

**RULE NO.:** R161-19.02

**POSTING DATE:** January 8, 2019

### **NOTICE OF PROPOSED RULE**

The Director of Watershed Protection Department proposes to adopt the following rule after February 9, 2019.

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](mailto:dana.lappin@austintexas.gov). To be considered, comments must be submitted before February 9, 2019, 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 February 9, 2019 (the 32nd day after the date of this notice) nor after March 19, 2019 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before March 19, 2019, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.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**

R161-19.02: Revises the Environmental Criteria Manual as follows:

Appendix P-1, *Erosion Control Notes* - Additions to note number 8 (voids) to include notification of Travis County BCCP when voids are discovered during construction for site plan and subdivision cases.

## **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 water quality is established in Chapter 25-8 of the City Code.

**CERTIFICATION BY CITY ATTORNEY**

By signing this Notice of Proposed Rule (R161-19.02), 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**

  
\_\_\_\_\_  
Sara Boone Hartley, Interim Director  
Watershed Protection Department

Date: 12/17/18

  
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Anne Morgan  
City Attorney

Date: 1/8/19

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.

**Environmental Criteria Manual Appendix P-1**

[...]

8. All work must stop if a void in the rock substrate is discovered which is; one square foot in total area; blows air from within the substrate and/or consistently receives water during any rain event. At this time it is the responsibility of the Project Manager to immediately contact a City of Austin Environmental Inspector for further investigation. In addition, if the project site is located within the Edwards Aquifer, the Project Manager must notify the Travis County Balcones Canyonlands Conservation Preserve (BCCP) by email at [bccp@traviscountytx.gov](mailto:bccp@traviscountytx.gov). Construction activities within 50 feet of the void must stop.

[...]