



**HIGHLAND LAKES WATERSHED ORDINANCE
APPLICATION PACKET - DEVELOPMENT PERMIT**

The LCRA Highland Lakes Watershed Ordinance requires permits for the following activities:

- Development activities including construction of subdivision infrastructure, single family, multi-family, and commercial buildings, parking areas, roadways, clearing land or filling, etc. that will add more than 10,000 square feet of impervious cover or disturb more than 1 acre of land.
- Mine or Quarry activities that create more than 10,000 square feet of impervious cover or disturb more than five acres of land or that are located within a Buffer zone of a creek or river.
- Utility line construction and maintenance.

The Ordinance requires Written Notification and the use of Erosion and Sediment Controls for any Development activity even if a permit is not required. Refer to the “NOTIFICATION OF NO PERMIT REQUIRED” form in page 10 of this packet.

Development activities that are subject to permitting requirements shall comply with the following performance standards:

Performance Standards	Ordinance Section	Minimum Requirements
Pre-development Planning	Section 5 (a)	Meeting with LCRA staff to review project Plan showing drainage layout and BMP design information
Water Quality Management	Section 5 (b)	Plan showing buffer zones for creeks, and buffer zone protection measures
Buffer Zones	Section 5 (c)	Construction-phase erosion control plan with details and specifications
Construction- Phase Erosion and Sediment Control	Section 5 (d)	Contact LCRA to initiate education program
Water Quality Education	Section 5 (e)	

The land owner or land user must submit a permit application to LCRA for review and approval prior to beginning work. If the Development activity involves subdivision of land, LCRA will also review preliminary plans and final plats for compliance with Ordinance requirements.

Submit applications and/or notices to:

**LCRA - Mail Stop S416
P.O. Box 220
Austin, TX 78767
Attn: Watershed Engineering & Planning**

For questions regarding the **permit submittal process**, contact 1-800-776-5272, Ext. 2324. **For technical questions** regarding the ordinance, construction requirements, etc., contact 1-800-776-5272, Ext. 2091 or Ext. 2892.

Issuance of a Development Permit does not relieve the applicant of applying for and obtaining permits from other agencies that may also be required (i.e., city, county, state or federal agencies). It is the responsibility of the applicant to ensure that all applicable permits are obtained.

The following is a packet of information to assist in submitting a Development Permit application. Contact LCRA for appropriate alternate forms and checklists for a Master Plan, Utility General Permit, Quarry/Mine Permit/Certification or BMP Maintenance Permit.

Permit Application Form

Application # _____
(to be completed by LCRA)

LCRA HIGHLAND LAKES WATERSHED ORDINANCE DEVELOPMENT PERMIT APPLICATION

APPLICANT NAME: _____ FIRM: _____
(PERSON OR STREET ADDRESS: _____
ENTITY CITY/STATE/ZIP: _____
SEEKING PERMIT)

PHONE: _____ FAX: _____ EMAIL: _____

PROPERTY OWNER NAME: _____ FIRM: _____
STREET ADDRESS: _____
CITY/STATE/ZIP: _____

PHONE: _____ FAX: _____ EMAIL: _____

AGENT/ ENGINEER NAME: _____ FIRM: _____
STREET ADDRESS: _____
CITY/STATE/ZIP: _____

PHONE: _____ FAX: _____ EMAIL: _____

PROJECT NAME: _____

NUMBER OF ACRES IN PROJECT: _____

ADDRESS/LOCATION OF PROPERTY: _____

COUNTY: _____ LAKE: _____ TAX PARCEL ID: _____

BRIEF DESCRIPTION OF PROJECT: _____

CERTIFICATION

I (we), the undersigned, do hereby certify that to the best of our knowledge this application correct, complete and complies with the LCRA Highland Lakes Watershed Ordinance. By submitting an application, the applicant and/or owner is authorizing LCRA to enter the site to obtain information required for review of this permit application.

Applicant

Date

Property Owner

Date

Agent/Engineer

Date

Fee Schedule

<u>Development Permit</u>	\$50.00 + \$10.00 x number of acres up to 100 acres, then \$5.00 per acre for each acre over 100.
<u>Alternate Standards/Fast Track Development Permit</u>	
-Single –family development	\$50.00 + \$8.00 x number of acres up to 100 acres, then \$2.50 per acre for each acre over 100.
-Commercial development	\$50.00 per project
<u>Master Plan Review</u>	\$2.50 per acre
<u>Utility General Permit</u> (per project)	\$100.00 - 1.0 to 5,000 linear feet \$200.00 - over 5,000 linear feet
<u>BMP Maintenance Permit</u>	reserved
<u>Plat Review</u>	reserved
<u>Quarry and Mine Permits</u>	
-Quarry/Mine Certification or Permit	\$1000.00 + \$100.00 x number of acres up to 10 acres + \$45.00 x number of acres between 10 and 100 acres, then \$10.00 per acre for each acre over 100.
-Annual Quarry/Mine Inspection Fee	\$500.00 + \$200.00 for each pit/mine and water quality basin.

**APPLICATION FEES MUST BE SUBMITTED AT THE TIME
APPLICATION IS MADE**

For questions regarding fees contact:
LCRA Watershed Engineering & Planning
512-473-3200, Ext. 2324
1-800-776-5272, Ext. 2324

Administrative Completeness Checklist

To initiate the permitting process for a Development Permit, the following items must be submitted to the LCRA Water Quality Protection Office, Watershed Engineering & Planning Team:

- _____ Completed Application Form, including signature(s)
- _____ Ownership Information (warranty deed or tax record)
- _____ Permit Fee
- _____ Location Map illustrating project location (indicating county, roads, etc.)
- _____ Engineer's Report containing calculations and a description of the Best Management Practices (BMPs) to be implemented. This report must be sealed by a Professional Engineer.
- _____ Construction Plans including a water quality management plan and an erosion and sediment control plan. Plans must be sealed and signed by a Professional Engineer.
- _____ Engineer's Cost Estimate for temporary erosion controls. This cost estimate must also include revegetation costs in addition to silt fence, rock berm, stabilized construction entrance, etc. costs.

Refer to the attached Development Permit Submittal Requirements for further details regarding the required submittals. Contact LCRA for appropriate alternate forms and checklists for a Master Plan, Utility General Permit, Quarry/Mine Permit/Certification or BMP Maintenance Permit.

This information can also be found in the LCRA Water Quality Management Technical Manual, Appendices. Application submittal and permit processing guidance is detailed in Section I Chapter 1 of the Technical Manual for Development Projects and Section II Chapter 1 for Quarry/Mine projects.

Keep in mind that before a permit can be issued, the applicant must post a notice at the project site, mail notice to adjacent landowners, publish a notice in the local newspaper and provide LCRA with a copy of the publisher's affidavit. The publisher's affidavit must be provided to the LCRA within five (5) days of publication. The notification requirements of the ordinances, along with the cost of publication, are the responsibility of the applicant.

In addition, a Letter of Credit in the amount equal to the cost for installation of erosion and sediment controls and site stabilization (restoring vegetation) must be provided after LCRA approval of the cost estimate. A Letter of Credit with an expiration date of less than three years will not be accepted. A cashier's or corporate check may be provided in lieu of a letter of credit.

Development Permit Submittal Requirements

Provide two (2) copies of documents listed below (except the application form). Electronic copies of reports and documents may be required upon request.

1. Completed application form and fee.
2. List of property owners adjacent to the site. The names of the property owners shall be determined by the applicant based upon records from the appropriate County Tax Appraisal District.
3. Detailed location map, description and address of the property.
4. Engineering Report – the report shall discuss site characteristics, water quality management strategies and include the following information:
 - description of site and of proposed development.
 - location and type of soils. This information can be obtained from the County Soil Survey.
 - vegetative cover map including tree and ground cover.
 - engineer's seal, signature and statement certifying that the plan is complete and in compliance with this ordinance.
 - data and calculations for water quality BMPs and associated drainage facilities, including drainage area, impervious cover area, time of concentration, runoff coefficients and discharge for 1 year and 25 year storm events (used to size vegetative filter strip width and determine flow splitter elevation/by-pass at water quality basins), stable constructed channel documentation, volume calculations for all ponds, floodplain calculations for fully developed conditions or FEMA floodplain delineation when used to define a buffer zone.
 - description of the permanent BMPs to be implemented to achieve the performance standards for Water Quality Management.
5. Water Quality Management Plan – the plan shall include sheet(s) at an appropriate scale¹ and in sufficient detail to ensure that permanent BMPs and associated drainage facilities are constructed in accordance with the design intent. Required information on the plan includes the following, however additional information may be required:
 - existing topography.
 - proposed grading and drainage patterns including drainage area maps for any offsite contributing areas (may be larger scale as needed).
 - delineation of buffer zones and notes restricting activities within same.
 - site layout showing all existing and proposed improvements and structures including buildings, parking areas, utilities, driveways, sidewalks, trails, etc.
 - location and schematic of the Best Management Practices (BMPs).
 - details for drainage system and permanent BMPs.
 - permanent BMPs shall be drawn at a scale to allow readability by reviewers and contractors, and include all notes and details.

6. Erosion and Sedimentation Control (ESC) Plan – plan sheets(s) at appropriate scale¹ showing the following information:
 - existing topography.
 - proposed grading and drainage patterns.
 - all existing and proposed improvements and structures, including buildings, parking areas, utilities, driveways, sidewalks, trails, etc.
 - limits of construction line.
 - location of all access roads, haul roads, equipment storage areas, spoil and topsoil stockpile areas.
 - location and schematic of temporary and permanent ESC.
 - detailed sequence of construction indicating items to be constructed in each construction stage and ESC modifications to be implemented as construction progresses.
 - details and specifications for ESC, and locations of controls.
 - location and specifications for all structural stabilization, including stabilization of cut and fill areas.
 - restoration plans for all disturbed areas on the site that include seed, sod and mulch type and rate of application; application technique; watering and fertilization schedule; criteria for acceptance of site stabilization.

¹ Suggested minimum scale of 1"=50' for tracts under 100 acres, 1" = 100' for tracts 100 to 250 acres 1" = 200' for tracts 250 to 400 acres, and 1" = 400' for larger tracts. Suggested contour line interval of 2' intervals for projects up to 400 acres or 5' intervals for projects greater than 400 acres. Offsite areas can utilize USGS topographic maps at a scale of 1"=2000' to delineate drainage area boundaries.

7. Slope maps, at the same scale as the water quality management plan, depicting slope categories of 0-5%, 5-20%, and over 20%. The slope categories shall be determined by measuring between contour lines. For 2 foot contours the average of 5 contour intervals may be used and for 5' contours the average of 4 will be accepted. Permit applications submitted under ALTERNATE PERFORMANCE STANDARDS FOR SINGLE FAMILY SUBDIVISIONS and COMMERCIAL DEVELOPMENT will not require slope maps.
8. A maintenance plan as described in Sections 1.5 and Chapter 5 of this manual if permanent BMPs are included in the application.
9. A cost estimate, sealed by a Professional Engineer, for temporary and permanent erosion controls. The costs shall include topsoil, seed, mulch and watering for site stabilization. Financial Security, in a form approved by the LCRA, will be required prior to issuance of the permit. See the attached letter of credit example.
10. For sites with shoreline frontage on any of the Highland Lakes, contact LCRA to determine whether the project will require compliance with Dredge and Fill Standards, or a permit for Marina, and Private Sewage Facility Licensing.
11. For sites within LCRA Onsite Sanitary Sewer Facility (OSSF) jurisdiction, contact LCRA to determine OSSF permitting requirements.

Letter of Credit Example

Lower Colorado River Authority
P.O. Box 220
Austin, TX 78767

ATTENTION: We hereby authorize you to draw on (BANK) _____
by order of "DEVELOPER" _____ and for account of DEVELOPER, up to
an aggregate amount of _____ U.S. Dollars (\$ _____), available
by your drafts at sight accompanied by:

- a) A certificate signed by an authorized officer or agent of the Lower Colorado River Authority ("LCRA") indicating that:
 - i) DEVELOPER has failed to construct and maintain all required erosion and sedimentation controls set forth in Permit # _____ issued pursuant to the LCRA Highland Lakes Watershed Ordinance (the "Ordinance").
 - ii) LCRA has notified DEVELOPER of such failure and DEVELOPER has not constructed such improvements or taken any action toward such construction within 30 days of such notice.
 - iii) LCRA has not failed to perform with respect to any material obligation required of it under the Ordinance.
- b) An opinion signed by an attorney for LCRA certifying that:
 - i) An event has occurred as described in subparagraph (a)(i) above which entitles LCRA to draw on this letter of credit, and the event has not been cured and is continuing.
 - ii) LCRA has not failed to perform with respect to any material obligation required of it under the Ordinance.

The amounts of this Letter of Credit must be endorsed on this document. We hereby agree with the drawers, endorsers, and bona fide holders of all drafts drawn under and in compliance with the terms of this credit, that such drafts will be duly honored upon presentation to the drawee.

This Letter of Credit is subject to the Uniform Customs and Practice for Documentary Credits (2007 Revision), International Chamber of Commerce Publication 600.

[BANK]

Newspaper Notice Template

Instructions:

- Edit text in brackets depending on the type of application being requested (e.g. select **DEVELOPMENT PERMIT, MASTER PLAN** or both),
 - Fill in applicant name, address, site location, site description and include variances requested in the application, if any,
 - Fill in the comment deadline date in the space indicated below,
 - Publish notice in a local newspaper one (1) time at the first available date following LCRA notification that the permit or master plan application has been accepted as administratively complete,
 - Send publisher's affidavit to: **Watershed Engineering & Planning
LCRA, Mail Stop S416
P.O. Box 220
Austin, TX 78767**
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PUBLIC NOTIFICATION OF LCRA HIGHLAND LAKES WATERSHED ORDINANCE [DEVELOPMENT PERMIT/ MASTER PLAN] APPLICATION

Applicant information **[FILL IN THE FOLLOWING INFORMATION PRIOR TO SUBMITTING FOR PUBLICATION]**:

Applicant's Name:
Address:
City/State/Zip:
Location of site:
Description of project:

Lower Colorado River Authority (LCRA) has received an application for **[DEVELOPMENT PERMIT/ MASTER PLAN]** approval under the LCRA Highland Lakes Watershed Ordinance. LCRA has determined that the application is administratively complete.

Any interested person may comment on the application. Written comments must be received by LCRA at: LCRA, Mail Stop S416, P.O. Box 220, Austin, TX 78767 no later than: **[APPLICANT TO FILL IN DATE 15 DAYS FROM DATE OF PUBLICATION]**. Written comments may also be delivered to LCRA.

Additional information regarding this application may be obtained by contacting the LCRA Watershed Engineering & Planning Office at 473-3200, ext. 2324.

Instructions: Edit text in brackets depending on the type of application being requested (e.g. select **DEVELOPMENT PERMIT**, **MASTER PLAN** or both), fill in blanks and include variances requested in the application (if any) in the project description section.

Mailed Notice Template

Mailing Date: _____

NOTICE OF [DEVELOPMENT PERMIT/MASTER PLAN] APPLICATION

Application Number: _____

Project Name: _____

Applicant Name & Address: _____

Site Location: _____

Dear Sir or Madam:

The Lower Colorado River Authority (LCRA) has received an application for [Development Permit/Master Plan] approval for the referenced project. You are being notified of this application because the LCRA Highland Lakes Watershed Ordinance requires notification of adjacent property owners when a [Development Permit/Master Plan] application is submitted.

Project Description: _____
_____ [include variances requested in the application, if any] _____

LCRA has determined that the application is administratively complete. Any interested person may comment on the application. Written comments must be received by LCRA no later than 15 days from the date on this letter in order to be considered in the review of the application:

Mail:
LCRA, Mail Stop S-416
Watershed Engineering & Planning
P.O. Box 220
Austin, TX 78767

Delivered:
LCRA, Mail Stop S-416
Watershed Engineering & Planning
3700 Lake Austin Blvd.
Austin, TX 78703

Additional information regarding this application may be obtained by contacting the LCRA Watershed Engineering & Planning Office at 473-3200, ext. 2324.

Please Note: complete this form only if your project does not require a permit based on one or more of the conditions below.

LCRA Case # _____
Inspection Region _____

LCRA HIGHLAND LAKES WATERSHED ORDINANCE NOTIFICATION OF NO PERMIT REQUIRED

Property Owner Information

Name: _____
Phone # _____
Mailing Address: _____
City/State/Zip: _____
Email address: _____

Agent Information (if applicable)

Name: _____
Phone # _____
Mailing Address: _____
City/State/Zip: _____
Email address: _____

Erosion and Sediment Control Maintenance Contact

Name: _____ Phone # _____ Email address: _____

Property Location & Information

Address of property proposed to be developed: _____

Legal Description: Subdivision: _____
Section: _____ Block: _____ Lot(s): _____

Total number of acres: _____ Total square feet of new impervious cover: _____

Total number of acres disturbed: _____ Lake: _____ County: _____ Tax Parcel ID: _____

Proposed Activity: Single family Commercial Quarry or Mine Dredge & Fill Other (specify): _____

Project Description: _____

Select one or more of the following categories and attach an erosion/sedimentation control plan for the proposed activity.

Development creating less than 10,000 square feet of impervious cover and disturbing less than 1 acre of land. A copy of the construction plans or plat showing location and amount of impervious cover and area that will be disturbed must be submitted

Construction of a Single-family Residence that creates more than 10,000 square feet of Impervious Cover and less than one acre of land is disturbed provided that the Site complies with the downstream buffer guidelines found in the LCRA Technical Manual.

Quarry or mine activity outside of a Creek or River Buffer Zone creating less than 10,000 square feet of impervious cover and disturbing less than 5 acres of land. A plan showing proposed disturbed area and improvements must be submitted.

Plat approved by a governmental entity (City or County) prior to the effective date of the Ordinance (2/1/1990 in Travis County, 6/1/1992 in Burnet or Llano County). Provide a copy of the plat with recording information including date plat was recorded.

Redevelopment cumulatively increasing impervious cover less than 10,000 square feet and disturbing less than 1 acre of land. A copy of the construction plans or plat showing location and amount of impervious cover and area that will be disturbed must be submitted.

Dredge & Fill Project (contact LCRA for a checklist if the project exceeds 500 feet in length or if the quantity of material to be dredged exceeds 500 cubic yards).

Other _____

Property owner/agent signature Date

LCRA No Permit Required Acknowledgement

The development: Does Does not require a permit based on the materials submitted with this request.
For information contact LCRA 512- 473-3200 ext. 2324.

LCRA Watershed Engineering & Planning Staff Date

Conditions:

1. The use of erosion and sedimentation controls is required during the construction process and until the site is stabilized.
 2. Contact LCRA at least 48 hours prior to the commencement of land disturbance. _____
 3. Federal, state, and local regulations including Texas Commission on Environmental Quality Storm Water Pollution Prevention Plan requirements, FEMA Floodplain regulations, etc. may apply.
 4. This acknowledgement is valid for one year. If more than one year has elapsed from the date of acknowledgement, an extension may be requested by resubmitting this form to LCRA
- See other conditions on reverse side of form (if checked)