

Important Information for Buyers: Protecting the Edwards Aquifer

This property is located within the Edwards Aquifer Recharge Zone, a critical area for replenishing the Edwards Aquifer, which supplies drinking water to many communities and supports unique ecosystems. To protect this vital natural resource, certain development and construction activities in this zone are regulated by the Texas Commission on Environmental Quality (TCEQ) and may require a Water Pollution Abatement Plan (WPAP).

Please be aware: This land subdivision project did not obtain a general Water Pollution Abatement Plan (WPAP) permit from the TCEQ for the overall development. This means that as a future property owner, you will be individually responsible for determining if your planned activities require a WPAP and, if so, for obtaining and complying with your own WPAP with the TCEQ.

What types of residential activities would trigger the need for a WPAP, or require other protective measures, for a 10+ acre lot?

A WPAP is typically required for "regulated activities" in the Edwards Aquifer Recharge Zone. These activities generally involve actions that could potentially impact the quality of the groundwater. For an individual residential property owner on a 10+ acre lot, common activities that would likely trigger the need for a full WPAP or specific protective measures include, but are not limited to:

- **Construction of New Structures and Impervious Cover:** Building a new home, significant additions, detached garages, sheds, or other permanent structures. For residential development on lots of one acre or greater (such as your 10-acre lots), a full WPAP for permanent stormwater treatment **may not be required if the total impervious cover** (surfaces like roofs, driveways, patios, and sidewalks that prevent water from soaking into the ground) on your individual lot remains **below 20% of the total lot area**. If your planned impervious cover exceeds this 20% threshold, a WPAP with engineered permanent stormwater Best Management Practices (BMPs) will likely be required.
 - Furthermore, regulated activities exclude construction of single-family residences on lots that are **larger than five acres**, where no more than one single-family residence is located on each lot. In this scenario, the amount of impervious cover is not restricted.
- **Significant Land Disturbances:** Any substantial earthwork, grading, trenching, or other land disturbance activities that expose significant areas of soil. Even if a full WPAP is not required due to low impervious cover, **temporary erosion and sedimentation (E&S) controls are always required** to be installed prior to construction and maintained during *any* land disturbance activity to prevent soil runoff into the aquifer.

- **Installation or Modification of On-Site Sewage Facilities (OSSF) / Septic Systems:** If your lot will utilize a private septic system, the installation or significant modification of that system will require TCEQ review and compliance. This is often integrated into a WPAP or requires separate approval from the TCEQ or a delegated authority (e.g., local county).

Important Considerations and Your Responsibilities:

- **Temporary Erosion & Sedimentation Controls are Always Required:** For *any* land disturbance on your property, regardless of its size or whether a full WPAP is needed, you must install and maintain temporary erosion and sedimentation controls (e.g., silt fences, stabilized construction entrances) to prevent soil and sediment from leaving your property and potentially impacting water quality.
- **Impervious Cover is Key for 10-Acre Lots:** The generous size of these 10-acre lots makes achieving the "less than 20% impervious cover" exemption from permanent stormwater WPAP requirements more feasible for typical single-family homes. However, you will need to carefully calculate and plan your building footprint, driveways, and other paved surfaces to remain within this limit if you wish to avoid a full WPAP for permanent stormwater treatment. This exemption must typically be recorded in the county deed records.
- **"Exemption" Does Not Mean "No Rules":** Even if an activity is exempt from requiring a full WPAP, you are still responsible for protecting water quality and adhering to basic environmental Best Management Practices (BMPs).
- **Sensitive Features:** Should any sensitive geological features like caves, sinkholes, or permeable fractures be encountered during construction, these must be immediately reported to the TCEQ, as specific protective measures will be required.
- **Consult Professionals:** Before undertaking any construction, significant landscaping, or development on your lot, you should consult with a qualified professional (such as an engineer, environmental consultant, or architect) experienced in Edwards Aquifer regulations.
- **Contact the TCEQ:** We strongly advise you to reach out directly to the TCEQ Edwards Aquifer Protection Program (specifically their San Antonio Regional Office for Uvalde County) to discuss your specific plans and determine if a WPAP or other permits/approvals are necessary *before* commencing any regulated activities.
- **Obtain Necessary Permits:** If a WPAP or other approvals are required, you must obtain them *before* commencing any regulated activities. Your approved WPAP will outline specific measures to manage stormwater and protect the aquifer, and you will be responsible for implementing and maintaining these.

Buyer Acknowledgment (Initials) _____

The purpose of these regulations is to ensure that all development in this area is environmentally responsible and safeguards the long-term health of the Edwards Aquifer. We strongly encourage you to understand these requirements and plan your future activities accordingly. For more information, please visit <http://tceq.texas.gov>.

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