

RULE NO.: R161-18.06

POSTING DATE: April 4, 2018

NOTICE OF PROPOSED RULE

The Director of Watershed Protection Department proposes to adopt the following rule after May 6, 2018.

Comments on the proposed rule are requested from the public. Comments should be submitted to Dana Lappin, 505 Barton Springs Road, Suite 1100, Austin Texas, 78704, 974-2634, or via email at dana.lappin@austintexas.gov. To be considered, comments must be submitted before May 6, 2018, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

EFFECTIVE DATE OF PROPOSED RULE

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before May 6, 2018 (the 32nd day after the date of this notice) or not after June 13, 2018 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before June 13, 2018 it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Watershed Protection Department, located at 505 Barton Springs Road, Suite 1200, Austin, TX, 78704; and

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

BRIEF EXPLANATION OF PROPOSED RULE

R161-18.06: Revises the Drainage Criteria Manual as follows:

- **Appendix E – Criteria for Establishing an Erosion Hazard Zone**
Add language to reflect that erosion hazard zone analysis is also required within 100 feet of the ordinary high water mark of the Colorado River downstream from Longhorn Dam or in locations where significant erosion is present.

AUTHORITY FOR ADOPTION OF PROPOSED RULE

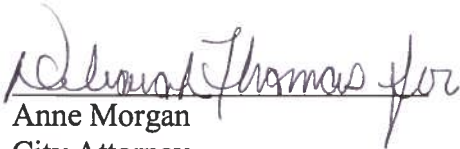
The authority and procedure for the adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is established in Chapter 1-2 of the City Code. The authority to regulate design and construction of drainage facilities and improvements is established in Section 25-7-121 of the City Code.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule (R161-18.06), the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director's administrative authority.

REVIEW AND APPROVED

 Date: 3/8/18
Michael L. Personett, Acting Director
Watershed Protection Department

 Date: 4/3/18
Anne Morgan
City Attorney

This Notice of Proposed Rule was posted on a central bulletin board at City Hall by the City Clerk. Date and time stamp is on the front of the notice.

DRAINAGE CRITERIA MANUAL

APPENDIX E - CRITERIA FOR ESTABLISHING AN EROSION HAZARD ZONE

Process

[...]

Residential

If the application is proposing new construction or an addition located within 100 feet of the centerline of a waterway with a drainage area of greater than 64 acres or greater, within 100 feet of the ordinary high water mark of the Colorado River downstream from Longhorn Dam, or in a location where significant erosion is present, the application will be reviewed by the Watershed Protection Department.

[...]