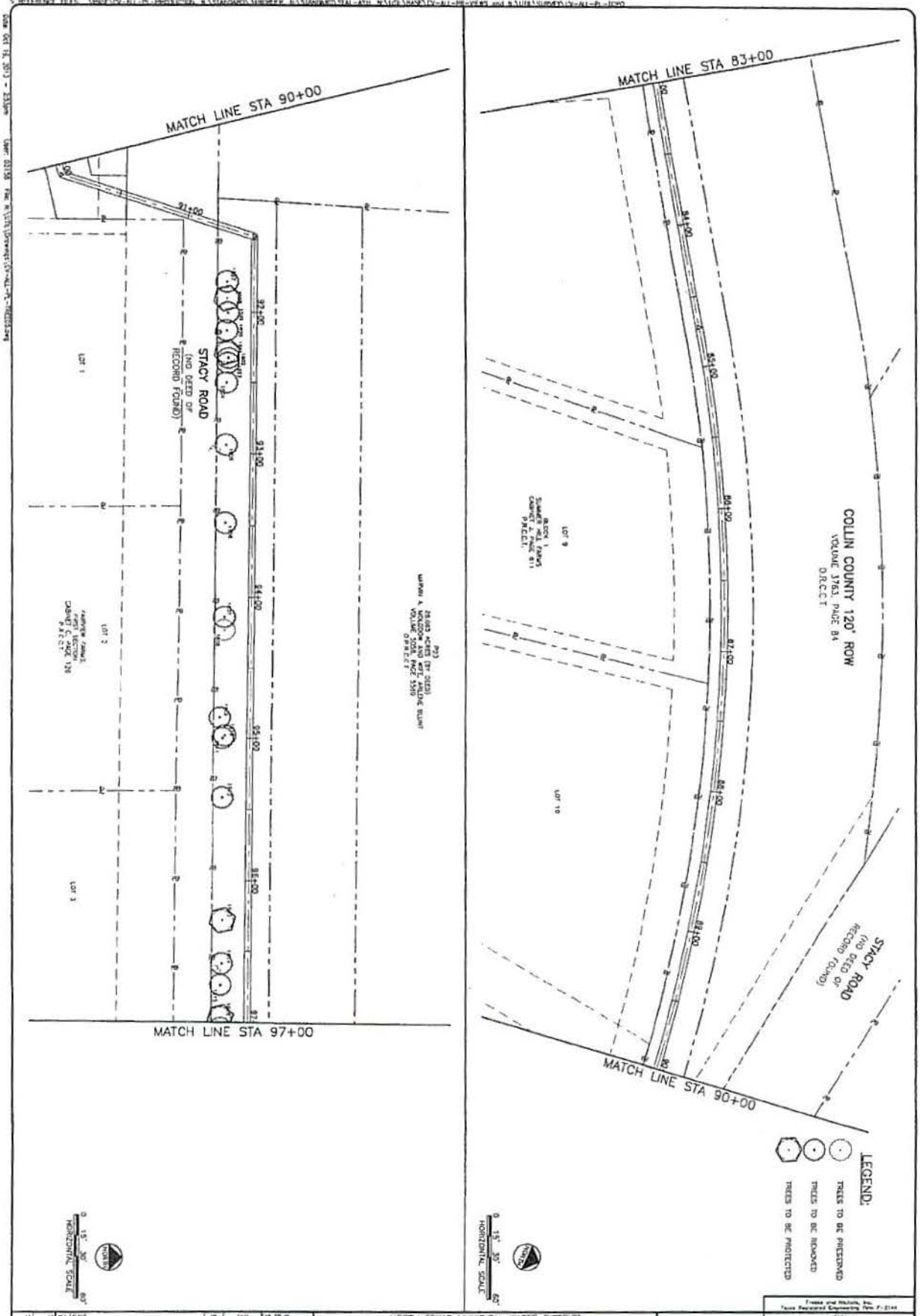
PHASE I AND II PROJECT NO. 210

TREE PLAN

STA 69+00 TO STA 83+00

FREESE NICHOLS

TP-2



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

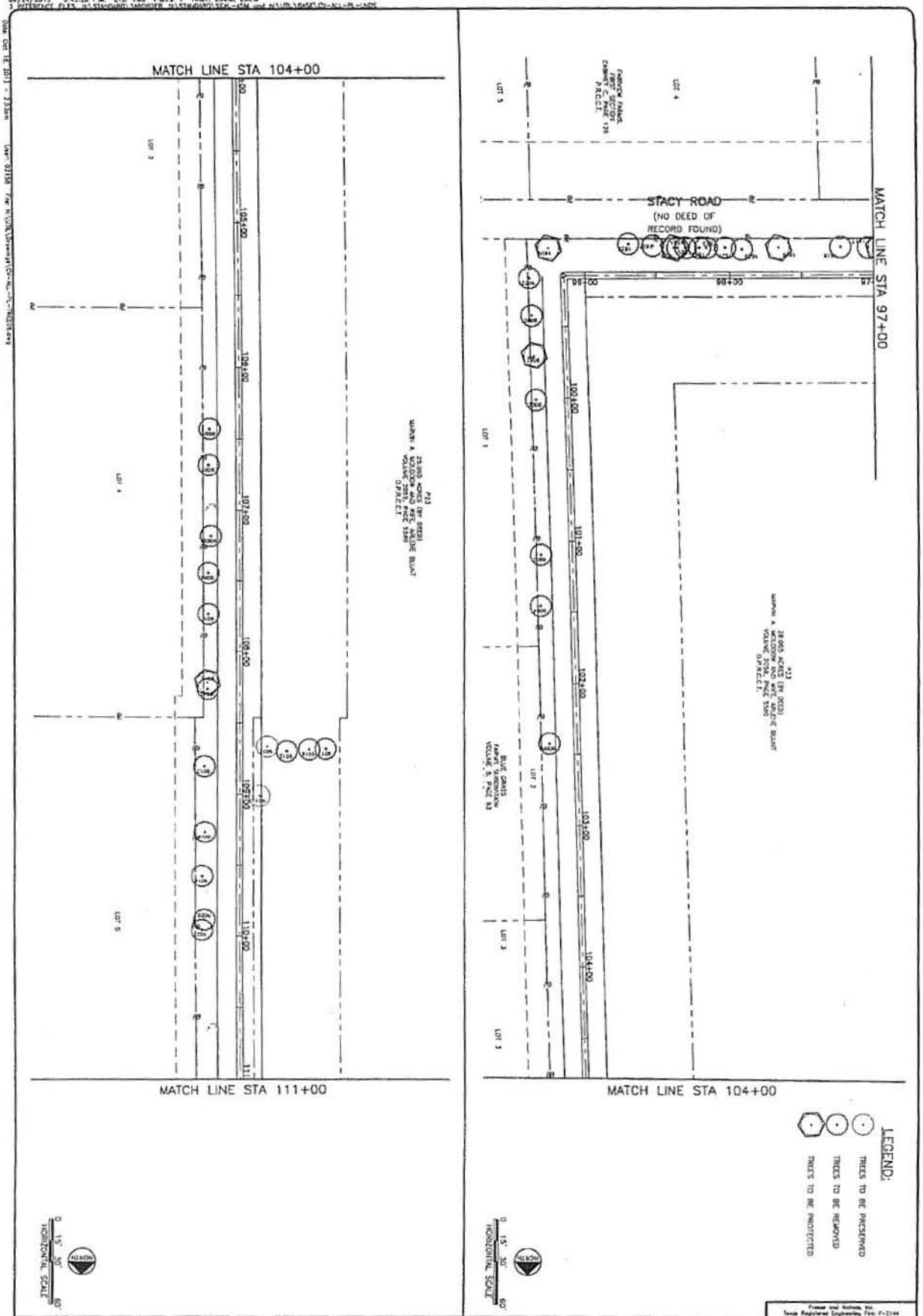
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 83+00 TO STA 97+00

FREESE AND NICHOLS

TP-3



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

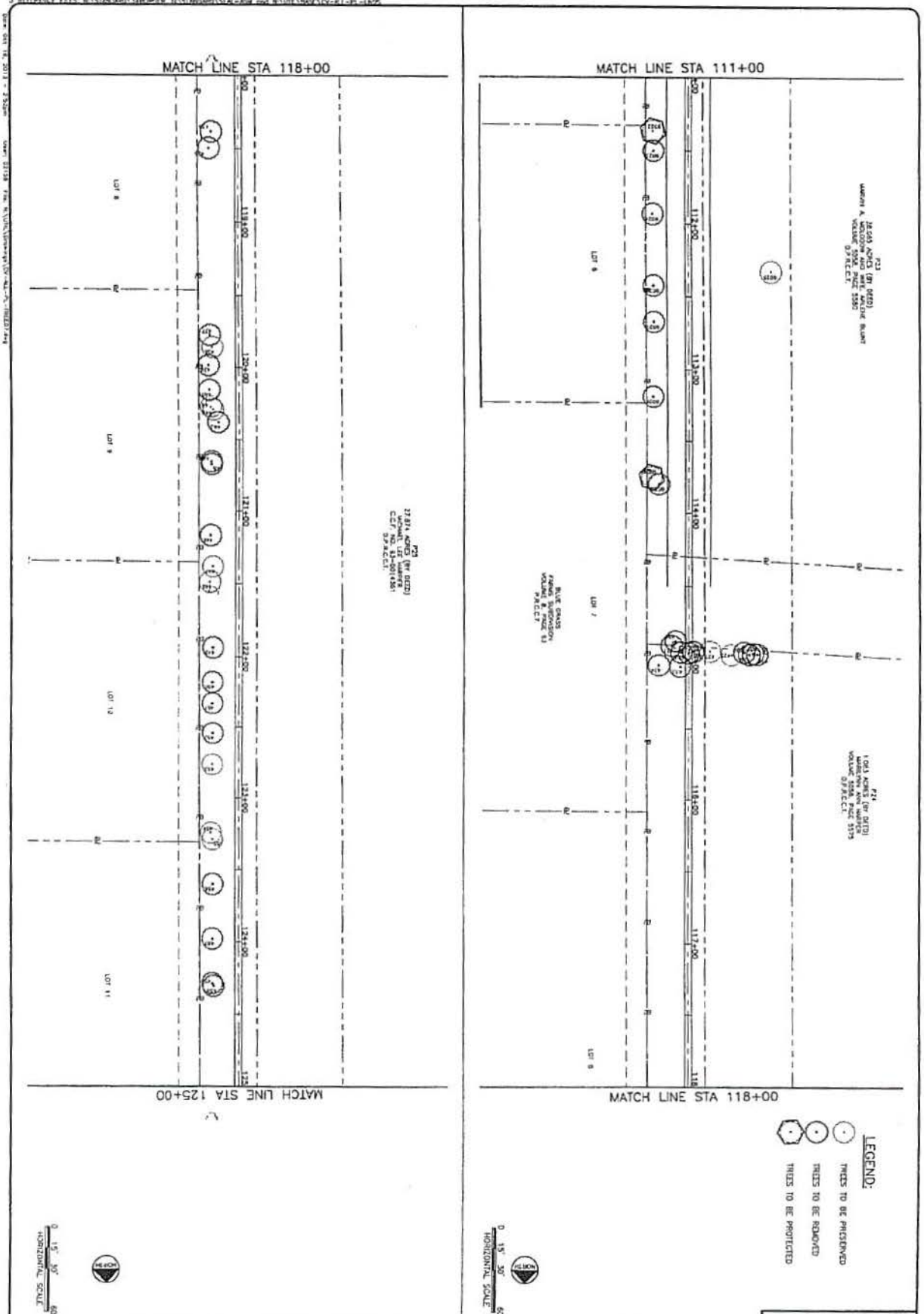
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 97+00 TO STA 111+00

FREESE AND NICHOLS

TP-4



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

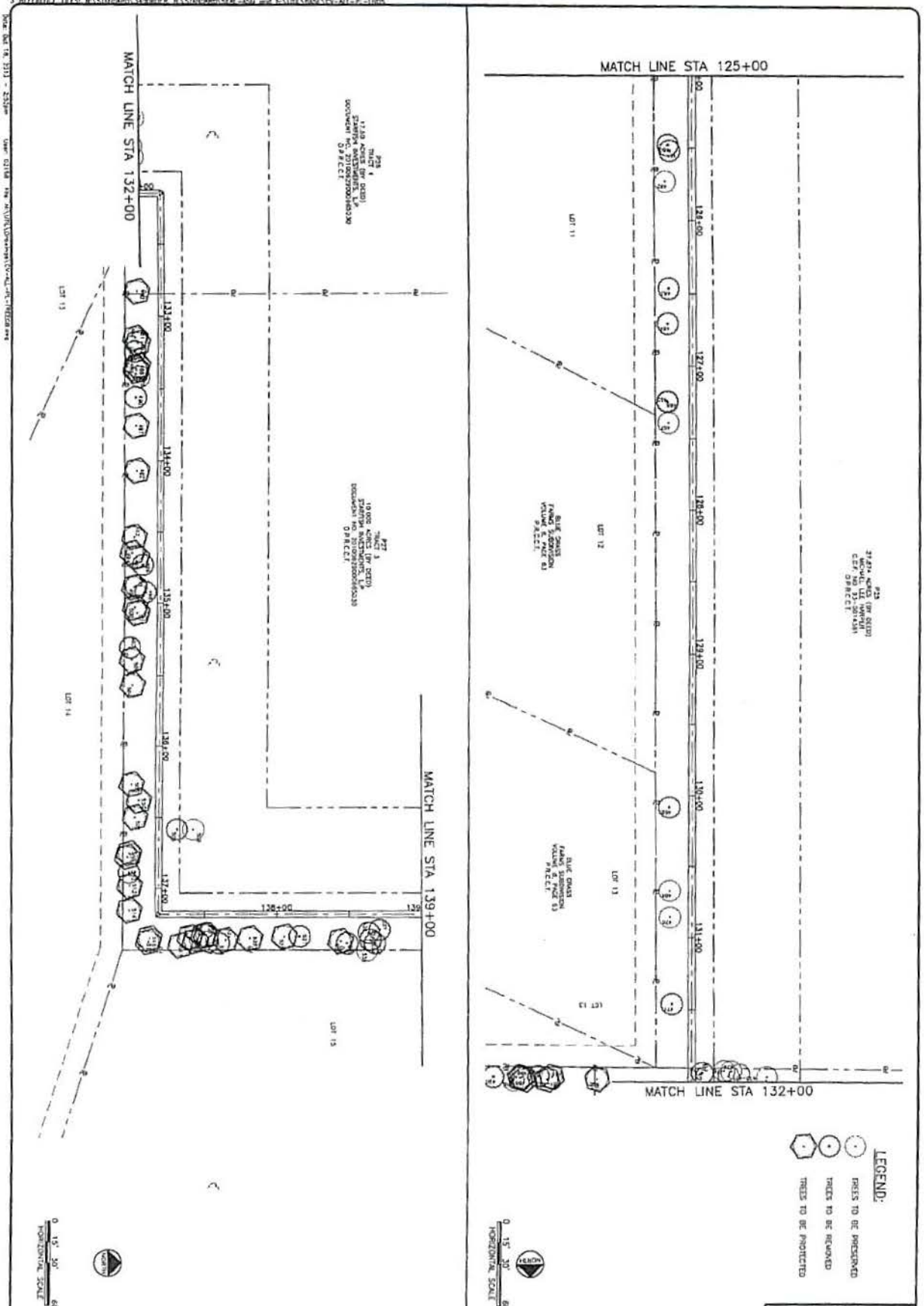
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 111+00 TO STA 125+00

FREESE AND NICHOLS

TP-5



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

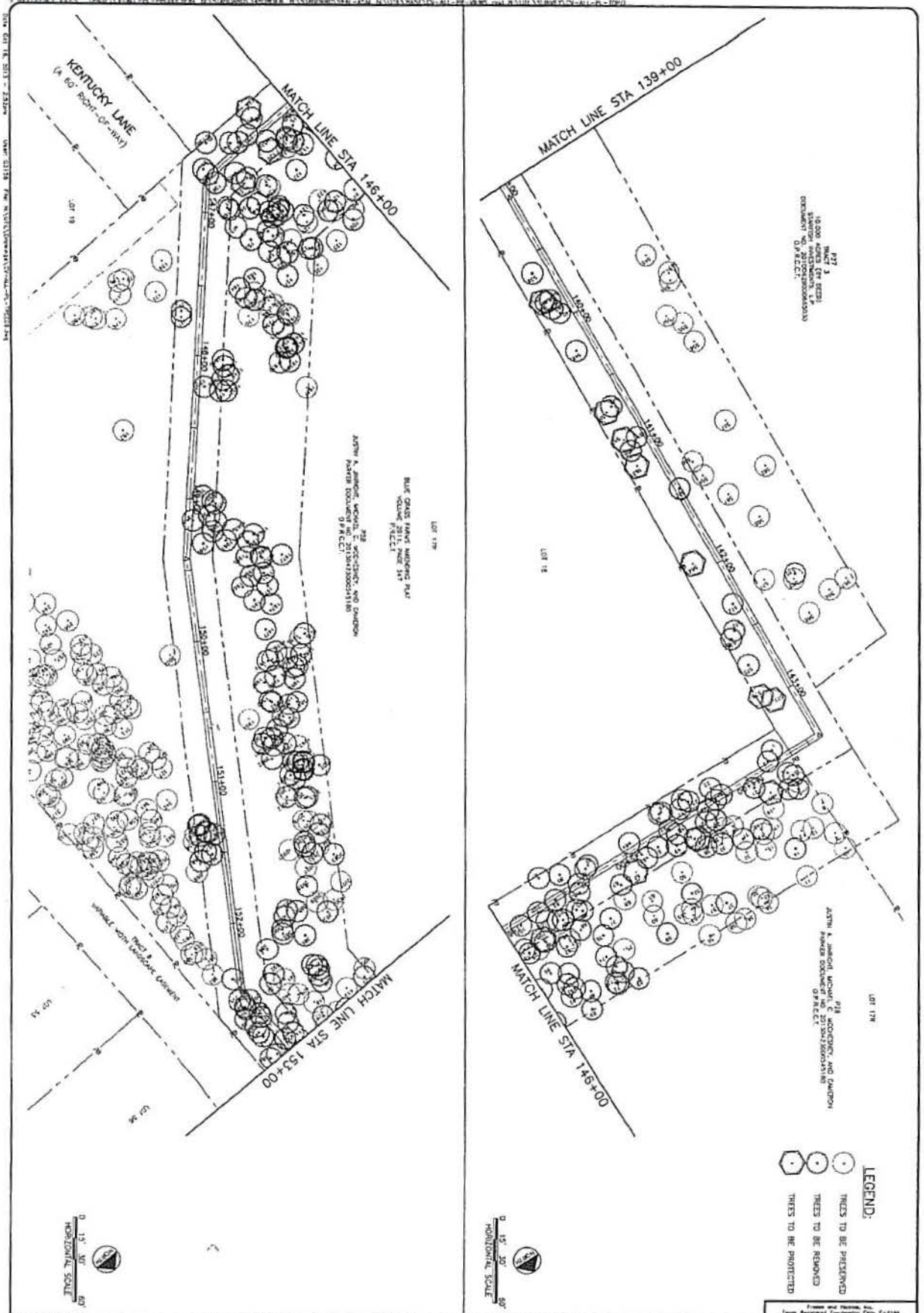
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 125+00 TO STA 139+00

FREESE AND NICHOLS

TP-6



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

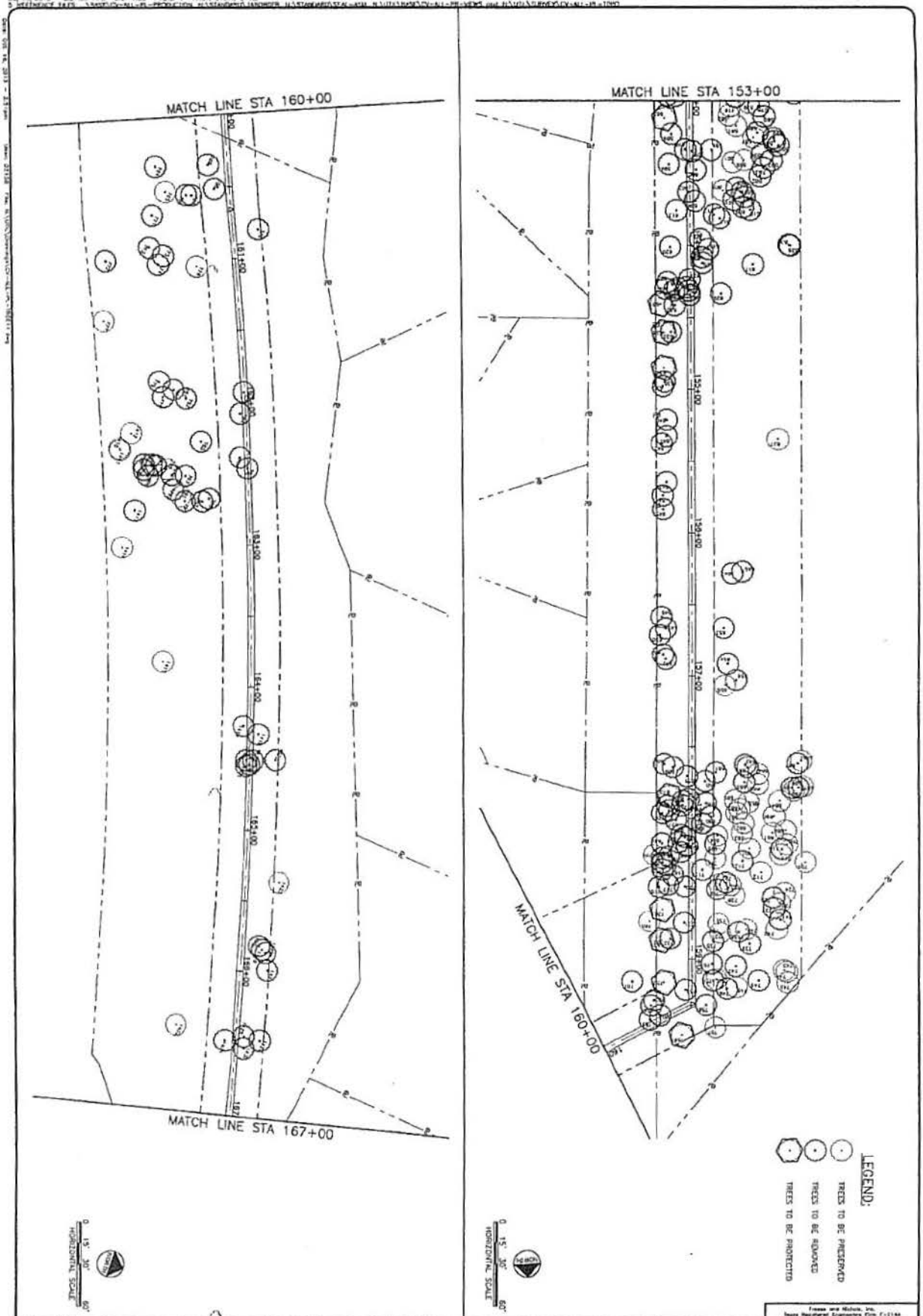
STA 139+00 TO STA 153+00

FREESE NICHOLS

SHEET TP-7

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

CV-ALL-PL-TREE06.dwg



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

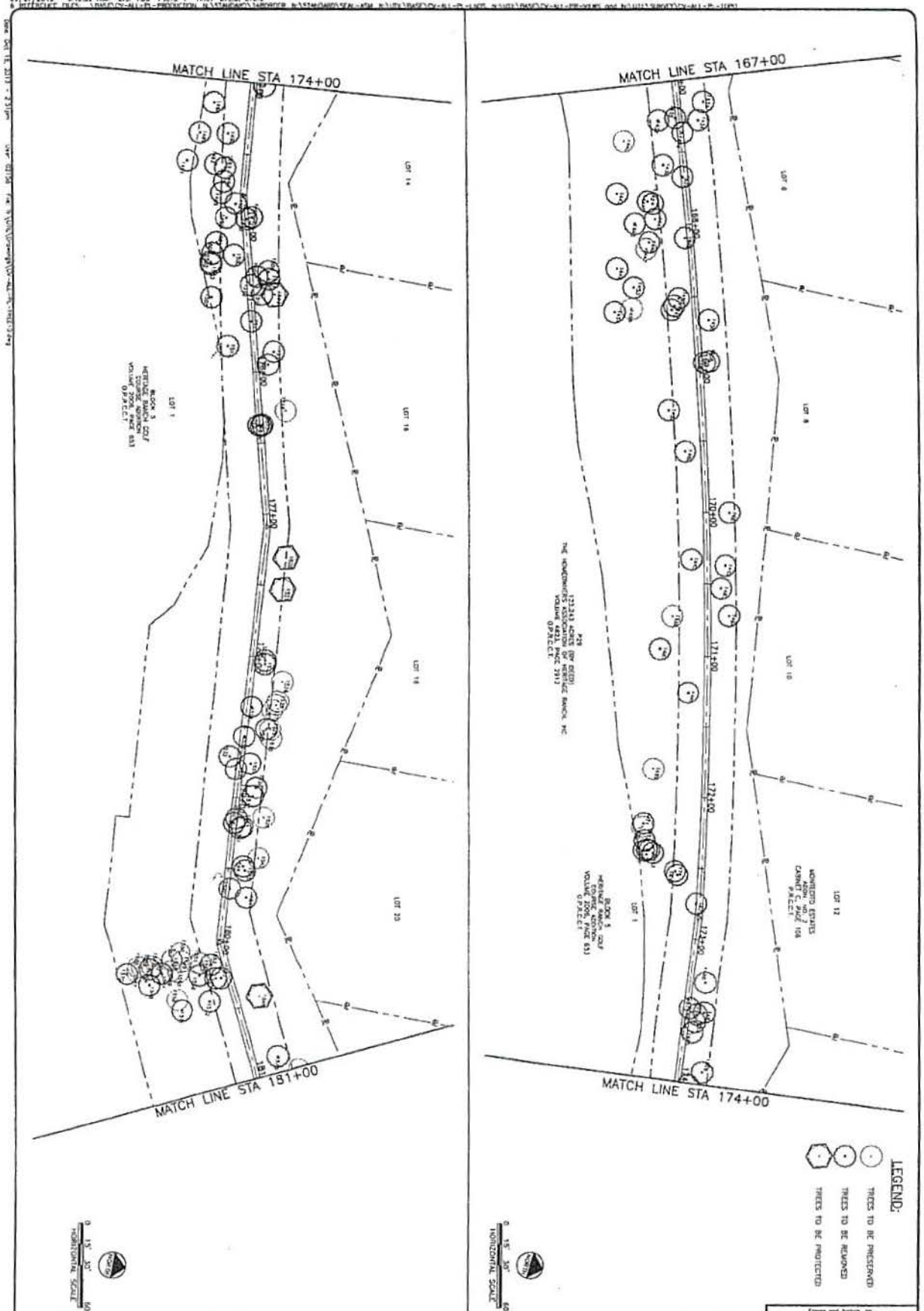
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 153+00 TO STA 167+00

FREESE AND NICHOLS

TP-8



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

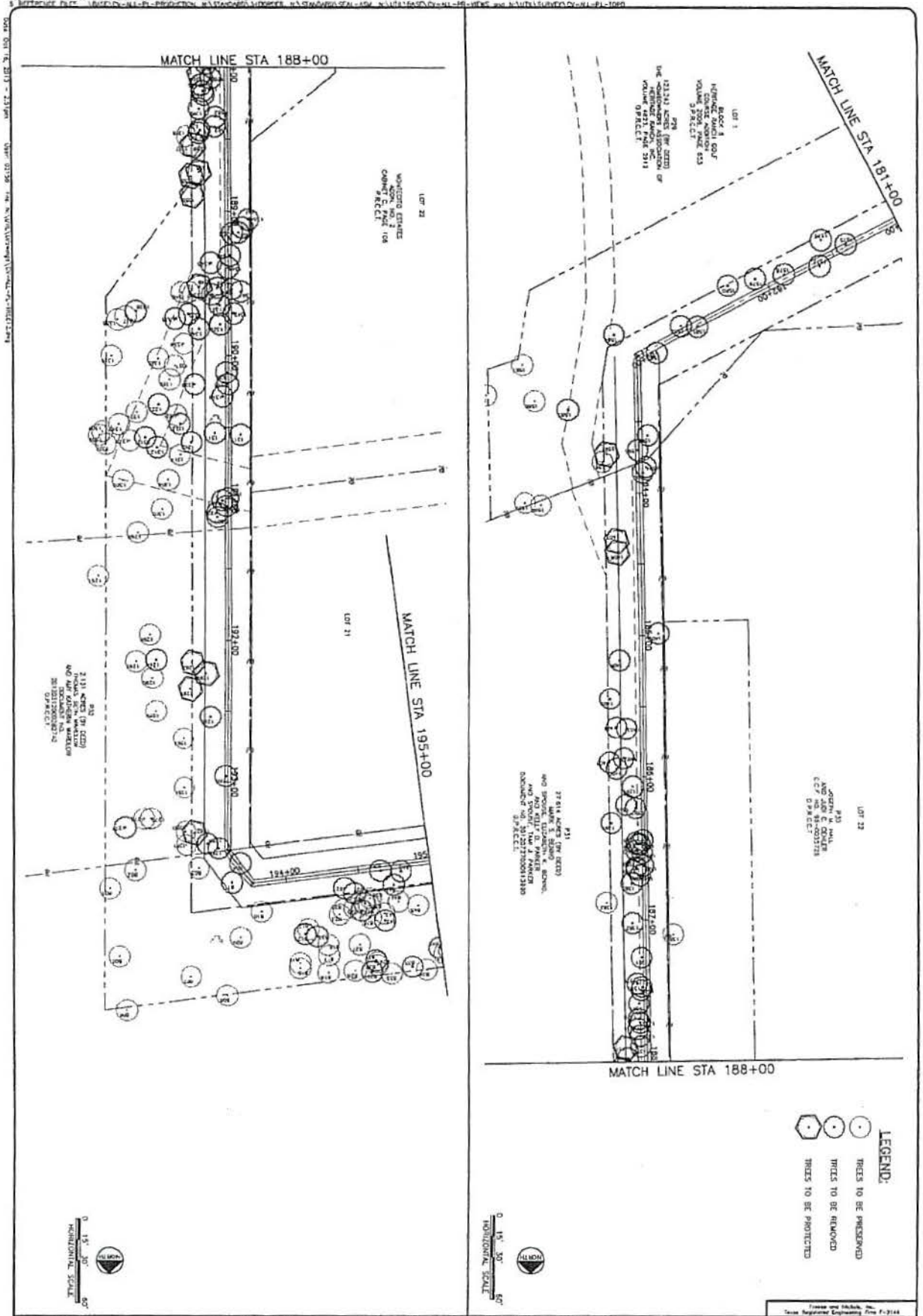
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 167+00 TO STA 181+00

FREESE AND NICHOLS

SHEET TP-9



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

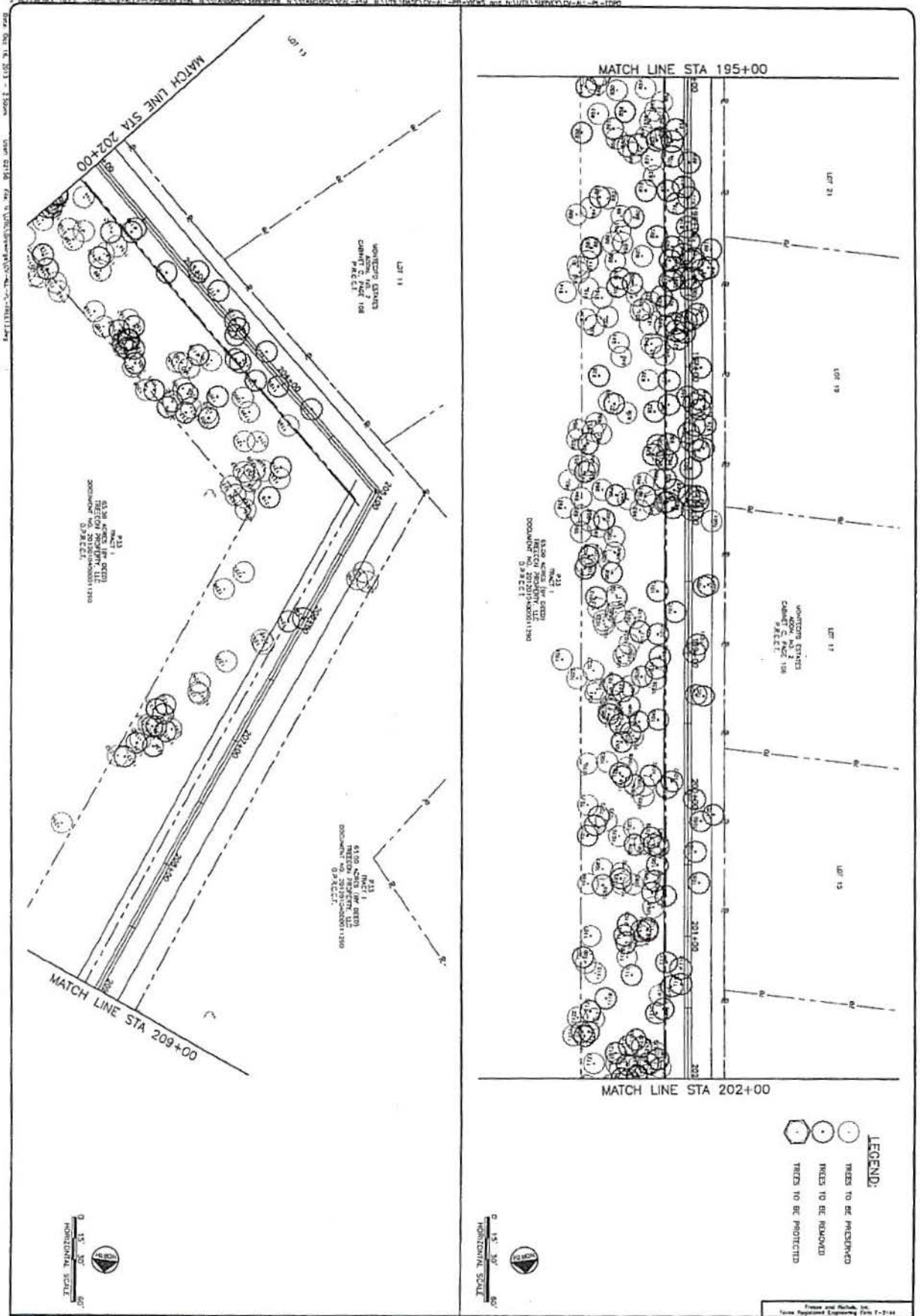
STA 181+00 TO STA 195+00

FREESE NICHOLS

SHEET TP-10

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

CV-ALL-PL-TREE12.dwg



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

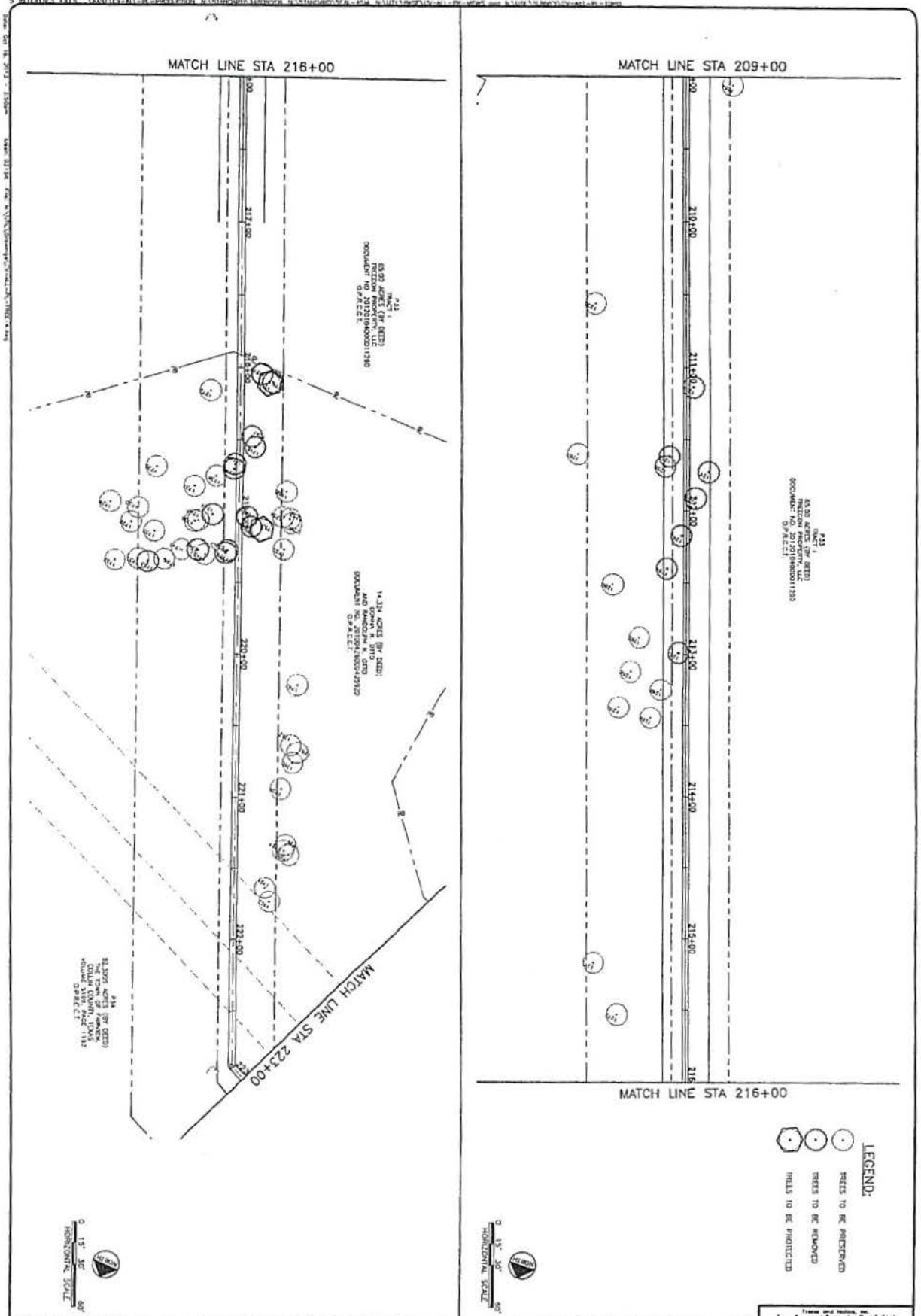
STA 195+00 TO STA 209+00

FREESE NICHOLS

TP-11

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

CV-ALL-PL-TREE13.dwg



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

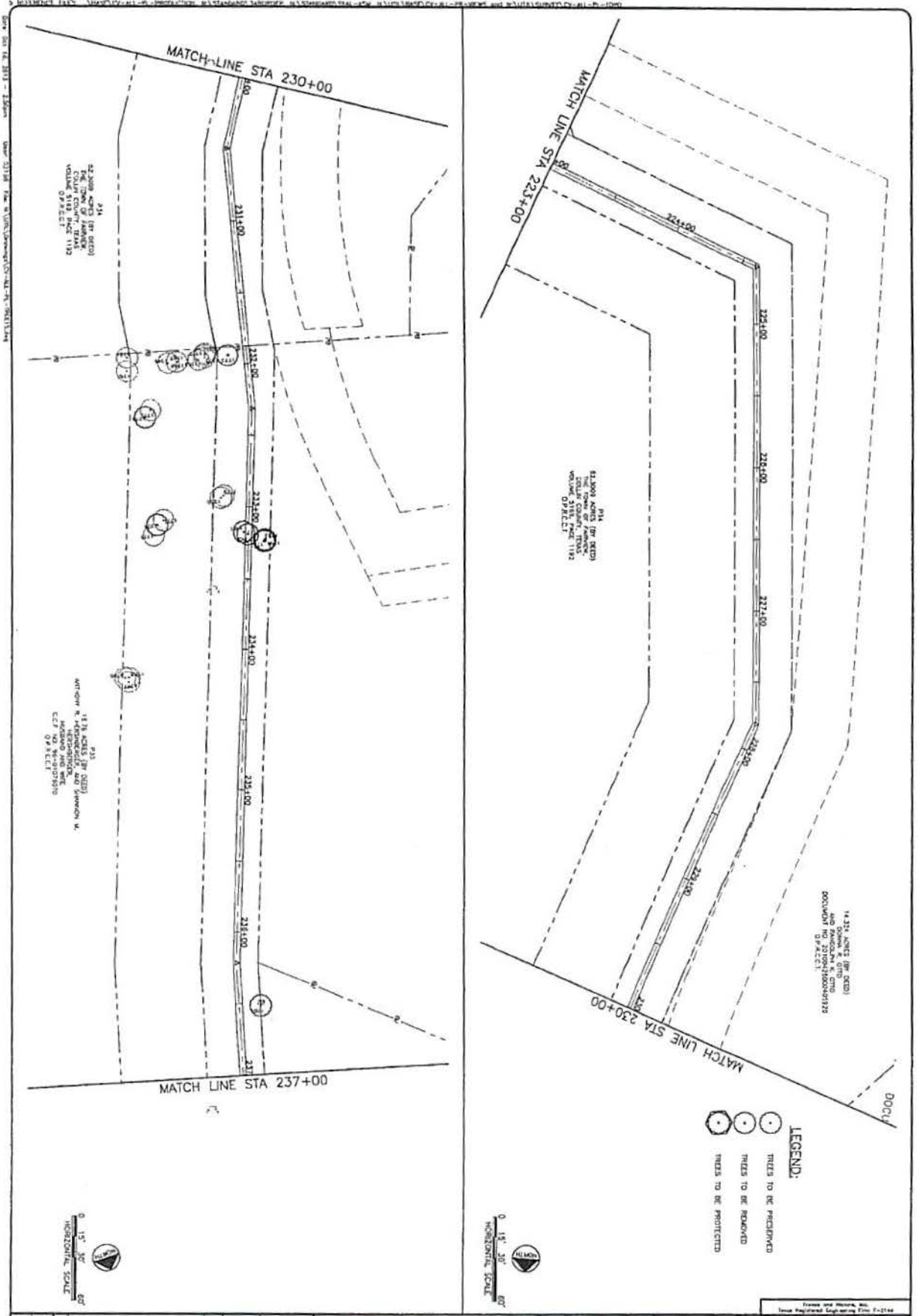
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 209+00 TO STA 223+00

FREESE AND NICHOLS

TP-12



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

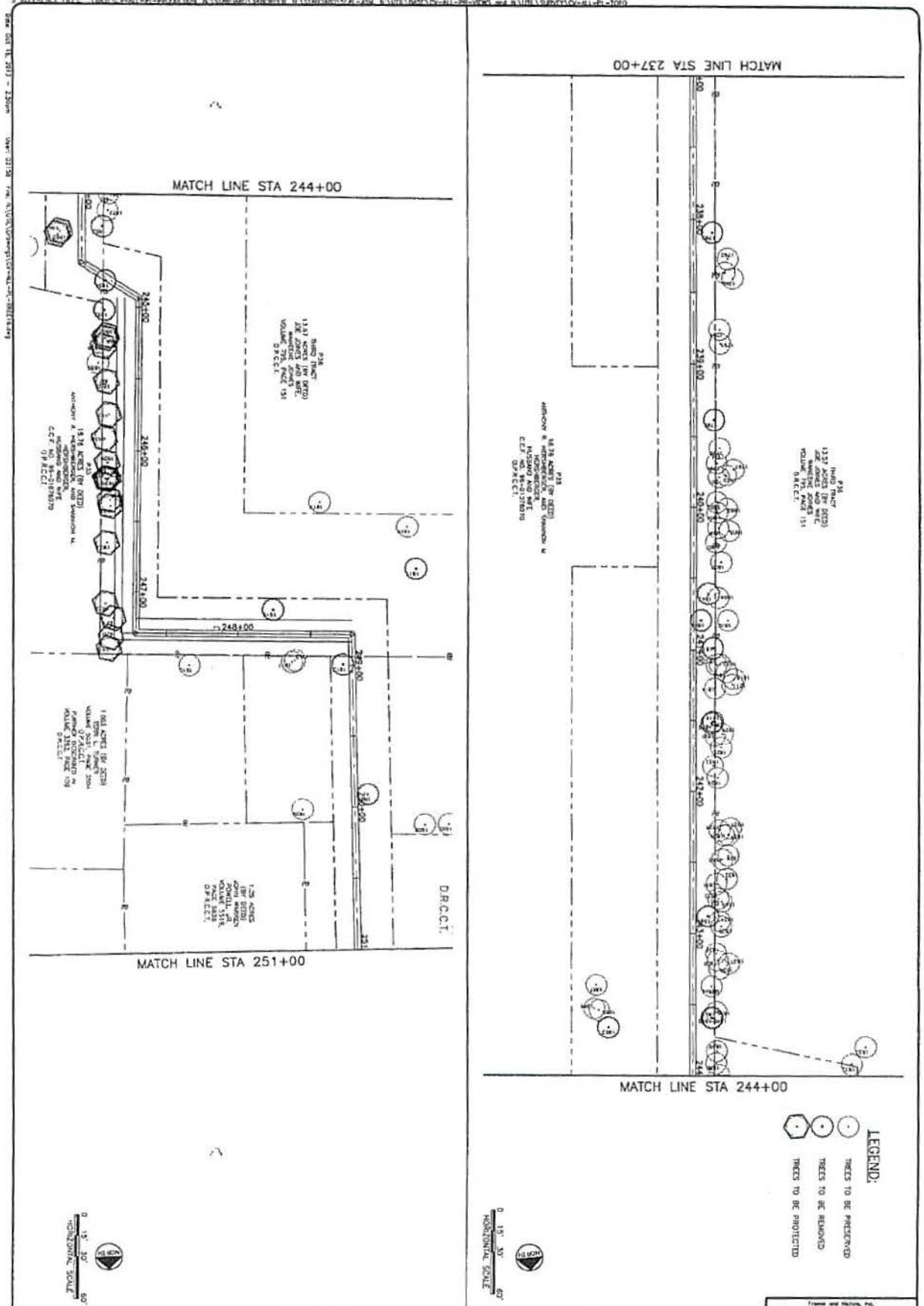
TREE PLAN

STA 223+00 TO STA 237+00

FREESE AND NICHOLS

TP-13

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

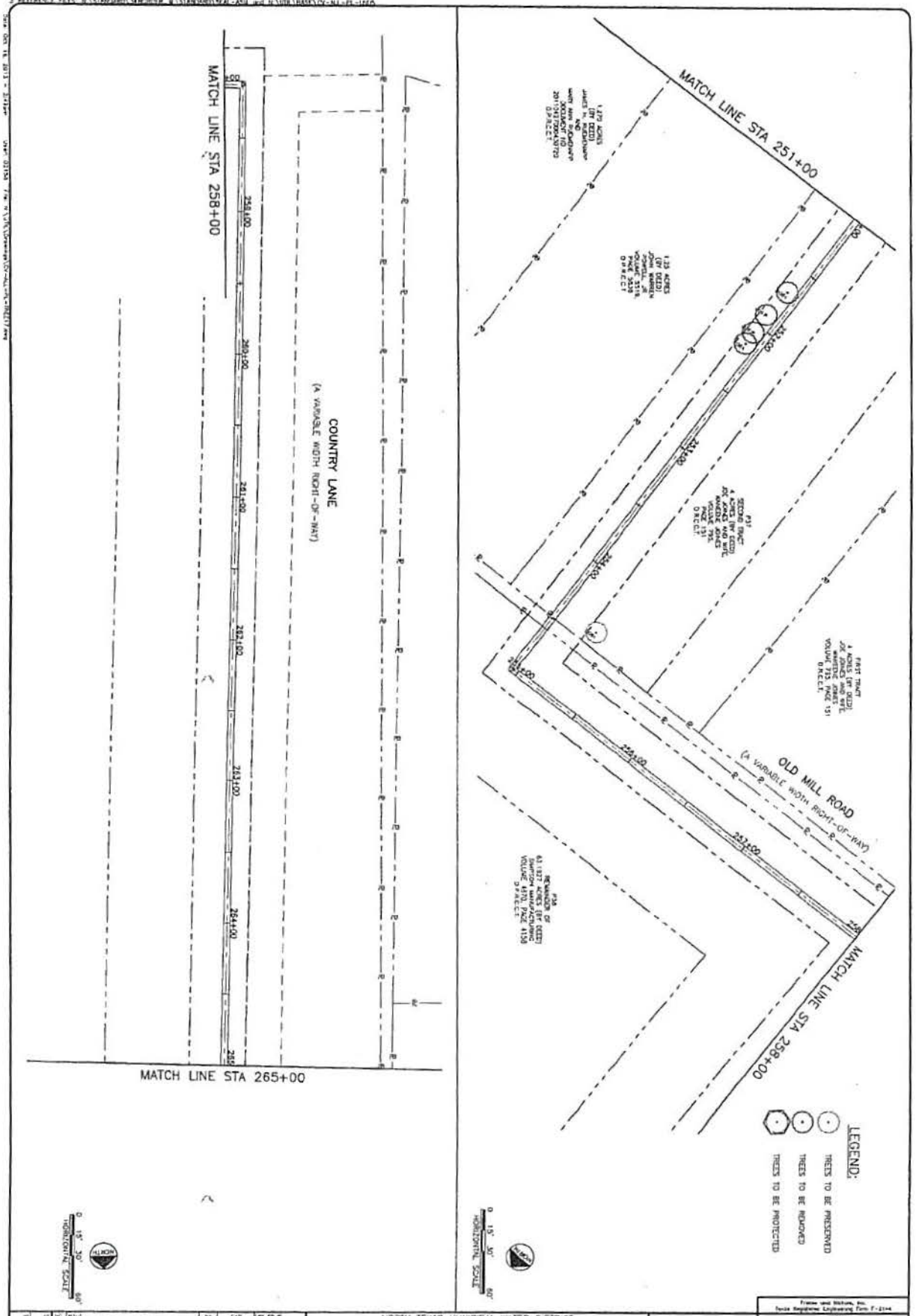
STA 237+00 TO STA 251+00

FREESE NICHOLS

SHEET TP-14

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

FILE NAME CV-ALL-PL-TREE16.dwg



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 251+00 TO STA 265+00

FREESE AND NICHOLS

2711 North Haskell, 23rd Floor
Dallas, TX 75204
Phone - (214) 217-2200
Fax - (214) 217-2205

Freese and Nichols, Inc.
Texas Registered Engineering Firm F-2144

A. SCOTT MAJORS
91807
LICENSED
STATE OF TEXAS
ENGINEER

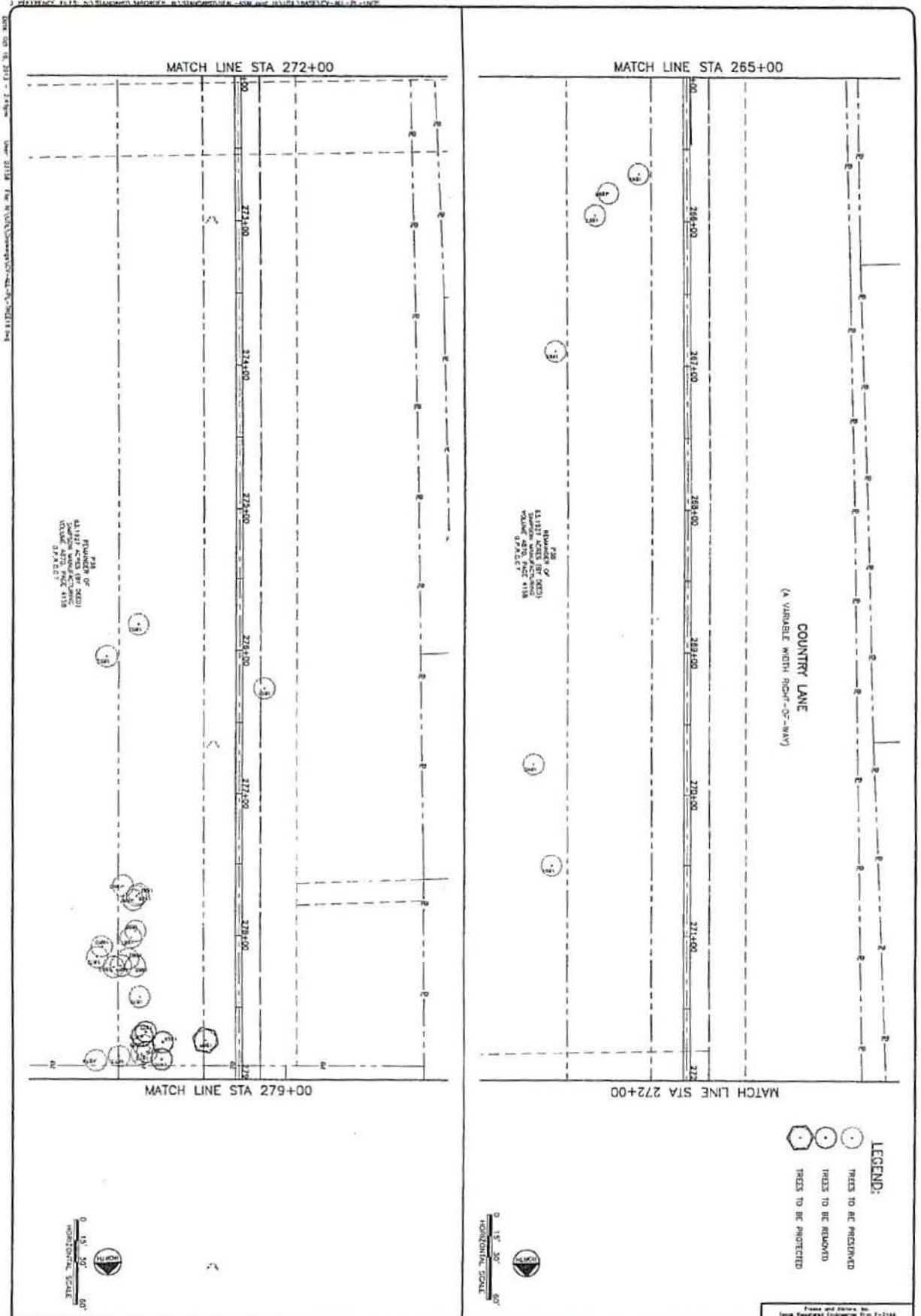
NO	ISSUE	BY	DATE

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

FILE NAME CV-ALL-PL-TREE17.dwg

JOB NO. NTD11224
DATE 10/16/13
DESIGNED WRS
DRAWN TEF
REVIEW
APPROVED ASM

SHEET TP-15



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

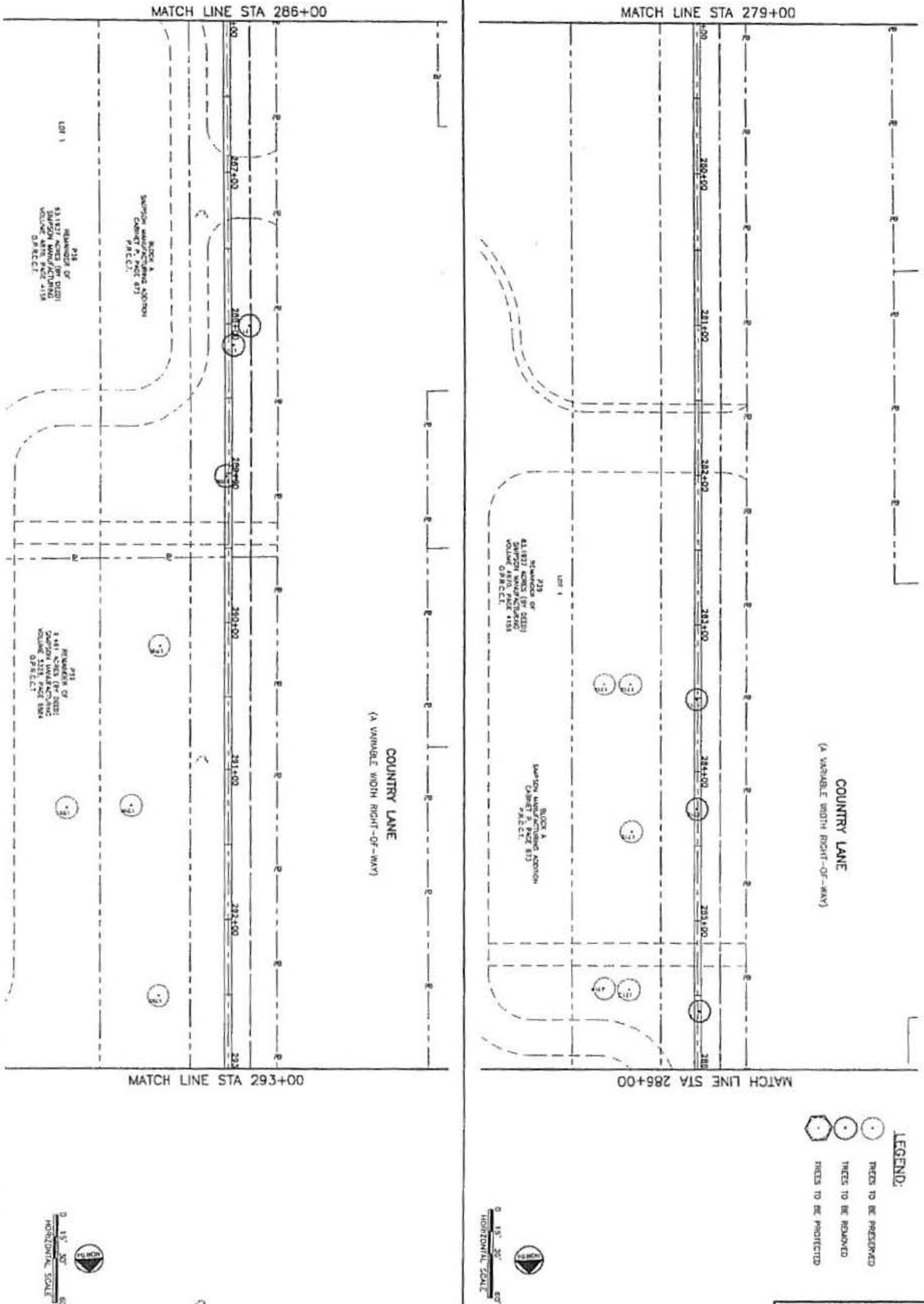
TREE PLAN

STA 265+00 TO STA 279+00

FREESE AND NICHOLS

TP-16

VERIFY SCALE: Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 279+00 TO STA 293+00

TP-17

NTD11224

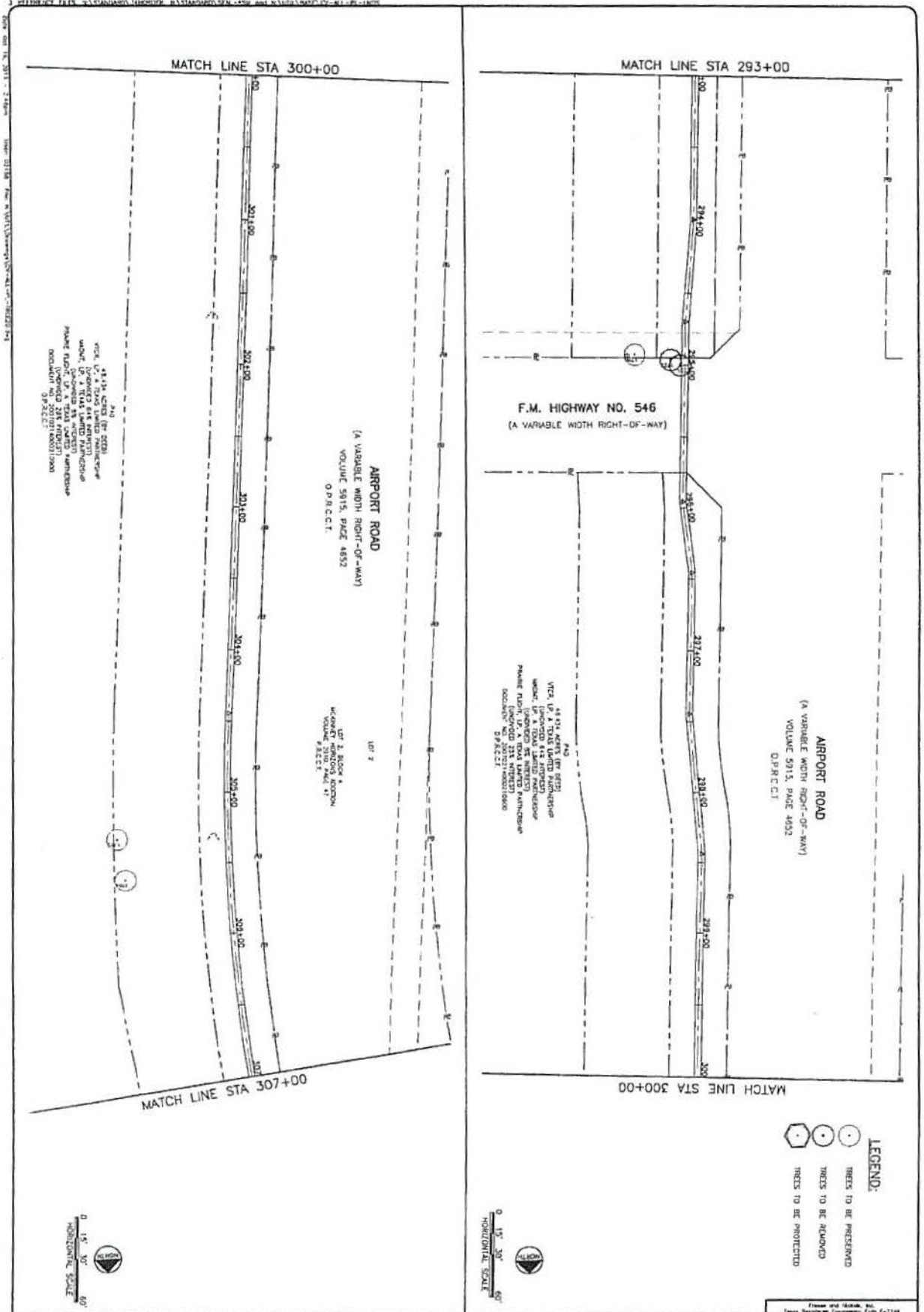
10/16/13

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

CV-ALL-PL-TREE19.dwg

FREESE NICHOLS

Freese and Nichols, Inc. Texas Registered Engineering Firm F-2144



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

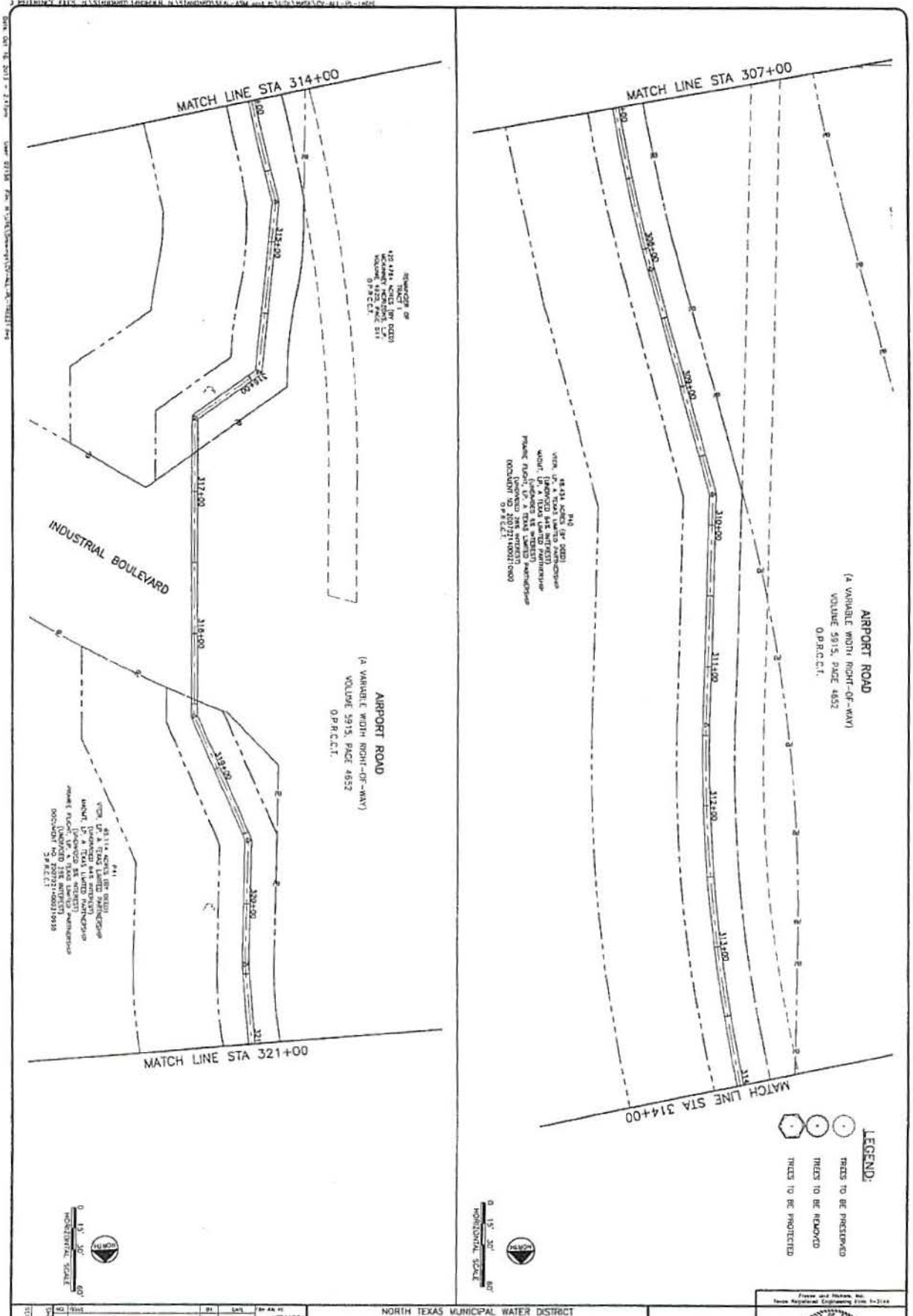
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 293+00 TO STA 307+00

FREESE AND NICHOLS

TP-18



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

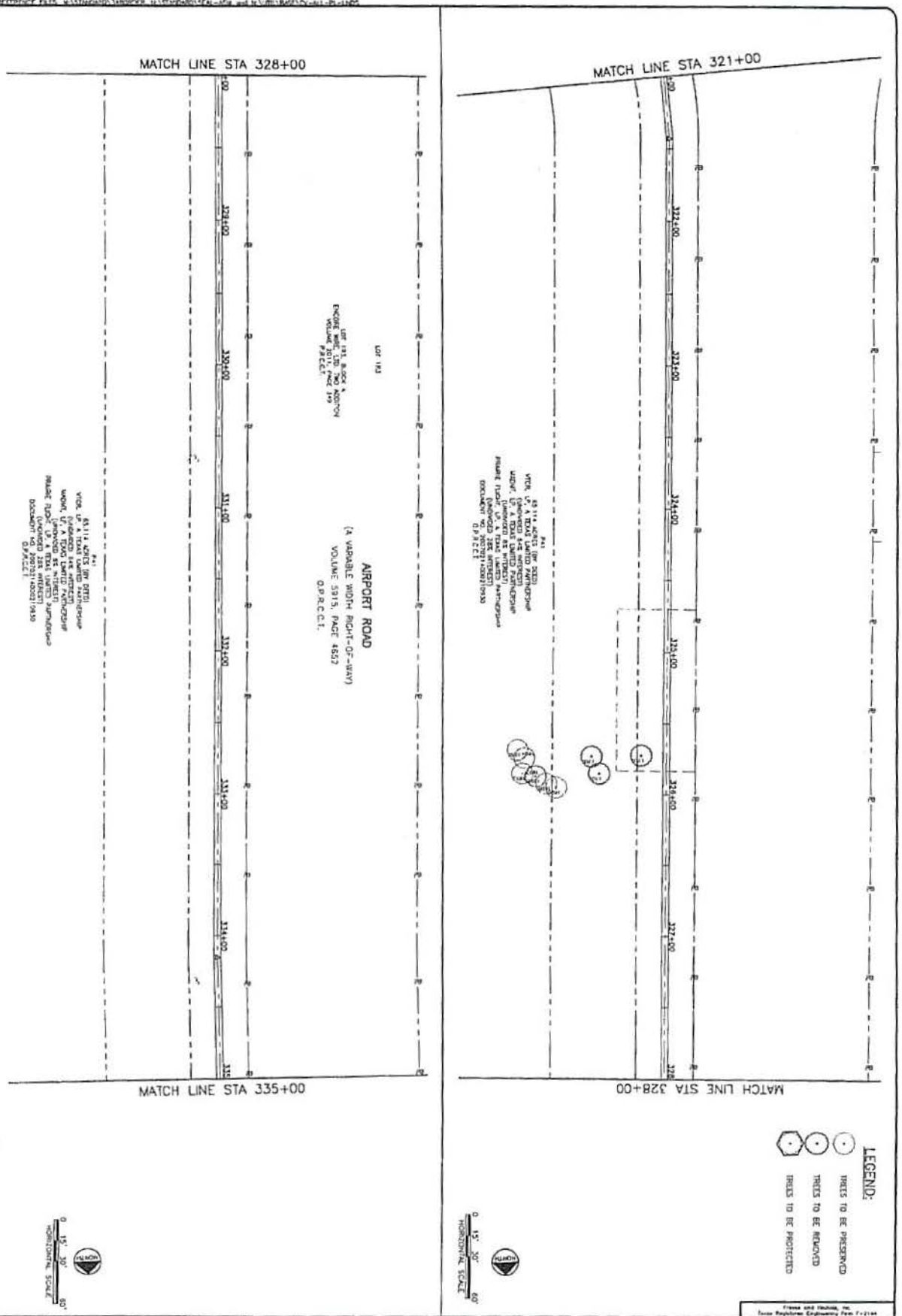
STA 307+00 TO STA 321+00

FREESE NICHOLS

SHEET TP-19

VERIFY SCALE 0 1 Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

FILE NAME LV-ALL-PL-TREE21.dwg



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

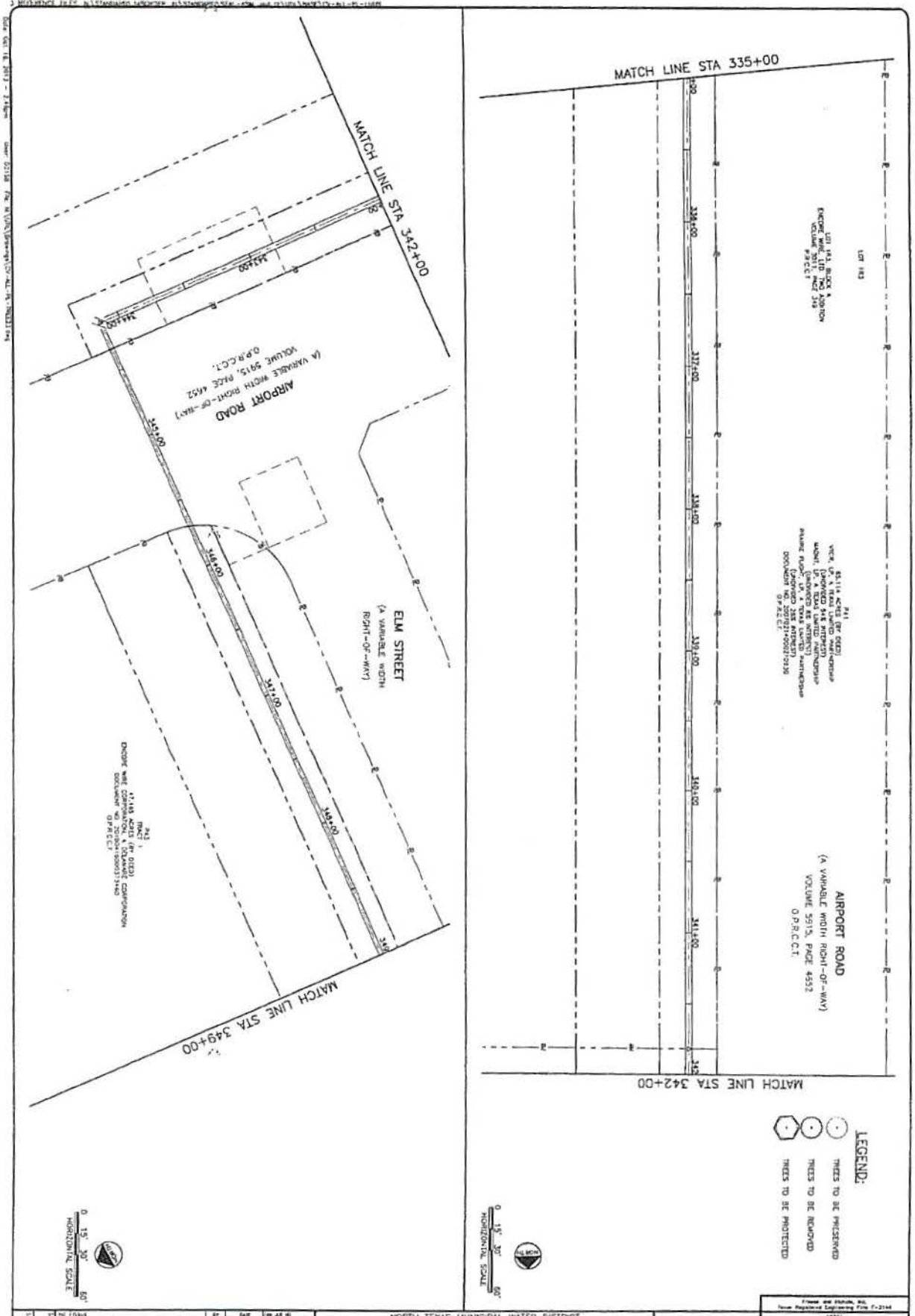
STA 321+00 TO STA 335+00

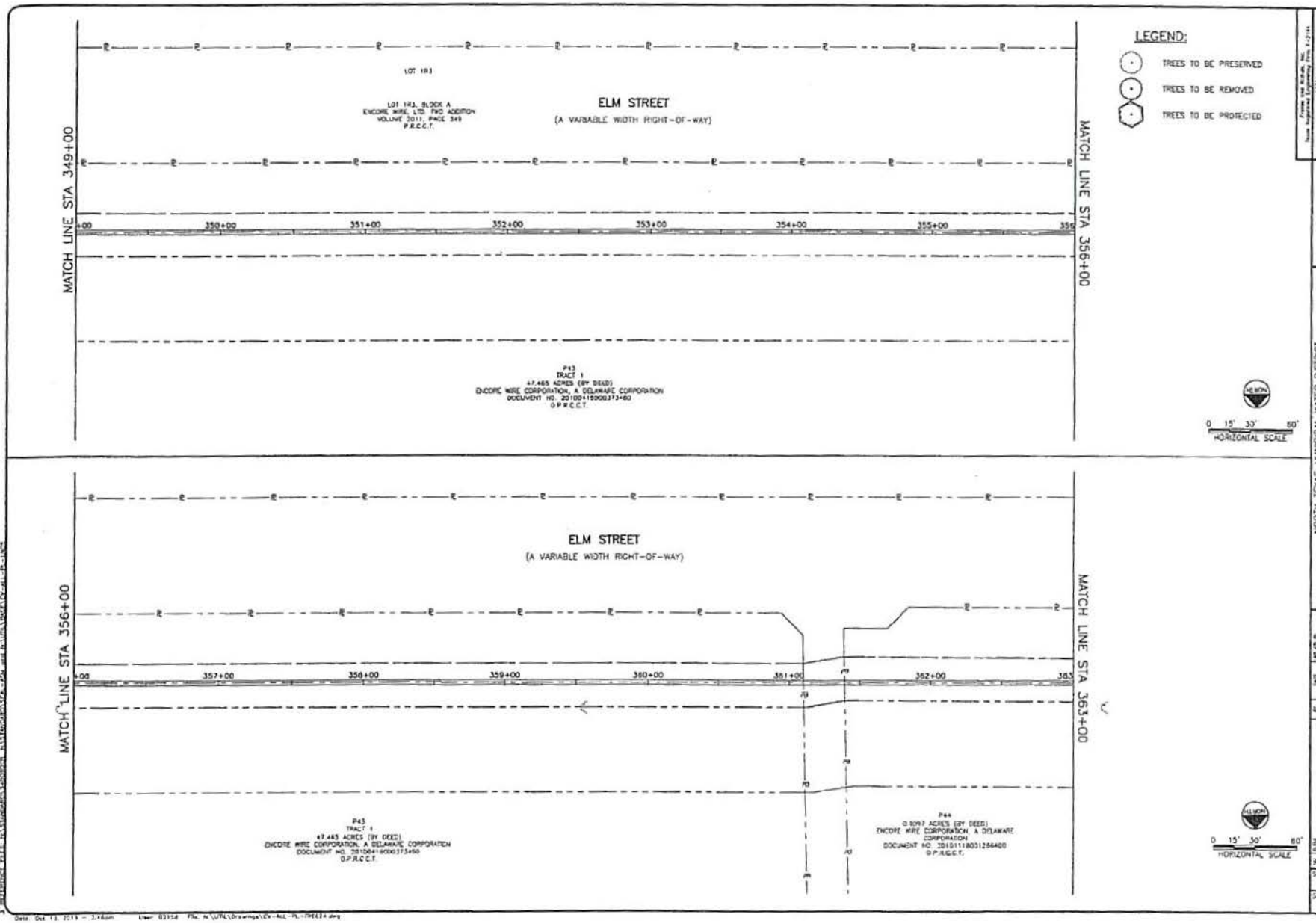
FREESE AND NICHOLS

TP-20

VERIFY SCALE Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

CY-ALL-PL-TREE22.dwg


MATCH LINE STA 335+00
MATCH LINE STA 342+00
AIRPORT ROAD
(A VARIABLE WIDTH RIGHT-OF-WAY)
VOLUME 5915, PAGE 4552
O.P.R.C.C.T.
LOT 143
336+00
337+00
338+00
339+00
340+00
341+00
342+00
MATCH LINE STA 342+00
MATCH LINE STA 349+00
ELM STREET
(A VARIABLE WIDTH RIGHT-OF-WAY)
AIRPORT ROAD
(A VARIABLE WIDTH RIGHT-OF-WAY)
VOLUME 5915, PAGE 4552
O.P.R.C.C.T.
343+00
344+00
345+00
346+00
347+00
348+00
349+00
LEGEND:
TREES TO BE PRESERVED
TREES TO BE REMOVED
TREES TO BE PROTECTED
0 15' 30' 60'
HORIZONTAL SCALE
NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
TREE PLAN
STA 335+00 TO STA 349+00
FREESE AND NICHOLS
TP-21
VERIFY SCALE bar is one inch on original drawing. If not one inch on this sheet, adjust scale.
CV-ALL-PL-TREE23.dwg



FREESE AND NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT

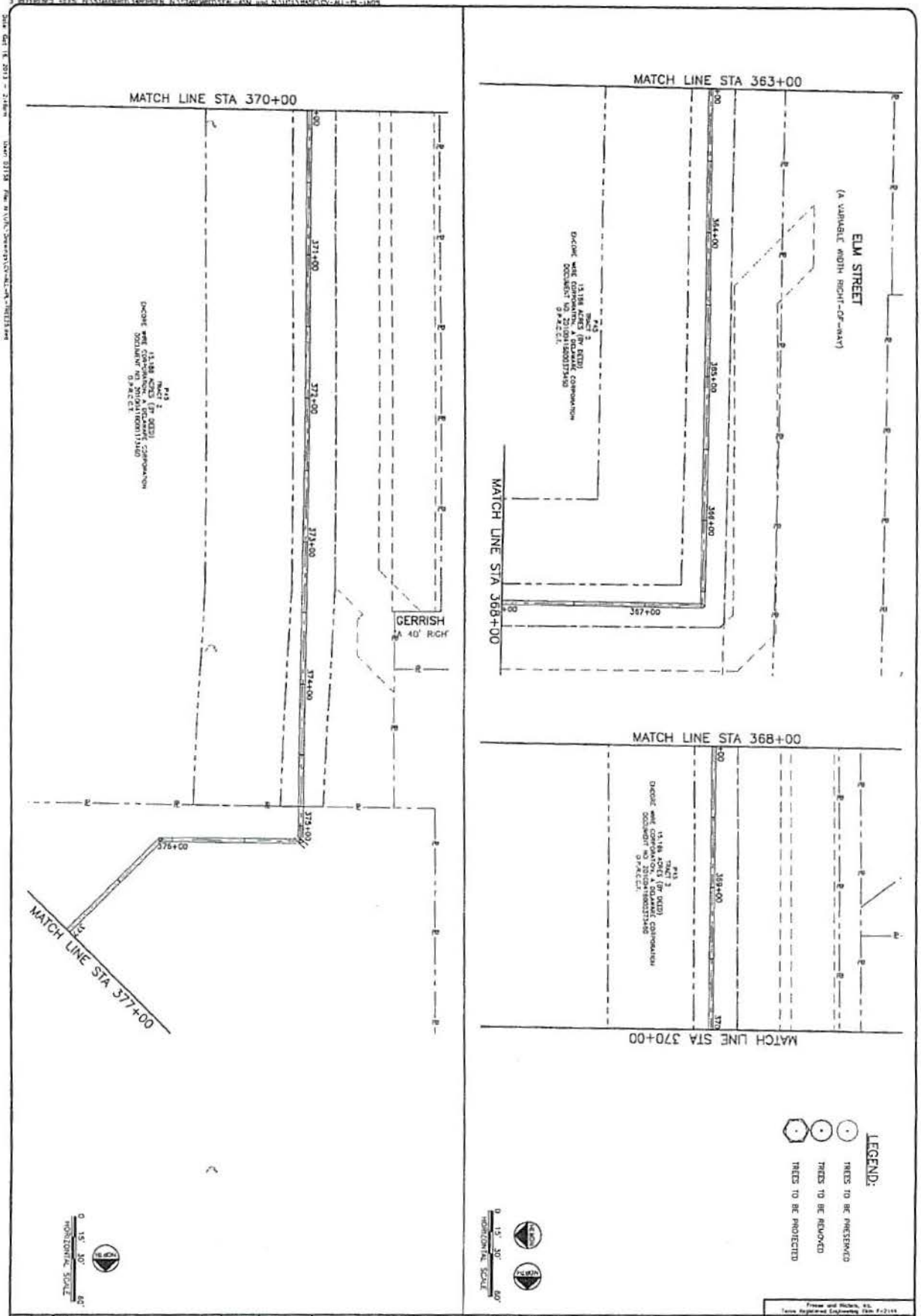
NORTH McKINNEY PIPELINE

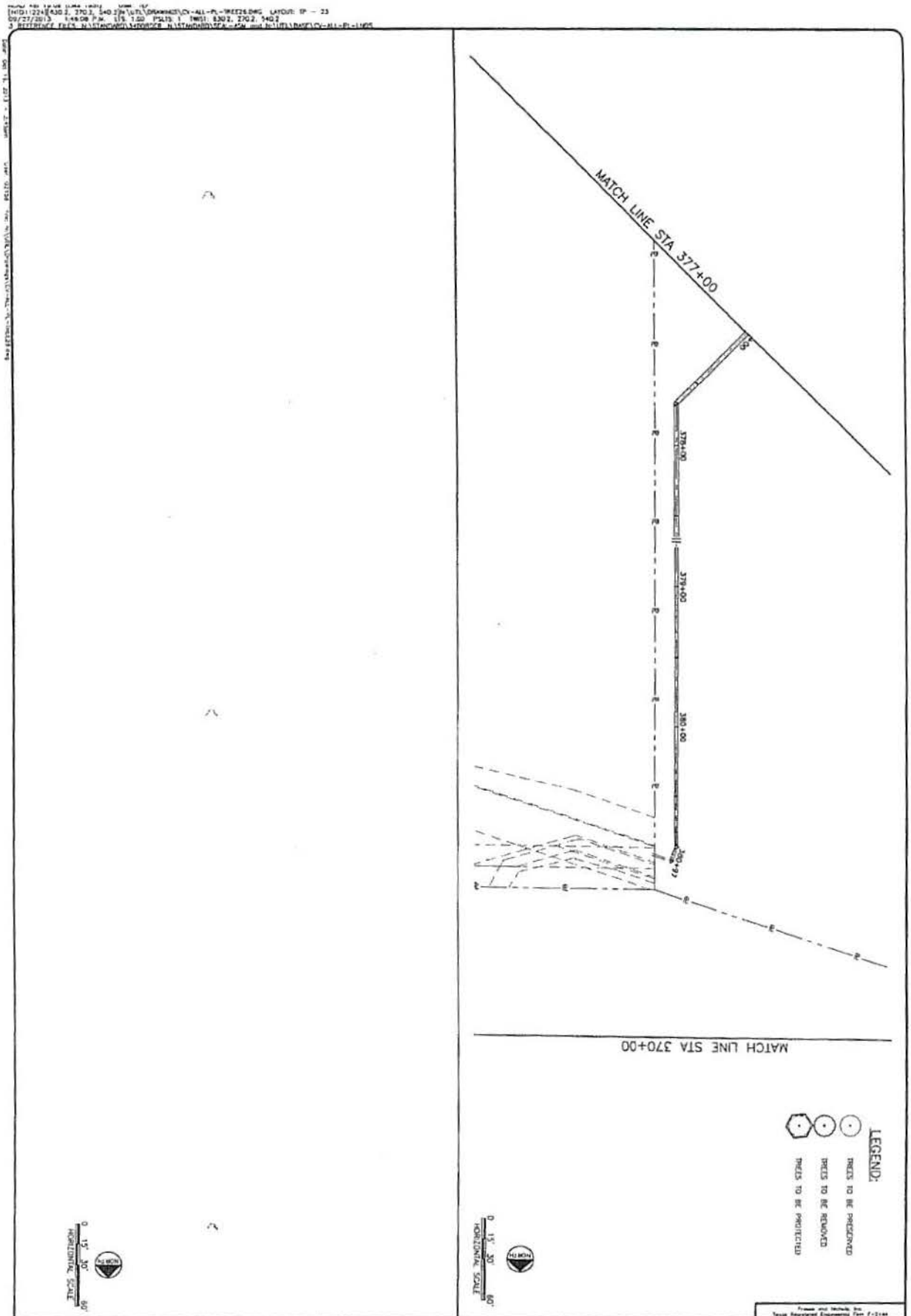
PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 349+00 TO STA 363+00

SHEET TP-22


MATCH LINE STA 370+00
MATCH LINE STA 363+00
ELM STREET
(A VARIABLE WIDTH RIGHT-OF-WAY)
MATCH LINE STA 368+00
GERRISH
(A 40' RIGH
MATCH LINE STA 377+00
MATCH LINE STA 368+00
MATCH LINE STA 370+00
LEGEND:
TREES TO BE PRESERVED
TREES TO BE REMOVED
TREES TO BE PROTECTED
HORIZONTAL SCALE
NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
TREE PLAN
STA 363+00 TO STA 377+00
FREESE NICHOLS
TP-23



NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

STA 377+00 TO END

FREESE NICHOLS

Freese and Nichols, Inc.
Texas Registered Engineering Firm F-2144

A. SCOTT WALLEN
91897
LICENSED
PROFESSIONAL ENGINEER

SHEET TP-24

VERIFY SCALE Bar is one inch on original drawing. If not use inch on this sheet, adjust scale.

FILE NAME CV-ALL-PL-TREE26.dwg

DRAWN BY HTD11224
DATE 10/16/13
ASSIGNED WRS
DRAWN ITV
CHECKED ASM

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1	CEDAR ELM	15.5	REMOVE
2	GREEN ASH	4.5	REMOVE
3	GREEN ASH	5	REMOVE
4	CEDAR ELM	16.5	REMOVE
5	GREEN ASH	4	REMOVE
6	GREEN ASH	5.75	REMOVE
7	CEDAR ELM	17.5	PRESERVED
8	CEDAR ELM	17	PRESERVED
9	CEDAR ELM	14.5	PRESERVED
10	GREEN ASH	8.5	PRESERVED
11	GREEN ASH	12	PRESERVED
12	CEDAR ELM	9.5	PRESERVED
13	GREEN ASH	9	PRESERVED
14	SHUMARD OAK	7	REMOVE
15	GREEN ASH	8.5	PRESERVED
16	MEXICAN PLUM	2.5	REMOVE
17	GREEN ASH	9	PRESERVED
18	GREEN ASH	13	PRESERVED
19	CEDAR ELM	11.5	PRESERVED
20	CEDAR ELM	19.5	PROTECT
21	CEDAR ELM	13.5	REMOVE
22	SUGARBERRY	8	REMOVE
23	SUGARBERRY	7.5	REMOVE
24	SUGARBERRY	5.5	REMOVE
25	CEDAR ELM	9	PRESERVED
26	GREEN ASH	5.5	REMOVE
27	GREEN ASH	11	REMOVE
28	GREEN ASH	8.5	REMOVE
29	GREEN ASH	11.5	PRESERVED
30	SUGARBERRY	6	REMOVE
31	MEXICAN PLUM	2	REMOVE
32	CEDAR ELM	12	PRESERVED
33	GREEN ASH	16.75	PRESERVED
34	CEDAR ELM	4.5	PRESERVED
35	GREEN ASH	12	PRESERVED
36	BOIS D'ARC	8	PRESERVED
37	MEXICAN PLUM	2.5	REMOVE
38	MEXICAN PLUM	2	REMOVE
39	GREEN ASH	10	PRESERVED
40	BOIS D'ARC	6.5	REMOVE
41	CEDAR ELM	11	PROTECT
42	SUGARBERRY	8	REMOVE
43	SUGARBERRY	4.5	REMOVE
44	SUGARBERRY	8.4	REMOVE
45	CEDAR ELM	9.5	REMOVE
46	CEDAR ELM	16	REMOVE
47	CEDAR ELM	12.5	REMOVE
48	BOIS D'ARC	12	REMOVE
49	CEDAR ELM	4	REMOVE
50	GREEN ASH	18	PRESERVED
51	SUGARBERRY	5.5	REMOVE
52	MEXICAN PLUM	4	REMOVE
53	GREEN ASH	9	PRESERVED
54	CEDAR ELM	13.5	PRESERVED
55	GREEN ASH	14	PRESERVED
56	BOIS D'ARC	14	PRESERVED
57	GREEN ASH	12	PRESERVED
58	MEXICAN PLUM	4.25	PRESERVED
59	GREEN ASH	4	REMOVE
60	SHUMARD OAK	9.5	PRESERVED
61	SHUMARD OAK	8	PRESERVED
62	BOIS D'ARC	13	PROTECT
63	SUGARBERRY	7	REMOVE
64	BOIS D'ARC	13.5	REMOVE
65	MEXICAN PLUM	3	REMOVE
66	BOIS D'ARC	9	REMOVE
67	SUGARBERRY	5.5	REMOVE
68	GREEN ASH	10	PRESERVED
69	REDBUD	4.5	REMOVE
70	REDBUD	4.75	REMOVE
71	REDBUD	3	REMOVE
72	REDBUD	2	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
73	REDBUD	3	REMOVE
74	REDBUD	5	REMOVE
75	EASTERN RED CEDAR	10	PRESERVED
76	REDBUD	7.5	REMOVE
77	CEDAR ELM	6.5	REMOVE
78	MEXICAN PLUM	3	REMOVE
79	GREEN ASH	8.5	REMOVE
80	SHUMARD OAK	8.5	REMOVE
81	SHUMARD OAK	4	REMOVE
82	BOIS D'ARC	7.5	REMOVE
83	BUR OAK	14	PROTECT
84	CEDAR ELM	4.5	REMOVE
85	CEDAR ELM	4.5	REMOVE
86	GREEN ASH	5	REMOVE
87	GREEN ASH	11	PRESERVED
88	REDBUD	2	REMOVE
89	REDBUD	2	REMOVE
90	CEDAR ELM	18	PRESERVED
91	GREEN ASH	4.5	REMOVE
92	REDBUD	2	REMOVE
93	REDBUD	2	REMOVE
94	REDBUD	2	REMOVE
95	REDBUD	3	REMOVE
96	REDBUD	4	REMOVE
97	GREEN ASH	5	REMOVE
98	CEDAR ELM	11	PRESERVED
99	CEDAR ELM	5.5	REMOVE
100	CEDAR ELM	8	PROTECT
101	BOIS D'ARC	18	REMOVE
102	CEDAR ELM	5	REMOVE
103	MEXICAN PLUM	5	REMOVE
104	CEDAR ELM	4	REMOVE
105	CEDAR ELM	10	PRESERVED
106	CEDAR ELM	4	REMOVE
107	CEDAR ELM	5	REMOVE
108	REDBUD	4.5	REMOVE
109	GREEN ASH	6.5	REMOVE
110	CEDAR ELM	13	PRESERVED
111	GREEN ASH	7	REMOVE
112	GREEN ASH	4	REMOVE
113	CEDAR ELM	3.5	REMOVE
114	CEDAR ELM	7.5	REMOVE
115	CEDAR ELM	6	REMOVE
116	CEDAR ELM	12.5	PROTECT
117	CEDAR ELM	4.5	REMOVE
118	CEDAR ELM	6	REMOVE
119	GREEN ASH	14	REMOVE
120	GREEN ASH	16.25	PROTECT
121	CEDAR ELM	9.5	PRESERVED
122	CEDAR ELM	5.5	REMOVE
123	CEDAR ELM	8	PRESERVED
124	CEDAR ELM	4.5	REMOVE
125	GREEN ASH	5.5	PRESERVED
126	CEDAR ELM	17.5	PRESERVED
127	GREEN ASH	6	REMOVE
128	GREEN ASH	4	REMOVE
129	BOIS D'ARC	8.75	PRESERVED
130	CEDAR ELM	5	REMOVE
131	CEDAR ELM	3	REMOVE
132	GREEN ASH	6	REMOVE
133	CEDAR ELM	13	REMOVE
134	CEDAR ELM	3.5	REMOVE
135	CEDAR ELM	7	REMOVE
136	CEDAR ELM	8.5	PRESERVED
137	CEDAR ELM	5	REMOVE
138	CEDAR ELM	22	REMOVE
139	GREEN ASH	6	REMOVE
140	CEDAR ELM	11.5	REMOVE
141	CEDAR ELM	9.5	REMOVE
142	BOIS D'ARC	7.5	REMOVE
143	CEDAR ELM	6	PROTECT
144	CEDAR ELM	5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
145	MEXICAN PLUM	3.5	REMOVE
146	MEXICAN PLUM	2.5	REMOVE
147	GREEN ASH	5	REMOVE
148	CEDAR ELM	5	REMOVE
149	BOIS D'ARC	9	PRESERVED
150	GREEN ASH	5	REMOVE
151	GREEN ASH	6	REMOVE
152	MEXICAN PLUM	4	REMOVE
153	REDBUD	2	REMOVE
154	GREEN ASH	5	REMOVE
155	SUGARBERRY	4.5	REMOVE
156	MEXICAN PLUM	4.5	REMOVE
157	GREEN ASH	5.5	REMOVE
158	GREEN ASH	6.5	REMOVE
159	GREEN ASH	9	REMOVE
160	REDBUD	3	REMOVE
161	MEXICAN PLUM	3.5	REMOVE
162	MEXICAN PLUM	2.5	REMOVE
163	CEDAR ELM	9	PRESERVED
164	REDBUD	5.25	REMOVE
165	CEDAR ELM	4	REMOVE
166	CEDAR ELM	4	REMOVE
167	BOIS D'ARC	17.75	PRESERVED
168	GREEN ASH	6.5	PRESERVED
169	CEDAR ELM	5	PRESERVED
170	REDBUD	5.25	PRESERVED
171	PECAN	7	REMOVE
172	SHUMARD OAK	4	REMOVE
173	CEDAR ELM	5.5	PRESERVE
174	EASTERN RED CEDAR	8	PRESERVE
175	EASTERN RED CEDAR	8.5	PRESERVE
176	REDBUD	2.5	PRESERVE
177	EASTERN RED CEDAR	10	PRESERVE
178	EASTERN RED CEDAR	8.75	PRESERVE
179	EASTERN RED CEDAR	7	PRESERVE
180	EASTERN RED CEDAR	7.5	PRESERVE
181	EASTERN RED CEDAR	7	PRESERVE
182	EASTERN RED CEDAR	4	PRESERVE
183	EASTERN RED CEDAR	5	PRESERVE
184	EASTERN RED CEDAR	5	PRESERVE
185	EASTERN RED CEDAR	5	PRESERVE
186	EASTERN RED CEDAR	7.5	PRESERVE
187	EASTERN RED CEDAR	7	PRESERVE
188	CEDAR ELM	5	PRESERVE
189	CEDAR ELM	8.75	PRESERVE
190	EASTERN RED CEDAR	7.5	PRESERVE
191	SUGARBERRY	4	PRESERVE
192	SUGARBERRY	5	PRESERVE
193	MEXICAN PLUM	3	PRESERVE
194	SUGARBERRY	5	PRESERVE
195	AMERICAN ELM	8	PRESERVE
196	SUGARBERRY	6.5	PRESERVE
197	CEDAR ELM	4.5	PRESERVE
198	CEDAR ELM	4.5	PRESERVE
199	SUGARBERRY	4.5	PRESERVE
200	BOIS D'ARC	41	PRESERVE
201	SUGARBERRY	4	PRESERVE
202	BOIS D'ARC	4.5	PRESERVE
203	BOIS D'ARC	7	PRESERVE
204	SUGARBERRY	4	PRESERVE
205	CEDAR ELM	5	PRESERVE
206	CEDAR ELM	5.5	PRESERVE
207	SUGARBERRY	4.5	PRESERVE
208	SUGARBERRY	4	PRESERVE
209	BOIS D'ARC	16	PRESERVE
210	CEDAR ELM	5	PRESERVE
211	CEDAR ELM	4	PRESERVE
212	SUGARBERRY	4.5	PRESERVE
213	SUGARBERRY	4.5	PRESERVE
214	BOIS D'ARC	6.5	PRESERVE
215	SUGARBERRY	3	PRESERVE
216	CEDAR ELM	4	PRESERVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
217	REDBUD	3	PRESERVE
218	SUGARBERRY	6	PRESERVE
219	CEDAR ELM	10.75	PRESERVE
220	GREEN ASH	4	PRESERVE
221	CEDAR ELM	4.5	PRESERVE
222	SUGARBERRY	3.5	PRESERVE
223	BOIS D'ARC	8.5	PRESERVE
224	BOIS D'ARC	5	PRESERVE
225	CEDAR ELM	11	PRESERVE
226	CEDAR ELM	5	PRESERVE
227	GREEN ASH	4	PRESERVE
228	SUGARBERRY	8.5	PRESERVE
229	CEDAR ELM	6.5	PRESERVE
230	CEDAR ELM	4	PRESERVE
231	BOIS D'ARC	6.5	PRESERVE
232	BOIS D'ARC	13	PRESERVE
233	BOIS D'ARC	6	PRESERVE
234	CEDAR ELM	6	PRESERVE
235	CEDAR ELM	8.5	PRESERVE
236	EVE'S NECKLACE	3	PRESERVE
237	CEDAR ELM	8.5	PRESERVE
238	CEDAR ELM	4	PRESERVE
239	BOIS D'ARC	6.5	PRESERVE
240	CEDAR ELM	8	PRESERVE
241	BOIS D'ARC	7.25	PRESERVE
242	CEDAR ELM	6	PRESERVE
243	CEDAR ELM	5	PRESERVE
244	GREEN ASH	5.5	PRESERVE
245	CEDAR ELM	4.5	PRESERVE
246	BOIS D'ARC	10.25	PRESERVE
247	CEDAR ELM	7.5	PRESERVE
248	CEDAR ELM	7	PRESERVE
249	CEDAR ELM	3.25	PRESERVE
250	CEDAR ELM	7.5	PRESERVE
251	CEDAR ELM	7.5	PRESERVE
252	CEDAR ELM	5.5	PRESERVE
253	CEDAR ELM	12	PRESERVE
254	CEDAR ELM	6.5	PRESERVE
255	BOIS D'ARC	8.75	PRESERVE
256	GREEN ASH	7	PRESERVE
257	CEDAR ELM	7.75	PRESERVE
258	CEDAR ELM	4	PRESERVE
259	CEDAR ELM	10	PRESERVE
260	CEDAR ELM	5.5	PRESERVE
261	GREEN ASH	4.5	PRESERVE
262	BOIS D'ARC	12.25	PRESERVE
263	CEDAR ELM	8	PRESERVE
264	CEDAR ELM	6	PRESERVE
265	CEDAR ELM	9.5	PRESERVE
266	CEDAR ELM	6.5	PRESERVE
267	CEDAR ELM	10	PRESERVE
268	CEDAR ELM	24.5	PRESERVE
269	CEDAR ELM	15	PRESERVE
270	CEDAR ELM	9.5	PRESERVE
271	CEDAR ELM	5	PRESERVE
272	CEDAR ELM	9.5	PRESERVE
273	CEDAR ELM	4	PRESERVE
274	GREEN ASH	7	PRESERVE
275	CEDAR ELM	9.75	PRESERVE
276	CEDAR ELM	9.5	PRESERVE
277	CEDAR ELM	6	PRESERVE
278	CEDAR ELM	5	PRESERVE
279	CEDAR ELM	7.5	PRESERVE
280	BOIS D'ARC	11.5	PRESERVE
281	BOIS D'ARC	15.5	PRESERVE
282	BOIS D'ARC	5	PRESERVE
283	CEDAR ELM	5	PRESERVE
284	CEDAR ELM	10.5	PRESERVE
285	CEDAR ELM	4	PRESERVE
286	CEDAR ELM	4.5	PRESERVE
287	CEDAR ELM	14.5	PRESERVE
288	CEDAR ELM	4	PRESERVE

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

TREE PLAN INDEX

FREESE NICHOLS

NTD11224 10/15/13

CV-ALL-TP-INDEX1.dwg

VERIFY SCALE: Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

SHEET TP-25

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
289	BOIS D'ARC	13.5	PRESERVE
290	CEDAR ELM	7.5	PRESERVE
291	BOIS D'ARC	5	PRESERVE
292	CEDAR ELM	5.5	PRESERVE
293	CEDAR ELM	11.5	PRESERVE
294	BOIS D'ARC	10.25	PRESERVE
295	CEDAR ELM	7	PRESERVE
296	CEDAR ELM	4.5	PRESERVE
297	SUGARBERRY	6	PRESERVE
298	SUGARBERRY	4.5	PRESERVE
299	GREEN ASH	9	PRESERVE
300	CEDAR ELM	8.5	PRESERVE
301	CEDAR ELM	7.5	PRESERVE
302	CEDAR ELM	6	PRESERVE
303	CEDAR ELM	11	PRESERVE
304	CEDAR ELM	12.5	PRESERVE
305	CEDAR ELM	7.5	PRESERVE
306	CEDAR ELM	13.5	PRESERVE
307	CEDAR ELM	5.5	PRESERVE
308	CEDAR ELM	11	PRESERVE
309	SUGARBERRY	4.5	PRESERVE
310	CEDAR ELM	4	PRESERVE
311	SUGARBERRY	7	PRESERVE
312	SUGARBERRY	6	PRESERVE
313	CEDAR ELM	7.5	PRESERVE
314	CEDAR ELM	8.5	PRESERVE
315	CEDAR ELM	7	PRESERVE
316	CEDAR ELM	4	PRESERVE
317	CEDAR ELM	12	PRESERVE
318	CEDAR ELM	7	PRESERVE
319	CEDAR ELM	4	PRESERVE
320	SUGARBERRY	4.5	PRESERVE
321	CEDAR ELM	8	PRESERVE
322	CEDAR ELM	5.5	PRESERVE
323	SUGARBERRY	6.5	PRESERVE
324	SUGARBERRY	8	PRESERVE
325	EASTERN RED CEDAR	4.5	PRESERVE
326	EASTERN RED CEDAR	4.5	PRESERVE
327	EASTERN RED CEDAR	6	PRESERVE
328	SUGARBERRY	5.5	PRESERVE
329	CEDAR ELM	5.5	PRESERVE
330	EVE'S NECKLACE	3.5	PRESERVE
331	CEDAR ELM	14	PRESERVE
332	CEDAR ELM	14.5	PRESERVE
333	CEDAR ELM	8.5	PRESERVE
334	CEDAR ELM	13.5	PRESERVE
335	CEDAR ELM	9	PRESERVE
336	EVE'S NECKLACE	3.5	PRESERVE
337	CEDAR ELM	15	PRESERVE
338	GREEN ASH	4.5	PRESERVE
339	EVE'S NECKLACE	2	PRESERVE
340	CEDAR ELM	5	PRESERVE
341	CEDAR ELM	4	PRESERVE
342	EASTERN RED CEDAR	8.5	PRESERVE
343	GREEN ASH	6.5	PRESERVE
344	CEDAR ELM	7	PRESERVE
345	BOIS D'ARC	8.75	PRESERVE
346	EVE'S NECKLACE	3.5	PRESERVE
347	CEDAR ELM	4	PRESERVE
348	EVE'S NECKLACE	2	PRESERVE
349	CEDAR ELM	5	PRESERVE
350	CEDAR ELM	8.5	PRESERVE
351	CEDAR ELM	15.5	PRESERVE
352	CEDAR ELM	6	PRESERVE
353	CEDAR ELM	11	PRESERVE
354	CEDAR ELM	8	PRESERVE
355	CEDAR ELM	7	PRESERVE
356	CEDAR ELM	7	PRESERVE
357	CEDAR ELM	6.5	PRESERVE
358	GREEN ASH	3.5	PRESERVE
359	GREEN ASH	6.5	REMOVE
360	CEDAR ELM	6	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
361	CEDAR ELM	8.5	PRESERVE
362	CEDAR ELM	3.5	REMOVE
363	CEDAR ELM	6	REMOVE
364	CEDAR ELM	3.5	REMOVE
365	GREEN ASH	4	REMOVE
366	GREEN ASH	11.5	REMOVE
367	CEDAR ELM	4	REMOVE
368	CEDAR ELM	8.5	REMOVE
369	GREEN ASH	11.75	PRESERVE
370	CEDAR ELM	6.5	PRESERVE
371	CEDAR ELM	10.5	PRESERVE
372	BOIS D'ARC	14.25	PRESERVE
373	CEDAR ELM	4	PRESERVE
374	CEDAR ELM	9	PRESERVE
375	GREEN ASH	8	PRESERVE
376	CEDAR ELM	7	PRESERVE
377	CEDAR ELM	9	PRESERVE
378	CEDAR ELM	8.5	PRESERVE
379	CEDAR ELM	9	PRESERVE
380	CEDAR ELM	7.5	PRESERVE
381	GREEN ASH	8.5	PRESERVE
382	CEDAR ELM	7.5	PRESERVE
383	GREEN ASH	7.5	REMOVE
384	REDBUD	3	REMOVE
385	RUSTY BLACKHAW	2	REMOVE
386	CEDAR ELM	6.5	REMOVE
387	CEDAR ELM	4	REMOVE
388	GREEN ASH	9	PRESERVED
389	GREEN ASH	8.5	PRESERVED
390	CEDAR ELM	8	PRESERVED
391	CEDAR ELM	11	PRESERVED
392	SUGARBERRY	6	REMOVE
393	GREEN ASH	5	REMOVE
394	GREEN ASH	4	REMOVE
395	CEDAR ELM	5	REMOVE
396	CEDAR ELM	10	REMOVE
397	CEDAR ELM	5.5	REMOVE
398	CEDAR ELM	9	REMOVE
399	CEDAR ELM	4.5	REMOVE
400	CEDAR ELM	6.5	REMOVE
401	CEDAR ELM	4.5	REMOVE
402	BOIS D'ARC	18	PRESERVED
403	CEDAR ELM	6	REMOVE
404	CEDAR ELM	7	REMOVE
405	BOIS D'ARC	16	PRESERVED
406	GREEN ASH	5.5	REMOVE
407	CEDAR ELM	6	REMOVE
408	CEDAR ELM	4.5	REMOVE
409	CEDAR ELM	5.5	PRESERVED
410	CEDAR ELM	9	PROTECT
411	CEDAR ELM	10.5	REMOVE
412	CEDAR ELM	5	REMOVE
413	SUGARBERRY	6	REMOVE
414	BOIS D'ARC	23	REMOVE
415	BOIS D'ARC	8.5	PROTECT
416	CEDAR ELM	6.5	PRESERVED
417	GREEN ASH	6	REMOVE
418	BOIS D'ARC	11	PRESERVED
419	CEDAR ELM	9.5	PRESERVED
420	BUR OAK	6	REMOVE
421	SUGARBERRY	6.5	REMOVE
422	PERSIMMON	3	REMOVE
423	PERSIMMON	5	REMOVE
424	PERSIMMON	7.5	REMOVE
425	SUGARBERRY	4	REMOVE
426	PERSIMMON	3.5	REMOVE
427	SUGARBERRY	3.5	PRESERVED
428	CEDAR ELM	8	PRESERVED
429	HERCULES CLUB	4	REMOVE
430	SUGARBERRY	3.5	REMOVE
431	SUGARBERRY	5.5	REMOVE
432	SUGARBERRY	4.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
433	BOIS D'ARC	9.25	REMOVE
434	PERSIMMON	4	REMOVE
435	SUGARBERRY	4	REMOVE
436	SUGARBERRY	3	REMOVE
437	SUGARBERRY	4	REMOVE
438	SUGARBERRY	7.25	PROTECT
439	SUGARBERRY	6	REMOVE
440	SUGARBERRY	6	REMOVE
441	SUGARBERRY	9.25	PROTECT
442	SUGARBERRY	10.5	PROTECT
443	SUGARBERRY	4.5	REMOVE
444	SUGARBERRY	7.5	REMOVE
445	SUGARBERRY	3	REMOVE
446	SUGARBERRY	7	REMOVE
447	BOIS D'ARC	20	PROTECT
448	SUGARBERRY	8.5	PROTECT
449	SUGARBERRY	7	REMOVE
450	SUGARBERRY	5.5	REMOVE
451	BOIS D'ARC	6.5	REMOVE
452	SUGARBERRY	8	REMOVE
453	BOIS D'ARC	12.75	PROTECT
454	SUGARBERRY	7	PROTECT
455	SUGARBERRY	10	PROTECT
456	HERCULES CLUB	5	REMOVE
457	GUM BUMELIA	4	REMOVE
458	GUM BUMELIA	8	REMOVE
459	SUGARBERRY	7.5	REMOVE
460	SUGARBERRY	7	REMOVE
461	SUGARBERRY	6	REMOVE
462	CHINESE PISTACHE	7	REMOVE
463	EASTERN RED CEDAR	4.5	REMOVE
464	WESTERN SOAPBERRY	5	REMOVE
465	SUGARBERRY	4.5	REMOVE
466	SUGARBERRY	8.5	REMOVE
467	SUGARBERRY	10.25	PROTECT
468	BOIS D'ARC	6	REMOVE
469	BOIS D'ARC	10.75	PROTECT
470	SUGARBERRY	8.25	PROTECT
471	BOIS D'ARC	17.25	REMOVE
472	SUGARBERRY	10	PRESERVED
473	SUGARBERRY	8	PRESERVED
474	SUGARBERRY	10.5	PRESERVED
475	SUGARBERRY	12	PRESERVED
476	SUGARBERRY	13	PRESERVED
477	SUGARBERRY	14.5	PRESERVED
478	SUGARBERRY	12	PRESERVED
479	SUGARBERRY	20	REMOVE
480	AMERICAN ELM	13.5	PROTECT
481	CHINESE PISTACHE	12	PROTECT
482	SUGARBERRY	11.5	PROTECT
483	SUGARBERRY	8	PROTECT
484	SUGARBERRY	14.5	PROTECT
485	SUGARBERRY	8	REMOVE
486	SUGARBERRY	17	PROTECT
487	BOIS D'ARC	7	PROTECT
488	BOIS D'ARC	9	PROTECT
489	BOIS D'ARC	9.5	PROTECT
490	BOIS D'ARC	6.5	REMOVE
491	PECAN	18	PROTECT
492	CEDAR ELM	6.5	PROTECT
493	SUGARBERRY	21	PROTECT
494	CEDAR ELM	9.5	PROTECT
495	SUGARBERRY	13.5	PROTECT
496	SUGARBERRY	17	REMOVE
497	AMERICAN ELM	9	PROTECT
498	SUGARBERRY	16	REMOVE
499	SUGARBERRY	5	REMOVE
500	SUGARBERRY	13.5	PROTECT
501	SUGARBERRY	13.5	PROTECT
502	BOIS D'ARC	17	PROTECT
503	CEDAR ELM	6	REMOVE
504	SUGARBERRY	28.5	PROTECT

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
505	SUGARBERRY	11.5	PROTECT
506	SUGARBERRY	9.5	PROTECT
507	SUGARBERRY	11	PROTECT
508	PECAN	12	REMOVE
509	PECAN	13	PRESERVED
510	AMERICAN ELM	14.5	PROTECT
511	SUGARBERRY	8	PROTECT
512	SUGARBERRY	7	REMOVE
513	AMERICAN ELM	18	PROTECT
514	BOIS D'ARC	21.25	PROTECT
515	SUGARBERRY	6	PROTECT
516	SUGARBERRY	9	PROTECT
517	SUGARBERRY	10.5	PROTECT
518	SUGARBERRY	8.5	PROTECT
519	SUGARBERRY	8.5	PROTECT
520	SUGARBERRY	9	PROTECT
521	SUGARBERRY	15.5	PROTECT
522	SUGARBERRY	4	REMOVE
523	SUGARBERRY	4.5	REMOVE
524	SUGARBERRY	8	PROTECT
525	SUGARBERRY	12.5	PROTECT
526	SUGARBERRY	12	PROTECT
527	SUGARBERRY	6	REMOVE
528	CEDAR ELM	11	PROTECT
529	SUGARBERRY	7	REMOVE
530	SUGARBERRY	6	REMOVE
531	SUGARBERRY	8	REMOVE
532	SUGARBERRY	4.5	REMOVE
533	SUGARBERRY	8.5	REMOVE
534	SUGARBERRY	7.5	REMOVE
535	SUGARBERRY	8	PRESERVED
536	SUGARBERRY	8	REMOVE
537	EASTERN RED CEDAR	3.5	REMOVE
538	CEDAR ELM	8	REMOVE
539	SUGARBERRY	7.5	REMOVE
540	SUGARBERRY	7.5	REMOVE
541	SUGARBERRY	8	PROTECT
542	SUGARBERRY	9	REMOVE
543	SUGARBERRY	10	REMOVE
544	BOIS D'ARC	27.5	REMOVE
545	GREEN ASH	10.5	PRESERVED
546	GREEN ASH	8.5	PRESERVED
547	GREEN ASH	8.5	PRESERVED
548	SUGARBERRY	14.5	REMOVE
549	PECAN	8	REMOVE
550	BOIS D'ARC	14.75	PROTECT
551	AMERICAN ELM	14.5	REMOVE
552	SUGARBERRY	8	PROTECT
553	PECAN	5	REMOVE
554	SUGARBERRY	19.25	PRESERVED
555	GREEN ASH	10	PRESERVED
556	GREEN ASH	10.5	PRESERVED
557	AMERICAN ELM	20	PRESERVED
558	GREEN ASH	11	PRESERVED
559	GREEN ASH	8.5	PRESERVED
560	GREEN ASH	15.75	REMOVE
561	GREEN ASH	11	PRESERVED
562	PECAN	22.25	PRESERVED
563	AMERICAN ELM	17	PROTECT
564	CEDAR ELM	12.5	PROTECT
565	SUGARBERRY	24.5	PRESERVED
566	AMERICAN ELM	29.5	PRESERVED
567	PECAN	16.25	PRESERVED
568	PECAN	5.5	PRESERVED
569	PECAN	23	PRESERVED
570	PECAN	3	REMOVE
571	PECAN	11.75	PRESERVED
572	GREEN ASH	6	REMOVE
573	AMERICAN ELM	5	REMOVE
574	AMERICAN ELM	3.5	REMOVE
575	PECAN	6	REMOVE
576	SUGARBERRY	8	PROTECT

FREESE NICHOLS

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
TREE PLAN

TREE PLAN INDEX

TP-26

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
577	SUGARBERRY	15	PROTECT
578	BOIS D'ARC	7	REMOVE
579	BOIS D'ARC	12.5	PRESERVED
580	CEDAR ELM	7.5	REMOVE
581	BOIS D'ARC	14	PRESERVED
582	BOIS D'ARC	11.5	PRESERVED
583	CEDAR ELM	7.5	REMOVE
584	SUGARBERRY	6.5	REMOVE
585	CEDAR ELM	10	PROTECT
586	CEDAR ELM	14	REMOVE
587	CEDAR ELM	8.5	PRESERVED
588	CEDAR ELM	6	REMOVE
589	CEDAR ELM	5	REMOVE
590	GREEN ASH	4	REMOVE
591	GREEN ASH	6.5	REMOVE
592	GREEN ASH	5.5	REMOVE
593	GREEN ASH	4	REMOVE
594	SUGARBERRY	6	REMOVE
595	BOIS D'ARC	12.5	PRESERVED
596	GREEN ASH	5	REMOVE
597	GREEN ASH	5.5	REMOVE
598	GREEN ASH	7	REMOVE
599	CEDAR ELM	17.5	REMOVE
600	BOIS D'ARC	8.5	REMOVE
601	BOIS D'ARC	13.75	PRESERVED
602	GREEN ASH	4.5	REMOVE
603	GREEN ASH	13.75	REMOVE
604	BOIS D'ARC	22.75	REMOVE
605	BOIS D'ARC	10	PRESERVED
606	BOIS D'ARC	5.5	REMOVE
607	SUGARBERRY	6	REMOVE
608	CEDAR ELM	6	REMOVE
609	CEDAR ELM	6	REMOVE
610	GREEN ASH	4	REMOVE
611	CEDAR ELM	5	REMOVE
612	SUGARBERRY	6.5	REMOVE
613	CEDAR ELM	13	REMOVE
614	BOIS D'ARC	19	REMOVE
615	CEDAR ELM	7	REMOVE
616	CEDAR ELM	7	REMOVE
617	CEDAR ELM	6	REMOVE
618	CEDAR ELM	8.5	REMOVE
619	CEDAR ELM	9	PRESERVED
620	BOIS D'ARC	30	REMOVE
621	CEDAR ELM	5	REMOVE
622	CEDAR ELM	8	REMOVE
623	CEDAR ELM	7	REMOVE
624	CEDAR ELM	5.5	REMOVE
625	CEDAR ELM	6	REMOVE
626	CEDAR ELM	6	REMOVE
627	CEDAR ELM	7.5	REMOVE
628	CEDAR ELM	5.5	REMOVE
629	REDBUD	2	REMOVE
630	CEDAR ELM	7.5	REMOVE
631	BOIS D'ARC	14.5	PROTECT
632	CEDAR ELM	6	REMOVE
633	CEDAR ELM	9.5	PROTECT
634	CEDAR ELM	8	PROTECT
635	CEDAR ELM	6	REMOVE
636	CEDAR ELM	4	REMOVE
637	EASTERN RED CEDAR	8	PRESERVED
638	CEDAR ELM	7	REMOVE
639	CEDAR ELM	4	REMOVE
640	SUGARBERRY	4	REMOVE
641	CEDAR ELM	4	REMOVE
642	EASTERN RED CEDAR	5	REMOVE
643	EASTERN RED CEDAR	4.5	REMOVE
644	EASTERN RED CEDAR	5.5	REMOVE
645	EASTERN RED CEDAR	4.5	REMOVE
646	EASTERN RED CEDAR	8.5	REMOVE
647	EASTERN RED CEDAR	5	REMOVE
648	EASTERN RED CEDAR	4.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
649	EASTERN RED CEDAR	5	REMOVE
650	EASTERN RED CEDAR	5	REMOVE
651	EASTERN RED CEDAR	4	REMOVE
652	EASTERN RED CEDAR	5.5	REMOVE
653	EASTERN RED CEDAR	6	REMOVE
654	EASTERN RED CEDAR	6	REMOVE
655	EASTERN RED CEDAR	12	PRESERVED
656	EASTERN RED CEDAR	5	REMOVE
657	CEDAR ELM	6.5	REMOVE
658	EASTERN RED CEDAR	5.5	REMOVE
659	SHUMARD OAK	9.5	REMOVE
660	SHUMARD OAK	9	REMOVE
661	SHUMARD OAK	6.5	REMOVE
662	SHUMARD OAK	7.5	REMOVE
663	SHUMARD OAK	4	REMOVE
664	CEDAR ELM	10	PRESERVED
665	CEDAR ELM	4	REMOVE
666	CEDAR ELM	8.5	PRESERVED
667	GREEN ASH	5.5	REMOVE
668	GREEN ASH	10	PRESERVED
669	GREEN ASH	10	PRESERVED
670	CEDAR ELM	5	REMOVE
671	SHUMARD OAK	7	REMOVE
672	CEDAR ELM	4.5	REMOVE
673	SHUMARD OAK	8.5	PROTECT
674	CEDAR ELM	7	REMOVE
675	CEDAR ELM	6.5	REMOVE
676	CEDAR ELM	7	REMOVE
677	CEDAR ELM	6.5	REMOVE
678	SHUMARD OAK	4.5	REMOVE
679	CEDAR ELM	5	REMOVE
680	CEDAR ELM	5	REMOVE
681	GREEN ASH	8	PRESERVED
682	GREEN ASH	11	PRESERVED
683	BOIS D'ARC	9.5	PRESERVED
684	CEDAR ELM	14.5	PRESERVED
685	SUGARBERRY	4	REMOVE
686	CEDAR ELM	7.5	REMOVE
687	CEDAR ELM	8.5	PRESERVED
688	CEDAR ELM	8	PRESERVED
689	GREEN ASH	12.5	PRESERVED
690	BOIS D'ARC	8	PRESERVED
691	GREEN ASH	8	PRESERVED
692	GREEN ASH	9	PRESERVED
693	GREEN ASH	11	PRESERVED
694	GREEN ASH	10.5	PRESERVED
695	RUSTY BLACKHAW	2.5	REMOVE
696	GREEN ASH	10.5	REMOVE
697	CEDAR ELM	8.5	REMOVE
698	CEDAR ELM	4.5	REMOVE
699	CEDAR ELM	5.5	REMOVE
700	CEDAR ELM	6	REMOVE
701	CEDAR ELM	7	REMOVE
702	CEDAR ELM	7.5	REMOVE
703	CEDAR ELM	6.5	REMOVE
704	CEDAR ELM	5.5	PRESERVED
705	GREEN ASH	5	REMOVE
706	CEDAR ELM	8	REMOVE
707	GREEN ASH	13	PRESERVED
708	BOIS D'ARC	10	PRESERVED
709	BOIS D'ARC	11	PRESERVED
710	RUSTY BLACKHAW	2	REMOVE
711	GREEN ASH	15.25	PRESERVED
712	GREEN ASH	10.5	PRESERVED
713	GREEN ASH	7.5	REMOVE
714	GREEN ASH	13	PRESERVED
715	GREEN ASH	10.5	REMOVE
716	SHUMARD OAK	7.5	REMOVE
717	CEDAR ELM	7	REMOVE
718	CEDAR ELM	7	REMOVE
719	CEDAR ELM	6	REMOVE
720	SUGARBERRY	15.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
721	GREEN ASH	8.5	PRESERVED
722	GREEN ASH	9	REMOVE
723	CEDAR ELM	10	PRESERVED
724	GREEN ASH	11.5	PRESERVED
725	BOIS D'ARC	7	REMOVE
726	BOIS D'ARC	12.5	PRESERVED
727	CEDAR ELM	5	REMOVE
728	GREEN ASH	9	PRESERVED
729	RUSTY BLACKHAW	3.5	REMOVE
730	BOIS D'ARC	13.75	PROTECT
731	GREEN ASH	12.75	REMOVE
732	GREEN ASH	4	REMOVE
733	GREEN ASH	27	PROTECT
734	BOIS D'ARC	12	PRESERVED
735	CEDAR ELM	6	REMOVE
736	BOIS D'ARC	10	PRESERVED
737	GREEN ASH	17.5	PRESERVED
738	CEDAR ELM	4.5	REMOVE
739	CEDAR ELM	4	REMOVE
740	BOIS D'ARC	16.5	PRESERVED
741	CEDAR ELM	7	REMOVE
742	GREEN ASH	11.5	PRESERVED
743	CEDAR ELM	8.5	PRESERVED
744	CEDAR ELM	5.5	PRESERVED
745	GREEN ASH	12.5	PRESERVED
746	GREEN ASH	6	REMOVE
747	GREEN ASH	5.5	REMOVE
748	GREEN ASH	21.5	PRESERVED
749	CEDAR ELM	4.5	REMOVE
750	SHUMARD OAK	8.5	PRESERVED
751	GREEN ASH	14	PROTECT
752	BOIS D'ARC	12.5	PROTECT
753	BOIS D'ARC	12	REMOVE
754	BOIS D'ARC	12.5	REMOVE
755	BOIS D'ARC	10	REMOVE
756	GREEN ASH	10	PROTECT
757	AMERICAN ELM	5.5	PRESERVED
758	CEDAR ELM	9.5	REMOVE
759	BOIS D'ARC	18.5	PROTECT
760	CEDAR ELM	16.5	PRESERVED
761	SUGARBERRY	5	REMOVE
762	BOIS D'ARC	5.5	REMOVE
763	EASTERN RED CEDAR	5	REMOVE
764	EASTERN RED CEDAR	5	REMOVE
765	SUGARBERRY	3.5	PRESERVED
766	HONEY LOCUST	4.5	REMOVE
767	HONEY LOCUST	6	REMOVE
768	EASTERN RED CEDAR	10	REMOVE
769	CEDAR ELM	5	REMOVE
770	BOIS D'ARC	7	REMOVE
771	EASTERN RED CEDAR	5	REMOVE
772	EASTERN RED CEDAR	6	REMOVE
773	HONEY LOCUST	5	REMOVE
774	HONEY LOCUST	5	REMOVE
775	SUGARBERRY	5	REMOVE
776	BOIS D'ARC	12.5	PRESERVED
777	SHUMARD OAK	37	PRESERVED
778	SUGARBERRY	5	REMOVE
779	CEDAR ELM	4.5	REMOVE
780	EASTERN RED CEDAR	4	REMOVE
781	SUGARBERRY	7	REMOVE
782	CEDAR ELM	5	REMOVE
783	CEDAR ELM	5.5	REMOVE
784	REDBUD	3	REMOVE
785	BUR OAK	4.5	REMOVE
786	SHUMARD OAK	5	REMOVE
787	REDBUD	3	REMOVE
788	GREEN ASH	5.5	REMOVE
789	SUGARBERRY	6.5	REMOVE
790	AMERICAN ELM	5	REMOVE
791	AMERICAN ELM	10.5	PRESERVED
792	SUGARBERRY	5.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
793	SUGARBERRY	4.5	REMOVE
794	SUGARBERRY	4.5	REMOVE
795	SUGARBERRY	4	REMOVE
796	CEDAR ELM	8.5	PRESERVED
797	SUGARBERRY	5.25	REMOVE
798	SUGARBERRY	5.25	REMOVE
799	SUGARBERRY	7.75	REMOVE
800	SUGARBERRY	5.75	REMOVE
801	AMERICAN ELM	23.5	PRESERVE
802	CEDAR ELM	19.5	PRESERVE
803	CEDAR ELM	12.5	PRESERVE
804	CEDAR ELM	24	REMOVE
805	SUGARBERRY	19	PRESERVE
806	BOIS D'ARC	29.5	PRESERVE
807	CEDAR ELM	14	PRESERVE
808	CEDAR ELM	17.5	PRESERVE
809	BOIS D'ARC	19.5	PRESERVE
810	SUGARBERRY	15	PRESERVE
811	CEDAR ELM	19	REMOVE
812	SUGARBERRY	4.5	REMOVE
813	SUGARBERRY	12	PRESERVE
814	BUR OAK	10	PRESERVE
815	BOIS D'ARC	15	PRESERVE
816	CEDAR ELM	9	PRESERVE
817	BUR OAK	10	PRESERVE
818	CEDAR ELM	10	PRESERVE
819	CEDAR ELM	5.5	REMOVE
820	SUGARBERRY	11.5	PRESERVE
821	SUGARBERRY	6.5	REMOVE
822	CEDAR ELM	7	REMOVE
823	SUGARBERRY	16.5	PRESERVE
824	SUGARBERRY	4	REMOVE
825	SUGARBERRY	10	PRESERVE
826	AMERICAN ELM	5	REMOVE
827	SUGARBERRY	13	PRESERVE
828	SUGARBERRY	10.5	PRESERVE
829	SUGARBERRY	9	PRESERVE
830	SUGARBERRY	11.5	PRESERVE
831	AMERICAN ELM	4.5	REMOVE
832	CEDAR ELM	4.5	REMOVE
833	GREEN ASH	13.5	PRESERVE
834	GREEN ASH	11.5	PRESERVE
835	SUGARBERRY	4	REMOVE
836	SUGARBERRY	8	PRESERVE
837	SUGARBERRY	14	PRESERVE
838	AMERICAN ELM	17.5	PRESERVE
839	CEDAR ELM	10.5	REMOVE
840	CEDAR ELM	5	REMOVE
841	CEDAR ELM	4.5	REMOVE
842	SUGARBERRY	7.5	REMOVE
843	SUGARBERRY	8	PRESERVE
844	AMERICAN ELM	9	PRESERVE
845	GREEN ASH	12.25	PRESERVE
846	AMERICAN ELM	5.5	REMOVE
847	GREEN ASH	3.5	PRESERVE
848	GREEN ASH	12	PRESERVE
849	AMERICAN ELM	4.5	REMOVE
850	GREEN ASH	31.5	PRESERVE
851	AMERICAN ELM	8.5	PRESERVE
852	GREEN ASH	11.5	PRESERVE
853	GREEN ASH	9.75	PRESERVE
854	AMERICAN ELM	11	PRESERVE
855	GREEN ASH	20.75	PRESERVE
856	AMERICAN ELM	5	REMOVE
857	AMERICAN ELM	8	PRESERVE
858	CEDAR ELM	4.5	REMOVE
859	CEDAR ELM	11.5	PRESERVE
860	AMERICAN ELM	3.5	REMOVE
861	CEDAR ELM	3	REMOVE
862	GREEN ASH	20	PRESERVE
863	GREEN ASH	12	PRESERVE
864	GREEN ASH	13	PRESERVE

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

TREE PLAN INDEX

FREESE AND NICHOLS

SHEET TP-27

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
865	GREEN ASH	7.5	REMOVE
866	AMERICAN ELM	7	REMOVE
867	GREEN ASH	13.5	REMOVE
868	AMERICAN ELM	9	REMOVE
869	AMERICAN ELM	8.5	REMOVE
870	GREEN ASH	11.75	REMOVE
871	CEDAR ELM	8	PRESERVE
872	AMERICAN ELM	4.5	REMOVE
873	GREEN ASH	7	REMOVE
874	GREEN ASH	8	REMOVE
875	GREEN ASH	14.25	REMOVE
876	GREEN ASH	11.5	REMOVE
877	GREEN ASH	11.5	REMOVE
878	CEDAR ELM	6	REMOVE
879	GREEN ASH	11	PRESERVE
880	AMERICAN ELM	7.5	REMOVE
881	GREEN ASH	10.5	PRESERVE
882	SUGARBERRY	9	PRESERVE
883	AMERICAN ELM	5	REMOVE
884	AMERICAN ELM	9	PRESERVE
885	CEDAR ELM	8.5	PRESERVE
886	AMERICAN ELM	10	PRESERVE
887	AMERICAN ELM	6	REMOVE
888	AMERICAN ELM	10.5	PRESERVE
889	AMERICAN ELM	8	PRESERVE
890	AMERICAN ELM	5	REMOVE
891	SUGARBERRY	22.25	PRESERVE
892	AMERICAN ELM	7.5	REMOVE
893	AMERICAN ELM	8.5	REMOVE
894	AMERICAN ELM	14	REMOVE
895	SUGARBERRY	8	REMOVE
896	AMERICAN ELM	13.5	REMOVE
897	CEDAR ELM	5.5	REMOVE
898	GREEN ASH	7.5	REMOVE
899	AMERICAN ELM	6	REMOVE
900	HONEY LOCUST	8	REMOVE
901	AMERICAN ELM	10.5	REMOVE
902	CEDAR ELM	4	REMOVE
903	CEDAR ELM	5	REMOVE
904	AMERICAN ELM	4.5	REMOVE
905	AMERICAN ELM	6	REMOVE
906	GREEN ASH	20.25	REMOVE
907	AMERICAN ELM	8	PRESERVE
908	AMERICAN ELM	6	REMOVE
909	AMERICAN ELM	6.5	REMOVE
910	AMERICAN ELM	7.5	REMOVE
911	AMERICAN ELM	11	PRESERVE
912	SUGARBERRY	9	PRESERVE
913	SUGARBERRY	5	PRESERVE
914	CEDAR ELM	10	PRESERVE
915	SUGARBERRY	8	PRESERVE
916	AMERICAN ELM	12.5	PRESERVE
917	SUGARBERRY	12.5	PRESERVE
919	SUGARBERRY	8	PRESERVE
918	AMERICAN ELM	12.5	PRESERVE
920	CEDAR ELM	5.5	REMOVE
921	BOIS D'ARC	5	REMOVE
922	AMERICAN ELM	8	REMOVE
923	SUGARBERRY	13	REMOVE
924	CEDAR ELM	5.5	REMOVE
925	SUGARBERRY	5	REMOVE
926	AMERICAN ELM	6.5	REMOVE
927	AMERICAN ELM	5.5	REMOVE
928	SUGARBERRY	5	REMOVE
929	SUGARBERRY	13	REMOVE
930	AMERICAN ELM	11	PRESERVE
931	SUGARBERRY	8.5	PRESERVE
932	AMERICAN ELM	11	PRESERVE
933	SUGARBERRY	8	PRESERVE
934	AMERICAN ELM	8.5	PRESERVE
935	SUGARBERRY	6.5	REMOVE
936	SUGARBERRY	8	PRESERVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
937	SUGARBERRY	5	REMOVE
938	CEDAR ELM	11	PRESERVE
939	SUGARBERRY	11.25	PRESERVE
940	SUGARBERRY	10.5	PRESERVE
941	SUGARBERRY	10	PRESERVE
942	AMERICAN ELM	11.5	PRESERVE
943	SUGARBERRY	12	PRESERVE
944	SUGARBERRY	15	PRESERVE
945	CEDAR ELM	7	REMOVE
946	CEDAR ELM	4	REMOVE
947	SUGARBERRY	4.5	REMOVE
948	CEDAR ELM	5	REMOVE
949	AMERICAN ELM	16.5	REMOVE
950	AMERICAN ELM	11.25	REMOVE
951	SUGARBERRY	11.5	REMOVE
952	SUGARBERRY	8.75	REMOVE
953	CEDAR ELM	10	PRESERVE
954	CEDAR ELM	5.5	PRESERVE
955	SUGARBERRY	8.5	PRESERVE
956	SUGARBERRY	7.5	REMOVE
957	AMERICAN ELM	8.5	PRESERVE
958	CEDAR ELM	10	PRESERVE
959	SUGARBERRY	10.5	PRESERVE
960	GREEN ASH	10.5	PRESERVE
961	SUGARBERRY	11	PRESERVE
962	CEDAR ELM	9.5	PRESERVE
963	CEDAR ELM	5	REMOVE
964	CEDAR ELM	7.5	REMOVE
965	SUGARBERRY	10	PRESERVE
966	AMERICAN ELM	11	PRESERVE
967	BOIS D'ARC	10	PRESERVE
968	BOIS D'ARC	11	REMOVE
969	AMERICAN ELM	13	PRESERVE
970	AMERICAN ELM	8.5	PRESERVE
971	CEDAR ELM	10.5	PRESERVE
972	SUGARBERRY	7	REMOVE
973	CEDAR ELM	8.5	REMOVE
974	AMERICAN ELM	15.25	REMOVE
975	CEDAR ELM	4.5	REMOVE
976	SUGARBERRY	5	REMOVE
977	CEDAR ELM	8.5	REMOVE
978	SUGARBERRY	8	REMOVE
979	AMERICAN ELM	31	REMOVE
980	SUGARBERRY	9	REMOVE
981	BOIS D'ARC	8.5	REMOVE
982	AMERICAN ELM	17.5	REMOVE
983	SUGARBERRY	7	REMOVE
984	CEDAR ELM	6.5	REMOVE
985	CEDAR ELM	8	REMOVE
986	CEDAR ELM	11	REMOVE
987	CEDAR ELM	4.5	REMOVE
988	AMERICAN ELM	4	REMOVE
989	AMERICAN ELM	7.5	REMOVE
990	AMERICAN ELM	12.5	PRESERVE
991	CEDAR ELM	8.5	REMOVE
992	AMERICAN ELM	5	REMOVE
993	CEDAR ELM	10	PRESERVE
994	AMERICAN ELM	12	PRESERVE
995	SUGARBERRY	10	PRESERVE
996	SUGARBERRY	12	PRESERVE
997	CEDAR ELM	8.5	PRESERVE
998	CEDAR ELM	11	PRESERVE
999	CEDAR ELM	9.5	PRESERVE
1000	AMERICAN ELM	10	PRESERVE
1001	AMERICAN ELM	22.5	PRESERVE
1002	BOIS D'ARC	11.25	PRESERVE
1003	CEDAR ELM	7.5	REMOVE
1004	CEDAR ELM	12.5	PRESERVE
1005	SUGARBERRY	10.5	PRESERVE
1006	CEDAR ELM	6	REMOVE
1007	CEDAR ELM	8	PRESERVE
1008	SUGARBERRY	6.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1009	CEDAR ELM	6	REMOVE
1010	CEDAR ELM	5.5	REMOVE
1011	CEDAR ELM	10	PRESERVE
1012	BOIS D'ARC	7	REMOVE
1013	BOIS D'ARC	6	REMOVE
1014	BOIS D'ARC	6.5	REMOVE
1015	GREEN ASH	5.5	REMOVE
1016	BOIS D'ARC	6.5	REMOVE
1017	SUGARBERRY	7	REMOVE
1018	CEDAR ELM	12	PRESERVE
1019	CEDAR ELM	9	PRESERVE
1020	CEDAR ELM	10	PRESERVE
1021	CEDAR ELM	7.5	PRESERVE
1022	CEDAR ELM	9.5	PRESERVE
1023	BOIS D'ARC	9	PRESERVE
1024	BOIS D'ARC	8.5	PRESERVE
1025	SUGARBERRY	10.5	PRESERVE
1026	GREEN ASH	9	PRESERVE
1027	SUGARBERRY	9	PRESERVE
1028	AMERICAN ELM	15.5	PRESERVE
1029	CEDAR ELM	8.5	PRESERVE
1030	CEDAR ELM	10	PRESERVE
1031	CEDAR ELM	5	REMOVE
1032	HONEY LOCUST	6	REMOVE
1033	BOIS D'ARC	7	REMOVE
1034	BOIS D'ARC	7.5	REMOVE
1035	GREEN ASH	12	PRESERVE
1036	BOIS D'ARC	6.5	REMOVE
1037	GREEN ASH	11	PRESERVE
1038	BOIS D'ARC	5	REMOVE
1039	GREEN ASH	5	REMOVE
1040	GREEN ASH	8	PRESERVE
1041	CEDAR ELM	11.25	PRESERVE
1042	GREEN ASH	8.5	PRESERVE
1043	GREEN ASH	8	PRESERVE
1044	GREEN ASH	6	REMOVE
1045	GREEN ASH	12	PRESERVE
1046	GREEN ASH	6.5	REMOVE
1047	GREEN ASH	11	PRESERVE
1048	BOIS D'ARC	4.5	REMOVE
1049	BOIS D'ARC	7	REMOVE
1050	BOIS D'ARC	7	REMOVE
1051	AMERICAN ELM	7.5	REMOVE
1052	BOIS D'ARC	12.5	PRESERVE
1053	CEDAR ELM	6	REMOVE
1054	GREEN ASH	8	PRESERVE
1055	GREEN ASH	7.5	REMOVE
1056	GREEN ASH	6	REMOVE
1057	BOIS D'ARC	13.5	REMOVE
1058	HONEY LOCUST	4.5	REMOVE
1059	BOX ELDER	5.5	REMOVE
1060	AMERICAN ELM	4.5	REMOVE
1061	BOIS D'ARC	8	PRESERVE
1062	BOIS D'ARC	5	REMOVE
1063	AMERICAN ELM	11.5	PRESERVE
1064	CEDAR ELM	5	REMOVE
1065	GREEN ASH	12	PRESERVE
1066	AMERICAN ELM	6	REMOVE
1067	CEDAR ELM	5	REMOVE
1068	CEDAR ELM	12	PRESERVE
1069	GREEN ASH	9.5	PRESERVE
1070	GREEN ASH	9.5	PRESERVE
1071	GREEN ASH	11.5	PRESERVE
1072	CEDAR ELM	6	REMOVE
1073	CEDAR ELM	8.5	PRESERVE
1074	BOIS D'ARC	7.5	REMOVE
1075	BOIS D'ARC	5.5	REMOVE
1076	GREEN ASH	23.25	PRESERVE
1077	GREEN ASH	9.5	PRESERVE
1078	GREEN ASH	6	REMOVE
1079	AMERICAN ELM	4	REMOVE
1080	GREEN ASH	5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1081	GREEN ASH	15	PRESERVE
1082	BOIS D'ARC	7	REMOVE
1083	GREEN ASH	10	PRESERVE
1084	AMERICAN ELM	4	REMOVE
1085	BOX ELDER	6	REMOVE
1086	BOIS D'ARC	7.5	REMOVE
1087	CEDAR ELM	8.5	PRESERVE
1088	GREEN ASH	12.5	PRESERVE
1089	GREEN ASH	6.5	REMOVE
1090	GREEN ASH	10	PRESERVE
1091	GREEN ASH	8	PRESERVE
1092	GREEN ASH	4	REMOVE
1093	GREEN ASH	15	PRESERVE
1094	GREEN ASH	10	PRESERVE
1095	BOIS D'ARC	4.5	REMOVE
1096	GREEN ASH	5	REMOVE
1097	GREEN ASH	12	REMOVE
1098	GREEN ASH	10.5	PRESERVE
1099	BOIS D'ARC	5	REMOVE
1100	GREEN ASH	6.5	REMOVE
1101	BOIS D'ARC	4.5	REMOVE
1102	GREEN ASH	11	PRESERVE
1103	GREEN ASH	4.5	REMOVE
1104	GREEN ASH	7	REMOVE
1105	GREEN ASH	4	REMOVE
1106	GREEN ASH	10	PRESERVE
1107	GREEN ASH	25	PRESERVE
1108	BOIS D'ARC	4.5	REMOVE
1109	GREEN ASH	4.5	PRESERVE
1110	BOIS D'ARC	9.5	PRESERVE
1111	CEDAR ELM	7	REMOVE
1112	GREEN ASH	23.5	REMOVE
1113	GREEN ASH	14.25	REMOVE
1114	GREEN ASH	30.5	REMOVE
1115	SUGARBERRY	10	REMOVE
1116	BOIS D'ARC	7	REMOVE
1117	BOIS D'ARC	8.5	REMOVE
1118	GREEN ASH	12	PRESERVE
1119	GREEN ASH	7.5	REMOVE
1120	GREEN ASH	7	REMOVE
1121	GREEN ASH	10	PRESERVE
1122	GREEN ASH	5.5	PRESERVE
1123	GREEN ASH	12	PRESERVE
1124	GREEN ASH	6.5	REMOVE
1125	CEDAR ELM	8	REMOVE
1126	GREEN ASH	5.5	REMOVE
1127	GREEN ASH	9.5	PRESERVE
1128	GREEN ASH	10	PRESERVE
1129	GREEN ASH	13	PRESERVE
1130	GREEN ASH	6	REMOVE
1131	GREEN ASH	8	REMOVE
1132	GREEN ASH	5	REMOVE
1133	GREEN ASH	5.5	REMOVE
1134	GREEN ASH	9.5	REMOVE
1135	GREEN ASH	5.5	REMOVE
1136	GREEN ASH	7	REMOVE
1137	GREEN ASH	7	REMOVE
1138	GREEN ASH	12.5	PRESERVE
1139	GREEN ASH	9.5	PRESERVE
1140	GREEN ASH	4	REMOVE
1141	GREEN ASH	12	PRESERVE
1142	GREEN ASH	7	REMOVE
1143	GREEN ASH	9	PRESERVE
1144	BOIS D'ARC	15.25	PRESERVE
1145	GREEN ASH	5	REMOVE
1146	GREEN ASH	11	REMOVE
1147	GREEN ASH	6	REMOVE
1148	GREEN ASH	11.5	PRESERVE
1149	GREEN ASH	10	REMOVE
1150	BOIS D'ARC	13	REMOVE
1151	BLACK WILLOW	27.5	REMOVE
1152	BOIS D'ARC	10	REMOVE

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

TREE PLAN INDEX

FREESE AND NICHOLS

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TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1153	BOIS D'ARC	5.5	REMOVE
1154	BOIS D'ARC	13	PRESERVE
1155	GREEN ASH	11	PRESERVE
1156	GREEN ASH	17	PRESERVE
1157	GREEN ASH	7.5	REMOVE
1158	BOIS D'ARC	8	PRESERVE
1159	GREEN ASH	10	PRESERVE
1160	GREEN ASH	15	PRESERVE
1161	GREEN ASH	7	REMOVE
1162	GREEN ASH	4	REMOVE
1163	GREEN ASH	14	PRESERVE
1164	GREEN ASH	15.5	PRESERVE
1165	CEDAR ELM	5	PRESERVE
1166	GREEN ASH	13	PRESERVE
1167	CEDAR ELM	7	PRESERVE
1168	GREEN ASH	12	PRESERVE
1169	GREEN ASH	16	PRESERVE
1170	GREEN ASH	4	REMOVE
1171	GREEN ASH	7	REMOVE
1172	SUGARBERRY	11	REMOVE
1173	SUGARBERRY	10.5	REMOVE
1174	BOIS D'ARC	16	REMOVE
1175	AMERICAN ELM	4.5	REMOVE
1176	BOIS D'ARC	12	REMOVE
1177	BOIS D'ARC	5.5	REMOVE
1178	BOIS D'ARC	16	PRESERVE
1179	BOIS D'ARC	5.5	REMOVE
1180	BOIS D'ARC	8.5	PRESERVE
1181	GREEN ASH	11	PRESERVE
1182	BOIS D'ARC	10	PRESERVE
1183	CEDAR ELM	10.25	PRESERVE
1184	CEDAR ELM	4.5	REMOVE
1185	AMERICAN ELM	20	PRESERVE
1186	CEDAR ELM	4	REMOVE
1187	CEDAR ELM	6.5	REMOVE
1188	CEDAR ELM	6.5	REMOVE
1189	CEDAR ELM	5.5	REMOVE
1190	SUGARBERRY	14.5	PRESERVE
1191	SUGARBERRY	3	PRESERVE
1192	CEDAR ELM	5.5	REMOVE
1193	CEDAR ELM	7	REMOVE
1194	CEDAR ELM	5.5	REMOVE
1195	CEDAR ELM	10.5	PRESERVE
1196	SUGARBERRY	14	REMOVE
1197	BOIS D'ARC	30	REMOVE
1198	SUGARBERRY	20.25	PRESERVE
1199	BOIS D'ARC	14.5	PRESERVE
1200	BOIS D'ARC	25.75	PRESERVE
1201	BOIS D'ARC	5.5	REMOVE
1202	SUGARBERRY	4	REMOVE
1203	SUGARBERRY	10.5	PRESERVE
1204	SUGARBERRY	6.5	REMOVE
1205	BOIS D'ARC	7	REMOVE
1206	BOIS D'ARC	13.5	PRESERVE
1207	SUGARBERRY	7.5	REMOVE
1208	SUGARBERRY	4	PRESERVE
1209	SUGARBERRY	5.5	REMOVE
1210	SUGARBERRY	7.5	REMOVE
1211	BOIS D'ARC	9	PRESERVE
1212	SUGARBERRY	6	REMOVE
1213	BOIS D'ARC	11	PRESERVE
1214	SUGARBERRY	9.5	PRESERVE
1215	SUGARBERRY	12.5	PRESERVE
1216	SUGARBERRY	5	REMOVE
1217	BOIS D'ARC	16	PRESERVE
1218	SUGARBERRY	8.5	PRESERVE
1219	HONEY LOCUST	4	REMOVE
1220	SUGARBERRY	17.75	PRESERVE
1221	SUGARBERRY	13	PRESERVE
1222	SUGARBERRY	8	PRESERVE
1223	SUGARBERRY	6	PRESERVE
1224	SUGARBERRY	9	PRESERVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1225	SUGARBERRY	6.5	PRESERVE
1226	SUGARBERRY	14	PRESERVE
1227	BOIS D'ARC	11.5	PRESERVE
1228	SUGARBERRY	23	PRESERVE
1229	BOIS D'ARC	15.5	PRESERVE
1230	SUGARBERRY	5	REMOVE
1231	SUGARBERRY	5	REMOVE
1232	BOIS D'ARC	9	PRESERVE
1233	HONEY LOCUST	4.5	REMOVE
1234	BOIS D'ARC	6.5	REMOVE
1235	BOIS D'ARC	10.5	PRESERVE
1236	BOIS D'ARC	7	REMOVE
1237	BOIS D'ARC	8	PRESERVE
1238	BOIS D'ARC	5	REMOVE
1239	HONEY LOCUST	5	REMOVE
1240	HONEY LOCUST	8	REMOVE
1241	BOIS D'ARC	9	REMOVE
1242	BOIS D'ARC	8	PRESERVE
1243	BOIS D'ARC	7.5	PRESERVE
1244	BOIS D'ARC	15	PRESERVE
1245	BOIS D'ARC	12	PRESERVE
1246	SUGARBERRY	12	PRESERVE
1247	BOIS D'ARC	13.5	PRESERVE
1248	SUGARBERRY	7.5	REMOVE
1249	BOIS D'ARC	15.25	REMOVE
1250	BOIS D'ARC	17.5	PRESERVE
1251	BOIS D'ARC	15.5	PRESERVE
1252	CHINA BERRY	4.5	PRESERVE
1253	BOIS D'ARC	20.5	PRESERVE
1254	PECAN	15.5	PRESERVE
1255	PECAN	17.5	PRESERVE
1256	PECAN	22	REMOVE
1257	PECAN	10.5	PRESERVE
1258	PECAN	9	REMOVE
1259	HONEY LOCUST	4.5	REMOVE
1260	PECAN	9	PRESERVE
1261	PECAN	13	REMOVE
1262	PECAN	14	REMOVE
1263	PECAN	11	REMOVE
1264	PECAN	9	REMOVE
1265	PECAN	14.5	PRESERVE
1266	PECAN	13.5	PRESERVE
1267	PECAN	10	REMOVE
1268	PECAN	13	PRESERVE
1269	PECAN	17	PRESERVE
1270	PECAN	15	PRESERVE
1271	PECAN	12	PRESERVE
1272	PECAN	10	PRESERVE
1273	CEDAR ELM	13	PRESERVE
1274	CEDAR ELM	23	REMOVE
1275	GUM BUMELIA	13	PROTECT
1276	GUM BUMELIA	5	REMOVE
1277	AMERICAN ELM	4.5	REMOVE
1278	GREEN ASH	10.5	PRESERVE
1279	GREEN ASH	9	PRESERVE
1280	GREEN ASH	10	PRESERVE
1281	GREEN ASH	4.5	PRESERVE
1282	GREEN ASH	15.5	PROTECT
1283	GREEN ASH	7	REMOVE
1284	GREEN ASH	3.25	PRESERVE
1285	GREEN ASH	7	REMOVE
1286	CEDAR ELM	20	REMOVE
1287	PECAN	24	PRESERVE
1288	GREEN ASH	6	REMOVE
1289	AMERICAN ELM	23.5	PRESERVE
1290	PECAN	8.5	PRESERVE
1291	PECAN	9	PROTECT
1292	COTTONWOOD	24.5	PROTECT
1293	AMERICAN ELM	9	PROTECT
1294	SUGARBERRY	4	REMOVE
1295	SUGARBERRY	9	PRESERVE
1296	AMERICAN ELM	16	PRESERVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1297	CHINKAPIN OAK	22	PRESERVE
1298	CEDAR ELM	11.5	PRESERVE
1299	CEDAR ELM	12.5	REMOVE
1300	SUGARBERRY	8.5	REMOVE
1301	CEDAR ELM	4.5	REMOVE
1302	AMERICAN ELM	10	REMOVE
1303	REDBUD	8	REMOVE
1304	BOIS D'ARC	14	PRESERVE
1305	AMERICAN ELM	5.5	PRESERVE
1306	BOIS D'ARC	41	PRESERVE
1307	PECAN	9	PRESERVE
1308	AMERICAN ELM	5	PRESERVE
1309	SUGARBERRY	6	PRESERVE
1310	SUGARBERRY	5	REMOVE
1311	BOIS D'ARC	8	PRESERVE
1312	GREEN ASH	5	REMOVE
1313	AMERICAN ELM	6	REMOVE
1314	SHUMARD OAK	27	PRESERVE
1315	SHUMARD OAK	5	REMOVE
1316	SUGARBERRY	23.5	REMOVE
1317	GREEN ASH	14.5	REMOVE
1318	AMERICAN ELM	5.5	REMOVE
1319	BOIS D'ARC	3.5	REMOVE
1320	SUGARBERRY	5	REMOVE
1321	GREEN ASH	19.5	PRESERVE
1322	BOIS D'ARC	5.5	REMOVE
1323	BOIS D'ARC	4	REMOVE
1324	BOIS D'ARC	31.25	PRESERVE
1325	PECAN	13	PRESERVE
1326	PECAN	12	PRESERVE
1327	BOIS D'ARC	22.5	PRESERVE
1328	BOIS D'ARC	12	REMOVE
1329	CEDAR ELM	5	REMOVE
1330	BOIS D'ARC	19.5	REMOVE
1331	CEDAR ELM	6.75	REMOVE
1332	SUGARBERRY	5	REMOVE
1333	CEDAR ELM	5	REMOVE
1334	AMERICAN ELM	25.5	PRESERVE
1335	BOIS D'ARC	15	PRESERVE
1336	PECAN	8	PRESERVE
1337	PECAN	14	PRESERVE
1338	SUGARBERRY	5	REMOVE
1339	CEDAR ELM	6	REMOVE
1340	CEDAR ELM	7	REMOVE
1341	CEDAR ELM	7	REMOVE
1342	CEDAR ELM	5	REMOVE
1343	CEDAR ELM	12.5	REMOVE
1344	BOIS D'ARC	21.5	REMOVE
1345	CEDAR ELM	10	REMOVE
1346	SUGARBERRY	6	REMOVE
1347	SUGARBERRY	16	PRESERVE
1348	BOIS D'ARC	15	PRESERVE
1349	SUGARBERRY	18	PROTECT
1350	SUGARBERRY	11	PROTECT
1351	CEDAR ELM	8	REMOVE
1352	SUGARBERRY	24	REMOVE
1353	AMERICAN ELM	12.5	REMOVE
1354	CEDAR ELM	12.5	REMOVE
1355	PECAN	13.5	PROTECT
1356	SUGARBERRY	8.5	PROTECT
1357	SUGARBERRY	8	PRESERVE
1358	CEDAR ELM	5	PRESERVE
1359	SUGARBERRY	3	PROTECT
1360	PECAN	7	REMOVE
1361	SUGARBERRY	5.25	REMOVE
1362	PECAN	13.5	REMOVE
1363	SUGARBERRY	4	REMOVE
1364	BOX ELDER	9	REMOVE
1365	AMERICAN ELM	7.5	REMOVE
1366	SUGARBERRY	5	REMOVE
1367	SUGARBERRY	7.5	REMOVE
1368	AMERICAN ELM	18.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1369	SUGARBERRY	13	PROTECT
1370	SUGARBERRY	8	REMOVE
1371	PECAN	6.5	PROTECT
1372	BOX ELDER	6	REMOVE
1373	BOX ELDER	6.5	REMOVE
1374	BOX ELDER	7	REMOVE
1375	GREEN ASH	10	REMOVE
1376	SUGARBERRY	12.5	REMOVE
1377	BOX ELDER	5	REMOVE
1378	BOX ELDER	7.5	REMOVE
1379	HONEY LOCUST	9	REMOVE
1380	PECAN	8.5	REMOVE
1381	BOX ELDER	4	REMOVE
1382	BOIS D'ARC	17	REMOVE
1383	PECAN	12	PRESERVE
1384	PECAN	23	PRESERVE
1385	BOX ELDER	10	REMOVE
1386	PECAN	8	REMOVE
1387	BOX ELDER	6	REMOVE
1388	PECAN	4.5	REMOVE
1389	BOX ELDER	8.5	REMOVE
1390	BOX ELDER	3	REMOVE
1391	BOX ELDER	5.5	REMOVE
1392	PECAN	4	REMOVE
1393	PECAN	5.5	REMOVE
1394	BOX ELDER	11.5	REMOVE
1395	PECAN	5	REMOVE
1396	SUGARBERRY	13.5	REMOVE
1397	SUGARBERRY	13	REMOVE
1398	HONEY LOCUST	4	REMOVE
1399	SUGARBERRY	5	REMOVE
1400	BOX ELDER	4	REMOVE
1401	BOX ELDER	5.5	REMOVE
1402	BOX ELDER	4	REMOVE
1403	AMERICAN ELM	4.5	REMOVE
1404	BOX ELDER	4.5	REMOVE
1405	BOX ELDER	4	REMOVE
1406	AMERICAN ELM	4	REMOVE
1407	SUGARBERRY	15	PROTECT
1408	BOIS D'ARC	23	PROTECT
1409	SUGARBERRY	12	REMOVE
1410	SUGARBERRY	9	PRESERVE
1411	SUGARBERRY	5	PRESERVE
1412	SUGARBERRY	10.5	PRESERVE
1413	PECAN	5	REMOVE
1414	PECAN	6.5	PRESERVE
1415	BOIS D'ARC	9	PRESERVE
1416	BOIS D'ARC	13.5	REMOVE
1417	SUGARBERRY	4.5	REMOVE
1418	BOIS D'ARC	11.25	REMOVE
1419	AMERICAN ELM	6.5	REMOVE
1420	SUGARBERRY	4	REMOVE
1421	SUGARBERRY	6	REMOVE
1422	BUR OAK	4	REMOVE
1423	REDBUD	3.5	PRESERVE
1424	PECAN	19.5	REMOVE
1425	BOIS D'ARC	12	REMOVE
1426	PECAN	16	REMOVE
1427	PECAN	22	REMOVE
1428	PECAN	15	REMOVE
1429	PECAN	15	REMOVE
1430	PECAN	17	REMOVE
1431	PECAN	24.5	REMOVE
1432	PECAN	36	PRESERVE
1433	EASTERN RED CEDAR	5	REMOVE
1434	BOIS D'ARC	8.25	REMOVE
1435	BOIS D'ARC	9	REMOVE
1436	BOIS D'ARC	5	REMOVE
1437	BOIS D'ARC	6	REMOVE
1438	SHUMARD OAK	5.5	REMOVE
1439	BOIS D'ARC	7	REMOVE
1440	BOIS D'ARC	12	PRESERVE

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FILE NAME CV-ALL-TP-INDEXS.dwg

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TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1441	BOIS D'ARC	9.25	PRESERVE
1442	AMERICAN ELM	4	REMOVE
1443	BOIS D'ARC	14.5	REMOVE
1444	BOIS D'ARC	6.5	REMOVE
1445	CEDAR ELM	5	REMOVE
1446	CEDAR ELM	5.5	REMOVE
1447	BOIS D'ARC	9.5	PRESERVE
1448	SUGARBERRY	4.5	REMOVE
1449	CHINKAPIN OAK	4.5	REMOVE
1450	BOIS D'ARC	11.75	REMOVE
1451	AMERICAN ELM	7.5	REMOVE
1452	SUGARBERRY	4	REMOVE
1453	CEDAR ELM	7.5	REMOVE
1454	CEDAR ELM	4.5	REMOVE
1455	AMERICAN ELM	11	PRESERVE
1456	CHINKAPIN OAK	4.5	REMOVE
1457	BOIS D'ARC	7.5	REMOVE
1458	AMERICAN ELM	7	REMOVE
1459	CHINKAPIN OAK	5.75	REMOVE
1460	BUR OAK	4.5	REMOVE
1461	BOIS D'ARC	8	REMOVE
1462	BOIS D'ARC	8	REMOVE
1463	BOIS D'ARC	8	REMOVE
1464	BOIS D'ARC	4	REMOVE
1465	SHUMARD OAK	7	REMOVE
1466	CEDAR ELM	4.5	REMOVE
1467	CEDAR ELM	5.75	REMOVE
1468	BOIS D'ARC	18	REMOVE
1469	SUGARBERRY	9.5	PRESERVE
1470	AMERICAN ELM	11	PRESERVE
1471	AMERICAN ELM	6	REMOVE
1472	SUGARBERRY	7.5	REMOVE
1473	AMERICAN ELM	7	REMOVE
1474	CEDAR ELM	7	REMOVE
1475	SUGARBERRY	5	REMOVE
1476	SUGARBERRY	5	REMOVE
1477	AMERICAN ELM	8	REMOVE
1478	AMERICAN ELM	6	REMOVE
1479	BOIS D'ARC	6.5	REMOVE
1480	CEDAR ELM	4.5	REMOVE
1481	PECAN	16.5	REMOVE
1482	SUGARBERRY	4	REMOVE
1483	SUGARBERRY	13	REMOVE
1484	GREEN ASH	4	REMOVE
1485	GREEN ASH	23	REMOVE
1486	SUGARBERRY	10	REMOVE
1487	AMERICAN ELM	5	REMOVE
1488	WESTERN SOAPBERRY	4	REMOVE
1489	CEDAR ELM	6	REMOVE
1490	SHUMARD OAK	6.5	REMOVE
1491	BOIS D'ARC	4	PRESERVE
1492	BUR OAK	4.3	REMOVE
1493	GREEN ASH	6	REMOVE
1494	BOIS D'ARC	10.5	REMOVE
1495	SUGARBERRY	5	REMOVE
1496	BOIS D'ARC	12	REMOVE
1497	HONEY LOCUST	6	REMOVE
1498	BOIS D'ARC	12.5	REMOVE
1499	BOIS D'ARC	7	REMOVE
1500	BUR OAK	5.5	REMOVE
1501	GREEN ASH	5.5	REMOVE
1502	BOIS D'ARC	5.75	REMOVE
1503	SUGARBERRY	5	REMOVE
1504	GREEN ASH	4	REMOVE
1505	BUR OAK	5	REMOVE
1506	BOIS D'ARC	10.5	REMOVE
1507	BOIS D'ARC	4	REMOVE
1508	BOIS D'ARC	14	REMOVE
1509	BOIS D'ARC	10.5	PROTECT
1510	SUGARBERRY	8	REMOVE
1511	BOIS D'ARC	10.5	REMOVE
1512	REDBUD	4	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1513	HONEY LOCUST	8.5	PROTECT
1514	BOIS D'ARC	13	REMOVE
1515	BOIS D'ARC	10	REMOVE
1516	BOIS D'ARC	14	PRESERVE
1517	BOIS D'ARC	10	REMOVE
1518	BOIS D'ARC	8	REMOVE
1519	HONEY LOCUST	4	REMOVE
1520	WESTERN SOAPBERRY	4	PROTECT
1521	BOIS D'ARC	15.5	PROTECT
1522	BOIS D'ARC	13	REMOVE
1523	BOIS D'ARC	13	REMOVE
1524	GREEN ASH	11.5	PRESERVE
1525	GREEN ASH	13.5	PRESERVE
1526	GREEN ASH	7	PRESERVE
1527	SUGARBERRY	4.5	PRESERVE
1528	GREEN ASH	8	REMOVE
1529	GREEN ASH	6.5	PRESERVE
1530	GREEN ASH	7.5	PRESERVE
1531	BOIS D'ARC	10.5	REMOVE
1532	SUGARBERRY	6.5	REMOVE
1533	GREEN ASH	14.5	REMOVE
1534	SUGARBERRY	17.5	REMOVE
1535	BOIS D'ARC	5	REMOVE
1536	BOIS D'ARC	7	REMOVE
1537	BOIS D'ARC	8.5	REMOVE
1538	BOIS D'ARC	11.5	PRESERVE
1539	SUGARBERRY	11	REMOVE
1540	SUGARBERRY	4.5	REMOVE
1541	HONEY LOCUST	4	REMOVE
1542	HONEY LOCUST	4	REMOVE
1543	BOIS D'ARC	7	PRESERVE
1544	BOIS D'ARC	8.5	REMOVE
1545	BOIS D'ARC	8.5	REMOVE
1546	SUGARBERRY	4	REMOVE
1547	BOIS D'ARC	12.25	REMOVE
1548	PECAN	24	PROTECT
1549	BOIS D'ARC	12.5	PRESERVE
1550	BOIS D'ARC	13	PRESERVE
1551	SUGARBERRY	8.5	PRESERVE
1552	SUGARBERRY	22.5	PRESERVE
1553	CEDAR ELM	11.5	REMOVE
1554	PECAN	12	REMOVE
1555	SUGARBERRY	14	REMOVE
1556	SUGARBERRY	5	REMOVE
1557	SUGARBERRY	10.5	PRESERVE
1558	SUGARBERRY	10	PRESERVE
1559	CEDAR ELM	13	PRESERVE
1560	CEDAR ELM	8.5	PRESERVE
1561	SUGARBERRY	4	REMOVE
1562	SUGARBERRY	3	PRESERVE
1563	SUGARBERRY	9	PRESERVE
1564	CEDAR ELM	7	REMOVE
1565	SUGARBERRY	5	PRESERVE
1566	SUGARBERRY	13	PRESERVE
1567	SUGARBERRY	9	PRESERVE
1568	HONEY LOCUST	5	REMOVE
1569	BOIS D'ARC	9	PRESERVE
1570	BOIS D'ARC	6	REMOVE
1571	SUGARBERRY	4	REMOVE
1572	HONEY LOCUST	4	REMOVE
1573	REDBUD	4	REMOVE
1574	BOIS D'ARC	11.5	PRESERVE
1575	BUR OAK	7.5	REMOVE
1576	REDBUD	3.5	REMOVE
1577	REDBUD	7.75	REMOVE
1578	CHINKAPIN OAK	8.5	REMOVE
1579	CHINKAPIN OAK	4	REMOVE
1580	SHUMARD OAK	5	REMOVE
1581	BOIS D'ARC	14	REMOVE
1582	BOIS D'ARC	13	REMOVE
1583	REDBUD	4.25	REMOVE
1584	REDBUD	4.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1585	BUR OAK	7.5	REMOVE
1586	BUR OAK	8	PRESERVE
1587	SHUMARD OAK	8.5	PRESERVE
1588	BOIS D'ARC	24.25	PRESERVE
1589	PECAN	16	PRESERVE
1590	PECAN	24	PRESERVE
1591	PECAN	10	PRESERVE
1592	PECAN	20	PROTECT
1593	BUR OAK	26	REMOVE
1594	CEDAR ELM	4	REMOVE
1595	PECAN	15	REMOVE
1596	SUGARBERRY	10.5	REMOVE
1597	SUGARBERRY	7	REMOVE
1598	SUGARBERRY	5.5	PROTECT
1599	SUGARBERRY	7.5	REMOVE
1600	HERCULES CLUB	4.5	REMOVE
1601	SUGARBERRY	17	PROTECT
1602	SUGARBERRY	4	REMOVE
1603	SUGARBERRY	5.5	REMOVE
1604	EASTERN RED CEDAR	5	REMOVE
1605	EASTERN RED CEDAR	7	REMOVE
1606	HERCULES CLUB	4	REMOVE
1607	HERCULES CLUB	6	REMOVE
1608	SUGARBERRY	8	PROTECT
1609	EASTERN RED CEDAR	5	REMOVE
1610	HERCULES CLUB	6.5	REMOVE
1611	EASTERN RED CEDAR	4	REMOVE
1612	HERCULES CLUB	5	REMOVE
1613	EASTERN RED CEDAR	12	PROTECT
1614	EASTERN RED CEDAR	6	REMOVE
1615	SUGARBERRY	6	REMOVE
1616	EASTERN RED CEDAR	9	PROTECT
1617	SUGARBERRY	4	REMOVE
1618	SUGARBERRY	5.5	REMOVE
1619	SUGARBERRY	5	PROTECT
1620	EASTERN RED CEDAR	5.5	REMOVE
1621	EASTERN RED CEDAR	4	REMOVE
1622	SUGARBERRY	4	REMOVE
1623	EASTERN RED CEDAR	4	REMOVE
1624	EASTERN RED CEDAR	6	REMOVE
1625	EASTERN RED CEDAR	4	REMOVE
1626	SUGARBERRY	8.5	PROTECT
1627	EASTERN RED CEDAR	6.5	REMOVE
1628	EVE'S NECKLACE	2	REMOVE
1629	SUGARBERRY	12.5	PROTECT
1630	EASTERN RED CEDAR	6.5	REMOVE
1631	EASTERN RED CEDAR	4	REMOVE
1632	EASTERN RED CEDAR	7.5	REMOVE
1633	EASTERN RED CEDAR	9.5	REMOVE
1634	EASTERN RED CEDAR	7.5	REMOVE
1635	EASTERN RED CEDAR	6	REMOVE
1636	EASTERN RED CEDAR	7.5	REMOVE
1637	EASTERN RED CEDAR	6	REMOVE
1638	LIVE OAK	13	PRESERVE
1639	LIVE OAK	12	PRESERVE
1640	LIVE OAK	5.5	PRESERVE
1641	BALD CYPRESS	4.5	REMOVE
1642	CHINESE PISTACHE	5.5	REMOVE
1643	CHINESE PISTACHE	4	REMOVE
1644	CHINESE PISTACHE	6	REMOVE
1645	EASTERN RED CEDAR	15.25	PRESERVE
1646	EASTERN RED CEDAR	12.25	PRESERVE
1647	EASTERN RED CEDAR	15	PRESERVE
1648	LIVE OAK	4	REMOVE
1649	LIVE OAK	5	REMOVE
1650	EASTERN RED CEDAR	8	PRESERVE
1651	EASTERN RED CEDAR	11.5	PRESERVE
1652	EASTERN RED CEDAR	17	PRESERVE
1653	EASTERN RED CEDAR	10.75	PRESERVE
1654	EASTERN RED CEDAR	13.5	PRESERVE
1655	SHUMARD OAK	12	PRESERVE
1656	LIVE OAK	4	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1657	LIVE OAK	4	REMOVE
1658	BALD CYPRESS	5	REMOVE
1659	BALD CYPRESS	4	REMOVE
1660	SHUMARD OAK	8.5	PROTECT
1661	SHUMARD OAK	10	PROTECT
1662	EASTERN RED CEDAR	14	PRESERVE
1663	EASTERN RED CEDAR	10	PRESERVE
1664	EASTERN RED CEDAR	8	PRESERVE
1665	EASTERN RED CEDAR	7	PRESERVE
1666	LIVE OAK	13.5	PROTECT
1667	LIVE OAK	10.5	PROTECT
1668	LIVE OAK	10	PRESERVE
1669	LIVE OAK	14	PRESERVE
1670	LIVE OAK	12.5	PROTECT
1671	LIVE OAK	13	PROTECT
1672	BRADFORD PEAR	11.5	PRESERVE
1673	BRADFORD PEAR	10.5	PRESERVE
1674	LIVE OAK	13	REMOVE
1675	LIVE OAK	13	REMOVE
1676	LIVE OAK	9.5	REMOVE
1677	LIVE OAK	14	REMOVE
1678	LIVE OAK	13.5	PRESERVED
1679	SHUMARD OAK	13	PRESERVED
1680	SHUMARD OAK	7.5	PRESERVED
1681	BRADFORD PEAR	12	PRESERVED
1682	BRADFORD PEAR	12.5	PRESERVED
1683	EASTERN RED CEDAR	7	PRESERVED
1684	EASTERN RED CEDAR	8.5	PRESERVED
1685	EASTERN RED CEDAR	5	PRESERVED
1686	EASTERN RED CEDAR	8.5	PRESERVED
1687	EASTERN RED CEDAR	8	PRESERVED
1688	EASTERN RED CEDAR	6.5	PRESERVED
1689	EASTERN RED CEDAR	6.5	PRESERVED
1690	EASTERN RED CEDAR	10.25	PRESERVED
1691	EASTERN RED CEDAR	7	PRESERVED
1692	EASTERN RED CEDAR	7	PRESERVED
1693	BLACK WILLOW	10	PRESERVE
1694	SUGARBERRY	8.75	PRESERVE
1695	SUGARBERRY	9.25	PRESERVE
1696	GREEN ASH	9	PRESERVE
1697	BLACK WILLOW	6	PRESERVE
1698	PERSIMMON	4.5	PRESERVE
1699	PERSIMMON	6	PRESERVE
1700	PERSIMMON	6	REMOVE
1701	AMERICAN ELM	6.5	REMOVE
1702	BLACK WILLOW	9.5	REMOVE
1703	PECAN	24	PRESERVE
1704	PECAN	35	PRESERVE
1705	LIVE OAK	7	PRESERVE
1706	LIVE OAK	4.5	PRESERVE
1707	LIVE OAK	8	PRESERVE
1708	CEDAR ELM	7.5	PRESERVE
1709	BALD CYPRESS	7	REMOVE
1710	CEDAR ELM	6	REMOVE
1711	CEDAR ELM	6.5	REMOVE
1712	CHINESE PISTACHE	7.5	REMOVE
1713	LIVE OAK	7	PRESERVE
1714	LIVE OAK	7.5	PRESERVE
1715	CEDAR ELM	7.5	PRESERVE
1716	BALD CYPRESS	6.5	REMOVE
1717	SHUMARD OAK	6.5	REMOVE
1718	LIVE OAK	7	PRESERVE
1719	LIVE OAK	6	PRESERVE
1720	SUGARBERRY	9	PRESERVE
1721	EASTERN RED CEDAR	8	REMOVE
1722	SUGARBERRY	13	REMOVE
1723	SUGARBERRY	7	REMOVE
1724	SUGARBERRY	7	REMOVE
1725	AMERICAN ELM	9.5	PRESERVE
1726	AMERICAN ELM	29	PRESERVE
1727	SUGARBERRY	27	PRESERVE
1728	SYCAMORE	45	PRESERVE

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

TREE PLAN INDEX

FREESE NICHOLS

VERIFY SCALE: Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

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SHEET TP-30

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1729	AMERICAN ELM	9	PRESERVE
1730	GREEN ASH	19.5	PRESERVE
1731	SUGARBERRY	8	PRESERVE
1732	MULBERRY	6	PRESERVE
1733	SUGARBERRY	7	REMOVE
1734	SUGARBERRY	8	PRESERVE
1735	GREEN ASH	42.5	PRESERVE
1736	GREEN ASH	25	PRESERVE
1737	BOIS D'ARC	22.5	PRESERVE
1738	GREEN ASH	27	PRESERVE
1739	BLACK WALNUT	23	PRESERVE
1740	BLACK WALNUT	15	PRESERVE
1741	SUGARBERRY	11.5	PRESERVE
1742	SUGARBERRY	7	REMOVE
1743	SUGARBERRY	14	PRESERVE
1744	SUGARBERRY	7	REMOVE
1745	BOX ELDER	10.5	REMOVE
1746	GREEN ASH	33	REMOVE
1747	BOX ELDER	6	REMOVE
1748	GREEN ASH	15	REMOVE
1749	BLACK WALNUT	21	REMOVE
1750	BLACK WALNUT	22	REMOVE
1751	SUGARBERRY	6.5	REMOVE
1752	SUGARBERRY	9	REMOVE
1753	BLACK WILLOW	16	PROTECT
1754	AMERICAN ELM	23	PRESERVE
1755	SUGARBERRY	9	PRESERVE
1756	BLACK WALNUT	13.5	PRESERVE
1757	BLACK WALNUT	12	PRESERVE
1758	AMERICAN ELM	20	PRESERVE
1759	BOIS D'ARC	17	PRESERVE
1760	SUGARBERRY	9.5	PRESERVE
1761	AMERICAN ELM	9	PRESERVE
1762	SUGARBERRY	6.5	PRESERVE
1763	BOX ELDER	7	PRESERVE
1764	SUGARBERRY	16	PRESERVE
1765	BOIS D'ARC	14	PRESERVE
1766	SUGARBERRY	25	PRESERVE
1767	SUGARBERRY	22	PRESERVE
1768	SUGARBERRY	13	PRESERVE
1769	SUGARBERRY	9	PRESERVE
1770	SUGARBERRY	10	PRESERVE
1771	SUGARBERRY	11	PRESERVE
1772	SUGARBERRY	6.5	PRESERVE
1773	SUGARBERRY	7	REMOVE
1774	BOIS D'ARC	7	REMOVE
1775	BOIS D'ARC	13.5	PRESERVE
1776	BOIS D'ARC	6	REMOVE
1777	BOIS D'ARC	14.5	PRESERVE
1778	SUGARBERRY	14	PRESERVE
1779	EASTERN RED CEDAR	9	PRESERVE
1780	GREEN ASH	18	PRESERVE
1781	BOIS D'ARC	14.5	REMOVE
1782	BOIS D'ARC	11	REMOVE
1783	BOIS D'ARC	14	REMOVE
1784	BOIS D'ARC	15	REMOVE
1785	BOIS D'ARC	7	REMOVE
1786	BOIS D'ARC	7	PRESERVE
1787	BOIS D'ARC	10.5	PRESERVE
1788	BOIS D'ARC	9.5	PRESERVE
1789	SUGARBERRY	6	REMOVE
1790	SUGARBERRY	6	REMOVE
1791	BOIS D'ARC	13	PRESERVE
1792	CEDAR ELM	10.25	PRESERVE
1793	CEDAR ELM	12	PRESERVE
1794	CEDAR ELM	12.5	PRESERVE
1795	SUGARBERRY	8.5	PRESERVE
1796	GREEN ASH	8.5	REMOVE
1797	GREEN ASH	18.5	PRESERVE
1798	SUGARBERRY	8.5	PRESERVE
1799	SUGARBERRY	9	PRESERVE
1800	CEDAR ELM	11	PRESERVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1801	SUGARBERRY	6.5	PRESERVE
1802	SUGARBERRY	6.5	PRESERVE
1803	SUGARBERRY	8	PRESERVE
1804	SUGARBERRY	5	PRESERVE
1805	SUGARBERRY	8	PRESERVE
1806	SUGARBERRY	8.5	PRESERVE
1807	SUGARBERRY	8.5	PRESERVE
1808	AMERICAN ELM	9.5	PRESERVE
1809	SUGARBERRY	9.5	PRESERVE
1810	SUGARBERRY	6.5	PRESERVE
1811	SUGARBERRY	21.25	REMOVE
1812	BOIS D'ARC	7.5	PRESERVE
1813	SUGARBERRY	7	PRESERVE
1814	BOIS D'ARC	9.5	PRESERVE
1815	SUGARBERRY	6	PRESERVE
1816	SUGARBERRY	6	PRESERVE
1817	AMERICAN ELM	13	PRESERVE
1818	SUGARBERRY	8.5	REMOVE
1819	SUGARBERRY	7.5	REMOVE
1820	AMERICAN ELM	8.5	PRESERVE
1821	CEDAR ELM	13	PRESERVE
1822	SUGARBERRY	9	PRESERVE
1823	CEDAR ELM	10	PRESERVE
1824	EASTERN RED CEDAR	8	PRESERVE
1825	EASTERN RED CEDAR	8.5	PRESERVE
1826	BOIS D'ARC	9.5	PRESERVE
1827	SUGARBERRY	7.5	PRESERVE
1828	BOIS D'ARC	11.75	PRESERVE
1829	SUGARBERRY	14	PRESERVE
1830	EASTERN RED CEDAR	6	PRESERVE
1831	SUGARBERRY	6.5	PRESERVE
1832	EASTERN RED CEDAR	9	PRESERVE
1833	BOIS D'ARC	11	PRESERVE
1834	EASTERN RED CEDAR	19	PRESERVE
1835	EASTERN RED CEDAR	9	PRESERVE
1836	SUGARBERRY	12.5	PRESERVE
1837	EASTERN RED CEDAR	8	PRESERVE
1838	EASTERN RED CEDAR	14	PRESERVE
1839	SUGARBERRY	10.5	PRESERVE
1840	SUGARBERRY	14	PRESERVE
1841	BOIS D'ARC	7	REMOVE
1842	BOIS D'ARC	7	REMOVE
1843	HONEY LOCUST	7	REMOVE
1844	SUGARBERRY	20	REMOVE
1845	SUGARBERRY	9	PRESERVE
1846	EASTERN RED CEDAR	19	REMOVE
1847	SUGARBERRY	10	REMOVE
1848	SUGARBERRY	11	REMOVE
1849	EASTERN RED CEDAR	15.5	PRESERVE
1850	CEDAR ELM	9.5	PRESERVE
1851	SUGARBERRY	16	PRESERVE
1852	BOIS D'ARC	13	PRESERVE
1853	SUGARBERRY	10.5	REMOVE
1854	SUGARBERRY	13.5	REMOVE
1855	SUGARBERRY	6.5	REMOVE
1856	SUGARBERRY	18	PROTECT
1857	SUGARBERRY	11.5	PROTECT
1858	BOX ELDER	19	PROTECT
1859	SUGARBERRY	20	PRESERVE
1860	SUGARBERRY	28	PROTECT
1861	SUGARBERRY	20.75	PROTECT
1862	SUGARBERRY	17.5	PROTECT
1863	SUGARBERRY	7	REMOVE
1864	BOX ELDER	24	PRESERVE
1865	SUGARBERRY	16	PRESERVE
1866	SUGARBERRY	14	PRESERVE
1867	BOIS D'ARC	18.5	PRESERVE
1868	PECAN	38	PROTECT
1869	SUGARBERRY	6.5	REMOVE
1870	SUGARBERRY	7.5	REMOVE
1871	SUGARBERRY	8.5	PRESERVE
1872	SUGARBERRY	8	PRESERVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1873	SUGARBERRY	7.5	PRESERVE
1874	PECAN	11	PRESERVE
1875	SUGARBERRY	12	PRESERVE
1876	SUGARBERRY	6	REMOVE
1877	SUGARBERRY	7	REMOVE
1878	SUGARBERRY	9.5	PRESERVE
1879	SUGARBERRY	7	PRESERVE
1880	SUGARBERRY	6.5	PRESERVE
1881	EASTERN RED CEDAR	8	PRESERVE
1882	SUGARBERRY	9.5	PRESERVE
1883	SUGARBERRY	9.5	PRESERVE
1884	SUGARBERRY	9.5	PRESERVE
1885	SUGARBERRY	10.5	PRESERVE
1886	PECAN	34.5	PRESERVE
1887	SUGARBERRY	8.5	PRESERVE
1888	SUGARBERRY	7	PRESERVE
1889	SUGARBERRY	20	PRESERVE
1890	SUGARBERRY	21	PRESERVE
1891	PECAN	39	PRESERVE
1892	PECAN	40.5	PRESERVE
1893	BOIS D'ARC	3.75	PRESERVE
1894	BOIS D'ARC	60	PRESERVE
1895	PECAN	38	PRESERVE
1896	PECAN	25	PRESERVE
1897	PECAN	35	PRESERVE
1898	PECAN	26.5	PRESERVE
1899	PECAN	30	PRESERVE
1900	EASTERN RED CEDAR	11	PRESERVE
1901	BLACK WILLOW	7.5	REMOVE
1902	BLACK WILLOW	9.5	REMOVE
1903	BLACK WILLOW	10.5	REMOVE
1904	BLACK WILLOW	8	REMOVE
1905	BOX ELDER	9	REMOVE
1906	SHUMARD OAK	3.75	PRESERVE
1907	SHUMARD OAK	3.25	PRESERVE
1908	SHUMARD OAK	6	PRESERVE
1909	AMERICAN ELM	14.5	PRESERVE
1910	PECAN	27	PRESERVE
1911	EASTERN RED CEDAR	8	PRESERVE
1912	EASTERN RED CEDAR	9.5	PRESERVE
1913	SUGARBERRY	33	REMOVE
1914	GREEN ASH	8.5	PRESERVE
1915	BOX ELDER	8.5	REMOVE
1916	GREEN ASH	16	PRESERVE
1917	BOX ELDER	7	PRESERVE
1918	BOX ELDER	6.5	REMOVE
1919	SUGARBERRY	14	PROTECT
1920	SUGARBERRY	13	PROTECT
1921	SUGARBERRY	11	PROTECT
1922	SUGARBERRY	12	PROTECT
1923	SUGARBERRY	27.5	PROTECT
1924	SUGARBERRY	8	PROTECT
1925	SUGARBERRY	10	PROTECT
1926	PECAN	11.5	PROTECT
1927	SUGARBERRY	6	PROTECT
1928	SUGARBERRY	10	PROTECT
1929	WESTERN SOAPBERRY	7.5	PROTECT
1930	SUGARBERRY	14.5	PROTECT
1931	SUGARBERRY	12	PROTECT
1932	GREEN ASH	17	PRESERVE
1933	GREEN ASH	12	PRESERVE
1934	MEXICAN PLUM	4	REMOVE
1935	CEDAR ELM	5.5	REMOVE
1936	CEDAR ELM	9.5	PRESERVE
1937	CEDAR ELM	5.5	PRESERVE
1939	GREEN ASH	4.5	REMOVE
1938	REDBUD	3.5	REMOVE
1940	GREEN ASH	4	REMOVE
1941	SUGARBERRY	3	REMOVE
1942	SUGARBERRY	4.5	REMOVE
1943	CEDAR ELM	7	REMOVE
1944	CEDAR ELM	7.5	REMOVE

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
1945	CEDAR ELM	6.5	REMOVE
1946	CEDAR ELM	4	REMOVE
1947	CEDAR ELM	5.5	REMOVE
1948	GREEN ASH	7	REMOVE
1949	BOIS D'ARC	7	REMOVE
1950	REDBUD	4	REMOVE
1951	BOIS D'ARC	7	REMOVE
1952	YAUPON HOLLY	2	REMOVE
1953	CEDAR ELM	5	REMOVE
1954	CEDAR ELM	8	REMOVE
1955	CEDAR ELM	4	REMOVE
1956	GREEN ASH	4.5	REMOVE
1957	GREEN ASH	4	REMOVE
1958	CEDAR ELM	6.5	REMOVE
1959	GREEN ASH	5.5	REMOVE
1960	BOIS D'ARC	8	REMOVE
1961	GREEN ASH	7	REMOVE
1962	BOIS D'ARC	6	REMOVE
1963	GREEN ASH	7.5	REMOVE
1964	GREEN ASH	5	REMOVE
1965	GREEN ASH	5.5	REMOVE
1966	BOIS D'ARC	5.5	REMOVE
1967	GREEN ASH	7	REMOVE
1968	GREEN ASH	4	REMOVE
1969	GREEN ASH	7	REMOVE
1970	GREEN ASH	4.5	REMOVE
1971	GREEN ASH	6	REMOVE
1972	GREEN ASH	6	REMOVE
1973	CEDAR ELM	5	REMOVE
1974	GREEN ASH	6	REMOVE
1975	CEDAR ELM	5	REMOVE
1976	GREEN ASH	8	PRESERVE
1977	BOIS D'ARC	5.5	REMOVE
1978	GREEN ASH	4	REMOVE
1979	GREEN ASH	5.5	REMOVE
1980	GREEN ASH	5.5	PRESERVE
1981	CEDAR ELM	4.5	REMOVE
1982	GREEN ASH	7.5	REMOVE
1983	GREEN ASH	6	REMOVE
1984	GREEN ASH	6	REMOVE
1985	GREEN ASH	6.5	REMOVE
1986	CEDAR ELM	5.5	REMOVE
1987	CEDAR ELM	4	REMOVE
1988	GREEN ASH	7	REMOVE
1989	GREEN ASH	4.5	REMOVE
1990	GREEN ASH	5	REMOVE
1991	GREEN ASH	7	REMOVE
1992	GREEN ASH	4	REMOVE
1993	GREEN ASH	4.5	REMOVE
1994	EASTERN RED CEDAR	17	PRESERVE
1995	GREEN ASH	5	REMOVE
1996	CEDAR ELM	6	REMOVE
1997	GREEN ASH	3.5	PRESERVE
1998	CEDAR ELM	6	REMOVE
1999	CEDAR ELM	4	REMOVE
2000	CEDAR ELM	4.5	REMOVE
2001	GREEN ASH	5.5	REMOVE
2002	GREEN ASH	6	REMOVE
2003	GREEN ASH	4	REMOVE
2004	GREEN ASH	4	REMOVE
2005	CEDAR ELM	4	REMOVE
2006	GREEN ASH	6	REMOVE
2007	GREEN ASH	4	REMOVE
2008	GREEN ASH	5	REMOVE
2009	CEDAR ELM	6.25	REMOVE
2010	GREEN ASH	5	REMOVE
2011	GREEN ASH	6.5	REMOVE
2012	YAUPON HOLLY	2	REMOVE
2013	BOIS D'ARC	5.25	PRESERVE
2014	GREEN ASH	6	REMOVE
2015	GREEN ASH	5.5	REMOVE
2016	GREEN ASH	3.5	PRESERVE

NORTH TEXAS MUNICIPAL WATER DISTRICT

NORTH McKINNEY PIPELINE

PHASE I AND II, PROJECT NO. 210

TREE PLAN

TREE PLAN INDEX

FREESE NICHOLS

Freese and Nichols, Inc. Texas Registered Engineering Firm F-2144

NTD11224 — 10/18/13

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VERIFY SCALE: Bar is one inch on original drawing. If not one inch on this sheet, adjust scale.

SHEET TP-31

TAG	COMMON NAME	CALCULATED DIAMETER	ACTION
2017	CEDAR ELM	10	PRESERVE
2018	GREEN ASH	7.5	REMOVE
2019	GREEN ASH	7	REMOVE
2020	GREEN ASH	4.5	REMOVE
2021	GREEN ASH	8.5	PRESERVE
2022	SUGARBERRY	4.5	REMOVE
2023	GREEN ASH	6	REMOVE
2024	CEDAR ELM	12	PRESERVE
2025	GREEN ASH	5	REMOVE
2026	CEDAR ELM	12.5	PRESERVE
2027	GREEN ASH	8	PRESERVE
2028	GREEN ASH	4.5	REMOVE
2029	BOIS D'ARC	9	PRESERVE
2030	BOIS D'ARC	14.5	PRESERVE
2031	GREEN ASH	6	REMOVE
2032	GREEN ASH	4.5	PRESERVE
9000	BOIS D'ARC	7	REMOVE
9001	SUGARBERRY	8.5	PROTECT
9002	EASTERN RED CEDAR	5	REMOVE
9003	SUGARBERRY	7.5	REMOVE
9004	EASTERN RED CEDAR	4	REMOVE
9005	HERCULES CLUB	4.5	REMOVE
9006	EASTERN RED CEDAR	6	REMOVE
9007	EASTERN RED CEDAR	4	REMOVE
9008	EASTERN RED CEDAR	5.5	REMOVE
9009	EASTERN RED CEDAR	6	REMOVE
9010	EASTERN RED CEDAR	4	REMOVE
9011	EASTERN RED CEDAR	9	PROTECT
9012	SUGARBERRY	4	REMOVE
9013	EASTERN RED CEDAR	4	REMOVE
9014	SUGARBERRY	8	PRESERVE
9015	SUGARBERRY	5.5	REMOVE
9016	HERCULES CLUB	4	REMOVE
9017	BOIS D'ARC	6	REMOVE
9018	HERCULES CLUB	5	REMOVE
9019	SUGARBERRY	6	REMOVE
9020	SUGARBERRY	4	REMOVE
9021	EASTERN RED CEDAR	4.5	REMOVE
9022	SUGARBERRY	9.5	PROTECT
9023	BOIS D'ARC	5	REMOVE
9024	EASTERN RED CEDAR	4	REMOVE
9025	SUGARBERRY	13	PRESERVE
9026	EASTERN RED CEDAR	5	REMOVE
9027	EVE'S NECKLACE	2	REMOVE
9028	HERCULES CLUB	8.5	REMOVE
9029	BOIS D'ARC	12.5	PROTECT
9030	SUGARBERRY	6	REMOVE
9031	SUGARBERRY	5.5	REMOVE
9032	SUGARBERRY	4	REMOVE

Freese and Nichols, Inc.
Texas Registered Engineering Firm F-2144

A. SCOTT MOORE
91897
STATE OF TEXAS
10/16/13

FREESE AND NICHOLS
2711 North Haskell, Suite 3300
Dallas, TX 75204
Phone - (214) 217-2200
Fax - (214) 217-2201

NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
TREE PLAN

TREE PLAN INDEX

NO.	Issue	BY	DATE

DATE	OCT 10/16/13
DESIGNED	WMS
DRAWN	TEF
REVIEWED	ASW
FILE NAME	CV-ALL-TP-INDEX.dwg

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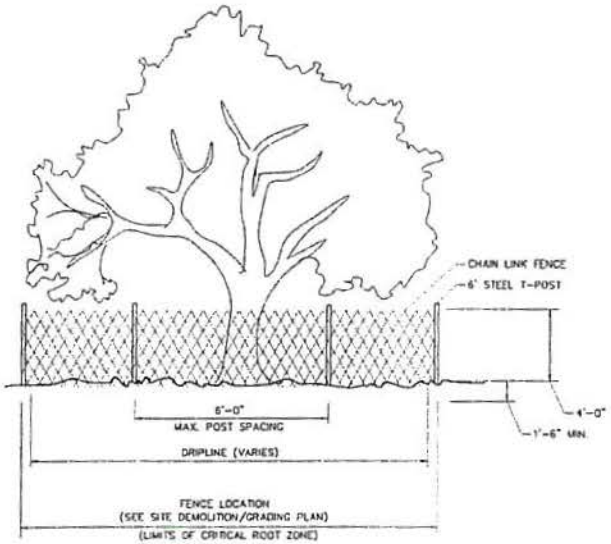
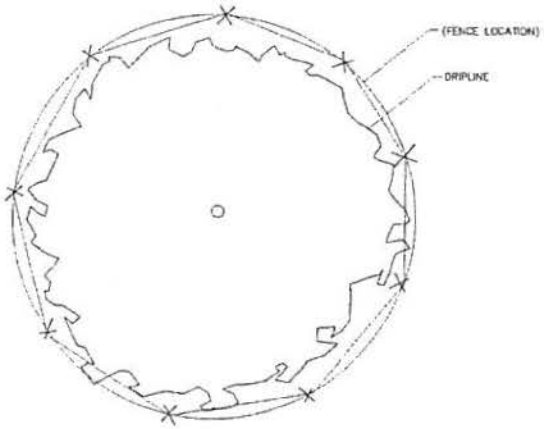
TP-32
OF





PLAN VIEW OF ROOT ZONE

NOTES:

1. PRIOR TO CONSTRUCTION OR LAND DEVELOPMENT, ALL PROTECTED TREES SHALL BE CLEARLY MARKED
2. A PROTECTIVE FENCE SHALL BE ERECTED AROUND EACH PROTECTED TREE OR GROUP OF PROTECTED TREES AT LEAST BEYOND THE DRIP LINE OS SUCH TREES
3. DURING CONSTRUCTION, NO ACCESS IS PERMITTED WITHIN THE PROTECTIVE FENCE FOR ANY PURPOSE, EXCEPT CLEANING TRASH THAT HAS ENTERED THE AREA.
4. NO ATTACHMENTS OR WIRES OF ANY KIND, OTHER THAN THOSE OF A PROTECTIVE NATURE AND APPROVED BY THE PARKS & RECREATION DEPARTMENT, MAY BE ATTACHED TO ANY PROTECTED TREE.

ANY GRADE CHANGES, RETAINING WALLS, TREE WELLS OR OTHER CONSTRUCTION ACTIVITY WITHIN TEN FEET OF THE DRIP LINE OF A PROTECTED TREE SHALL REQUIRE APPROVAL OF THE CITY.

FREESE AND NICHOLS, INC.
Texas Registered Engineering Firm F-2144

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2701 West Plano Parkway, Suite 3000
Plano, TX 75075
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NORTH TEXAS MUNICIPAL WATER DISTRICT
NORTH McKINNEY PIPELINE
PHASE I AND II, PROJECT NO. 210
TREE PLAN

TREE DETAILS

DATE	N/A		
DESIGNED	N/A		
DRAWN	N/A		
CHECKED	N/A		
DATE	10/18/13		
SCALE	N/A		

Tot. sheets 44
CP-NOL-TP-DTL.dwg

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TP-33

Appendix E
TPDES General Permit Language

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, 2008

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, 2013

ISSUED DATE: FEB 19 2013

Bryan W. Shaw

For the Commission

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

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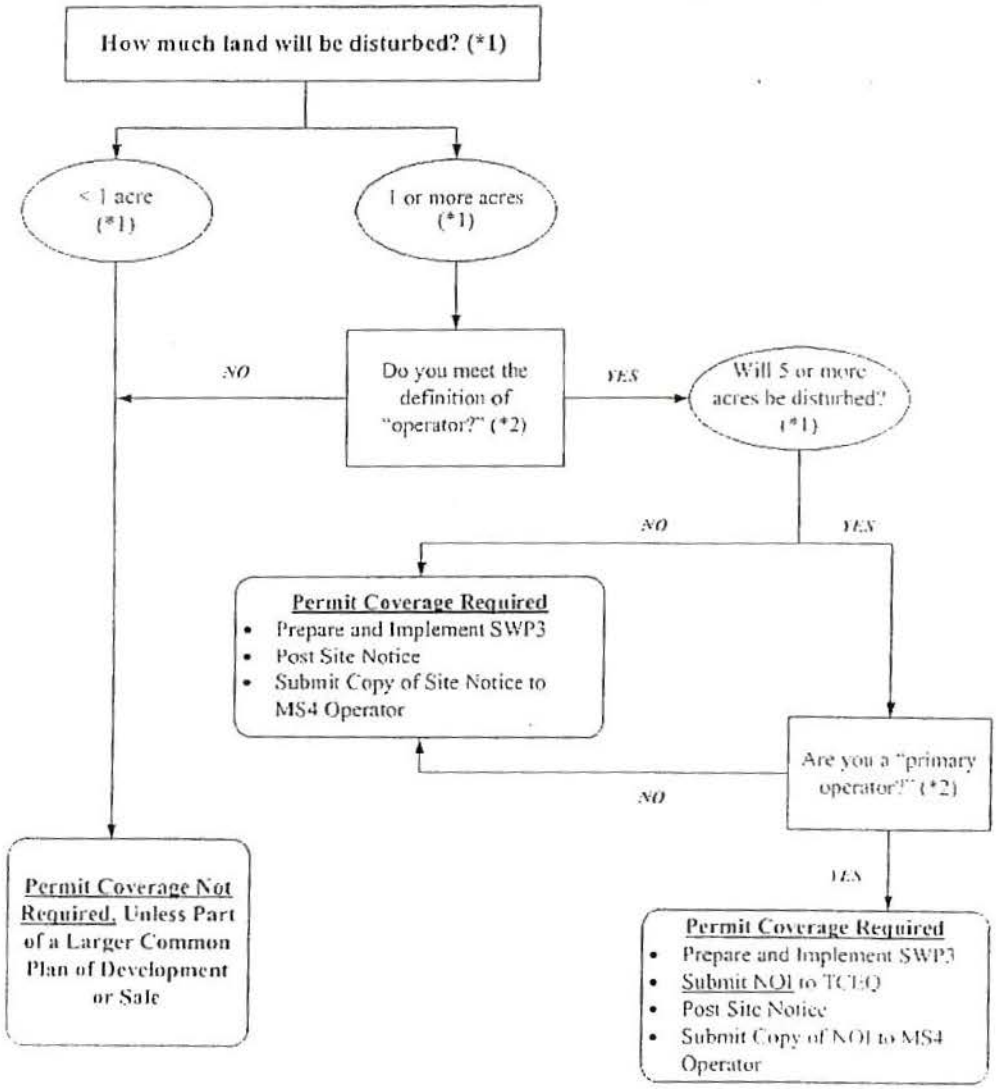
Part I. Flow Chart and Definitions

Section A. Flow Chart to Determine Whether Coverage is Required



*(*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, and excavating; and 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.

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, a construction site or construction support activity that is regulated under this general permit, including all contiguous land and fixtures (for example, ponds and materials stockpiles), structures, or appurtances used at a construction site or industrial site described by this general permit.

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.

Fullfillment 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 on the latest approved CWA §303(d) List as not meeting applicable state water quality standards. Impaired waters include waters with approved or established total maximum daily loads (TMDLs), and those where a TMDL has been proposed by TCEQ but has not yet been approved or established.

Indian Country Land – (from 40 CFR §122.2) (1) 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.

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

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.

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 a 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 a large or small 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 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.

Point Source – (from 40 CFR §122.2) 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.

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 - (from Texas Water Code (TWC) §26.001(14)) 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.

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 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 from a construction activity where soil disturbing activities (including clearing, grading, excavating) result in the disturbance of one (1) or more acres of total land area, or are part of a larger common plan of development or sale that will result in disturbance of one (1) or more acres of total land area.

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 nonnavigable, 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.

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 - (from 40 CFR §122.2) 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 (other than cooling ponds as defined in 40 CFR §423.11(m) which also meet the criteria of this definition) 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 from small and large construction activities may be authorized under this general permit.

2. Discharges of Stormwater Associated with Construction Support Activities

Examples of construction support activities include, but are not limited to, concrete batch plants, rock crushers, asphalt batch plants, equipment staging areas, material storage yards, material borrow areas, and excavated material disposal areas. Construction support activities authorized under this general permit are not commercial operations, and do not serve multiple unrelated construction projects. Discharges of stormwater runoff from construction support activities may be authorized under this general permit, provided that the following conditions are met:

(a) the activities are located within one (1) mile from the boundary of the permitted construction site and directly support the construction activity;

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

(c) the construction support activities either do not operate beyond the completion date of the construction activity or, at the time that they do, are authorized under separate Texas Pollutant Discharge Elimination System (TPDES) authorization. Separate TPDES authorization may include the TPDES Multi Sector General Permit (MSGP), TXR050000 (related to stormwater discharges associated with industrial activity), separate authorization under this general permit if applicable, coverage under an alternative general permit if available, or authorization under 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 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.2. of this general permit.

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

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 standards and are listed on the EPA approved 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 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.

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

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. If discharges of stormwater require authorization under federal NPDES regulations, authority for these discharges must be obtained from the EPA.

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 the 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 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 TPDES general permit TXR150000 (effective on March 5, 2008), 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 period, as a requirement of this TPDES permit, the operator must continue to meet the conditions and requirements of the previous TPDES permit.

2. Small Construction Activities

(a) New Construction - Discharges from sites where the commencement of construction 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 would not meet the conditions to qualify for termination of this permit as described in Part II.E. 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 previous TPDES permit.

Section E. Obtaining Authorization to Discharge

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

If all of the following conditions are met, then a small construction activity is determined to occur during periods of low potential for erosion, and a site operator may be automatically authorized under this general permit without being required to develop an SWP3 or submit an NOI:

(a) the construction activity occurs in a county 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 construction site notice, including the certification statement;

(e) a signed copy of the construction site notice 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;

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

(g) any supporting concrete batch plant or asphalt batch plant is separately authorized for discharges of stormwater runoff or other non-stormwater discharges 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, or are not considered to be a wastewater.

Part II.G. of this general permit describes how an operator may apply for and obtain a waiver from permitting, for certain small construction activities that occur during a period with a low potential for erosion, where automatic authorization under this section is not available.

2. Automatic Authorization For All Other Small Construction Activities:

Operators of small construction activities not described in Part II.E.1. above may be automatically authorized under this general permit, and operators of these sites shall not be required to submit an NOI, 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 that plan prior to commencing construction activities;

(b) sign and certify a completed TCEQ small construction site notice, post the notice 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, prior to commencing construction, 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); and

(c) provide a copy of the signed and certified construction site notice to the operator of any municipal separate storm sewer system receiving the discharge prior to commencement of 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.

As described in Part I (Definitions) 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 for which the applicant is the operator, and implement that plan prior to commencing construction activities;

(b) primary operators must submit an NOI, using a form provided by the executive director, at least seven (7) days prior to commencing construction activities, or if utilizing electronic submittal, prior to commencing construction activities. If an additional primary operator is added after the initial NOI is submitted, the new primary operator must submit an NOI at least seven (7) days before assuming operational control, or if utilizing electronic NOI submittal, prior to assuming operational control. If the primary operator changes after the initial NOI is submitted, the new primary operator must submit a paper NOI or an electronic NOI at least ten (10) days before assuming operational control;

(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, 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) prior to commencing construction activities, all primary operators must (1) provide a copy of the signed NOI to the operator of any MS4 receiving the discharge and to any secondary construction operator, and (2) 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 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 must provide a copy of the signed and certified Secondary Operator construction site notice to the operator of any MS4 receiving the discharge prior to commencement of construction activities.

4. Waivers for Small Construction Activities:

Part II.G. describes how operators of certain small construction activities may obtain a waiver from coverage.

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 are provisionally authorized seven (7) days from the date that a completed NOI is postmarked for delivery to the TCEQ, unless otherwise notified by the executive director. If electronic submission of the NOI is provided, and unless otherwise notified by the executive director, primary operators are authorized immediately following confirmation of receipt of the NOI by the TCEQ. Authorization is non-provisional when the executive director finds the NOI is administratively complete and an authorization number is issued for the activity. 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.

(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 actions for any unpermitted activities that may have occurred between the time construction commenced and authorization was obtained.

6. Notice of Change (NOC)

If relevant information provided in the NOI changes, an NOC must be submitted at least 14 days before the change occurs, if possible. Where 14-day advance notice is not possible, the operator must submit an NOC 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 provided to the executive director 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 must also be provided to the operator of any MS4 receiving the discharge, and a list must be included in the SWP3 that includes the names and addresses of all MS4 operators receiving a copy.

Information that may be included on an NOC includes, but is not limited to, the following: the description of the construction project, an increase in the number of acres disturbed (for increases of one or more acres), or the operator name. A transfer of operational control from one operator to another, including a transfer of the ownership of a company, may not be included in an NOC.

A transfer of ownership of a company includes 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.

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 construction, 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.

Section F. Terminating Coverage

1. Notice of Termination (NOT) Required

Each operator that has submitted an NOI for authorization under this general permit must apply to terminate that authorization following the conditions described in this section of the general permit. Authorization must be terminated by submitting an NOT on a form supplied by the executive director. Authorization to discharge under this general permit terminates at midnight on the day the NOT is postmarked for delivery to the TCEQ. If electronic submission of the NOT is provided, authorization to discharge under this permit terminates immediately following confirmation of receipt of the NOT by the TCEQ. Compliance with the conditions and requirements of this permit is required until an NOT is submitted.

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 permittee;

(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 was granted following submission of an NOI, the permittee's site-specific TPDES authorization number for the construction site;

(b) an indication of whether the construction activity is completed 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

Each operator that has obtained automatic authorization and has not been required to submit an NOI must remove the site notice upon meeting any of the conditions listed below, complete the applicable portion of the site notice related to removal of the site notice, and 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), within 30 days of meeting any of the following conditions:

(a) final stabilization has been achieved on all portions of the site that are the responsibility of the permittee;

(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 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 Operational Control

Coverage under this general permit is not transferable. A transfer of operational control includes 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.

When the primary operator of a large construction activity changes or operational control is transferred, the original operator must 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 (a) or (b) below. A copy of the NOT must be provided to the operator of any MS4 receiving the discharge in accordance with Section II.F.1. above.

Operators of regulated construction activities who are not required to submit an NOI 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 condition (a) or (b) below. A copy of the completed site notice must be provided to the operator of any MS4 receiving the discharge, in accordance with Section II.F.3. above.

A transfer of operational control occurs when either of the following criteria is met:

(a) Another operator has assumed control over all areas of the site that have not been finally stabilized; and 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 permitted operator has attempted to notify the new operator in writing of the requirement to obtain permit coverage. Record of this notification (or attempt at notification) shall be retained by the 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.

(b) 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 listed above, including the development of a SWP3 if necessary. Under these circumstances, the homebuilder is only responsible for compliance with the general permit requirements as they apply to lot(s) it has operational control over, 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, where all of the following conditions are met. This waiver from coverage does not apply to non-stormwater discharges. The operator must insure that any non-stormwater discharges are either authorized under a separate permit or authorization, or are not considered to be a wastewater.

(a) the calculated rainfall erosivity (R) factor for the entire period of the construction project is less than five (5);

(b) the operator submits to the TCEQ a signed waiver certification form, supplied by the executive director, certifying that the construction activity will commence and be completed within a period when the value of the calculated R factor is less than five (5); and

(c) the waiver certification form is postmarked for delivery to the TCEQ at least seven (7) days before construction activity begins or, if electronic filing is available, then any time following the receipt of written confirmation from TCEQ that a complete electronic application was submitted and acknowledged.

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.

The waiver certification form is not required to be posted at the small construction site.

3. Effective Date of Waiver

Operators of small construction activities are provisionally waived from the otherwise applicable requirements of this general permit seven (7) days from the date that a completed waiver certification form is postmarked for delivery to TCEQ, or immediately upon receiving confirmation of approval of an electronic submittal, if electronic form submittals are available.

4. Activities Extending Beyond the Waiver 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 delineated in either Part II.E.2. or Part II.E.3. before the end of the approved waiver 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 should be submitted at least three hundred and thirty (330) days prior to commencement of construction activities to ensure timely authorization.

2. Individual Permit Required

The executive director may suspend an authorization or deny an NOI in accordance with the procedures set forth in 30 TAC §205 (relating to General Permits for Waste Discharges), including the requirement that the executive director provide written notice to the permittee. 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 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."

Additionally, the executive director may cancel, revoke, or suspend authorization to discharge under this general permit based on a finding of historical and significant noncompliance with the provisions of this general permit, relating to 30 TAC §60.3 (Use of Compliance History). Denial of authorization to discharge under this general permit or suspension of a permittee's authorization under this general permit shall be done according to commission rules in 30 TAC Chapter 205 (relating to General Permits for Waste Discharges).

3. 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.

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., including discharges to MS4s and privately owned separate storm sewer systems that drain to Waters of the U.S., to identify and address potential sources of pollution that are reasonably expected to affect the quality of discharges from the construction site, including off-site material storage areas, overburden and stockpiles of dirt, borrow areas, equipment staging areas, vehicle repair areas, fueling areas, etc., used solely by the permitted project. The 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.

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, permittees 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.

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 must independently obtain authorization, but may work together to prepare and implement a single, comprehensive SWP3 for the entire construction site.

1. The SWP3 must clearly list the name and, for large construction activities, the general permit authorization numbers, for each operator that participates in the shared SWP3. Until the TCEQ responds to receipt of the NOI with a general permit authorization number, the SWP3 must specify the date that the NOI was submitted to TCEQ by each operator. Each operator participating in the shared plan must also sign the 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 the party with day-to-day operational control has not been authorized or has abandoned the site, the person with control over project specifications is considered to be the responsible party until the authority is transferred to another party and the SWP3 is updated.

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) includes, for areas where they have operational control over day-to-day activities, the name and site-specific TPDES authorization number of the parties with control over project specifications, including the ability to make modifications in specifications.

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. A primary operator of a large construction activity must post the TCEQ site notice near the main entrance of the construction site. An operator of a small construction activity seeking authorization under this general permit and a secondary operator of a large construction activity must post the TCEQ site notice required in Part II.E.1., 2., or 3. of this general permit in order to obtain authorization. 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. Notices for these linear sites may be relocated, as necessary, along the length of the project. The notices must be readily available for viewing by the general public; local, state, and federal authorities; and contain the following information:
   (a) the site-specific TPDES authorization number for the project if assigned;
   (b) the operator name, contact name, and contact phone number;
   (c) a brief description of the project; and
   (d) 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 whenever 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 site operators, 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 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 off-site material storage areas, overburden and stockpiles of dirt, and borrow areas that are authorized under the permittee's NOI;

   (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 off-site activities, that are authorized under the permittee's NOI, including material, waste, borrow, fill, or equipment or chemical storage areas;

      (vi) surface waters (including wetlands) either at, adjacent, or in close proximity to the site, and also indicating those that are impaired waters;

      (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 acknowledgement certificate 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; and

(m) locations of all pollutant-generating activities, such as 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 site, compliant with the requirements of Part III.G.1 and G.2 of this general permit, including a schedule of when the practices will be implemented. Site plans should ensure that existing vegetation 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 stabilization measures after construction activity temporarily or permanently ceased is precluded

by snow cover or frozen ground conditions, stabilization measures must be initiated as soon as practicable.

(B) In arid areas, semi-arid areas, or drought-stricken areas where the immediate initiation of stabilization measures after construction activity has temporarily or permanently ceased or is precluded by arid conditions, erosion control and stabilization measures must be initiated as soon as practicable. Where vegetative controls are not feasible due to arid conditions, the operator shall immediately install, and within 14 calendar days of a temporary or permanent cessation of work in any portion of the site complete, non-vegetative erosion controls. If non-vegetative controls are not feasible, the operator shall install temporary sediment controls as required in Paragraph (C) below.

(C) In areas where temporary stabilization measures 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 frequency established in Section III.F.7.(a) for unstabilized sites.

(D) If the initiation or completion of vegetative stabilization is affected by circumstances beyond the control of the permittee, vegetative stabilization must be initiated or completed as soon as conditions or circumstances allow it on the site. The requirement to initiate stabilization is triggered as soon as it is known with reasonable certainty that work will be stopped for 14 or more additional calendar days.

(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 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 only responsible for the installation and maintenance of stormwater management measures prior to final stabilization of the site or 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 from areas other than construction (such as stormwater discharges from dedicated asphalt plants and dedicated concrete batch plants), 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.

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, 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 of the construction site that have not been finally stabilized, areas used for storage of materials that are exposed to precipitation, discharge locations, and structural controls for evidence of, or the potential for, pollutants entering the drainage system. Personnel conducting these inspections must be knowledgeable of this general permit, familiar with the construction site, and knowledgeable of the SWP3 for the site. Sediment and erosion control measures identified in the SWP3 must be inspected to ensure that they are operating correctly. Locations where vehicles enter or exit the site must be inspected for evidence of off-site sediment tracking. Inspections 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.

Where sites have been finally or temporarily stabilized or where runoff is unlikely due to winter conditions (e.g. site is covered with snow, ice, or frozen ground exists), inspections must be conducted at least once every month. 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 winter or drought conditions resulting in monthly frequency of inspections.

As an alternative to the above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, 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.

The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may 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 must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(b) 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. Inspection of these areas could require that vehicles compromise temporarily or even permanently stabilized areas, cause additional disturbance of soils, and 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. 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 above-described inspection schedule of once every 14 calendar days and within 24 hours of a storm event of 0.5 inches or greater, 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. The inspections may occur on either schedule provided that the SWP3 reflects the current schedule and that any changes to the schedule are conducted in accordance with the following provisions: the schedule may 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 must be documented in the SWP3 (e.g., end of "dry" season and beginning of "wet" season).

(c) 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.

(d) 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.

(e) A report summarizing the scope of the inspection, the date(s) of the inspection, and major observations relating to the implementation of the SWP3 must be made and retained as part of the SWP3. Major observations should include: The locations of discharges of sediment or other pollutants from the site; 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.

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 signed by the person and in the manner required by 30 TAC §305.128 (relating to Signatories to Reports).

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.

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;

   (b) If any stormwater flow will be channelized at the site, stormwater controls must be designed to control both peak flowrates and total stormwater volume to minimize erosion at outlets and to minimize downstream channel and streambank erosion;

   (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, provide and maintain appropriate natural buffers if feasible and as necessary, around surface waters, depending on site-specific topography, sensitivity, and proximity to water bodies. Direct stormwater to vegetated areas to increase sediment removal and maximize stormwater infiltration. If providing buffers is infeasible, the permittee shall document the reason that natural buffers are not feasible, and shall implement additional erosion and sediment controls to reduce sediment load;

   (g) Preserve native topsoil at the site, unless infeasible; and

   (h) Minimize soil compaction in post-construction pervious areas. In areas of the construction site where final vegetative stabilization will occur or where infiltration practices will be installed, either:

      (1) restrict vehicle and equipment use to avoid soil compaction; or

      (2) 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;

   (i) TCEQ does not consider stormwater control features (e.g., stormwater conveyance channels, storm drain inlets, sediment basins) to constitute "surface waters" for the purposes of triggering the buffer requirement in Part III.G.(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.

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; and

   (c) 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 trucks, unless managed by an appropriate control (see Part V of the general permit);

   (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; and

   (d) Soaps or solvents used in vehicle and equipment washing.

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 at regulated construction sites 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. If discharges of stormwater runoff from concrete batch plants are not covered under this general permit, then discharges must be authorized under an alternative general permit or individual permit. 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	15 mg/L	1/quarter (*1) (*2)	Grab (*3)
Total Suspended Solids	100 mg/L	1/quarter (*1) (*2)	Grab (*3)
pH	6.0 – 9.0 Standard Units	1/quarter (*1) (*2)	Grab (*3)
Total Iron	1.3 mg/L	1/quarter (*1) (*2)	Grab (*3)

(*1) 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.

(*2) 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.

(*3) 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 runon 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 (including, but not limited to Part III.F.7. of this permit):

1. Description of Potential Pollutant Sources - The SWP3 must provide a description of potential sources (activities and materials) that may reasonably be expected to affect the quality of stormwater discharges associated with concrete batch plants authorized under this permit. The SWP3 must describe practices that that will be used to reduce the pollutants in these discharges to assure compliance with 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:

      (1) the location of all outfalls for stormwater discharges associated with concrete batch plants that are authorized under this permit;

      (2) a depiction of the drainage area and the direction of flow to the outfall(s);

      (3) structural controls used within the drainage area(s);

      (4) 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

      (5) 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.(a) 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.

(1) 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.

(2) 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. The inspection frequency must be specified in the SWP3 based upon a consideration of the level of concrete production at the facility, but must be a minimum of once per month while the facility is in operation. 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 wash out of concrete trucks at construction sites regulated under Sections II.E.1., 2., and 3. of this general permit, provided the following requirements are met. Authorization is limited to the land disposal of wash out water from concrete trucks. Any other direct discharge of concrete production waste water must be authorized under a separate TCEQ general permit or individual permit.

1. Direct discharge of concrete truck wash out water to surface water in the state, including discharge to storm sewers, is prohibited by this general permit.
2. Concrete truck wash out water shall be discharged to areas at the construction site where structural controls have been established to prevent direct discharge to surface waters, or to areas that have a minimal slope that allow infiltration and filtering of wash out water to prevent direct discharge to surface waters. 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.
3. Wash out of concrete trucks during rainfall events shall be minimized. The direct 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.
4. The discharge of wash out water must not cause or contribute to groundwater contamination.
5. 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 by Part II.E.3. 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:

1. A copy of the SWP3;
2. All reports and actions required by this permit, including a copy of the construction site notice;
3. All data used to complete the NOI, if an NOI is required for coverage under this general permit; and
4. 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

1. 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, and is grounds for enforcement action, for terminating, revoking, or denying coverage under this general permit, or for requiring a discharger to apply for and obtain an individual TPDES permit.
2. Authorization under this general permit may be suspended or revoked for cause. 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 revoking, suspending, or

terminating authorization under this permit. 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.

3. 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.

4. 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.

5. 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:

   (a) 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);

   (b) 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

   (c) knowingly violating §303 of the federal CWA, and placing another person in imminent danger of death or serious bodily injury.

6. 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).

7. Authorization under this general permit does not convey property or water rights of any sort and does not grant any exclusive privilege.

8. 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.

9. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which 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 which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

10. The permittee shall comply with the reporting requirements in 40 CFR §122.41(l), as applicable.

Part VIII. Fees

1. A fee of must be submitted along with the NOI:

   (a) $325 if submitting a paper NOI, or

   (b) $225 if submitting an NOI electronically.

2. 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.
3. 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.

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

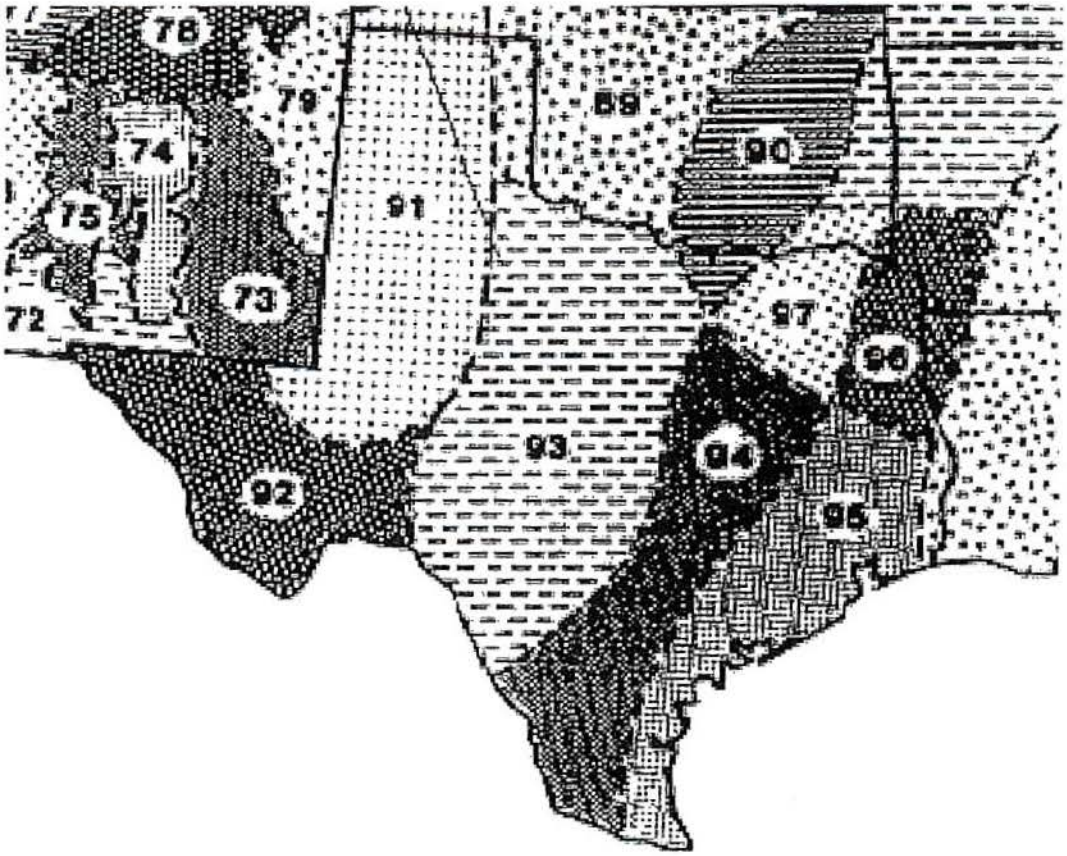
Yoakum: Nov. 1 - Apr. 30, or Nov. 15 - May 14

Young: Dec. 15 - Feb. 14

Wheeler: Jan. 1 - Mar. 30, or Dec. 1 - Feb. 28

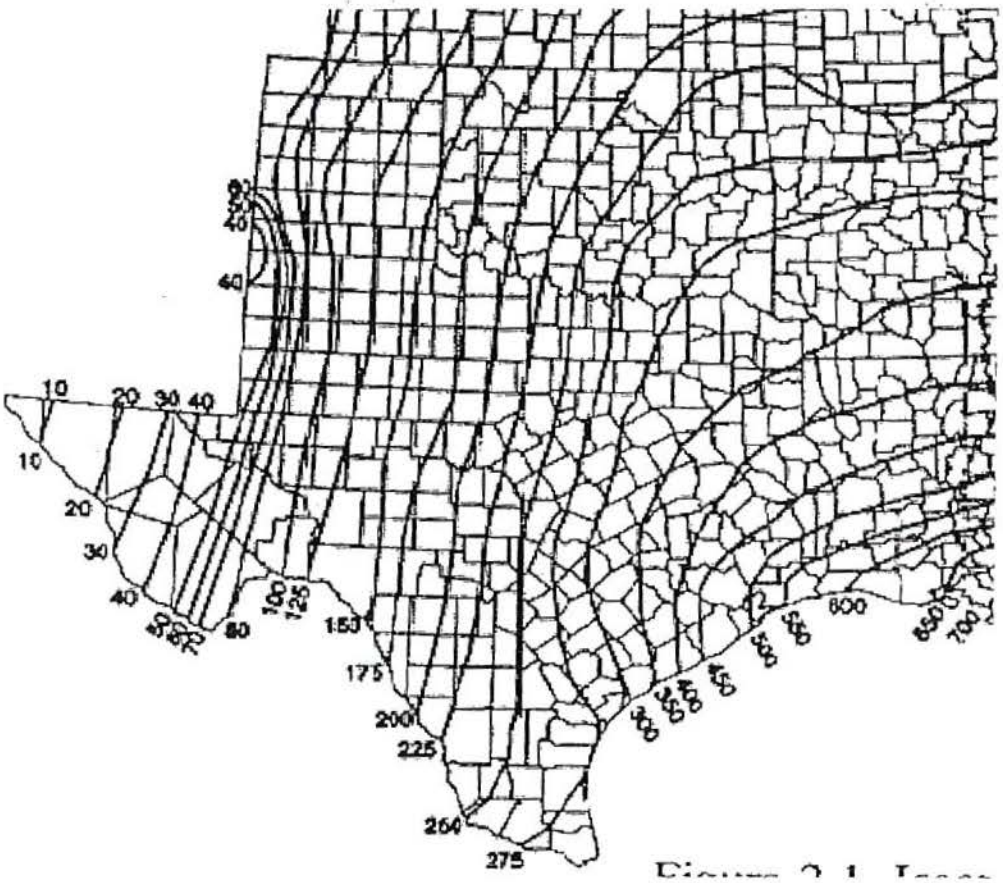
Zavala: Dec. 15 - Feb. 14

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 F
Inspector's Qualifications

On-Site Superintendent's Qualifications

Prior to the project beginning, the on-site superintendent was briefed on the contents of this SWP3 and the controls shown on the Erosion Control plan. This briefing was conducted by one of the Project Compliance employees whose qualifications were listed on a previous page within this SWP3. A copy of the signed Project Superintendent's Pre-Con Review Sheet should be included with this SWP3.

February 28, 2014

Storm Water Pollution Prevention Plan (SWPPP)

RE: North McKinney Pipeline Phase I & II

To Whom It May Concern:

This letter is to designate Ken Glover and Justin Clifton as the S.J. Louis Construction of Texas Ltd. representatives performing inspections as required by the SWPPP for this project.

Ken has over thirty years experience in construction and has installed and inspected storm water pollution prevention devices for most of this time. Given all of the experience Ken has in this field, Ken is more than capable of performing the inspections on the erosion control devises in order to insure the proper controls are in place and in good/ working condition.

Justin has worked in the construction industry for approximately 4 years. Justin regularly inspects the devices and performs all of the SWPPP paperwork. Justin has worked in the office for 4 years where he managed numerous construction projects and is involved daily with each project's SWPPP and therefore has experience and realizes the importance of erosion control.

S.J. Louis is more than comfortable with both of these representatives inspecting and managing the SWPPP on the above referenced project. We feel that the project Owner, the T.C.E.Q., and any other environmental agencies will be more than satisfied with the management of the SWPPP on any S.J. Louis project. We understand good SWPPP management and strive for compliance.

Sincerely,

S.J. Louis Construction of Texas LTD.

Appendix G
Sample Inspection Report

SWP3 SITE INSPECTION REPORT

The following report was generated while inspecting all of the Measures/Areas addressed in the SWP3 or Erosion Control Plan.

Project Name: North McKinney Pipeline Phase I & II
Permit No.: To Be Determined
Contractor: S.J. Louis Construction of Texas Ltd.
Inspector: Ken Glover & Justin Clifton Qualifications: Over thirty years combined

Site Conditions Reason for inspection: 7 days 14 days 1/2" storm event (circle one)

Erosion & Sediment Controls	Installed	Effective	Notes/Locations of Maintenance Needs
Construction Entrance	Yes / No	Yes / No	
Sediment Traps	Yes / No	Yes / No	
Inlet Protection	Yes / No	Yes / No	
Stabilization	Yes / No	Yes / No	
Silt Fence	Yes / No	Yes / No	
Rock/Sandbag Berms	Yes / No	Yes / No	
Vegatative Buffer Strips	Yes / No	Yes / No	
Storage Area	Yes / No	Yes / No	
Discharge Areas	Yes / No	Yes / No	
Concrete Wash Area	Yes / No	Yes / No	
Fuel Berm	Yes / No	Yes / No	

Is there a copy of the permit language in the SWPP?	Yes / No	Is the TCEQ construction site notice sign posted at the entrance?	Yes / No

Construction Schedule:
The site is approximately in the following construction stage:

SWPPP Modifications:
Describe any modifications necessary to the SWPPP:

Describe locations of any new BMP's necessary:

Any Spills of reportable quantity? Yes / No If "Yes" have proper authorities been notified & the SWPPP been noted accordingly? Yes / No

Violations to Report:

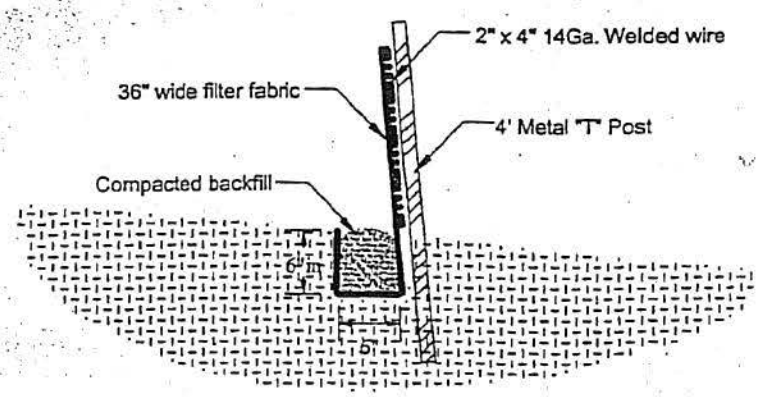
Recommended Actions:

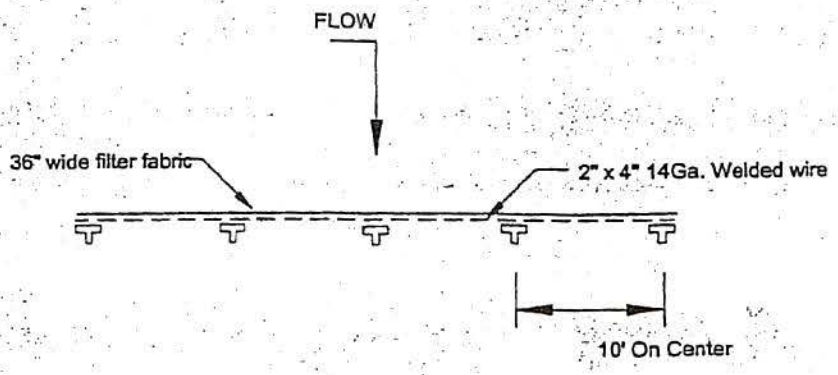
Comments:

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 directly responsible for gathering 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 & imprisonment for knowing violations.

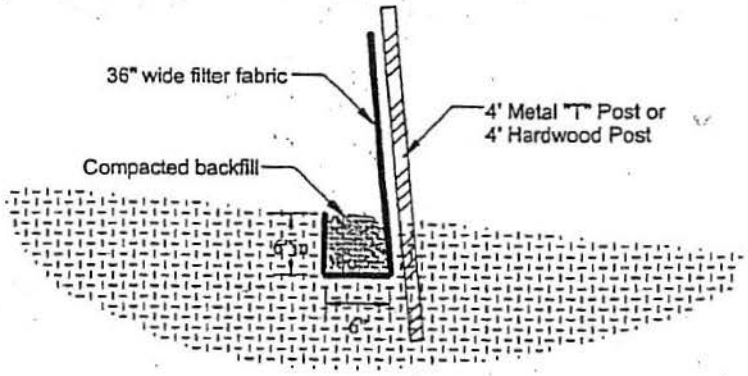
Inspector: Date:

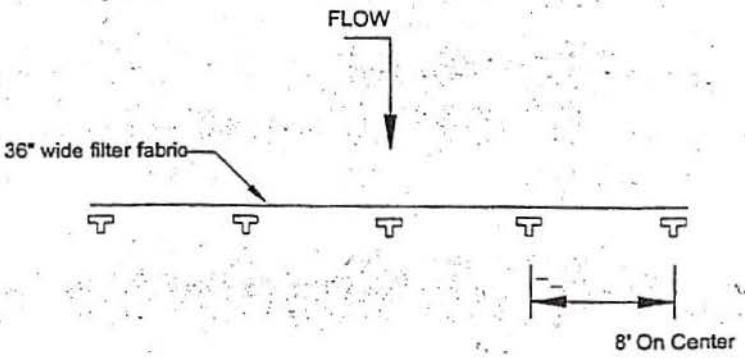
Appendix H
Erosion Control Detail Sheets



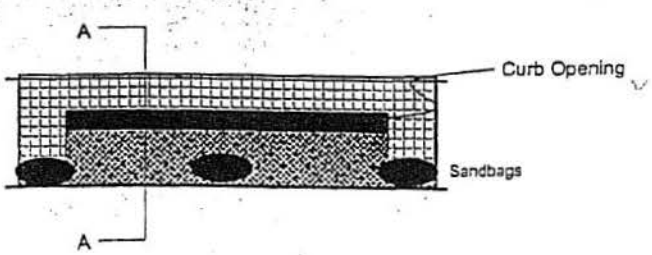


Reinforced Silt Fence		
Project Compliance, LLC Erosion Control Detail Standards		DATE

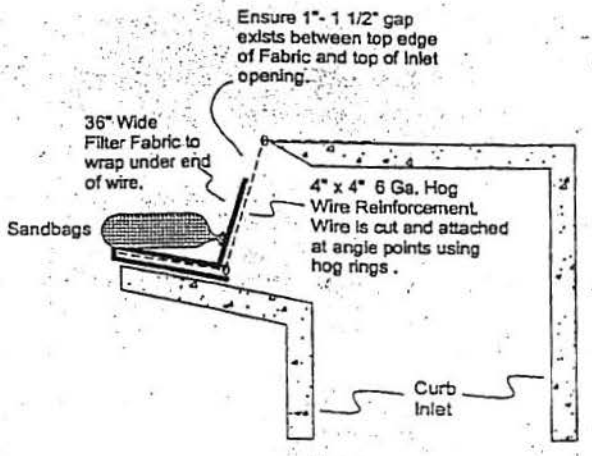




Non-Reinforced Silt Fence		
Project Compliance, LLC Erosion Control Detail Standards		DATE Feb. '03

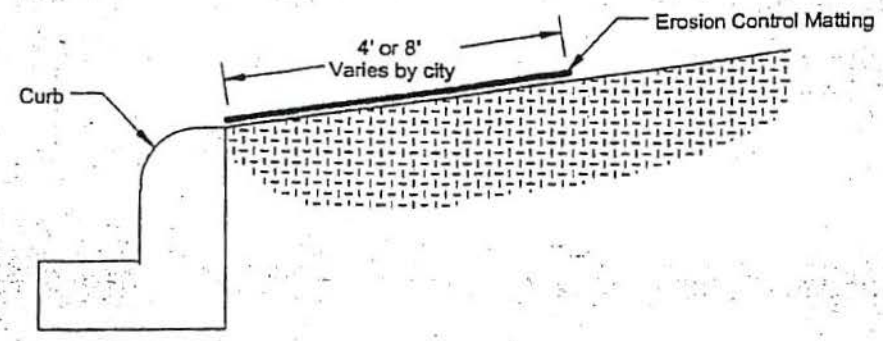


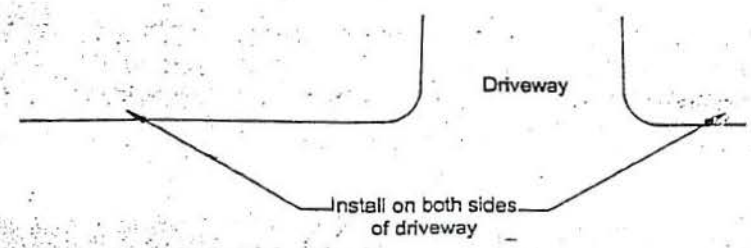
FRONT ELEVATION



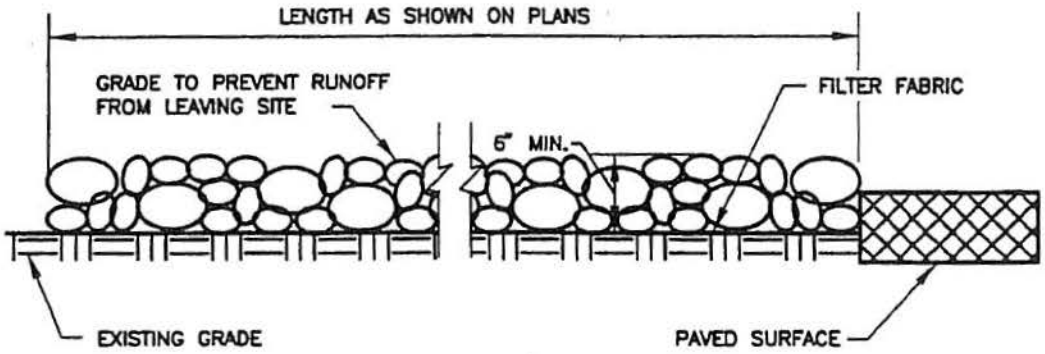
SECTION A - A

Recessed Curb Inlet Protection Hog Wire Weir			
Project Compliance, LLC Erosion Control Detail Standards		DATE Feb. '03	



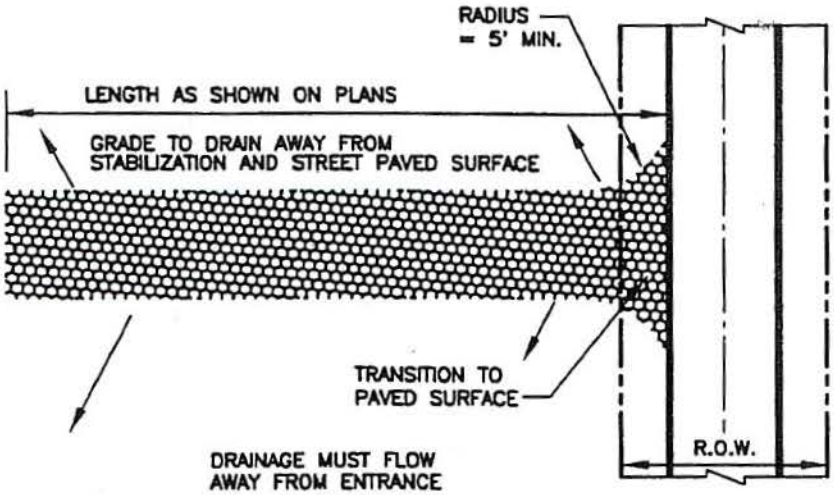


Erosion Control Matting			
Project Compliance, LLC Erosion Control Detail Standards		DATE Feb. '03	



PROFILE VIEW

N.T.S.



PLAN VIEW

N.T.S.

STABILIZED CONSTRUCTION ENTRANCE	North Central Texas Council of Governments	STANDARD SPECIFICATION REFERENCE	
		DATE JAN. '98	STANDARD DRAWING NO. 1070A

Appendix J
Construction Site Notice and NOI

Attachment 4

LARGE CONSTRUCTION SITE NOTICE

FOR THE
Texas Commission on Environmental Quality (TCEQ)
Storm Water 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 storm water 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.E.2. of the general permit. This notice shall be posted along with a copy of the signed Notice of Intent (NOI), as applicable. Additional information regarding the TCEQ storm water permit program may be found on the internet at: http://www.tceq.state.tx.us/nav/permits/sw_permits.html

Site-Specific TPDES Authorization Number:	TXR15ZN70
Operator Name:	S. J. Louis Construction of Texas, Ltd.
Contact Name and Phone Number:	Justin Clifton (817) 477-0320
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.*	The Project is located through the North Texas Municipal Water District Easement in Collin County. The Project starts in Allen, TX then heads East through Lucas, TX. Once the Project leaves Lucas, TX it heads North through Fairview, TX and Ends in McKinney, TX. The Project is Approx. 38,096 LF long.
Location of Storm Water Pollution Prevention Plan:	Jobsite Superintendent's Truck

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 March 5, 2014. 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 number is:

TXR15ZN70

Coverage Effective: March 05, 2014

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:
RN107142739
NORTH MCKINNEY PIPELINE PHASE I &   II
THE PROJECT IS LOCATED THROUGH THE NORTH TEXAS MUNICIPAL WATER DISTRICT EASEMENT IN COLLIN COUNTY. THE PROJECT STARTS IN ALLEN, TX THEN HEADS EAST THROUGH LUCAS, TX. ONCE THE PROJECT LEAVES LUCAS, TX IT HEADS NORTH THROUGH FAIRVIEW, TX AND ENDS IN MCKINNEY
MCKINNEY, TX 75070
COLLIN County

Operator:
CN602548919
S J LOUIS CONSTRUCTION OF TEXAS LTD
520 S 6TH AVE
MANSFIELD, TX 76063

This permit expires on March 05, 2018, 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 http://www2.tceq.texas.gov/wq_dpa/index.cfm. A copy of this document should be kept with your SWP3.

Issued Date: March 05, 2014

FOR THE COMMISSION

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 5, 2014

Dear Applicant:

Re: TPDES General Permit for Construction Stormwater Runoff
Stormwater Notice of Intent Authorization

Your Notice of Intent application for authorization under the general permit for discharge of stormwater associated with construction activities has been received. Pursuant to authorization from the Executive Director of the Texas Commission on Environmental Quality, the Division Director of the Water Quality Division has issued the enclosed Certificate.

Please refer to the attached certificate for the identification number that was assigned to your project/site and the effective date. Please use this number to reference this project/site for future communications with the Texas Commission on Environmental Quality (TCEQ).

Authorization under the Edwards Aquifer Protection Program is required before construction can begin where the site is located within the Edwards Aquifer Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone. See http://www.tceq.texas.gov/field/eapp/program.html for additional information.

A Notice of Termination must be submitted when permit coverage is no longer needed. You may submit the Notice of Termination form electronically as well. **It is the responsibility of the Operator to notify the TCEQ Stormwater Processing center of any change in address supplied on the original Notice of Intent by submitting a Notice of Change.**

For questions related to processing of forms you may contact the Stormwater Processing Center by email at swpermit@tceq.texas.gov or by telephone at (512) 239-3700. If you have any questions regarding coverage under this general permit or other 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 stormwater web site at www.tceq.texas.gov.

Sincerely,

David W Galindo

David W. Galindo, Director
Water Quality Division
Texas Commission on Environmental Quality

Texas Commission on Environmental Quality

Construction Notice of Intent

Site Information (Regulated Entity)

What is the name of the site to be authorized?	North McKinney Pipeline Phase I & II
Does the site have a physical address?	No
Because there is no physical address, describe how to locate this site:	The Project is located through the North Texas Municipal Water District Easement in Collin County. The Project starts in Allen, TX then heads East through Lucas, TX. Once the Project leaves Lucas, TX it heads North through Fairview, TX and Ends in McKinney
City	McKinney
State	TX
ZIP	75070
County	COLLIN
Latitude (N) (##.######)	33.184928
Longitude (W) (-###.######)	-96.598378
Primary SIC Code	1623
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)?	North McKinney Pipeline Phase I & II
Does the RE site have a physical address?	No
Because there is no physical address, describe how to locate this site:	The Project is located through the North Texas Municipal Water District Easement in Collin County. The Project starts in Allen, TX then heads East through Lucas, TX. Once the Project leaves Lucas, TX it heads North through Fairview, TX and Ends in McKinney
City	McKinney
State	TX
ZIP	75070
County	COLLIN
Latitude (N) (##.######)	33.184928
Longitude (W) (-###.######)	-96.598378
What is the primary business of this entity?	

S J LOU-Customer (Applicant) Information

How is this applicant associated with this site?	OPERATOR
What is the applicant's Customer Number (CN)?	CN602548919
Type of Customer	Partnership

Full legal name of the applicant:	
Legal Name	S J LOUIS CONSTRUCTION OF TEXAS LTD
Texas SOS Filing Number	011291410
Federal Tax ID	364255294
State Franchise Tax ID	13642552940
DUNS Number	
Number of Employees	21-100
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	S J LOUIS CONSTRUCTION OF TEXAS LTD
Prefix	MR
First	Seth
Middle	
Last	Rowney
Suffix	
Title	Project Manager
Responsible Authority Mailing Address	
Enter new address or copy one from list:	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	520 S 6TH AVE
Routing (such as Mail Code, Dept., or Attn:)	
City	MANSFIELD
State	TX
ZIP	76063
Phone (###-###-####)	817 477 0320
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	

Application Contact

Person TCEQ should contact for questions about this application:	
Same as another contact?	S J LOUIS CONSTRUCTION OF TEXAS LTD
Organization Name	S J LOUIS CONSTRUCTION OF TEXAS LTD
Prefix	MR
First	Seth
Middle	
Last	Rowney
Suffix	
Title	Project Manager
Enter new address or copy one from list:	S J LOUIS CONSTRUCTION OF TEXAS LTD

Mailing Address	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	520 S 6TH AVE
Routing (such as Mail Code, Dept., or Attn:)	
City	MANSFIELD
State	TX
ZIP	76063
Phone (###-###-####)	817 477 0320
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	

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?	1623
4) If applicable, what is the Secondary SIC Code(s)?	
5) Is the project site part of a larger common plan of development or sale?	No
6) What is the total number of acres disturbed?	48
7) What is the name of the first water body(s) to receive the stormwater runoff or potential runoff from the site?	Wilson Creek
8) What is the segment number(s) of the classified water body(s) that the discharge will eventually reach?	0821
9) Is the discharge into an MS4?	No
10) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) List of impaired waters?	No
11) 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
12) 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	Yes

TXR150000. Note: For multiple operators who prepare 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.	
13) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000).	Yes
14) 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 Les V Whitman, the owner of the STEERS account ER014119.
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: Les V Whitman OPERATOR

Account Number:	ER014119
Signature IP Address:	63.145.51.2
Signature Date:	2014-03-05
Signature Hash:	262BF94277416EDCF673D6BAF73079E9D1E501D325FCA1BBCCB7D55538A6517A
Form Hash Code at time of Signature:	8756310C0986A032E7385705FAD7E02093C1288920E85BD0458DFB8B3485F8A0

Fee Payment

Transaction by:	The application fee payment transaction was made by ER014119/Les V Whitman
Paid by:	The application fee was paid by SETH ROWNEY
Fee Amount:	$225.00
Paid Date:	The application fee was paid on 2014-03-05
Transaction/Voucher number:	The transaction number is 582EA000162340 and the voucher number is 203388

Submission

Reference Number:	The application reference number is 82315
Submitted by:	The application was submitted by ER014119/Les V Whitman
Submitted Timestamp:	The application was submitted on 2014-03-05 at 15:12:07 CST
Submitted From:	The application was submitted from IP address 63.145.51.2
Confirmation Number:	The confirmation number is 82150
Steers Version:	The STEERS version is 5.94

Additional Information

Application Creator: This account was created by Les V Whitman

Appendix K

"Delegation of Authority" letter

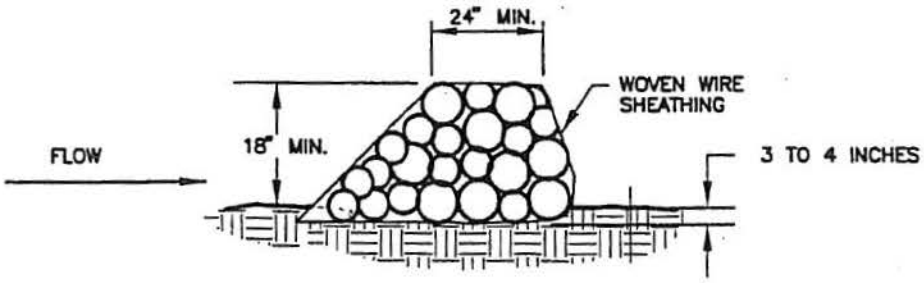
Storm Water Pollution Prevention Plan Certification
Certification Statement

This certification is prepared for compliance with the General Permit to Discharge Waste under provisions of Section 402 of the Clean Water Act and Chapter 26 of the Texas Water Code and may be used in the Storm Water Pollution Prevention Plan (SWP3.) All parties that either individually, or taken together, meet the definition of "operator," must be permitted and sign a SWP3 certification. Each of these parties must have separate and distinct TPDES permit numbers (e.g. a separate permit is typically needed for each Owner/Developer, General Contractor, and/or Builder.) This form was prepared as a guideline and it is not a required form for use with the permit. This information may be displayed in alternative form or formats within guidelines set forth in the permit.

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 of 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.

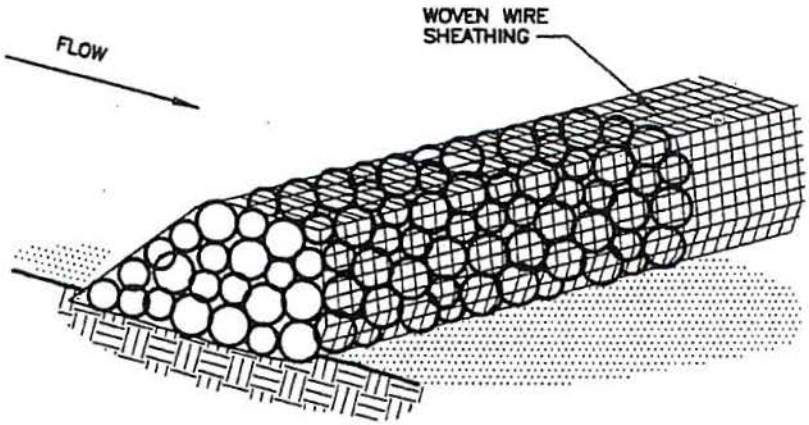
Permit No.	Company	Signature*	Date	Name Printed
TXR15ZN70	S.J. Louis Construction of Texas		2/28/14	Seth Rowney
TXR15ZN70	NTMWD			

*Persons signing this certification must do so in compliance with the signatory requirements of the permit as found at Part VI.G. of the permit:
For a corporation: by a responsible corporate officer. This means a President, Vice-President, Secretary, Treasurer, Manager of one or more facilities employing 250+persons, or Manager for expenditures exceeding $25,000,000 (in 2nd Quarter 1980 dollars.)
For a partnership or sole proprietorship: by a general partner or the proprietor.
For a Municipality, State, Federal, or other public agency: a principal executive officer or ranking elected official.



CROSS SECTION

N.T.S.



ISOMETRIC PLAN VIEW

N.T.S.

ROCK BERM	North Central Texas Council of Governments	STANDARD SPECIFICATION REFERENCE	
		DATE JAN. '98	STANDARD DRAWING NO. 1060A

ROCK BERM GENERAL NOTES:

1. USE ONLY OPEN GRADED ROCK 4–8 INCHES IN DIAMETER FOR STREAM FLOW CONDITION. USE OPEN GRADED ROCK 3–5 INCHES IN DIAMETER FOR OTHER CONDITIONS.

2. THE ROCK BERM SHALL BE SECURED WITH A WOVEN WIRE SHEATHING HAVING A MAXIMUM OPENING OF 1 INCH AND A MINIMUM WIRE SIZE OF 20 GAUGE AND SHALL BE BURIED IN A TRENCH APPROXIMATELY 3 TO 4 INCHES DEEP.

3. THE ROCK BERM SHALL BE INSPECTED EVERY TWO WEEKS OR AFTER EACH 1/2" RAIN EVENT AND SHALL BE REPLACED WHEN THE STRUCTURE CEASES TO FUNCTION AS INTEDED DUE TO SILT ACCUMULATION AMONG THE ROCKS, WASHOUT, CONSTRUCTION TRAFFIC DAMAGE, ETC.

4. WHEN SILT REACHES A DEPTH EQUAL TO ONE–THIRD OF THE HEIGHT OF THE BERM OR ONE FOOT, WHICHEVER IS LESS, THE SILT SHALL BE REMOVED AND DISPOSED OF PROPERLY.

5. WHEN THE SITE IS COMPLETELY STABILIZED, THE BERM AND ACCUMULATED SILT SHALL BE REMOVED AND DISPOSED OF IN AN APPROVED MANNER.

6. ROCK BERM SHOULD BE USED AS CHECK DAMS FOR CONCENTRATED FLOW AND ARE NOT INTENDED FOR USE IN PERIMETER PROTECTION.

ROCK BERM	North Central Texas Council of Governments	STANDARD SPECIFICATION REFERENCE	
		DATE JAN. '98	STANDARD DRAWING NO. 1060B

Appendix I
SWP3 Certification Statement

"Executive Director"
Storm Water & General Permits Team; MC-228
P.O. Box 13087
Austin, Texas 78711-3087

TPDES Storm Water General Permit No.

Delegating an "Authorized Representative"

Dear Director:

This letter serves to designate either a person or specifically described position as an authorized person for signing reports, storm water pollution prevention plans, certifications or other information requested by the Director or required by the permit. This authorization cannot be used for signing a TPDES permit application (e.g. Notice of Intent (NOI)) in accordance with 40 CFR 122.22. The following person or position is hereby authorized to sign reports, plans or certifications other than the NOI application:

On-Site Superintendent of S.J. Louis Construction of Texas Ltd. – ½" Storm Event Inspections

On-Site Superintendent of S.J. Louis Construction of Texas Ltd. – 14 Day Inspections

By signing this authorization, I confirm that I meet the following requirements to make such a designation as set forth in 40 CFR 122.22.

For a corporation: by a responsible corporate officer. For the purpose of this section, a responsible corporate officer means: a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function or any other person who performs similar policy or decision making functions for the corporation; or the manager of one or more manufacturing, production or operating facilities employing more than 250 persons or having a gross annual sales or expenditures exceeding $25,000,000 (in second quarter 1980 dollars) if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
For a municipality, State, Federal or other public agency: by either a principal executive officer or ranking elected official. For purposes of this section, a principal executive officer of a Federal agency includes (1) the chief executive officer of the agency, or (2) a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g. Regional Administrators of EPA.)

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 of 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.

Permit No.	Company	Signature*	Date	Name Printed
TXR15ZN70	S.J. Louis Construction of Texas		2/28/2014	Seth Rowney
TXR15ZN70	NTMWD			

Appendix L
SWP3 Revisions Log

SWP3 Amendments / Revisions Log

Date	Amendment / Revision

Appendix M
Construction Activities Record

CONSTRUCTION ACTIVITIES RECORD

Description of Project Activity	Date Activity Started	Date Activity Ended	Temporary or Permanent

Appendix N
Completed Inspection Reports

Attachment "C"

TCEQ Regulatory Guidance RG-468

TCEQ REGULATORY GUIDANCE
Small Business and Environmental Assistance Division
RG-468 • Revised January 2014

Primary and Secondary Operators under the Construction General Permit for Stormwater Discharges (TXR150000)

This document is intended to help individuals, businesses, and governments determine if they are a primary or a secondary operator under the construction stormwater general permit. It also discusses who must submit a Notice of Intent (NOI) and an operator's responsibility towards compliance with the permit and the Stormwater Pollution Prevention Plan (SWP3). This guide is not intended to replace the rules but merely a tool to assist with compliance.

The distinction between how primary and secondary operators obtain authorization under the permit is only relevant at large construction sites; therefore, this guide is meant for those operators. Large construction activities disturb 5 or more acres or are part of a larger common plan of development or sale that, in total, will disturb 5 or more acres.

Primary vs. Secondary Operators at Large Sites

	Primary Operators	Secondary Operators
Authority	Primary operators can: • modify the construction plans and specifications or • direct workers at the site in order to maintain compliance with the SWP3 and other permit conditions *Being able to **initiate** changes to the construction plans and specifications constitutes having on-site operational control.*	Secondary operators can: • approve or disapprove changes initiated by another permitted operator, including associated cost • hire or fire another operator *Secondary operators cannot initiate changes to the construction plans and specifications*
Obtaining Permit Coverage	• Complete and submit an NOI ○ seven days before the start of construction if submitting a paper application ○ before construction if submitting an electronic application • Complete and post the primary-operator site notice at the site entrance • Submit a copy of the NOI to the operator of the local municipal separate storm-sewer system (MS4)	If there is no primary operator at the site, the secondary operator becomes the primary operator and follows the same guidance for obtaining permit coverage as a primary operator. • Complete and post the secondary-operator site notice at the site entrance • Submit a copy of the completed site notice to the local MS4 operator *A secondary operator is not prohibited from submitting an NOI as a primary operator, allowing the operator more flexibility to direct work at the site as the project progresses.*
Terminating Coverage	• Complete and submit a Notice of Termination to the TCEQ within 30 days of ○ reaching final stabilization, ○ transferring operational control of the site, or ○ obtaining alternative coverage under a TPDES individual permit • Submit a copy of the notice to the local MS4 operator • Remove the posted site notice	• Remove the site notice posted at the construction site • Complete the bottom portion of the site notice and submit it to the local MS4 within 30 days of: ○ reaching final stabilization, ○ transfer of operational control of the site, or ○ obtaining alternative coverage under a TPDES individual permit

Both primary and secondary operators must ensure that:

- the SWP3 adequately addresses stormwater runoff from the site as indicated in the permit;
- best management practices are selected, implemented, and maintained;
- the areas under the control of each operator are clearly defined; and
- any operators who may be affected by modifications in areas under their control are notified in a timely manner.

Multiple operators at a site may share a single SWP3 if it clearly indicates the name, authorization number, and specific responsibilities of each operator. Both primary and secondary operators may participate in a shared SWP3.

Example 1

Q. Morningside Development Company owns 1,000 acres of land that it is developing into a residential subdivision. MDC hires an engineering firm to draw up the construction plans and Moon River Construction to be the general contractor for the project. Moon River Construction is responsible for day-to-day operations, including compliance with all applicable environmental rules. Midway through the project, MDC decides to include a commercial development within the boundaries of the construction site and increase the green space within the residential portion of the site. MDC directs the engineering firm to modify the construction plans accordingly.

Who is the operator?

A. MDC is a primary operator because it has control of the construction plans and specifications including the ability to make changes to those plans and specifications.

Moon River Construction is a primary operator because it has day-to-day operational control of the site and the construction to ensure compliance with stormwater permitting requirements.

The engineering firm is not an operator. It has been hired by MDC to create and subsequently modify the construction plans and specifications, but has no authority to initiate changes unless directed by the client.

Example 2

Q. Happy Valley ISD has hired Moon River Construction to build a new middle school campus. The project will be a turnkey operation, and Moon River Construction will be responsible for all aspects of the construction project from start to finish.

Moon River Construction will maintain operational control of the site, including the ability to initiate changes to the plans and specifications to comply with any local ordinances and employ all subcontractors.

Happy Valley ISD will supply the final construction plans and specifications to Moon River Construction and has the ability to approve or disapprove changes to the plans and specifications, but will not have any other involvement at the site during the construction project.

Who is the operator?

A. Moon River Construction is a primary operator because it controls the day-to-day operations at the site and can initiate changes to the construction plans and specifications.

Happy Valley ISD is a secondary operator because—after providing the final construction plans and specifications to Moon River Construction—the ISD will not have any additional involvement at the site, except to approve or disapprove changes to the construction plans and specifications that Moon River may feel are necessary to complete the project.

Because this is a turnkey project, once the construction plans and specifications have been turned over to the Moon River Construction, Happy Valley ISD will be unable to initiate additional changes or modifications to those plans. *If Moon River Construction quits the project, Happy Valley ISD may need to become the primary operator or may hire another construction company to act in that role.*

The TCEQ is an equal opportunity employer. The agency does not allow discrimination on the basis of race, color, religion, national origin, sex, disability, age, sexual orientation, or veteran status. In compliance with the Americans with Disabilities Act, this document may be requested in alternate formats by contacting the TCEQ at 512-239-0028, fax 512-239-4488, or 800-RELAY-TX (TDD), or by writing PO Box 13087, Austin TX 78711-3087. We authorize you to use or reproduce any original material contained in this publication — that is, any material we did not obtain from other sources. Please acknowledge the TCEQ as your source.
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Attachment "D"

NTMWD BOD Meeting agenda

NORTH TEXAS MUNICIPAL WATER DISTRICT

505 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax

FILED
2013 NOV 15 AM 11: 34
STACEY KEMP
COUNTY CLERK
COLLIN COUNTY, TEXAS
BY: DEPUTY

BOARD OF DIRECTORS
REGULAR MEETING
THURSDAY, NOVEMBER 21, 2013
4:00 P.M.

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of North Texas Municipal Water District will hold a regular meeting, open to the public, on Thursday, November 21, 2013, at 4:00 p.m., at the North Texas Municipal Water District offices, 505 E. Brown Street, Wylie, Texas.

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); or discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

REVISED AGENDA[1]

I. INVOCATION – DIRECTOR SHEP STAHEL

II. ROLL CALL

III. RECOGNITION OF GUESTS

A. NTMWD Accounting Department for Certificate of Achievement for Excellence in Financial Reporting for Comprehensive Annual Financial Report
B. Registered Guests

IV. PUBLIC COMMENTS

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must complete and submit a "Public Comment Registration Form." The time limit is five (5) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. The Board may not discuss these items, but may respond with factual or policy information.

[1] Persons with disabilities who plan to attend the NTMWD Board of Directors meeting and who may need auxiliary aids or services are requested to contact John Montgomery in the NTMWD Administrative Offices at (972) 442-5405 as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

V. CONSENT AGENDA ITEMS

The Consent Agenda allows the Board of Directors to approve all routine, noncontroversial items with a single motion, without the need for discussion by the entire Board. Any item may be removed from consent and considered individually upon request of a Board member.

A. Consider Approval of Board of Directors Meeting Minutes – October 17, 2013
(Please refer to Consent Agenda Item No. 13-11-01)

B. Consider Authorizing Change Order No. 1 on Project No. 284, Water Treatment Plants I and II, Sludge Line Improvements
(Please refer to Consent Agenda Item No. 13-11-02)

C. Consider Adoption of Resolution No. 13-26 Authorizing Filing of Application to Amend Lavon Lake Certificate of Adjudication No. 08-2410
(Please refer to Consent Agenda Item No. 13-11-03)

D. Consider Authorizing Payment to Kaufman County for Building Permit Fee for the Lake Tawakoni Water Treatment Plant Chlorine Dioxide System, Project No. 299
(Please refer to Consent Agenda Item No. 13-11-04)

E. Consider Authorizing Change Order No. 1 on Project No. 282, 24-Inch Replacement Line for Princeton No. 1 and McKinney-Princeton-Farmersville Pipelines Crossing U.S. Highway 380
(Please refer to Consent Agenda Item No. 13-11-05)

F. Consider Authorizing Tree Removal Program for Project No. 301, Administration Building Structural Improvements
(Please refer to Consent Agenda Item No. 13-11-06)

G. Consider Authorizing Additional Engineering Services for Project No. 210, North McKinney Pipeline, Phase I and II
(Please refer to Consent Agenda Item No. 13-11-07)

VI. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

A. Consider Authorizing Award of Construction Contract on Project No. 311, Upper East Fork Interceptor System Manhole Improvements
(Please refer to Administrative Memorandum No. 4081)

B. Consider Authorizing Change Order No. 1 on Project No. 320, Wylie Water Treatment Plant II Improvements for Basins 3 and 4
(Please refer to Administrative Memorandum No. 4082)

C. Consider Authorizing Execution of Engineering Services Agreement on Project No. 329, Water Transmission System Supervisory Control and Data Acquisition System Upgrade, Phase 1
(Please refer to Administrative Memorandum No. 4083)

D. Consider Authorizing Award of Construction Contract on Project No. 279, Upper East Fork Interceptor System Fugitive Emissions Control Improvements
(Please refer to Administrative Memorandum No. 4084)

E. Consider Authorizing Change Order No. 1 on Project No. 276, Wylie Water Treatment Plant Finished Water Reservoir and Flow Metering Improvements
(Please refer to Administrative Memorandum No. 4085)

F. Consider Authorizing Execution of Engineering Services Agreement on Project No. 343, Wilson Creek Regional Wastewater Treatment Plant Electrical Improvements, Phase I, Preliminary Engineering
(Please refer to Administrative Memorandum No. 4086)

G. Consider Authorizing Award of Construction Contract on Project No. 294, South Mesquite Creek Regional Wastewater Treatment Plant Operations Building
(Please refer to Administrative Memorandum No. 4087)

H. Consider Authorizing Execution of Engineering Services Agreement for Cities of Melissa and Anna Regional Wastewater System and Upper East Fork Interceptor System Membership Feasibility Study
(Please refer to Administrative Memorandum No. 4088)

I. Consider Adoption of Resolution No. 13-27 Authorizing Land Acquisition Program for the Lower Bois d'Arc Creek Reservoir/North Water Treatment Plant Terminal Storage, Project No. 342
(Please refer to Administrative Memorandum No. 4089)

J. Consider Authorizing Award of Construction Contract on Project No. 301, NTMWD Administration Building Structural Improvements, Task No. 1
(Please refer to Administrative Memorandum No. 4090)

K. Consider Authorizing Execution of Engineering Services Agreement on Project No. 344, Lower Bois d'Arc Creek Reservoir Dam Preliminary Engineering
(Please refer to Administrative Memorandum No. 4091)

L. Consider Authorizing Change Order No. 2 on Project No. 200, Install Second 50 MGD Pump and Improvements at Apollo Pump Station
(Please refer to Administrative Memorandum No. 4092)

M. Consider Authorizing Execution of Engineering Services Agreement on Project No. 345, North McKinney Interceptor Improvements, Phase 1
(Please refer to Administrative Memorandum No. 4093)

VII. DISCUSSION ITEMS

A. Water System Update

B. Update on Special Purpose Committee Meetings to Recommend Nominee to Replace Executive Director

VIII. ADJOURNMENT

SUBMITTED BY:

James M. Parks

JAMES M. PARKS, Executive Director

DATE: November 15, 2013

POSTED BY: [illegible]
DATE: 11/15/13
TIME: 11:34 am
LOCATION: Collin County Clerk

Attachment "E"

Project NO. 210 Change orders 1 & 3

REC'D MAY 01 2014

NORTH TEXAS
MUNICIPAL WATER DISTRICT

NORTH MCKINNEY PIPELINE SYSTEM, PHASES I AND II
PROJECT NO. 210

CHANGE ORDER NO. 1

A. INTENT OF THIS CHANGE ORDER NO. 1

The intent of this Change Order No. 1 is that the contract entered into by the North Texas Municipal Water District and S.J. Louis Construction of Texas, Ltd. dated January 23, 2014 be modified, clarified and recorded as a matter of permanent record.

B. DESCRIPTION OF CHANGE ORDER NO. 1

The required changes to the original contract, along with the associated costs and/or time are described as follows:

CHANGE ORDER NO. 1

	ITEM	UNIT	QUANTITY	COST / UNIT	TOTAL AMOUNT
CO 1 - 1	Delete Item B3 96-inch Tunnel Liner Casing by Bore	LF	(265)	$1,618.00	($428,770.00)
CO 1 - 2	Increase Item B4 78-inch Tunnel Liner Casing by Bore	LF	265	$1,335.00	$353,775.00
CO 1 - 3	New Item F12, 24-inch Steel Casing by Bore	LF	265	$392.00	$103,880.00
	TOTAL(Increase)				$28,885.00

C. EFFECT OF ADJUSTMENT TO CONTRACT QUANTITIES

The revised Contract amount is determined as follows:

ORIGINAL CONTRACT AMOUNT..... $14,741,741.22
CHANGE ORDER NO. 1 (Increase)..... $28,885.00

REVISED CONTRACT AMOUNT..... $14,770,626.22

D. EFFECT OF ADJUSTMENT TO CONTRACT TIME

There are no changes to the Substantial and Final Completion dates:

ORIGINAL SUBSTANTIAL COMPLETION DATE..... December 23, 2014

ORIGINAL FINAL COMPLETION DATE..... January 22, 2015

REC'D MAY 0 1 2014

E. AGREEMENT

By the signature of their respective duly authorized agents, the North Texas Municipal Water District and S.J. Louis Construction of Texas, Ltd., do hereby agree and append this Change Order No. 1 to the original contract between themselves dated January 23, 2014.

RECOMMENDED BY:

FREESE AND NICHOLS, INC.

BY: _____

TITLE: Associate

DATE: 3/25/14

ACCEPTED BY:
S.J. LOUIS CONSTRUCTION OF TEXAS, LTD.

BY: _____

TITLE: General Manager

DATE: 4/11/14

APPROVED BY:
NORTH TEXAS MUNICIPAL WATER DISTRICT

BY: _____

TITLE: Executive Director

DATE: 4/25/2014

RECD MAY 0 1 2014

NORTH TEXAS MUNICIPAL
WATER DISTRICT

Regional Service Through Unity

April 30, 2014

Mr. Les V. Whitman, General Manager
S. J. Louis Construction of Texas, Ltd.
520 S. 6th Street
Mansfield, Texas 76063

Re: Project No. 210
North McKinney Pipeline System, Phases I and II
Executed Change Order No. 1

Dear Mr. Whitman:

Enclosed please find one copy of the executed Change Order No.1 for the above-referenced project for your files. If you have any questions, please contact Jeff Hogan, at (972) 442-5405, or this office directly.

Sincerely,

STEVEN W. LONG, P.E.
Water Conveyance Program Manager

SWL/JAH/sp

Enclosure

JOB # 21341 6
LVW LVW 5/7/14
SEK
PJS PJS 5-6-14
DATE 5/5/14
PM
PC

505 E. Brown Street • P.O. Box 2408 • Wylie, Texas 75098-2408 • Telephone: (972) 442-5405 • Fax: (972) 295-6440

FEB 02 2015

NORTH TEXAS
MUNICIPAL WATER DISTRICT

NORTH MCKINNEY PIPELINE SYSTEM, PHASES I AND II
PROJECT NO. 210

CHANGE ORDER NO. 3

A. INTENT OF THIS CHANGE ORDER NO. 3

The intent of this Change Order No. 3 is that the contract entered into by the North Texas Municipal Water District and S.J. Louis Construction of Texas, Ltd. dated January 23, 2014 be modified, clarified and recorded as a matter of permanent record.

B. DESCRIPTION OF CHANGE ORDER NO. 3

The required changes to the original contract, along with the associated costs and/or time are described as follows:

CHANGE ORDER NO. 3

	ITEM	UNIT	QUANTITY	COST / UNIT	TOTAL AMOUNT
CO 3 - 1	Mobilization	EA	2	$25,000	$50,000
CO 3 - 2	Demobilization	EA	2	$25,000	$50,000
CO 3 - 3	Pipe removal and loading	LS	1	$75,000	$75,000
CO 3 - 4	Installation of new pipe after re-mobilization	LS	1	$115,000	$115,000
CO 3 - 5	Flowable encasement	LF	45	$150	$6,750
CO 3 – 6	Additional ARV Type A 6" per Bid Item	EA	1	$14,500	$14,500
CO 3 – 7	Additional Embedment	LF	65	$31.58	$2,052.70
CO 3 – 8	Northwest Pipe fabrication	LS	1	$64,387.83	$64,387.83
CO 3 – 9	Additional Contract Time for Items CO 3 - 1 through CO 3 - 8	DAY	70		
	TOTAL(Increase)		70 Calendar Days		$377,690.53

C. EFFECT OF ADJUSTMENT TO CONTRACT QUANTITIES

The revised Contract amount is determined as follows:

ORIGINAL CONTRACT AMOUNT $14,741,741.22
CHANGE ORDER NO. 1 (Increase) $28,885.00
CHANGE ORDER NO. 2 (Increase) $225,788.00
CHANGE ORDER NO. 3 (Increase) $377,690.53

REVISED CONTRACT AMOUNT $15,374,104.75

D. EFFECT OF ADJUSTMENT TO CONTRACT TIME

The revised Contract time is determined as follows:

ORIGINAL SUBSTANTIAL COMPLETION DATE ..... December 23, 2014
CHANGE ORDER NO. 2 ..... 30-Calendar Days
CHANGE ORDER NO. 3 ..... 70-Calendar Days

REVISED SUBSTANTIAL COMPLETION DATE ..... April 2, 2015

ORIGINAL FINAL COMPLETION DATE ..... January 22, 2015
CHANGE ORDER NO. 2 ..... 30-Calendar Days
CHANGE ORDER NO. 3 ..... 70-Calendar Days

REVISED FINAL COMPLETION DATE ..... May 2, 2015

E. AGREEMENT

By the signature of their respective duly authorized agents, the North Texas Municipal Water District and S.J. Louis Construction of Texas, Ltd. do hereby agree and append this Change Order No. 3 to the original contract between themselves dated January 23, 2014.

RECOMMENDED BY:

FREESE AND NICHOLS, INC.

BY: _____

TITLE: Associate

DATE: 12/30/14

ACCEPTED BY:
S.J. LOUIS CONSTRUCTION OF TEXAS, LTD.

BY: _____

TITLE: G.M.

DATE: 1-10-15

APPROVED BY:
NORTH TEXAS MUNICIPAL WATER DISTRICT

BY: _____

TITLE: Executive Director

DATE: 1/27/15

RECEIVED

FEB 02 2015

NORTH TEXAS MUNICIPAL WATER DISTRICT

Regional Service Through Unity

January 28, 2015

Mr. Les V. Whitman, General Manager
S. J. Louis Construction of Texas, Ltd.
520 S. 6th Street
Mansfield, Texas 76063

Re: Project No. 210
North McKinney Pipeline System, Phases I and II
Change Order No. 3

Dear Mr. Whitman:

Enclosed please find one copy of the executed Change Order No. 3 for the above-referenced project for your files. If you have any questions, please contact Jeff Hogan, at (972) 442-5405, or this office directly.

Sincerely,

STEVEN W. LONG, P.E.
Water Conveyance Program Manager

SWL/JAH/ps

Enclosure

JOB # E1341 6 DATE 2/5/15
LVW LVW 2/19/15 PM SR
SEK PC
PJS PJS 2-14-15

505 E. Brown Street • P.O. Box 2408 • Wylie, Texas 75098-2408 • Telephone: (972) 442-5405 • Fax: (972) 295-6440

Attachment "F"

S.J. Louis Notice of Intent (NOI) dated March 5, 2014

Texas Commission on Environmental Quality

Construction Notice of Intent

Site Information (Regulated Entity)

What is the name of the site to be authorized?	North McKinney Pipeline Phase I & II
Does the site have a physical address?	No
Because there is no physical address, describe how to locate this site:	The Project is located through the North Texas Municipal Water District Easement in Collin County. The Project starts in Allen, TX then heads East through Lucas, TX. Once the Project leaves Lucas, TX it heads North through Fairview, TX and Ends in McKinney
City	McKinney
State	TX
ZIP	75070
County	COLLIN
Latitude (N) (##.######)	33.184928
Longitude (W) (-###.######)	-96.598378
Primary SIC Code	1623
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)?	North McKinney Pipeline Phase I & II
Does the RE site have a physical address?	No
Because there is no physical address, describe how to locate this site:	The Project is located through the North Texas Municipal Water District Easement in Collin County. The Project starts in Allen, TX then heads East through Lucas, TX. Once the Project leaves Lucas, TX it heads North through Fairview, TX and Ends in McKinney
City	McKinney
State	TX
ZIP	75070
County	COLLIN
Latitude (N) (##.######)	33.184928
Longitude (W) (-###.######)	-96.598378
What is the primary business of this entity?	

S J LOU-Customer (Applicant) Information

How is this applicant associated with this site?	OPERATOR
What is the applicant's Customer Number (CN)?	CN602548919
Type of Customer	Partnership

Full legal name of the applicant:	
Legal Name	S J LOUIS CONSTRUCTION OF TEXAS LTD
Texas SOS Filing Number	011291410
Federal Tax ID	364255294
State Franchise Tax ID	13642552940
DUNS Number	
Number of Employees	21-100
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	S J LOUIS CONSTRUCTION OF TEXAS LTD
Prefix	MR
First	Seth
Middle	
Last	Rowney
Suffix	
Title	Project Manager
Responsible Authority Mailing Address	
Enter new address or copy one from list:	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	520 S 6TH AVE
Routing (such as Mail Code, Dept., or Attn:)	
City	MANSFIELD
State	TX
ZIP	76063
Phone (###-###-####)	817 477 0320
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	

Application Contact

Person TCEQ should contact for questions about this application:	
Same as another contact?	S J LOUIS CONSTRUCTION OF TEXAS LTD
Organization Name	S J LOUIS CONSTRUCTION OF TEXAS LTD
Prefix	MR
First	Seth
Middle	
Last	Rowney
Suffix	
Title	Project Manager
Enter new address or copy one from list:	S J LOUIS CONSTRUCTION OF TEXAS LTD

Mailing Address	
Address Type	Domestic
Mailing Address (include Suite or Bldg. here, if applicable)	520 S 6TH AVE
Routing (such as Mail Code, Dept., or Attn:)	
City	MANSFIELD
State	TX
ZIP	76063
Phone (###-###-####)	817 477 0320
Extension	
Alternate Phone (###-###-####)	
Fax (###-###-####)	
E-mail	

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?	1623
4) If applicable, what is the Secondary SIC Code(s)?	
5) Is the project site part of a larger common plan of development or sale?	No
6) What is the total number of acres disturbed?	48
7) What is the name of the first water body(s) to receive the stormwater runoff or potential runoff from the site?	Wilson Creek
8) What is the segment number(s) of the classified water body(s) that the discharge will eventually reach?	0821
9) Is the discharge into an MS4?	No
10) Are any of the surface water bodies receiving discharges from the construction site on the latest EPA-approved CWA 303(d) List of impaired waters?	No
11) 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
12) 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	Yes

TXR150000. Note: For multiple operators who prepare 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.	
13) I certify that I have obtained a copy and understand the terms and conditions of the Construction General Permit (TXR150000).	Yes
14) 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 Les V Whitman, the owner of the STEERS account ER014119.
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: Les V Whitman OPERATOR

Account Number:	ER014119
Signature IP Address:	63.145.51.2
Signature Date:	2014-03-05
Signature Hash:	262BF94277416EDCF673D6BAF73079E9D1E501D325FCA1BBCCB7D55538A6517A
Form Hash Code at time of Signature:	8756310C0986A032E7385705FAD7E02093C1288920E85BD0458DFB8B3485F8A0

Fee Payment

Transaction by:	The application fee payment transaction was made by ER014119/Les V Whitman
Paid by:	The application fee was paid by SETH ROWNEY
Fee Amount:	$225.00
Paid Date:	The application fee was paid on 2014-03-05
Transaction/Voucher number:	The transaction number is 582EA000162340 and the voucher number is 203388

Submission

Reference Number:	The application reference number is 82315
Submitted by:	The application was submitted by ER014119/Les V Whitman
Submitted Timestamp:	The application was submitted on 2014-03-05 at 15:12:07 CST
Submitted From:	The application was submitted from IP address 63.145.51.2
Confirmation Number:	The confirmation number is 82150
Steers Version:	The STEERS version is 5.94

Additional Information

Application Creator: This account was created by Les V Whitman

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

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

March 5, 2014

Dear Applicant:

Re: TPDES General Permit for Construction Stormwater Runoff
Stormwater Notice of Intent Authorization

Your Notice of Intent application for authorization under the general permit for discharge of stormwater associated with construction activities has been received. Pursuant to authorization from the Executive Director of the Texas Commission on Environmental Quality, the Division Director of the Water Quality Division has issued the enclosed Certificate.

Please refer to the attached certificate for the identification number that was assigned to your project/site and the effective date. Please use this number to reference this project/site for future communications with the Texas Commission on Environmental Quality (TCEQ).

Authorization under the Edwards Aquifer Protection Program is required before construction can begin where the site is located within the Edwards Aquifer Recharge Zone, Contributing Zone, or Contributing Zone within the Transition Zone. See http://www.tceq.texas.gov/field/eapp/program.html for additional information.

A Notice of Termination must be submitted when permit coverage is no longer needed. You may submit the Notice of Termination form electronically as well. **It is the responsibility of the Operator to notify the TCEQ Stormwater Processing center of any change in address supplied on the original Notice of Intent by submitting a Notice of Change.**

For questions related to processing of forms you may contact the Stormwater Processing Center by email at swpermit@tceq.texas.gov or by telephone at (512) 239-3700. If you have any questions regarding coverage under this general permit or other 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 stormwater web site at www.tceq.texas.gov.

Sincerely,

David W Galindo

David W. Galindo, Director
Water Quality Division
Texas Commission on Environmental Quality

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 March 5, 2014. 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 number is:

TXR15ZN70

Coverage Effective: March 05, 2014

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:
RN107142739
NORTH MCKINNEY PIPELINE PHASE I &   II
THE PROJECT IS LOCATED THROUGH THE NORTH TEXAS MUNICIPAL WATER DISTRICT EASEMENT IN COLLIN COUNTY. THE PROJECT STARTS IN ALLEN, TX THEN HEADS EAST THROUGH LUCAS, TX. ONCE THE PROJECT LEAVES LUCAS, TX IT HEADS NORTH THROUGH FAIRVIEW, TX AND ENDS IN MCKINNEY
MCKINNEY, TX 75070
COLLIN County

Operator:
CN602548919
S J LOUIS CONSTRUCTION OF TEXAS LTD
520 S 6TH AVE
MANSFIELD, TX 76063

This permit expires on March 05, 2018, 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 http://www2.tceq.texas.gov/wq_dpa/index.cfm. A copy of this document should be kept with your SWP3.

Issued Date: March 05, 2014

FOR THE COMMISSION

Attachment "G"

30 TAC § 305.44

Texas Administrative Code

TITLE 30	ENVIRONMENTAL QUALITY
PART 1	TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
CHAPTER 305	CONSOLIDATED PERMITS
SUBCHAPTER C	APPLICATION FOR PERMIT OR POST-CLOSURE ORDER
RULE §305.44	**Signatories to Applications**

(a) All applications shall be signed as follows.

(1) For a corporation, the application shall be signed by a responsible corporate officer. For purposes of this paragraph, a responsible corporate officer means a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding $25 million (in second-quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. Corporate procedures governing authority to sign permit or post-closure order applications may provide for assignment or delegation to applicable corporate positions rather than to specific individuals.

(2) For a partnership or sole proprietorship, the application shall be signed by a general partner or the proprietor, respectively.

(3) For a municipality, state, federal, or other public agency, the application shall be signed by either a principal executive officer or a ranking elected official. For purposes of this paragraph, a principal executive officer of a federal agency includes the chief executive officer of the agency, or a senior executive officer having responsibility for the overall operations of a principal geographic unit of the agency (e.g., regional administrator of the EPA).

(b) A person signing an application shall make the following certification: "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."

(c) For a hazardous solid waste permit or a post-closure order, the application must be signed by the owner and operator of the facility.

(d) For radioactive material license applications under Chapter 336 of this title (relating to Radioactive Substance Rules), the applicant or person duly authorized to act for and on the applicant's behalf must sign the application.

Source Note: The provisions of this §305.44 adopted to be effective June 19, 1986, 11 TexReg 2591; amended to be effective July 14, 1987, 12 TexReg 2102; amended to be effective October 8, 1990, 15 TexReg 5492; amended to be effective June 5, 1997, 22 TexReg 4583; amended to be effective January 30, 2003, 28 TexReg 705

Attachment "H"

Application for Contractors Prequalification Certificate

City of Oklahoma, Oklahoma

11-25-14 LL 04832

S. J. Louis Construction of Texas, Ltd. - Ingram, Elizabeth

Contact

Contact Name: Ingram, Elizabeth
Company: S. J. Louis Construction of Texas, Ltd.
Position/Job Title:
Group: December 2014

Primary Address	Secondary Address
Ms. Elizabeth Ingram S. J. Louis Construction of Texas, Ltd. P.O. Box 834 Mansfield, TX 76063	Ms. Elizabeth Ingram S. J. Louis Construction of Texas, Ltd. 520 S. 6th Ave Mansfield, TX 76063

Telephone/E-Mail

Business: 817, 477-0320
FAX: 817, 477-0552
mailto: elizabethi@sjlouis.com
jons@sjlouis.com

Custom Fields 1 - 10	Custom Fields 10 - 20
Approval December 3, 2014	Last Received Date
Renewal December 2, 2015	IRS / SSA 36-4255294
Prequal Status GRANT	Add'l Limits
LBU Category Out of State	OTC
Bond Limit 100,000,000 single/$500,000,000 aggregate	OESC
Prequal Area(s) Class A: Sanitary Sewer-all; Storm Water; and Water-all	90 Day extension 0
Birthday	Custom Field #17 0
Spouse	Custom Field #18 0
Recommendation	Custom Field #19 0
Other Contact Les Whitman	Custom Field #20 0

Selected Categories

[Class A,Sanitary Sewer-all,Storm Water Construction,Water Contractor-all,Out of State,Dec Renewal]

Contact Record Notes

Bond Assurance -included 12/31/2013
Bonding- Liberty Mutual Insurance Company
Financials -12/31/2013
Contractor Certificate- signed
Release- signed
Class D - Justin C. Whitman D-99194 (both)
Fee - pd $740 #13809 Date: Tuesday, November 25, 2014 10:24:13 AM ...
3.C.2 - signed

Linked Appointments

Linked Tasks

APPLICATION FOR CONTRACTORS PREQUALIFICATION CERTIFICATE
CITY OF OKLAHOMA CITY, OKLAHOMA
PREQUALIFICATION STATEMENT OF EXPERIENCE AND EQUIPMENT

☐ Individual
☒ Partnership
☐ Corporation
☐ L.L.C.
☐ L.L.P
ORGANIZATION FORM

S.J. Louis Construction of Texas, Ltd.
1. APPLICANT (Show Complete Legal Name)

520 S. 6th Avenue
STREET ADDRESS

P.O. Box 834
MAILING ADDRESS

Mansfield | Texas | 76063 | 817-477-0320
CITY | STATE | ZIP | PHONE #

Elizabeth Ingram | 817-477-0552
CONTACT PERSON | FAX #

36-4255294 | elizabethi@sjlouis.com
CONTRACTOR I.D. NO./FEDERAL TAX I.D. NO. | E-MAIL ADDRESS

Les V. Whitman | General Manager
APPLICATION SUBMITTED BY | TITLE

HOW MANY YEARS HAS THIS ORGANIZATION BEEN IN BUSINESS UNDER YOUR PRESENT BUSINESS NAME? 16 YEARS

2. HAS THIS ORGANIZATION OPERATED UNDER ANY OTHER NAME? ☐ YES ☒ NO IF YES, WHAT NAME, WHERE, WHEN AND WHY?

3. DESCRIBE CATEGORIES OF WORK THAT THIS ORGANIZATION TO PERFORM AS A CONTRACTOR
Water and Sewer Utility Construction

4. DESCRIBE CATEGORIES OF WORK THIS ORGANIZATION USUALLY SUBCONTRACTS, IF ANY
Paving, Boring, and Structural Concrete

5. HAS THIS ORGANIZATION OR ANY OFFICER OR PRINCIPAL OF THIS ORGANIZATION EVER FAILED TO COMPLETE OR REFUSED TO ENTER INTO A CONTRACT AWARDED SAID OFFICER OR ORGANIZATION? ☐ YES ☒ NO IF YES, WITH WHOM, WHERE, WHEN AND WHY?

6. HAS ANY OFFICER OR PRINCIPAL OF THIS ORGANIZATION EVER BEEN AN OFFICER OF ANOTHER ORGANIZATION THAT FAILED TO COMPLETE OR REFUSED TO ENTER A CONSTRUCTION CONTRACT? ☐ YES ☒ NO IF YES, STATE NAME OF INDIVIDUAL, OTHER ORGANIZATION AND REASON THEREFOR:

7. HAS ANY OFFICER OR PRINCIPAL OF THIS ORGANIZATION EVER FAILED TO COMPLETE A CONSTRUCTION CONTRACT IN THEIR NAME? ☐ YES ☒ NO IF YES, STATE NAME OF INDIVIDUAL, AND REASON THEREFOR:

8. HAS THIS ORGANIZATION OR ANY OFFICER OR PRINCIPAL EVER FAILED TO QUALIFY OR PREQUALIFY AS A BIDDER? ☐ YES ☒ NO IF YES, WHEN, WHERE AND WHY?

9. HAS THIS ORGANIZATION OR ANY OFFICER OR PRINCIPAL EVER HAD PREQUALIFICATION DENIED, REVOKED OR SUSPENDED?

☒ YES ☐ NO IF YES, WHEN, WHERE AND WHY?

Oklahoma City renewal delayed less than one month due to outstanding issue on previous project. License was renewed upon resolution.

10. HAS THIS ORGANIZATION OR ANY OFFICER OR PRINCIPAL EVER HAD A LICENSE DENIED, REVOKED OR SUSPENDED?

☐ YES ☒ NO IF YES, WHEN, WHERE AND WHY?

11. CONSTRUCTION EXPERIENCE OF THE OFFICERS AND PRINCIPALS OF THIS ORGANIZATION. (Include any licenses)

INDIVIDUAL'S NAME	PRESENT POSITION	YEARS EXPERIENCE	LICENSES AND LICENSE NO.'s
James Schueller	Chief Manager	47	Mississippi - 1609 6, Municipal & Public Works Construction Arkansas - Municipal & Utility - 0139390406
Les V. Whitman	General Manager	34	None

NOTE: Additionally prepare a Statement of Experience for each Officer and Principal and attach to this application.

See Attached

12. MAJOR CONSTRUCTION PROJECTS IN PREQUALIFICATION CLASS PERFORMED DURING THE PAST 5 YEARS

DESCRIPTION OF PROJECT	LOCATION OF PROJECT Including the name of the owner, inspector & their addresses & phone numbers	CONTRACT DATE	DATE PROJECT COMPLETED	CONTRACT AMOUNT
See Attached				$

13. CURRENT PROJECTS IN PROGRESS: (use additional sheet if necessary)

PROJECT DESCRIPTION	CONTRACT AMOUNT	LOCATION OWNER'S NAME & TELEPHONE NUMBER	PROJECT SECURED BY BOND YES	NO	STARTING DATE	EXPECTED COMPLETION DATE	PERCENT COMPLETED
See Attached							

TOTAL BONDING CAPACITY	$ 500,000,000.00
SINGLE PROJECT BONDING CAPACITY	$ 100,000,000.00
PRESENT BIDDING CAPACITY	$ 500,000,000.00

14. DESCRIBE ANY BOND LIMITATIONS IMPOSED BY BONDING COMPANY BECAUSE OF ANTICIPATED CONSTRUCTION DURATION. None

15. NAME AND ADDRESS OF BONDING COMPANY:
Liberty Mutual Insurance Company
450 Plymouth Road, Suite 400, Plymouth Meeting,PA 19462-1644

16. HAS THIS ORGANIZATION BEEN CHARGED FOR LIQUIDATED DAMAGES IN THE PAST FIVE YEARS?
☐ YES ☒ NO IF YES, WHEN, WHERE AND WHY?

17. HAS ANY BONDING COMPANY OR AGENT OF ANY BONDING COMPANY EVER COMPLETED THIS ORGANIZATIONS WORK? ☐ YES ☒ NO IF YES, WHEN, WHERE AND WHY

18. LIST COMPETENT PERSONS AS DEFINED BY OSHA REGULATIONS THAT THIS ORGANIZATION INTENDS TO USE ON CITY OF OKLAHOMA CITY PROJECTS: Kyle Duke and Carlos Siguenza would be secondary persons in the event that the primary persons such as Team Leader/ Superintendents are not used.

19. LIST OF OSHA VIOLATIONS AND FINES IN PAST THREE YEARS: See Attached

20. LIST ANY LITIGATION WITH THE OWNERS OF PROJECTS IN THE PAST FIVE YEARS

OWNER'S NAME	ADDRESS/PHONE NUMBER	CONTRACT AMOUNT
City of Baton Rouge,LA	1100 Laurel St., Room 130, Baton Rouge,LA 70801	Exceeding $75,000.00
	Phone: (225) 389-3259	

NATURE OF LITIGATION

Breach of Contract

21. DOES THIS ORGANIZATION HAVE A QUALITY ASSURANCE /QUALITY CONTROL PROGRAM?

Yes

22. DOES THIS ORGANIZATION HAVE A HEALTH AND SAFETY PROGRAM?

Yes

23. NAMES OF BANKS AND BANK OFFICIALS MANAGING YOUR ACCOUNT WHO CAN AND WILL FURNISH CREDIT INFORMATION

NAME OF BANK	NAME, ADDRESS & PHONE NUMBER OF BANK OFFICIAL	AMOUNT OF CREDIT
Bremer Bank	John Sertich, 4150 Second Street South St. Cloud, MN 56301 (320) 255-7188	$ 20,000,000.00

24. LIST OF CONSTRUCTION EQUIPMENT OWNED (Do not include small tools such as shovels, picks, etc.)

DESCRIPTION	YEAR	PRESENT LOCATION
See Attached		

25. LIST OF MATERIAL SUPPLIERS USED

NAME OF FIRM OR COMPANY	ADDRESS/TELEPHONE NUMBER
HD Supply	4570 W. 7th #30, Edina,MN 55435 (800) 893-9150
Northwest Pipe	PO Box 4100, Portland,OR 97208 (503) 946-1200
ACT Pipe and Supply	6950 W. Sam Houston Pkwy, Houston,TX 77041 (713) 937-0600
Hanson Pipe and Precast	1500 Haul Rd., Columbus,OH 43207 (614) 445-3830
Martin Marietta	2710 Wycliff Rd., Raleigh, NC 27607 (919) 81-4550
Hobas Pipe	1413 Richley Rd., Houston,TX 77043 (281) 821-2200
Ferguson Enterprises	12500 Jefferson Ave., Newport News, VA 23602 (757) 874-7795
JM Materials	P.O. Box 199, Alvord,TX 76225 (940) 427-2028

26. LIST OF EQUIPMENT LEASING COMPANIES USED

NAME OF FIRM OR COMPANY	ADDRESS/TELEPHONE NUMBER
None - All Owned	

27. ARE ANY OFFICERS OR PRINCIPLES FINANCIALLY INVOLVED IN OTHER BUSINESSES? ☒ YES ☐ NO IF YES, EXPLAIN.
We have various businesses

28. DOES THIS ORGANIZATION QUALIFY AS A MINORITY BUSINESS ENTERPRISE? ☐ YES ☒ NO IF YES, WHAT TYPE?

29. DOES THIS ORGANIZATION QUALIFY AS A SECTION 8A SMALL BUSINESS? ☐ YES ☒ NO IF YES, WHAT TYPE?

30. IS THE APPLICANT IN COMPLIANCE WITH THE PROVISIONS OUTILINED IN HOUSE BILL 1804, ALSO KNOWN AS THE OKLAHOMA TAXPAYER AND CITIZEN PROTECTION ACT OF 2007, CODIFIED AS OKLAHOMA STATUTES TITLE 25, SECTION 1313? ☒ YES ☐ NO

31. IS THE APPLICANT REGESTERED IN EMPLOYMENT ELEGIBILITY VERIFICATION (E-VERIFY) WITH U.S. CITIZENSHIP AND IMMIGRATION SERVICES? www.uscis.gov/everify ☒ YES ☐ NO

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James Schueller

President/CEO

PROFESSIONAL EXPERIENCE

Mr. Schueller's construction experience encompasses over twenty-five years as the owner/chief executive of two separate Construction Companies. The past ten years have focused on large, complex underground utility construction projects.

Mr. Schueller has built the reputation of S.J. Louis Construction, Inc and S.J. Louis Construction of Texas Ltd. as a leading national construction contractor specializing in underground utility, tunneling and excavation services. S.J. Louis Construction continues to operate on the principles of hard work, high integrity and superior quality. The Company is unwavering in its commitment to providing quality services and strong safety performance.

EDUCATION
St. Boniface High School
(Cold Spring, MN)

PROFESSIONAL LICENSES/ MEMBERSHIPS
AR Municipal & Utility
0046760406
AZ Class A & Class B -
Residential ROC179846
CA Class A -
General Engineering 614834
NV Class A -
General Engineering 0068424
UT E100 - Contractor with LRF
5114746-5501

INDUSTRY TENURE
49 Years

S.J. LOUIS CONSTRUCTION, INC., Rockville, MN — 1983 - Present
President/CEO
Mr. Schueller continues to direct the activities of his Minnesota and Texas operations. He manages this national company in a fashion that allows for the self-performance of the majority of a project's scope. Further it results in superior quality in a safe, controlled environment in a cost effective manner.
Completed projects have been in excess of $40 million in revenues and have included some of the following pipe materials; CCFP, RCCP, bar-wrapped CCP, WSP, or PCCP pipe, up to 102" in diameter.
-Please see attached for a partial list of project experience.

NORTH CENTRAL UNDERGROUND — 1975 - 1983
Owner
Mr. Schueller owned this utility construction company.

HOOD — 1972 - 1975
Owner
Mr. Schueller owned this utility construction company.

HOFFMAN BROTHERS — 1969 - 1971
Heavy Equipment Operator

THREE WAY CONSTRUCTION — 1966 - 1969
Heavy Equipment Operator

ARMY — 1966

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**WAWS Phase II Contract 1 Transmission Main**
CONTRACT AMOUNT	$14,223,592
LOCATION	Williston, ND
DESCRIPTION	Work consisted of installation of 13,000 LF of 24" class 200 pipeline, 43,600 LF of 24" class 160 pipeline, 216,000 LF of 20" class 160 pipeline, 12,300 LF of 20" class 200 pipeline, 12,500 LF of 20" class 235 pipeline, 4,800 LF of 20" class 300 DI pipeline, 3,900 LF 24" restraint joint pipeline, 12,400 LF of 20" restraint joint pipeline, two (2) 24" highway bores, ten (10) 20" highway bores, eleven (11) 24" non-cased bores, forty (40) 20" non-cased bores, 2,300 LF of 24" directional bores, 4,950 LF of 20" directional bores, eighty five (85) air relief manhole, eighty six (86) blow off, four (4) flushing facilities, three (3) meter vaults, site work, excavation, backfill, engineered fill, testing, and disinfection.
ENGINEER	Advanced Engineering and Environmental Services
OWNER	Western Area Water Supply Authority
DATE OF AWARD	April, 2012
COMPLETION DATE	June, 2013
PROJECT	**Hopkins System Improvements**
CONTRACT AMOUNT	$7,872,000
PERCENT COMPLETE	81%
LOCATION	Hopkins, MN
DESCRIPTION	Install 4540 LF of 24" PVC, 2300 LF 18" PVC/DIP, 3600 LF of 19.5" HDPE Sanitary Sewer. Slip line. Fused Joint Urban .Construction of replacement force main; 3,300 LF of double barrel temporary conveyance piping, 3,200 LF of new double barrel FM consisting of 18" and 24" pipe, Abandonment of 3,200 LF of existing 30" FM Construction of precast structures consisting of two FM access structures, one air release structure and one cleanout structure. By pass pumping. Construction of 90 foot wide waterway crossing.
ENGINEER	Metropolitan Council
OWNER	Metropolitan Council
DATE OF AWARD	August, 2011
COMPLETION DATE	June, 2013
PROJECT	**Area 2B Utility Extensions and Improvements**
CONTRACT AMOUNT	$1,586,579
LOCATION	Watford City, ND
DESCRIPTION	5544 LF of 16" PVC Slip Joint PVC. 600 LF of 6" and 8" PVC Water Main, 5,621 LF of 8" and 10" PVC Sanitary Sewer, Fused and slip joint. Soil Depth 16' 15 Manholes and 1 lift station. Multiple creek crossing. Rural area. One road temporary road closure with detour. Approximately 8000 SY of asphalt patching. (11) fire hydrants.
ENGINEER	Advanced Engineering and Environmental Services
OWNER	City of Watford City
DATE OF AWARD	May, 2012
COMPLETION DATE	July, 2013

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**Columbus Upground Reservoir**
CONTRACT AMOUNT	$14,973,899
LOCATION	Columbus, OH
DESCRIPTION	20,005 LF of 72" WSP Water Pipeline, Installation of valves, vaults, electrical equipment. 8 Manholes. Dewatering by deep wells spaced approx. 1000 ft. apart. Native Indian Grounds. Maximum Soil Depth: 16'. Project included 20,000 LF of road stabilization, 20,000 lf of road paving, cathodic protection, 6 each 72" butterfly valves, 16 each 12" air release valves, 2 creek crossings. Worked closely coordinating with 2 other contracts regarding dewatering levels and 3 each tie-ins. Rural Area
ENGINEER	MS Consultants
OWNER	City of Columbus
DATE OF AWARD	November, 2011
COMPLETION DATE	July, 2013
PROJECT	**South Trunk Sewers Section B & C**
CONTRACT AMOUNT	$11,617,473
LOCATION	Norfolk, VA
DESCRIPTION	7,537 LF 48" DIP Force Main Replacement Sanitary Sewer, 2080 LF 16" DIP, 5 LF 24" DIP Sanitary Sewer - 2 ea. 48" Line stops, Bypass pumping at 5400 gals per minute, Pump & Haul. Manholes. Soil Depth 22 FT Urban Area. Discharge Structure. Work was through tight old streets of residential area in Historic Ghent area of Norfolk, VA. Included 4 connections to existing force mains 48", 10", 8" and 6". Bores under creek, railroad, storm water box culvert and existing 48" force main. Overlay of 9,000 LF of roadway. Work required close coordination of adjacent contractor who had to tie on to our line. Dewatering by well point and sump methods. Meter vault. Traffic control.
ENGINEER	Kimley Horn & Associates
OWNER	Hampton Roads Sanitation District
DATE OF AWARD	November, 2011
COMPLETION DATE	May, 2013
PROJECT	**West Reedy Branch & Beaver Creek Contract 7**
CONTRACT AMOUNT	$13,716,150
PERCENT COMPLETE	77%
LOCATION	Cary, NC
DESCRIPTION	5,162 LF of 54", 6,350 LF of 48", 3,589 LF of 42" and 357 LF of 36" DIP gravity sewer, 22,982 LF of 30" FM DIP sewer, Jack & Bore 670 LF of 48-66" steel casing, 1290 LF of 76" rib & lagging, 370 LF of 76" liner plate install with Taylor Machine roadway crossings, site work, grading, manholes air release vacuumed valves, valve vaults, junction box, odor control system, clearing and grubbing, , flushing, and testing as specified.
ENGINEER	Hazen and Sawyer
OWNER	Town of Cary, NC
DATE OF AWARD	May, 2012
COMPLETION DATE	October, 2013

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**Raccoon Creek Interceptor Sewer**
CONTRACT AMOUNT	$6,856,500
PERCENT COMPLETE	59%
LOCATION	Newark, OH
DESCRIPTION	5,748 LF of 48" FRP, 6,060 LF of 48" PPE, 1,695 LF of 30" DIP Sanitary Sewer epoxy lined. Slip joint, Structures 3 CIP manhole structures, 3- open cut river crossing, Protect Wetlands Raccoon Creek and Licking River. By pass pumping 18,000 gals per minute.
ENGINEER	Arcadis US, Inc.
OWNER	City of Newark, OH
DATE OF AWARD	June, 2012
COMPLETION DATE	April, 2014
PROJECT	**Partello Street 30" Water Transmission Line**
CONTRACT AMOUNT	$3,437,159
PERCENT COMPLETE	90%
LOCATION	El Paso, TX
DESCRIPTION	894 LF of 36" PCCP Water Main, 5613 LF of 30" PCCP Water Main, 6772 LF of 12" PVC Water Main - 400' - 3/4" Copper water service, including isolation valves, air vacuum valves, blow-off valves and fittings. Tunneling 120 LF of 48" steel casing Auger Bore under TXDOT Roadway - Urban Area. Traffic Control, Manholes, Cathodic Protection. 21000 SY Bituminous Pavement . Erosion Control.
ENGINEER	CDM Smith
OWNER	El Paso Water Utilities
DATE OF AWARD	August, 2012
COMPLETION DATE	May, 2013
PROJECT	**Western Interceptor Relief Sewer & Ft. Riley Blvd Water**
CONTRACT AMOUNT	$4,595,500
PERCENT COMPLETE	61%
LOCATION	Manhattan, KS
DESCRIPTION	13,700 LF of 24" HDPE Sanitary Sewer force main, 1,825 LF of 12" DIP water Main replacement, and replacement of 200 LF of force main. By pass pumping. 10 Manholes. Rural and Urban. Traffic Control Soil Depth 10'
ENGINEER	City of Manhattan Public Works Department
OWNER	City of Manhattan Public Works Department
DATE OF AWARD	September, 2012
COMPLETION DATE	June, 2013
PROJECT	**South-North Intertie Pipeline**
CONTRACT AMOUNT	$19,395,040
LOCATION	Palmdale, CA
DESCRIPTION	91,100 LF of 48" mortar coated and cement mortar lined welded steel pipe waterline; Depth of 12 feet; Rural area
OWNER	Antelope Valley—East Kern Water Agency
COMPLETION DATE	June, 2010

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**Folsom South Clay Station to Jack Tone Road**
CONTRACT AMOUNT	$26,400,000
LOCATION	Oakland, CA
DESCRIPTION	Install 32,500 LF of 72" mortar lined and dielectric coated (ML&DCP) steel pipe, Construct two trenchless sections of 110' and 205', Install 32,500 LF of fiber-optic conduit along the pipeline alignment, Install AC mitigation and grounding system.
ENGINEER	East Bay Municipal Utility District
OWNER	East Bay Municipal Utility District
COMPLETION DATE	May, 2009
PROJECT	**SAVSARP Raw Water Delivery Pipeline and Recharge Facilities, Phase III**
CONTRACT AMOUNT	$21,408,424
LOCATION	Tucson, AZ
DESCRIPTION	9,682 LF of 60" CCP Raw Water main; 5,190 LF of 54" CCP Raw Water main; 5,617 LF of 42" CCP Raw Water main; 6,687 LF of 24" HDPE
OWNER	City of Tucson
COMPLETION DATE	January, 2009
PROJECT	**Freeport Segment 3**
CONTRACT AMOUNT	$19,700,000
LOCATION	Sacramento, CA
DESCRIPTION	20,600 LF of 72" CML/TC WSP Waterline; Trenchless undercrossing; Terminal weir structure
OWNER	Freeport Regional Water Authority
COMPLETION DATE	October, 2008
PROJECT	**Lewis and Clark 6/7a**
CONTRACT AMOUNT	$20,917,525
LOCATION	Sioux Falls, SD
DESCRIPTION	57,660 LF of 54" buried steel potable water, 275 LF of 72" jacked or bored highway crossing casing pipe, Wetland area, drainage and stream crossings, Miscellaneous appurtenances.
ENGINEER	Banner and Associates, Inc.
OWNER	Lewis and Clark Rural Water Systems
COMPLETION DATE	April, 2009
PROJECT	**Lewis and Clark 5**
CONTRACT AMOUNT	$27,699,425
LOCATION	Sioux Falls, SD
DESCRIPTION	Installed 85,313 LF of 54" C-200 Steel Water Pipe, Included 650 LF of tunneling, 132 CY of Concrete Thrust Blocking, Wetland area crossings, Clay soils with sand seams, 18,000 SY of Erosion Control Blanket
ENGINEER	Banner and Associates, Inc.
OWNER	Lewis and Clark Rural Water Systems
COMPLETION DATE	July, 2008

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**Stevens Creek Interceptor Sewer**
CONTRACT AMOUNT	$6,368,950
LOCATION	Lincoln, NE
DESCRIPTION	2,660 LF of 72" Centrifugally Cast Fiberglass Mortar Sanitary Sewer, 2,807 LF of 84" Centrifugally Cast Fiberglass Mortar Sanitary Sewer, 324 LF of 60" Centrifugally Cast Fiberglass Mortar Sanitary Sewer, Two Junction Structures
ENGINEER	Carollo Engineers PC
OWNER	City of Lincoln
COMPLETION DATE	May, 2006
PROJECT	**East Side Sanitary Sewer 2**
CONTRACT AMOUNT	$9,614,066
LOCATION	Sioux Falls, South Dakota
DESCRIPTION	24,457 LF of 8"-42" Sanitary Sewer, 33,494 LF of 16" Sanitary Forcemain, 9,100 CY of Rock Excavation
ENGINEER	HDR Engineering
OWNER	City of Sioux Falls
COMPLETION DATE	December, 2007
PROJECT	**Paseo Del Norte**
CONTRACT AMOUNT	$16,042,824
LOCATION	Albuquerque, NM
DESCRIPTION	17,619 LF of 72" Steel Water Line, 5,100 LF of 24" HDPE Canal Line, 596 LF of 96" Steel Casing (tunneling); Worked with multiple agencies including, but not limited to, the Bureau of Reclamation, Corps of Engineers, NMDOT, and the Mid Rio Grande Conservancy District (MRGCD) for the bypass pumping the Albuquerque Main Canal that ran parallel to the proposed 72" pipeline for 4,300 ft; System required a primary system that was active and bypassed over 30,000 gpm with a redundant system in place for precautions; Installed dewatering wells and maintained for over 5,000 ft; Open-cut trenches exceeded 20 ft in depth requiring special trench shoring methods to enable safe trenched for continuous welding of the pipe joints
OWNER	Bradbury Stamm
COMPLETION DATE	December 2006

S.J. LOUIS CONSTRUCTION, INC.

Les V. Whitman

Executive Vice President

EDUCATION
Mountain View and North Lake Community College
Huron High School

PROFESSIONAL LICENSES/ MEMBERSHIPS
Competent Person
Confined Space Entry
CPR & First Aid

INDUSTRY TENURE
33 Years

PROFESSIONAL EXPERIENCE

Mr. Whitman's experience includes, but is not limited to, overseeing the construction and performance of work including large diameter water and wastewater projects.

Current and past company projects consist of small and large diameter pipe as it relates to the installation of; water, sanitary sewer, storm pipe, culvert bridges, pond cleanouts, city channel work and modular walls, cast-in-place concrete walls and concrete trail projects.

S.J. LOUIS CONSTRUCTION OF TEXAS, Mansfield, TX 1996 - Present
Executive Vice President/ General Manager

Mr. Whitman began a startup company as the first employee of this firm and gradually grew the company to its present size of approximately $150 million dollars of annual revenue and over 300 full time employees. This company is currently mainly focused on large diameter water, sewer, and tunnel projects in the public market mostly in the South Central and Southeast United States. The Company has successfully completed over one billion dollars worth of construction contracts in its history. We have considerable experience in water, sewer, tunneling, earthwork, blasting, marine work, sliplining, concrete structures, and significant sewer bypass pumping work.

During the entire existence of this company I have served as the General Manager overseeing all estimating, project management, equipment and trucking operations and repair (for a fleet of owned equipment currently valued at over 25 million dollars) and all other operations and facets of this business including opening a successful branch office in San Antonio, Houston, Texas and opening (2011) of a Tunnel Group office in Austin, Texas.

MARIO SINACOLA & SONS INC. 1986 - 1996
Area Manager ***Lewisville, TX***

KASLER CORPORATION 1981 – 1986
Estimator ***San Bernadino, CA***
Project Engineer
Project Superintendent

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**Regional Carrizo Water Supply Pipeline**
CONTRACT AMOUNT	$12,416,708
LOCATION	San Antonio, TX
DESCRIPTION	Work consisted of installation of 41,020 LF of 36" HDPE Pipeline, site work, excavation, backfill, engineered fill, testing, and disinfection.
ENGINEER	Atkins Engineering
OWNER	San Antonio Water System
DATE OF AWARD	June, 2012
COMPLETION DATE	October, 2013

PROJECT	**Harley Ave. Improvements**
CONTRACT AMOUNT	$8,301,344
LOCATION	Ft. Worth, TX
DESCRIPTION	Install 4,030 LF of 11' X 6' AND 1,350 LF of 7' x 6' Storm Drain Box, 750 LF of Segmental Block Wall Channel Improvements. Install 1,084 LF of 21" CL III pipe, 172 LF of 24" CL III pipe, 598 LF of 30" CL III pipe, 492 LF of 36" CL III pipe, 242 LF of 42" CL III pipe, 107 LF of 48" CL III pipe, and 182 LF of CL III pipe.
ENGINEER	Freese&Nichols
OWNER	City of Ft. Worth
DATE OF AWARD	November, 2011
COMPLETION DATE	March, 2013

PROJECT	**HWY 69 / I 20 Corridor Sanitary Sewer Impvmts.**
CONTRACT AMOUNT	$5,125,344
LOCATION	Tyler, TX
DESCRIPTION	Work consisted of the installation of 4,600 LF of 24" PCCP - Water
ENGINEER	Wisenbaker, Fix & Assoc.
OWNER	City of Tyler, TX
DATE OF AWARD	May 2011
COMPLETION DATE	August 2012

PROJECT	**Little Maumelle WW Treatment – Contract IV**
CONTRACT AMOUNT	$15,252,523
LOCATION	Little Rock, AR
DESCRIPTION	29,600 LF of 18" Raw Water Force Main; 14,800 LF of 8" Waste Activated Sludge Force Main; 32,850 LF of 36" Treated Wastewater Force Main, 350 LF structurally supported; 85 LF submerged, structurally supported 36" treated wastewater outfall diffuser; 70 LF of structurally supported pipeline crossing for 2" – 18" water mains.
OWNER	Little Rock Wastewater
DATE OF AWARD	November 2008
COMPLETION DATE	July 2011

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**Eastern Watershed Sewer Relief Line (E-03)**
CONTRACT AMOUNT	$24,048,822
LOCATION	San Antonio,Tx
DESCRIPTION	12,400 LF of 84" pipeline; 8,700 LF of 74" pipeline; 600 LF of 48" Siphon pipe by open cut.
OWNER	San Antonio Water System
DATE OF AWARD	August 2008
COMPLETION DATE	October 2010
PROJECT	**Bid Package H Conveyance System Segment 1**
CONTRACT AMOUNT	$18,489,682
LOCATION	Aurora, CO
DESCRIPTION	46,566 LF 60" inside diameter cement-mortar lined steel pipeline.
ENGINEER	MWH
OWNER	City of Aurora
DATE OF AWARD	October 2007
COMPLETION DATE	February 2009
PROJECT	**Catoma Wet Weather Improvements Ph. 3**
CONTRACT AMOUNT	$22,476,689
LOCATION	Montgomery, AL
DESCRIPTION	33,000 LF of 78" Gravity Sewer; 4,000 LF of 30" Gravity Sewer
ENGINEER	CH2M Hill
OWNER	City of Montgomery
DATE OF AWARD	November 2007
COMPLETION DATE	July 2009
PROJECT	**Johnson Creek Interceptor Project WF-3 Ph.1**
CONTRACT AMOUNT	$16,191,689
LOCATION	Grand Prairie, TX
DESCRIPTION	4,601 LF of 72" & 54" Gravity Sewer Main; 9,558 LF of 72" & 54" Gravity Sewer by Bore; 2,094 LF of 6" - 48" Gravity Sewer; 1,189 LF of 72" & 24" Steel Casing
ENGINEER	Schrickel, Rollins & Assoc.
OWNER	Trinity River Authority
DATE OF AWARD	October 2007
COMPLETION DATE	January 2009

S.J. LOUIS CONSTRUCTION, INC.

PROJECT EXPERIENCE

PROJECT	**East Fork-Central Segment**
CONTRACT AMOUNT	$42,480,313
LOCATION	Rockwall, TX
DESCRIPTION	59,315 LF of 84" Steel Pipe
ENGINEER	Alan Plummer Associates, Inc
OWNER	NTMWD
DATE OF AWARD	August 2006
COMPLETION DATE	March 2008

PROJECT	**Catoma Wet Weather Improvements Ph. 2**
CONTRACT AMOUNT	$22,320,847
LOCATION	Montgomery, AL
DESCRIPTION	15,500 LF of 66"; 7,200 LF of 60"; 3,720 LF of 36"; 4,500 LF of 30" Hobas Gravity Sewer Pipe
ENGINEER	CH2M Hill
OWNER	City of Montgomery
DATE OF AWARD	July 2006
COMPLETION DATE	March 2008

PROJECT	**Enoree River & Brushy Creek Trunk Sewer Div. III**
CONTRACT AMOUNT	$13,793, 120
LOCATION	Greenville, SC
DESCRIPTION	11,044 LF of 60" Ductile Iron Sanitary Sewer; Average depth of 20 feet; greatest depth of 45 feet; Rural Area; 55,000 CY of rock excavation; 250 feet of river crossing pipe installation.
ENGINEER	Rogers & Callcott
OWNER	Western Carolina Regional Sewer Authority
DATE OF AWARD	April 2006
COMPLETION DATE	November 2007

PROJECT	**Sanitary Sewer Main 244-A Village Creek Parallel Collector Contract 3**
CONTRACT AMOUNT	$3,335,083
LOCATION	Ft. Worth, TX
DESCRIPTION	3,189 LF of 72" ; 4,541 LF of 60"; 113 LF of 36" Hobas Sewer Pipe; 16 LF of 10" PVC Sewer Pipe; Construct four interconnection structures; 113 FT of 36" Concrete encasement; construct nine typical manhole tee bases.
OWNER	City of Fort Worth
COMPLETION DATE	September 2007

PROJECT	**Rowlett Cottonwood Parallel Transfer Sewer II**
CONTRACT AMOUNT	$2,088,870
LOCATION	Allen, TX
DESCRIPTION	5,544 LF of 60" Fiberglass Sewer Pipe
OWNER	NTMWD
COMPLETION DATE	April 2006

S.J. LOUIS CONSTRUCTION, INC.

11-25-14 LL 04869

3 Year OSHA Citation History

Inspection Information - Office: Austin			
Nr: 848184.015	Report ID:0625400	Open Date: 01/25/2013	
S.J. Louis Construction Of Texas Ltd. 707 1/2 5th Street Austin, TX 78701 SIC: NAICS: 237110/Water and Sewer Line and Related Structures Construction Mailing: P.O. Box 834, Mansfield, TX 76063		Union Status: NonUnion	
Inspection Type:	Planned		
Scope:	Partial	Advanced Notice:	Y
Ownership:	Private		
Safety/Health:	Safety	Close Conference:	01/25/2013
Emphasis:	N:Trench,L:Constr6	Close Case:	08/19/2013

Inspection Information - Office: Fort Worth			
Nr: 316045723	Report ID:0636900	Open Date: 03/27/2012	
S.J. Louis Construction Of Texas Ltd., Llp 2692 Airport Fwy Bedford, TX 76022 SIC: 1629/Heavy Construction, Not Elsewhere Classified NAICS: 237990/Other Heavy and Civil Engineering Construction Mailing: 520 S. 6th Ave., Mansfield, TX 76063		Union Status: NonUnion	
Inspection Type:	Planned		
Scope:	Partial	Advanced Notice:	N
Ownership:	Private		
Safety/Health:	Safety	Close Conference:	03/27/2012
Emphasis:	L:Constr6,L:Workzone,N:Trench,S:Commercial Constr,S:Trenching	Close Case:	12/12/2012

Optional Information:	Type	ID	Value
	N	1	316045723

11-25-14 LL 04850

Inspection Information - Office: Fort Worth		
Nr: 316045335	Report ID:0636900	Open Date: 02/16/2012

S.J. Louis Construction Of Texas, Ltd.
860 W. Airport Frwy.
Hurst, TX 76054
Union Status: NonUnion
SIC: 1629/Heavy Construction, Not Elsewhere Classified
NAICS: 237990/Other Heavy and Civil Engineering Construction
Mailing: P. O. Box 834, Mansfield, TX 76063

Inspection Type:	Planned		
Scope:	Partial	Advanced Notice:	N
Ownership:	Private		
Safety/Health:	Safety	Close Conference:	02/16/2012
Emphasis:	L:Workzone,N:Trench,S:Commercial Constr	Close Case:	12/12/2012

Optional Information:	Type	ID	Value
	N	1	316045335

Inspection Information - Office: Fort Worth		
Nr: 314280694	Report ID:0636900	Open Date: 08/24/2011

S.J. Louis Construction Of Texas, Ltd.
Haltom Rd & 820
Haltom City, TX 76117
Union Status: NonUnion
SIC: 1623/Water, Sewer, Pipeline, and Communications and Power Line Construction
NAICS: 237110/Water and Sewer Line and Related Structures Construction
Mailing: 520 S. 6th Ave., Mansfield, TX 76063

Inspection Type:	Planned		
Scope:	Partial	Advanced Notice:	N
Ownership:	Private		
Safety/Health:	Safety	Close Conference:	08/24/2011
Emphasis:	L:Hwybrdge	Close Case:	12/12/2012

Optional Information:	Type	ID	Value
	N	1	314280694

STATEMENT AND RELEASE OF FINANCIAL INFORMATION

I Les V. Whitman being an agent of S.J. Louis Construction of Texas.Ltd., do hereby attest that the foregoing Prequalification Statement of Experience & Equipment and Financial Statement is true and accurate and authorize The City of Oklahoma City to investigate all references and obtain credit and financial information regarding the Applicant as of the date hereof.

Dated this 27th day of October, 2014.

Les V Whitman
SIGNATURE

General Manager
TITLE

Subscribed and sworn to before me this 27th day of October, 2014.

Elizabeth Ann Ingram
NOTARY PUBLIC

ELIZABETH ANN INGRAM
Notary Public, State of Texas
My Commission Expires
May 10, 2017

My Commission Expires May 10, 2017

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Supplement to Section 3.C.2.

Indicate and complete the item that applies. It is the intent of this organization to:

☐ 1. YARD LOCATION: 520 S. 6th Avenue, Mansfield,Texas 76063

BUSINESS ADDRESS: 520 S. 6th Avenue, Mansfield,Texas 76063

PHONE NUMBERS: 817-477-0320

EMERGENCY CONTACTS AND PHONE NUMBERS

☐ 2. 15% cash retainage of the total contract amount to be deposited in advance of the Contract award and retained for the duration of the maintenance period

☐ 3. DEFECT BOND. (Copy of sample Bond Attached)

Liberty Mutual Insurance Company
NAME OF SURETY

Cobb Strecker Dunphy & Zimmermann
NAME OF SURETY'S AGENT

150 S. 5th Street, Suite 2800, Minneapolis, MN 55402
ADDRESS OF SURETY'S AGENT

(612) 349-2400
TELEPHONE OF SURETY'S AGENT

Les V Whitman
Signature of Applicant Les V. Whitman

Approved City Engineer

Subscribed and sworn to before me this 27th day of October, 2014.

Elizabeth Ann Ingram
NOTARY PUBLIC

ELIZABETH ANN INGRAM
Notary Public, State of Texas
My Commission Expires
May 10, 2017

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CONTRACTOR IDENTIFICATION NUMBERS

This form is to be completed and submitted with the Application.

Name of Contractor: S.J. Louis Construction of Texas,Ltd.

The Contractor provides the following Identification Numbers:

Oklahoma Tax Commission	
Oklahoma Employment Security Commission	
Internal Revenue Service	36-4255294
Social Security Administration	

Contractor's Certificate

Date Submitted 10/27/2014.

I hereby certify that the attached Financial Statement fairly presents the financial condition of

S.J. Louis Construction of Texas,Ltd. as of October 27, 2014.

Les V Whitman

Les V. Whitman SIGNATURE

General Manager

TITLE

Subscribed and swom to before me this 27th day of October, 2014.

Elizabeth Ann Ingram

NOTARY PUBLIC

My Commission Expires May 10, 2017

ELIZABETH ANN INGRAM
Notary Public, State of Texas
My Commission Expires
May 10, 2017

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Liberty Mutual.

Liberty Mutual Surety

October 27, 2014

Prequalification Review Board
The City of Oklahoma City
420 W. Main Street, 7th Floor
Oklahoma City, OK 73102

RE: S.J. Louis Construction of Texas, Ltd.

To Whom It May Concern:

This letter is provided for information purposes and the City of Oklahoma City and Trusts should reference the required final bonds on specific bonded projects for additional information

S.J. Louis Construction of Texas, Ltd. (Contractor's Name) is currently applying for pre-qualification status to the City of Oklahoma City and Trusts. This is to advise the Pre-qualification Review Board That based upon the fiscal year end financial information dated December 31, 2013

Liberty Mutual Insurance Company (Surety Name) is willing to entertain bonds for this company up to the amounts of $250,000,000.00 (Single Job) / $ 650,000,000.00 (Aggregate), subject to the usual underwriting criteria. In the past we have handles bonding requirements for this company in the amounts of $ 100,000,000.00 (Single Job) / $ 500,000,000.00 (Aggregate).
in excess of / exceeding/

The undersigned agrees to notify the Pre-qualification Review Board, within a reasonable period of time, once the relationship between contractor/applicant and the stated surety should cease.

Please understand that any arrangement for surety credit is a matter between contractor/applicant and ourselves and we assume no liability to any third parties.

Liberty Mutual Insurance Company
Name of Company or Agency

Signature and Title
Joshua R. Loftis, Attorney-in-Fact
175 Berkeley Street, Boston, MA 02116
Address Surety Home Office

Agent: 612-349-2400
Phone Number

612-349-2491
Facsimile Number

S.J. Louis Construction of Texas, Ltd.
Name of the Contractor

Signature and Title

PLEASE READ THIS LETTER CAREFULLY BEFORE SIGNING

Member of Liberty Mutual Group

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.
This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 5671852

American Fire and Casualty Company — Liberty Mutual Insurance Company
The Ohio Casualty Insurance Company — West American Insurance Company

POWER OF ATTORNEY

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Brian J. Oestreich, Bruce N. Telander, Craig Remick, D. R. Dougherty, Donald R. Olson, Jack Cedarleaf II, Jerome T. Ouimet, John E. Tauer, Joshua R. Loftis, Kurt C. Lundblad, Lin Ulven, Linda K. French, Melinda C. Blodgett, Nicole Stillings, Pamela T. Curran, R.W. Frank, Rachel Thomas, Sandra M. Doze

all of the city of Minneapolis state of MN each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 5th day of August 2014.

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA
COUNTY OF MONTGOMERY ss

On this 5th day of August 2014 before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

By: Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV - OFFICERS - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 27th day of October, 2014.

By: Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Class/Subclass of Work

Class A: Prequalified Contractors- unlimited by project costs
Class B: Prequalified Contractors-projects of $500,000 or less

☐ 1. Bridge Contractor

2. Building Contractor
☐ (a) All building construction work.
(b) Select subclasses of building construction work.
☐ 1. Heating, ventilation and air conditioning
☐ 2. Plumbing
☐ 3. Electrical
☐ 4. Roofing
☐ 5. Demolition

☐ 3. Paving Contractor

4. Environmental Contractor
☐ (a) All environmental construction work.
(b) Select subclasses of environmental construction work.
☐ 1. Asbestos
☐ 2. Hazardous material remediation
☐ 3. Underground storage tank
☐ 4. Lead abatement

5. Sanitary Sewer Contractor
☒ (a) All sanitary sewer construction work.
(b) Select subclasses of sanitary sewer construction work.
☐ 1. Lift Stations
☐ 2. Manhole rehabilitation

☒ 6. Storm Water Construction

7. Water Contractor
☒ (a) All water construction work.
(b) Select subclasses of water construction work.
☐ 1. Water tank construction

☐ **Class C: Traffic Signal Contractors- unlimited by project costs**

Attachment "I"

Central Registry Query

Water Quality General Permits and Registration Search

Summary of Authorization TXR15ZN70

Permit/Registration Number: TXR15ZN70
Authorization Status: ACTIVE
Date Coverage Began: 03/05/2014
Date Coverage Ended:

Authorization Details

Site Name on Permit/Registration: NORTH MCKINNEY PIPELINE PHASE I & II
Authorization Type: CONSTRUCTION
Primary SIC Code: 1623
Area Disturbed (In Acres) : 48
Common Plan Of Development : N
Receiving Water Body : WILSON CREEK
Segment Number : 0821

Permittee or Registrant Information

Operator: CN602548919 - S J LOUIS CONSTRUCTION OF TEXAS LTD
Address: 520 S 6TH AVE MANSFIELD TX 76063 2301
Annual Fee Billing Address: NOT FOUND OR NOT APPLICABLE

Permitted Site Information

RN: RN107142739
RE Name: NORTH MCKINNEY PIPELINE PHASE I & II
Site Location: THE PROJECT IS LOCATED THROUGH THE NORTH TEXAS MUNICIPAL WATER DISTRICT EASEMENT IN COLLIN COUNTY. THE PROJECT STARTS IN ALLEN, TX THEN HEADS EAST THROUGH LUCAS, TX. ONCE THE PROJECT LEAVES LUCAS, TX IT HEADS NORTH THROUGH FAIRVIEW, TX AND ENDS IN MCKINNEY MCKINNEY 75070
County: COLLIN
TCEQ Region: REGION 04 - DFW METROPLEX
Latitude: 33.184928
Longitude: -96.598378

Regulated Entity Site Information

RE Name: NORTH MCKINNEY PIPELINE PHASE I & II
Site Location: THE PROJECT IS LOCATED THROUGH THE NORTH TEXAS MUNICIPAL WATER DISTRICT EASEMENT IN COLLIN COUNTY. THE PROJECT STARTS IN ALLEN, TX THEN HEADS EAST THROUGH LUCAS, TX. ONCE THE PROJECT LEAVES LUCAS, TX IT HEADS NORTH THROUGH FAIRVIEW, TX AND ENDS IN MCKINNEY MCKINNEY 75070
County: COLLIN
TCEQ Region: REGION 04 - DFW METROPLEX
Latitude: 33.184928
Longitude: -96.598378

Application History for this Authorization

Application Type	Status	Received Date	Final Action Date
NOTICE OF INTENT	APPROVED	03/05/2014	03/05/2014

© 2002-2013 Texas Commission on Environmental Quality

Attachment "J"

Restoration Estimates

Thomas W. Schneider, CPESC
3400 Steven drive
Plano, Texas

David Caldwell
Attorney
Basinger Leggett Clemons Bowling Shore Crandall, PLLC
Granite Park Two,5700 Granit Parkway, Suite 950
Plano, Texas 75024

Dear David Caldwell:

After consulting with three firms that engage these services I have compiled an average cost per for the work need to restore the Jinright property.

Amount	Description	Units	Unit price	Total
93,000	Killing of weeds and undergrowth	Sf	$ 0.20	$ 18,600.00
93,000	Removal of undergrowth	Sf	$ 0.20	$ 18,600.00
555	12" excavation of trench area and disposal	cy	$ 30.00	$ 16,650.00
2,793	Certified topsoil and placement	cy	$ 45.00	$ 125,685.00
93,000	Seed	Sf	$ 0.20	$ 18,600.00
1	Irrigation and water	LS	$ 32,000.00	$ 32,000.00
	Taxes not included		Seed Total	$ 230,135.00
	If sod is required add $85,000.00			$ 85,000.00
	Taxes not included		Sod Total	$ 315,135.00

Sincerely,

Thomas W. Schneider, CPESC

Nueces Site Conctactors, Inc.
416 Interchange Street
McKinney, TX 75071
Phone : (214) 929-7200
Fax: (972) 548-8422

ESTIMATE

ESTIMATE DATE: *7/26/17*

ADDRESS: Tom Schneider
Kentucky Lane
Fairview,Texas

PROJECT NAME: Kentucky Lane

Description	Quantity	Price Per	Price
Excavation and clean up of existing backfill off of numbers supplied by Tom S. 91665 Square feet	1	$24,500.00	**$ 24,500.00**
Placement of new topsoil six inches thick off numbers supplied by Tom S. 91665 Square feet. Includes topsoil	1704	$65.00	**$ 110,760.00**
Seeding installed - 91665 Squre feet	1	$9,000.00	**$ 9,000.00**
Temperary Irrigation With 2 boars included (Note) We will need to tie in to Justins water supply.	1	$16,500.00	**$ 16,500.00**
Cleaning and or killing vegetation except for trees	1	$5,000.00	**$ 5,000.00**
Sub-Total			**$ 165,760.00**
Tax			**$ 13,675.20**
Grand Total			**$ 179,435.20**
Option 1			
Option for Bermuda grass sod installed 91665 Square feet	1	$89,775.00	**$ 89,775.00**
Seeding Reduction			**$ (9,000.00)**
			$ 80,775.00
Tax			**$ 6,663.94**
Additional Grand Total (Add to $179,435.20)			**$ 87,438.94**
Grand Total with Bermuda Installed			**$ 266,874.14**

Prices are good until November 30th 2017

Respectfully Submitted,

Don Withers & Michael Burke
Nueces Site Conctactors, Inc.

Thomas W. Schneider, CPESC
3400 Steven drive
Plano, Texas

David Caldwell
Attorney
Basinger Leggett Clemons Bowling Shore Crandall, PLLC
Granite Park Two,5700 Granit Parkway, Suite 950 Plano,
Texas 75024

Dear David Caldwell:

After consulting with three firms that engage these services I have compiled an average cost per for the work need to restore the Jinright property.

Amount	Description	Units	Unit price	Total
117,779	Killing of weeds and undergrowth	Sf	$ 0.20	$ 23,555.80
117,779	Removal of undergrowth	Sf	$ 0.20	$ 23,555.80
555	12" excavation of trench area and disposal	cy	$ 30.00	$ 16,650.00
3163	Certified topsoil and placement	cy	$ 45.00	$ 142,335.00
117,779	Seed	Sf	$ 0.20	$ 23,555.80
1	Irrigation and water	LS	$ 32,000.00	$ 32,000.00
	Taxes not included		Seed Total	$ 261,652.40

Sincerely,

Thomas W. Schneider, CPESC

PENGAD 800-631-6989 EXHIBIT 2

PENGAD 800-631-6989 DEPOSITION EXHIBIT 27

EXHIBIT

3

PENGAD 800-631-6989

EXHIBIT
4

PENGAD 800-631-6989

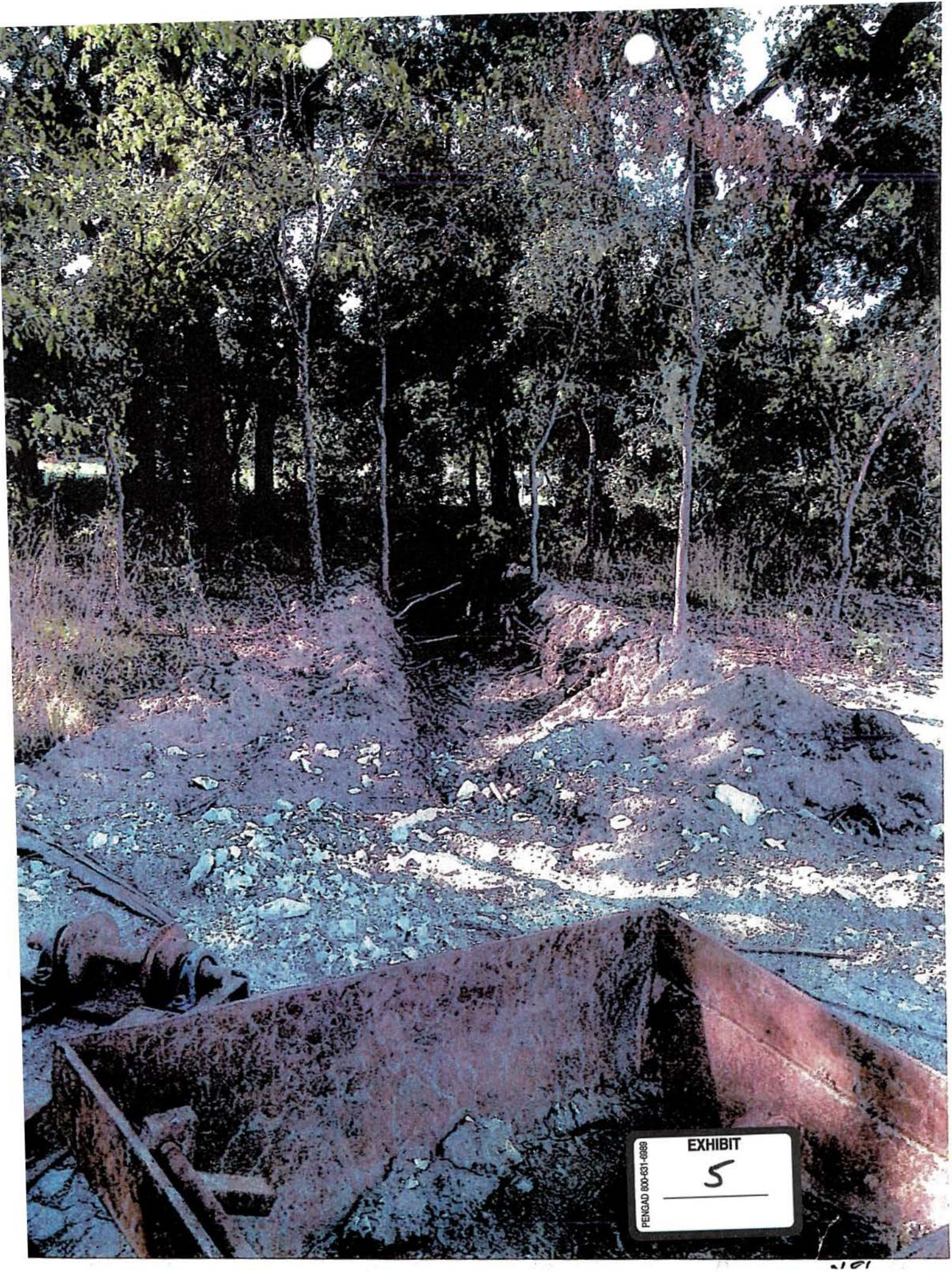

EXHIBIT
5

PENGAD 800-631-6989

101

EXHIBIT

6

PENGAD 800-631-6989

Mitch and I met with Justin Jinright, James Chancellor (Town of Fairview) and Johnny Johns (SJ Louis) today at 10:30 on Mr. Jinright's property.

Here is a summary of my notes and my perceptions from the meeting:

- Mr. Jinright indicated he may place the concrete road in its entirety and send us an invoice for our share.
- He stated the road was staked and at grade prior to SJ Louis' arrival. He wants the road restaked and regraded so he can place concrete next week.
- He asked if we could have our arborist perform a condition assessment of the damaged trees.
- (Johnny Johns left the meeting about this time).
- He wants rocks removed and soil disc tilled.
- He showed us a section of fence he claims was damaged by rocks during SJ Louis' screening process. The damaged area appears to Mitch and I both as peeling paint, likely not caused by SJ Louis.
- He showed us a swale area cut to the creek.
- He showed sections of additional fencing that were removed.
- He talked about an area in the southeast corner of the property where he said he gave permission to SJ Louis to store equipment.
- He talked about roping some trees off, for removal, on his future home lot. (This was in return for use of the area by SJ Louis for staging, storage, etc. I do not believe SJ Louis used this area.)
- Mr. Jinright stated that his recollection of an agreement to use the existing path was different than Mitch's.
- James Chancellor indicated that he would have someone reassess the tree removal for the purposes of quantifying replacement/reimbursement.

Here is some additional information and my thoughts:

- Our share per the November 13, 2013 letter is 291 SY. The unit price for concrete road in our contract is $50/SY (291 x 50 = $14,550). Scott Maughn reports that turnaround is another 624 SY (624 x 50 = $31,200).
- SJ Louis indicates they can be placing concrete on Jinright's property in two weeks.
- If Mr. Jinright places concrete next week it is going to greatly hinder SJ Louis' ability to access the Heritage Ranch site, slated for concrete placement next week.
- NTMWD paid Mr. Jinright $42,925 for 373 trees to be removed.
- Mitch reports that approximately 60 trees were saved (i.e. 60 trees slated for removal that were not removed). I am not sure if these are "quality" trees for which the Town of Fairview would assess reimbursement.

EXHIBIT 1

EXHIBIT 77

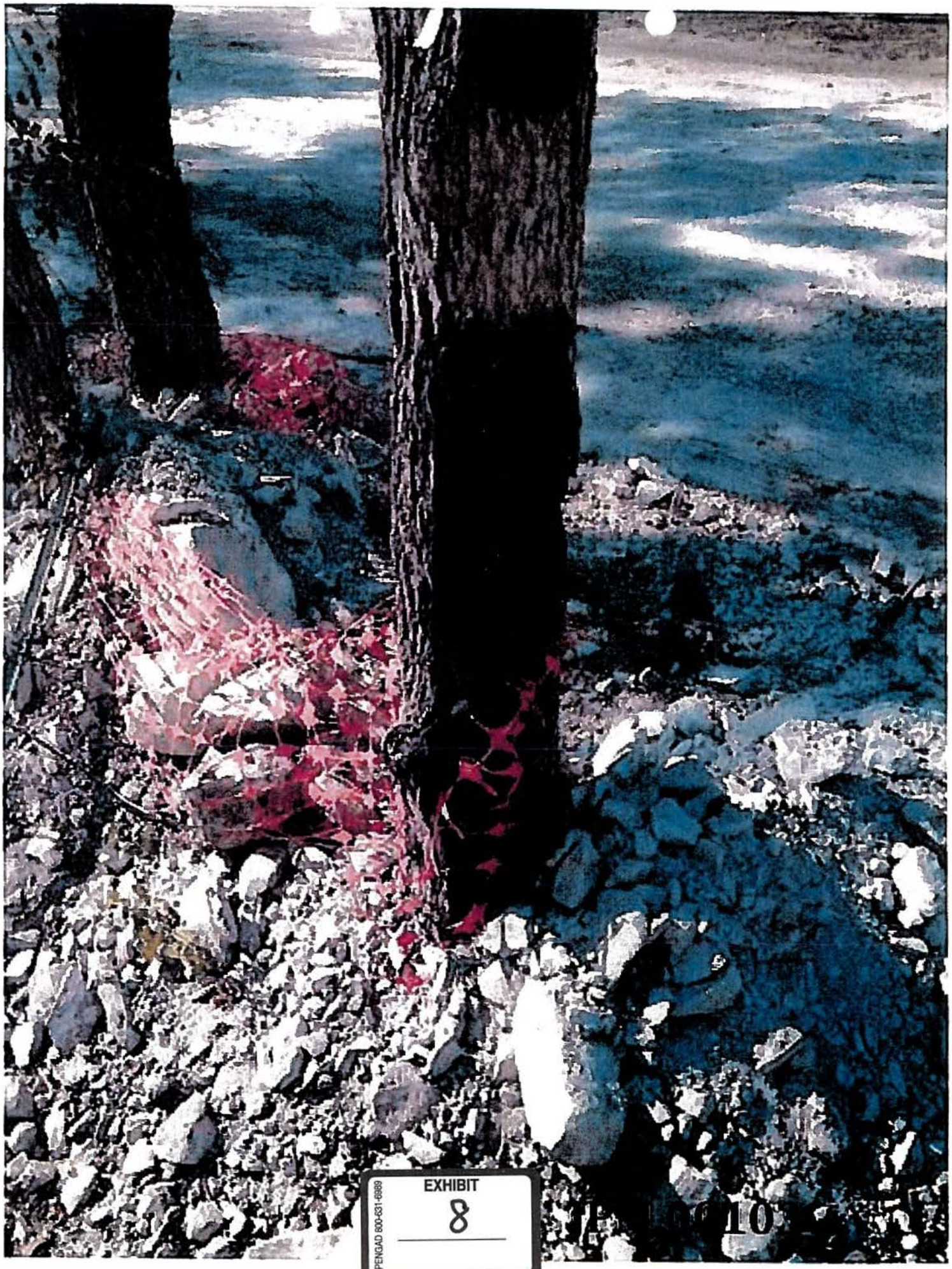

EXHIBIT
8

PENGAD 800-631-6989

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EXHIBIT

9

EXHIBIT
10

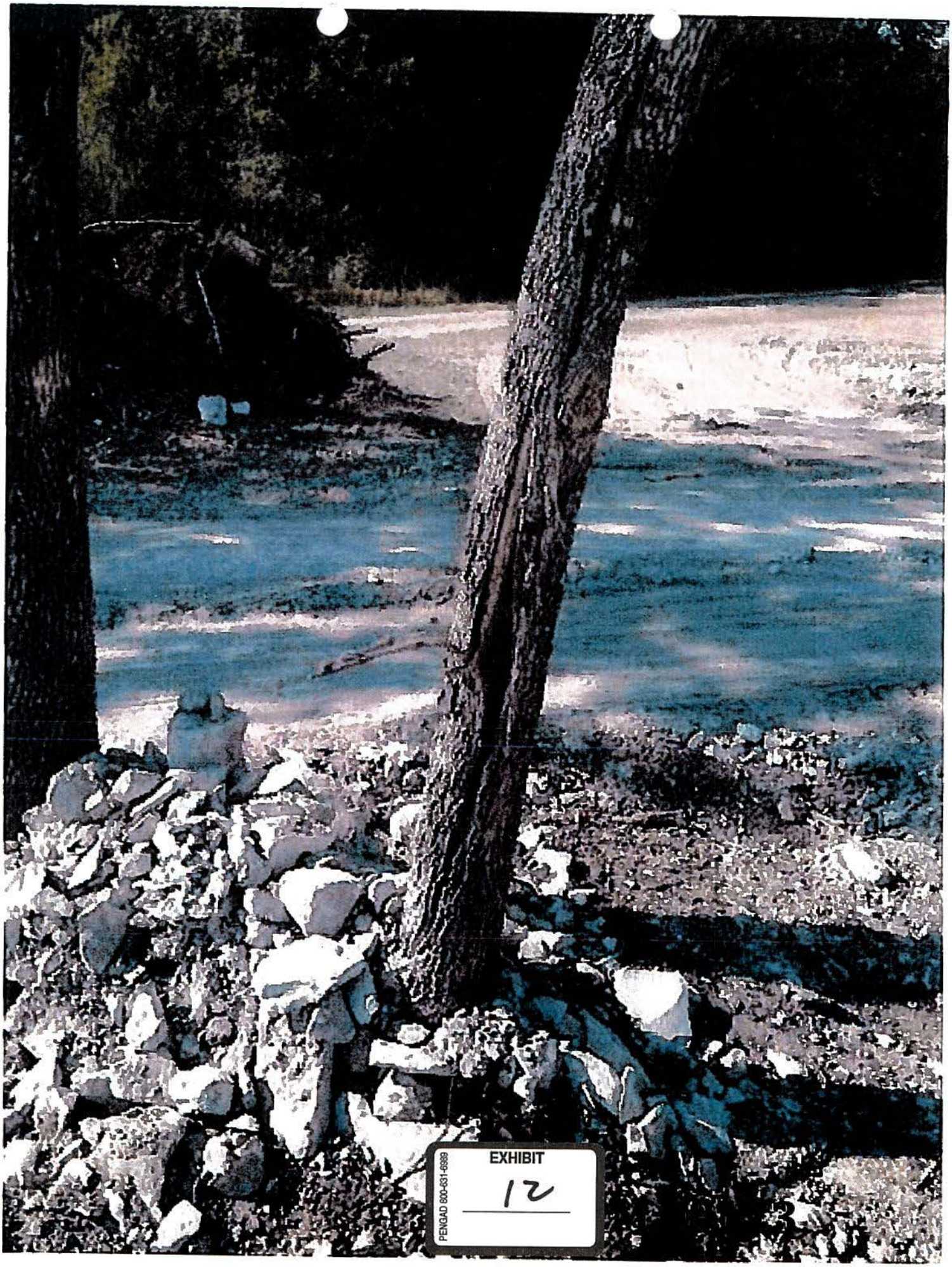
PENGAD 800-631-6989

DEPOSITION EXHIBIT 28

PENGAD 800-631-6989

EXHIBIT 11

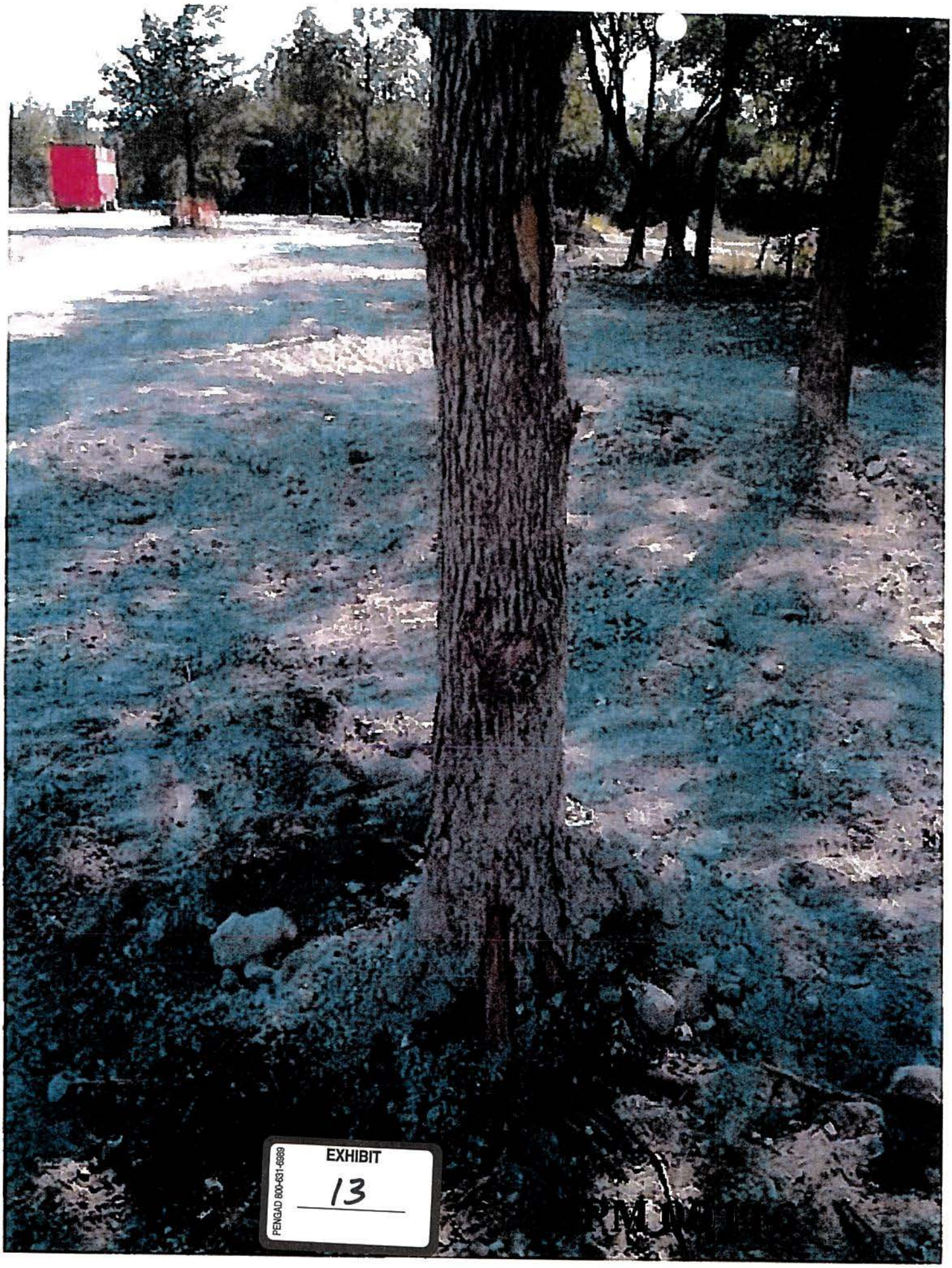
PENGAD 800-631-6989



EXHIBIT

12

PENGAD 800-631-6989



EXHIBIT

13

PENGAD 800-631-6989

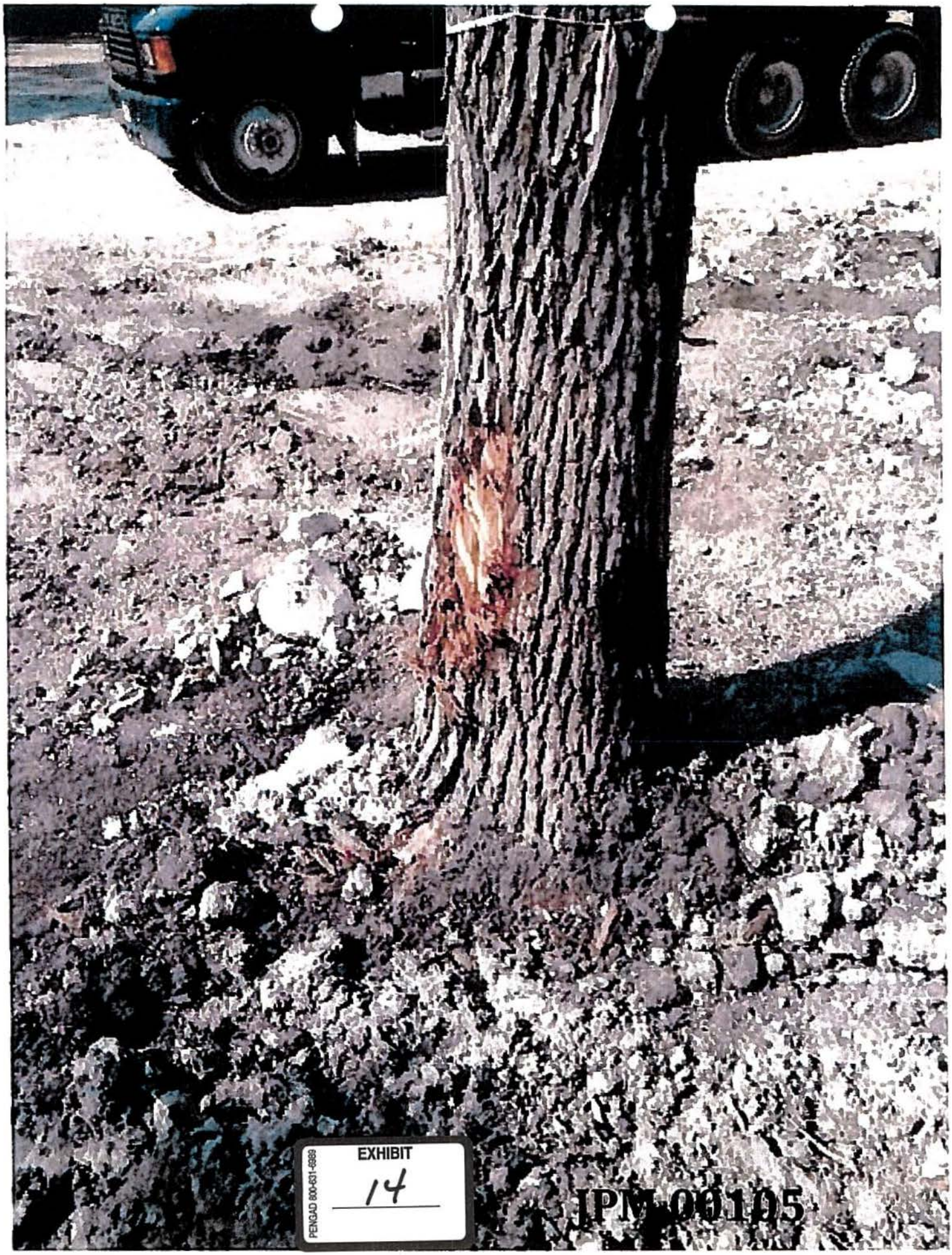


EXHIBIT
14

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Preserve/Protect Trees
Damaged but Not Slated for Removal

Tag No.	Diameter	Species	Common Name	Multi	Condition
	6.5"		Cedar Elm	No	5
	8"		Cedar Elm	No	6
	11"		Cedar Elm	No	8
7			Cedar Elm		
8			Cedar Elm		
9			Cedar Elm		
10			Green Ash		
11			Green Ash		
12			Cedar Elm		
13			Green Ash		
15			Green Ash		
17			Green Ash		
18			Green Ash		
19			Cedar Elm		
20			Cedar Elm		
29			Green Ash		
34			Cedar Elm		
35			Green Ash		
36			Bois d'Arc		
39			Green Ash		
50			Green Ash		
53			Green Ash		
54			Cedar Elm		
55			Cedar Elm		
56			Green Ash		
57			Bois d'Arc		
58			Green Ash		
83			Burr Oak		
87			Green Ash		
98			Cedar Elm		
100			Cedar Elm		
120			Green Ash		
121			Cedar Elm		
125			Green Ash		
126			Cedar Elm		
129			Bois d'Arc		
143			Cedar Elm		
149			Bois d'Arc		
167			Bois d'Arc		

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EXHIBIT
15

Tag No.	Diameter	Species	Common Name	Multi	Condition
168			Green Ash		
169			Cedar Elm		
173			Cedar Elm		
175			Red Cedar		
176			(Outside Critical Root Zone)		
325	5"		E. Red Cedar	No	6
326	5"		E. Red Cedar	No	7
327	6"		E. Red Cedar	No	7
330	4"		Eve's Necklace	No	8
331	14"		Cedar Elm	No	7
332	17"		Cedar Elm	No	7
333	7"		Cedar Elm	No	5
334	14"		Cedar Elm	No	7
335	9"		Cedar Elm	No	6
336	4"		Eve's Necklace	No	8
337	16"		Cedar Elm	No	8
338	5"		Green Ash	No	6
339	3"		Eve's Necklace	No	6
340	5"		Cedar Elm	No	4
341	4"		Cedar Elm	No	7
342	9"		E. Red Cedar	No	7
343	7"		Green Ash	No	
344	7"		Cedar Elm	No	
345	9"		Bois d'Arc	Yes – 2	3
346	3"		Eve's Necklace	No	8
347	4"		Cedar Elm	No	5
348	2"		Eve's Necklace	No	8
349	5"		Cedar Elm	No	5
350	7"		Cedar Elm	No	7
351	17"		Cedar Elm	No	8
352	6"		Cedar Elm	No	4
353	11"		Cedar Elm	No	6
354	6"		Cedar Elm	No	4
355	7"		Cedar Elm	No	4
356	7"		Cedar Elm	No	5
357	7"		Cedar Elm	No	5
358	5"		Green Ash	No	7
361	7"		Cedar Elm	No	6
369	12"		Green Ash	Yes – 2	1-half dead
370	7"		Cedar Elm	No	6
371	11"		Cedar Elm	No	4
372	15"		Bois d'Arc	Yes – 2	6
373	4"		Cedar Elm	No	6

Tag No.	Diameter	Species	Common Name	Multi	Condition
374	9"		Cedar Elm	No	7
375	9"		Green Ash	No	8
376	7"		Cedar Elm	No	5
377	9"		Cedar Elm	No	6
378	9"		Cedar Elm	No	6
379	9"		Cedar Elm	No	6
380	8"		Cedar Elm	No	6
381	9"		Green Ash	No	5
382	8"		Cedar Elm	No	8
388	9"		Green Ash	No	9
389	9"		Green Ash	No	8
390	8"		Cedar Elm	No	8
391	11"		Cedar Elm	No	9
402	16"		Bois d'Arc	No	4
405	16"		Bois d'Arc	No	6
409	9"		Cedar Elm	No	8
410	9"		Cedar Elm	No	6
419	10"		Cedar Elm	Yes – 2	6
581	14"		Bois d'Arc	No	5
582	12"		Bois d'Arc	No	6
587	9"		Cedar Elm	No	6
595	13"		Bois d'Arc	No	6
601	14"		Bois d'Arc	Yes – 2	5
631	15"		Bois d'Arc	Yes – 3	7
633	10"		Cedar Elm	No	5
637	9"		E. Red Cedar	No	9
655	12"		E. Red Cedar	No	7
656	5"		E. Red Cedar	No	6
664	10"		Cedar Elm	No	7
666	9"		Cedar Elm	Yes – 2	6
668	10"		Green Ash	No	8
669	10"		Green Ash	No	8
681	8"		Green Ash	No	3
682	11"		Green Ash	No	4
683	10"		Bois d'Arc	No	3
684	15"		Cedar Elm	No	6
687	7"		Cedar Elm	No	4
688	8"		Cedar Elm	No	5
689	12.5"		Green Ash	No	0 – Dead
690	8"		Bois d'Arc	No	6
691	8"		Green Ash	No	0 – Dead
692	9"		Green Ash	No	7
693	13"		Green Ash	No	9

Tag No.	Diameter	Species	Common Name	Multi	Condition
707	13"		Green Ash	No	8
708	10"		Bois d'Arc	No	3
709	11"		Bois d'Arc	No	6
711	15"		Green Ash	Yes – 2	6
712	11"		Green Ash	No	8
723	10"		Cedar Elm	No	6
724	12"		Green Ash	No	5
726	13"		Bois d'Arc	No	7
728	9"		Green Ash	No	8
737	19"		Green Ash	No	8
740	11"		Bois d'Arc	No	4
742	12"		Green Ash	No	6
743	9"		Cedar Elm	No	5
744	5.5"		Cedar Elm	No	4
745	14"		Green Ash	No	6
748	22"		Green Ash	No	3
752	30"		Bois d'Arc	No	5
757	13"		American Elm	No	7
1976	8"		Green Ash	No	7
1980	9"		Green Ash	No	7
1994	11"		E. Red Cedar	No	8
1997	10"		Green Ash	No	8
2016	10"		Green Ash	No	6
2017	10"		Cedar Elm	No	6
2020	9"		Green Ash	No	4
2024	12"		Cedar Elm	No	6
2026	13"		Cedar Elm	No	9
2027	8"		Green Ash	No	6
2029	9"		Bois d'Arc	No	4
2030	15"		Bois d'Arc	Yes – 2	6
2032	5"		Green Ash	No	9

Missing Preserve/Protect Trees
Not Slated for Removal

Tag No.	Common Name	Diameter
25	Cedar Elm	9"
33	Green Ash	
41	Cedar Elm	11"
60	Red Oak	9.5"
61	Red Oak	8"
62	Bois d'Arc	13"
68	Green Ash	10"
75	Red Cedar	10"
90	Cedar Elm	18"
116	Cedar Elm	12.5"
163	Cedar Elm	9"
170	Red Bud	3.5"

A. Ken Glover was what's designated in the book as the superintendent.

Q. Okay. So would the as-built final document, would that have been incorporated into the SWPPP reporting at all?

A. No, sir.

Q. Okay. I want to take you to Appendix D, which I have in -- it's in Exhibit 79, which I now have up on the file. And it says on the first page "Site Map, see erosion control plan and draining area maps, see plan sheets."

So here, the second page of this does not have a page number, but it's identified by the cover page, North Texas Municipal Water District North McKinney Pipeline, Phase I and II, October 2013. So I'm drawing your attention to this appendix. I'm going to scroll down. These appear to be the project plans that were submitted in conjunction with this permit. Correct?

A. They appear to be.

Q. I'll scroll down. I'm referring to TP25 and that -- it says at the bottom, "Tree Plan Index, Tree Plan, North McKinney Pipeline," the Freese and Nichols page. Do you see this?

A. Yes.

Q. Okay. So I'm going to scroll down from here.

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1 TP26, do you know what we're looking at here?
2 A. I do.
3 Q. What are we looking at?
4 A. I's a tree inventory.
5 Q. For the Jinright property or for the entire
6 project?
7 A. For the job.
8 Q. Why is that submitted in conjunction with the
9 SWPPP, if you know?
10 A. It's a list of trees on the job.
11 Q. Let's take a look at TP33. And do you know
12 what we are looking at here?
13 A. It's an elevation picture of a tree.
14 Q. Okay. Also on here it says -- I'm reading
15 sideways here -- under plan view of root zone, No. 2, "A
16 protective fence will be erected around each protected
17 tree or group of protected trees at least beyond the drip
18 line of such trees." Do you see that in paragraph 2?
19 And actually, if you're more comfortable since I have
20 this one printed out, you're free to look here. I know
21 the print doesn't exactly translate.
22 A. Okay.
23 Q. Do you know if protective fences were erected
24 around any trees on the Jinright property?
25 A. I don't know the answer to that.

1 Q. Okay. Do you agree, though, that your plans do
2 specify this?
3 A. Yes.
4 Q. Okay. The other part of this diagram I want to
5 draw your attention to is -- and I'm referring
6 specifically to the drawing of the tree. Do you see
7 there how it has chain link fence?
8 A. I do.
9 Q. Does that mean that it's a requirement that the
10 fence that is around it be a chain link fence?
11 MR. HOWERTON: Objection, form.
12 THE WITNESS: I don't know what
13 "objection" means.
14 MR. HOWERTON: You can answer. It's just
15 there's something I don't like about the question. I'll
16 tell you if you can't answer.
17 MR. WALSH: Can we get an agreement that
18 an objection from on is an objection for all?
19 MR. CALDWELL: Sure. Yeah, that's fine.
20 A. Would you ask the question again, please?
21 Q. (BY MR. CALDWELL) Sure. Would you -- based on
22 these plans, would you agree that it is a requirement
23 that a chain link fence be installed?
24 MR. HOWERTON: Objection, form.
25 A. I would say it's a detail.

1 Q. (BY MR. CALDWELL) Okay. But not a requirement?
2 MR. WALSH: Objection, form.
3 A. No.
4 Q. (BY MR. CALDWELL) So if you want to deviate from
5 this, can you please explain how you would deviate from
6 that?
7 A. I think the whole SWPPP book is a concept
8 that's supposed to be good judgment, supposed to be used
9 on which parts and pieces you use.
10 Q. Okay.
11 A. That's the intent of the whole SWPPP plan.
12 Q. Okay. So if you determine that there's another
13 type of fence that's necessary, how would you go about --
14 do you need to document that good judgment or is it just
15 an on-the-job call?
16 MR. WALSH: Objection, form.
17 A. No, I don't think you have to document. This
18 is a whole index of options available to be used.
19 Q. (BY MR. CALDWELL) Okay. Well, the only option I
20 see as it relates to the trees is a chain link fence.
21 MR. HOWERTON: Objection.
22 Q. (BY MR. CALDWELL) So --
23 MR. CALDWELL: Sorry.
24 MR. HOWERTON: I was just making sure you
25 asked a question.

1 MR. CALDWELL: I haven't yet.
2 Q. (BY MR. CALDWELL) So are there any other options
3 that you are aware of in the SWPPP?
4 MR. WALSH: Objection, form.
5 A. To not use them.
6 Q. (BY MR. CALDWELL) To not use fences at all?
7 A. In certain circumstances.
8 Q. Okay. Do you know as the designated S.J. Louis
9 rep -- I mean, why would you put a requirement to have
10 fences in there in the first place?
11 MR. WALSH: Objection, form.
12 A. The SWPPP plan is a format. It's a concept
13 plan.
14 Q. (BY MR. CALDWELL) Okay. And what --
15 A. It's best practices --
16 Q. -- do you mean?
17 A. -- is what it means.
18 Q. Okay. And so it's your opinion that you can
19 deviate from those best practices when necessary?
20 A. There's several -- you have the option of
21 deciding what is the best practice for the circumstance.
22 Q. Okay. And how do you go about exercising that
23 option?
24 A. By using good judgment for the circumstance.
25 Q. Okay. There's also a requirement here --

1 paragraph 2 requires that the fence be installed around
2 the drip line. Do you know if that was done on the
3 Jinright property on any of the trees?
4 MR. HOWERTON: Objection, form.
5 A. I don't know the answer to that.
6 Q. (BY MR. CALDWELL) Okay. Is that also a
7 requirement that you feel like you can deviate from as
8 well?
9 MR. HOWERTON: Objection, form.
10 A. I think that the SWPPP plan is a concept plan
11 that is supposed to have the best practices on what gets
12 used depending on the circumstance.
13 Q. (BY MR. CALDWELL) Okay. In this SWPPP plan, are
14 you aware whether there were any documentation of any of
15 these deviations beyond what was submitted?
16 A. I don't. I don't know the -- the distance
17 across that property was so short. We went through there
18 quickly.
19 Q. Okay. I'm going to show you what's been
20 previously marked as Deposition Exhibit 80. I've got a
21 book here.
22 MR. HOWERTON: Counsel, is this a single
23 picture or a series of pictures?
24 MR. CALDWELL: This particular --
25 MR. HOWERTON: I'm not familiar with the

1 exhibits.
2 MR. CALDWELL: That's fine. This
3 particular one is a single picture. The following
4 exhibit is a series of pictures.
5 Q. (BY MR. CALDWELL) Have you had an opportunity
6 prior to coming in the deposition today to review any
7 photographs associated with the Jinright property?
8 A. No.
9 Q. Do you recognize this photograph?
10 A. No.
11 Q. There's an orange piece of plastic around that
12 particular tree. In your opinion, as a representative of
13 S.J. Louis, is that an appropriate way to preserve and
14 protect a tree?
15 A. It's an orange safety fence on a steel T-post,
16 so, yes, it is.
17 Q. Okay. And why is that appropriate?
18 A. Because it's a visual -- the color of it makes
19 it stand out.
20 Q. And why is that important?
21 A. So that you'll recognize there's a barrier
22 around that particular tree.
23 Q. Is that to maybe keep a piece of equipment from
24 hitting it or trying to knock it down? Would that be one
25 thing?

1 A. Trying to keep traffic away from the tree.
2 Q. Do you put those types of fences around every
3 tree?
4 A. No.
5 Q. All right. So how do you determine which trees
6 to put that around?
7 A. It depends on where the tree is in relation to
8 where the pipeline goes.
9 Q. Can you please explain that in a little more
10 detail?
11 A. The pipeline is installed on the centerline.
12 Depending on how far that tree is away from the
13 centerline on that particular property, then you would
14 put a fence around it.
15 Q. Let me show you what's been previously marked
16 as Exhibit 81. And for the record, this is a series of
17 photos. I apologize. 81 is not a series of photos.
18 It's 82. So this is 81.
19 Do you recognize that photo?
20 A. I can't tell you where it is. I recognize that
21 it's a photo.
22 Q. So you do not recognize the property at all?
23 A. I don't.
24 Q. Would you have any reason to disagree with the
25 fact that this, in fact, is the Jinright property?

1 A. Do I have any reason to disagree that it's the
2 Jinright property? I don't.
3 Q. All right. So if I told you that was Cameron
4 Parker's house behind there, you wouldn't have any reason
5 to disagree with that?
6 I'm trying to give you a point of reference,
7 and you haven't looked at any photos, so it's a little
8 more difficult.
9 MR. HOWERTON: I see a red Toyota.
10 A. It's been years since we did the job and I
11 don't recognize the house, so I don't have any reason to
12 agree or disagree.
13 Q. (BY MR. CALDWELL) I'm not trying to trick you.
14 I just don't know if you ever came out to the property or
15 what you did. We're here today, so that's kind of why
16 this is a little bit choppy.
17 A. Right.
18 Q. All right. You see the orange fencing in that
19 photo?
20 A. I do.
21 Q. Okay. Would you agree with me that that is
22 not -- the circumference is not the drip line of that
23 particular tree? It's well within the canopy of the
24 tree?
25 A. I can't tell if there's a tree behind it that

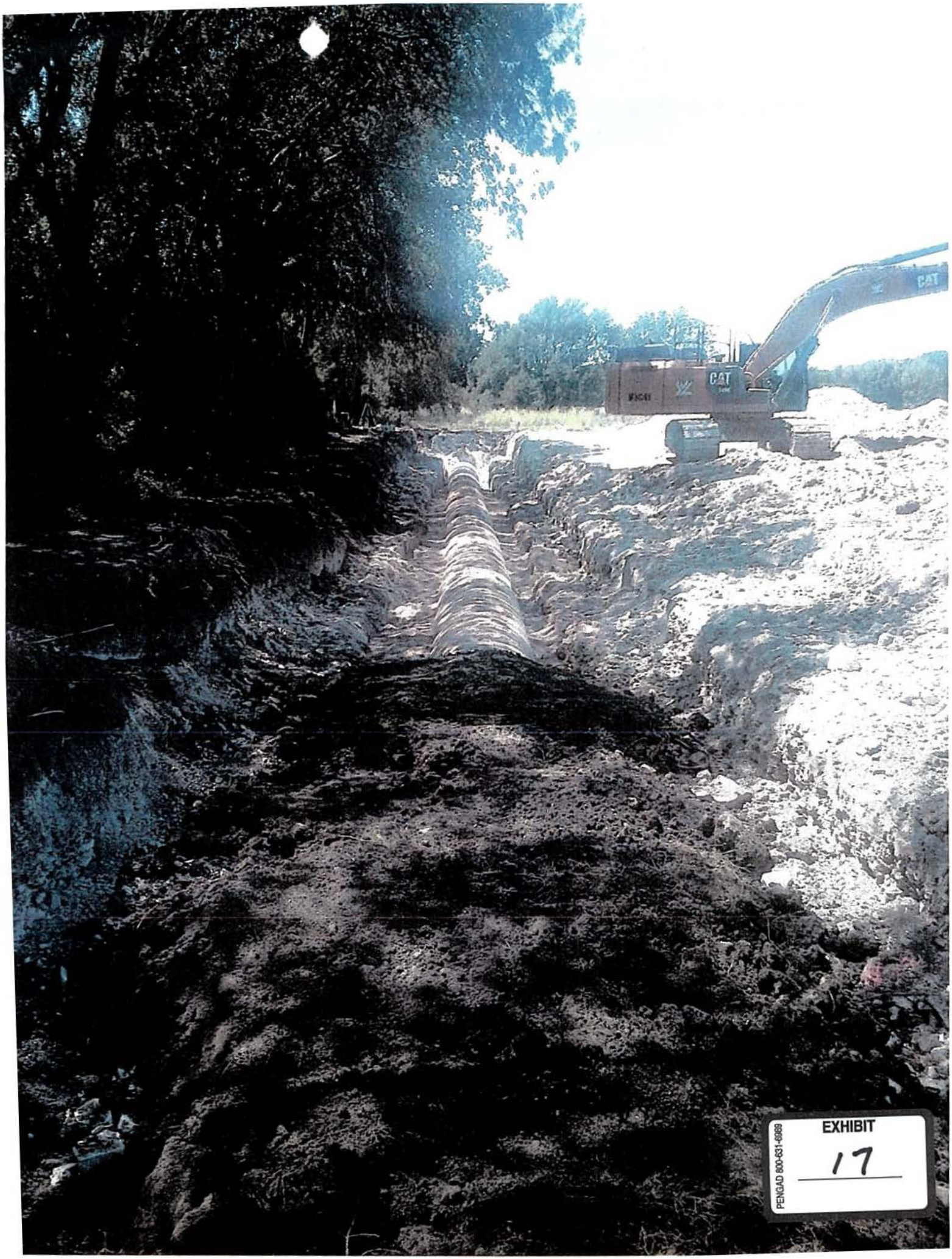
1 it's around and it happens to have the one that's in the
2 forefront. I don't know the answer to that.
3 Q. Okay. Let's turn to -- I'll give you a better
4 photo here. Let's go to Exhibit 82. So this is a series
5 of photos and if you wouldn't mind, just flip through
6 those.
7 A. The photos behind Exhibit 82 is what you're
8 asking me to look at?
9 Q. Yes, please, if you don't mind.
10 A. Okay.
11 Q. And let me know when you've had an opportunity
12 to look at them.
13 A. There's four pictures behind the cover one?
14 Q. Right. Let me know when you've had a
15 sufficient chance to view these things.
16 MR. HOWERTON: Counsel, for the record,
17 they build about 40 or 50 of these things a year, and
18 it's been four years.
19 MR. CALDWELL: Sure, which is why I'm
20 trying to give him a point of reference so we can do
21 that.
22 MR. HOWERTON: I'm just --
23 MR. CALDWELL: I know.
24 MR. HOWERTON: That's a lot of pipe
25 between now and 2013.

1 MR. CALDWELL: And it's hard to remember
2 having lived with this and there's a lot of exhibits, so
3 I appreciate that.
4 Q. (BY MR. CALDWELL) Okay. Have you looked at
5 them?
6 A. I have.
7 Q. All right. So you've never seen these photos
8 before, to the best of your recollection?
9 A. Not to my recollection.
10 Q. All right. So let's take a look at the orange
11 plastic that is on the ground there. Do you see that?
12 A. I do.
13 Q. In your opinion, as a corporate rep for
14 S.J. Louis, is this sufficient protection for this tree
15 or group of trees?
16 A. It depends.
17 Q. Okay. What does it depend on?
18 A. If we're in the clean-up stages of the job,
19 then it is because we're removing fence to clean up
20 around the tree.
21 Q. Okay. So if you're in the clean-up stages it's
22 appropriate, but what if you're not in the clean-up
23 stages?
24 A. We hand remove around trees. We grade around
25 the trees. You've got to take the fence down to do that

1 and then revegetate. So if that's what that is, then
2 yes, it is appropriate.
3 Q. Okay. So are you saying that this photo shows
4 a revegetation?
5 A. There is no reason for me to believe that it's
6 not. That's the plan.
7 Q. Okay.
8 A. When you look at the rest of these pictures,
9 that's what's happened in the rest of the pictures. It's
10 not right next to the tree.
11 Q. Okay.
12 A. Everything is being graded.
13 Q. Let's take a look at the next photo which is
14 JPM00083.
15 A. Okay.
16 Q. Now, in this particular photo, is the
17 fencing -- does it cover the drip line?
18 A. That photo, it doesn't cover the drip line.
19 Q. Okay. And it's your testimony that you believe
20 this is part of the clean-up process right now, part of
21 the regrading?
22 A. The question you asked that I understood you to
23 ask is was that adequate for the whole job. What I said
24 what that if it's at the clean-up stage, then you move
25 the fences in so you can get close to the trees.

1 I'm going to show you -- this will be page G3.
2 I want you to look at G3 on this. It's under
3 Subparagraph D, Excavation and Backfill. And can you
4 read D3? Let me know if you can read it. I know that
5 print is awful small.
6 A. Okay.
7 Q. Let me take a look at that. So D3 says, "The
8 top 12 inches of trench backfill material shall be native
9 topsoil or have a gradation similar to existing ground
10 adjacent to the trench."
11 A. Right.
12 Q. Now, as it relates to the Jinright property,
13 was that done in this case?
14 A. I believe it was.
15 Q. You believe it was?
16 A. Yeah.
17 Q. Okay. Tell me -- on this particular page,
18 which is G3, it says, "General Notes." What is your
19 understanding of the purpose of this part of the
20 document? Is this part of the contract that S.J. Louis
21 has with the North Texas Municipal Water District?
22 MR. HOWERTON: Objection, form.
23 A. It says "General Notes," so it's general notes
24 to be used as a guideline of how to handle the contract.
25 Q. (BY MR. CALDWELL) So it's your opinion that

1 these are simply guidelines?
2 A. Yes.
3 Q. All right. So if you --
4 MR. HOWERTON: Give me a second.
5 (Break was taken from 11:18 to 11:20 a.m.)
6 Q. (BY MR. CALDWELL) When we left, we were talking
7 about this particular page, G3. And just so I'm clear,
8 correct me if I'm wrong, it's your position that this is
9 just a general guideline for you to follow, sort of the
10 best practices?
11 MR. HOWERTON: Objection, form.
12 A. Yes. It depends on the property.
13 Q. (BY MR. CALDWELL) Would you have ever given a
14 copy of this out to any of the homeowners, or would
15 anybody with S.J. Louis?
16 A. No, sir.
17 Q. All right. As a representative of S.J. Louis,
18 are you aware of any instances in which either any of the
19 homeowners -- Justin Jinright, Cameron Parker, or Mike
20 McChesney -- were violent in any way toward S.J. Louis
21 employees?
22 A. We've been in business a long time. There's a
23 lot of people that don't want anybody on their property.
24 The Water District has to put stuff where it needs to go.
25 Usually they have a permanent right-of-way. We are



EXHIBIT

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