

RULE NO.: R161-21.04

POSTING DATE: January 14, 2021

NOTICE OF PROPOSED RULE

The Director of Watershed Protection Department proposes to adopt the following rule on or after February 15, 2021.

Comments on the proposed rule are requested from the public. Comments should be submitted to Dana Lappin, at dana.lappin@austintexas.gov or (512) 974-2634. To be considered, comments must be submitted before February 15, 2021, 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 by contacting Dana Lappin at dana.lappin@austintexas.gov or (512) 974-2634.

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 15, 2021 (the 32nd day after the date of this notice) or not after March 25, 2021 (the 70th day after the date of this notice).

If a proposed rule is not adopted on or before March 25, 2021, it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

The text of the proposed rule, indicating changes from the current text, is attached to this notice.

BRIEF EXPLANATION OF PROPOSED RULE

R161-21.04: Modifies Environmental Criteria Manual ECM Appendix Q1, *Net Site Area* & Appendix Q2, *Impervious Cover*: Deletes and replaces ECM Appendices Q1 and Q2. Non-substantive changes have been made to improve plan review. 1) Added line numbers for ease of reference when communicating with applicants; 2) re-arranged information to group “slope category” information together; 3) added a line to Q2 tables for “existing impervious cover,” which is information that reviewers often have to ask applicants to insert manually.

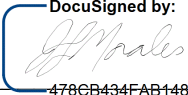
AUTHORITY FOR ADOPTION OF PROPOSED RULE

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 (R161-21.04), 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


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Jorge L. Morales, P.E., CFM, Director
Watershed Protection Department

Date: 12/20/2020


Anne Morgan
City Attorney

Date: 1/12/2021

This Notice of Proposed Rule was posted on the City website by the City Clerk. Date and time stamp is on the front of the notice.

APPENDIX Q-1

NET SITE AREA

NOTE: NET SITE AREA IS ONLY APPLICABLE TO WATERSHEDS CLASSIFIED AS WATER SUPPLY
SUBURBAN / WATER SUPPLY RURAL/ BARTON SPRINGS ZONE

<u>1</u>	TOTAL GROSS SITE AREA	= _____	ACRES
SITE DEDUCTIONS			
<u>2</u>	CRITICAL WATER QUALITY ZONE (CWQZ)	= _____	ACRES
<u>3</u>	WATER QUALITY TRANSITION ZONE (WQTZ)	= _____	ACRES
<u>4</u>	WASTEWATER IRRIGATION AREAS	= _____	ACRES
<u>5</u>	DEDUCTION SUBTOTAL	= _____	ACRES
UPLAND AREA (GROSS SITE AREA MINUS DEDUCTION SUBTOTAL)			
<u>6</u>		= _____	ACRES
NET SITE AREA CALCULATIONS			
<u>7</u>	AREA OF UPLANDS WITH SLOPES 0-15%	= _____ X 100%	= _____ ACRES
<u>8</u>	AREA OF UPLANDS WITH SLOPES 15-25%	= _____ X 40%	= _____ ACRES
<u>9</u>	AREA OF UPLANDS WITH SLOPES 25-35%	= _____ X 20%	= _____ ACRES
<u>10</u>	AREA OF UPLANDS WITH SLOPES >35%	= _____ X 0%	= _____ ACRES
<u>11</u>	NET SITE AREA	= _____	ACRES

APPENDIX Q-2

IMPERVIOUS COVER

WATER SUPPLY SUBURBAN / WATER SUPPLY RURAL/ BARTON SPRINGS ZONE

WATER QUALITY TRANSITION ZONE (WQTZ)				
<u>1</u>	WQTZ OUTSIDE OF 100-YEAR FLOODPLAIN (NON-FP WQTZ)	= _____	ACRES	
ALLOWABLE IMPERVIOUS COVER				
<u>2</u>	IMPERVIOUS COVER ALLOWED AT _____ % X NON-FP WPTZ	= _____	ACRES	
	(NON-FP WQTZ)			
<u>3</u>	IMPERVIOUS COVER ALLOWED AT _____ % X NET SITE AREA	= _____	ACRES	
	(NET SITE AREA)			
<u>4</u>	TOTAL ALLOWED IMPERVIOUS COVER ALLOWED	= _____	ACRES	
ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY				
	TOTAL ACREAGE WITH SLOPES 15-25% = _____	X 10%	= _____	ACRES
PROPOSED TOTAL IMPERVIOUS COVER				
<u>5</u>	IMPERVIOUS COVER IN NON-FP WQTZ			
<u>5a</u>	EXISTING PROPOSED TO REMAIN	= _____	ACRES	= _____ %
<u>5b</u>	PROPOSED NEW	= _____	ACRES	
<u>5c</u>	SUBTOTAL	= _____	ACRES	
<u>6</u>	IMPERVIOUS COVER IN UPLANDS ZONE			
<u>6a</u>	EXISTING PROPOSED TO REMAIN	= _____	ACRES	= _____ %
<u>6b</u>	PROPOSED NEW	= _____	ACRES	
<u>6c</u>	SUBTOTAL	= _____	ACRES	
<u>7</u>	TOTAL PROPOSED IMPERVIOUS COVER	= _____	ACRES	

ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY				
<u>8</u>	TOTAL ACREAGE WITH SLOPES 15-25% = _____	ACRES X 10%	= _____	ACRES
PROPOSED IMPERVIOUS COVER ON SLOPES				
		IMPERVIOUS COVER		
		BUILDING / OTHER IMPERVIOUS COVER		DRIVES / ROADWAYS
	SLOPES			
	SLOPE CATEGORIES	ACRES	% OF SLOPE CATEGORY	ACRES
<u>9</u>	0-15%	_____	_____	_____
<u>10</u>	15-25%	_____	_____	_____
<u>11</u>	25-35%	_____	_____	_____
<u>12</u>	OVER 35%	_____	_____	_____
<u>13</u>	TOTAL GROSS SITE AREA	_____		

APPENDIX Q-2

IMPERVIOUS COVER

SUBURBAN WATERSHEDS

NOTE: Q-1 TABLES ARE NOT REQUIRED FOR SUBURBAN WATERSHEDS

<u>1</u>	IMPERVIOUS COVER ALLOWED AT _____% X <u>GROSS SITE AREA</u> (<u>GROSS SITE AREA</u>)	= _____ ACRES
ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY		
	TOTAL ACREAGE WITH SLOPES 15-25% = _____ ACRES X 10%	= _____ ACRES
PROPOSED <u>TOTAL</u> IMPERVIOUS COVER		
<u>2</u>	<u>EXISTING IMPERVIOUS COVER PROPOSED TO REMAIN</u>	= _____ ACRES
<u>3</u>	<u>PROPOSED NEW IMPERVIOUS COVER</u>	= _____ ACRES
<u>4</u>	TOTAL PROPOSED IMPERVIOUS COVER	= _____ ACRES
		= _____ %

ALLOWABLE IMPERVIOUS COVER BREAKDOWN BY SLOPE CATEGORY				
<u>5</u>	<u>TOTAL ACREAGE WITH SLOPES 15-25% = _____ ACRES X 10% = _____ ACRES</u>			
PROPOSED IMPERVIOUS COVER ON SLOPES				
			IMPERVIOUS COVER	
			BUILDING / OTHER IMPERVIOUS COVER	
			DRIVES / ROADWAYS	
	<u>SLOPES</u>			
	SLOPE CATEGORIES	ACRES	ACRES	% OF SLOPE CATEGORY
<u>6</u>	0-15%	_____	_____	_____
<u>7</u>	15-25%	_____	_____	_____
<u>8</u>	25-35%	_____	_____	_____
<u>9</u>	OVER 35%	_____	_____	_____
<u>10</u>	TOTAL <u>GROSS</u>	_____		
	SITE AREA			