



HIGHLAND LAKES WATERSHED ORDINANCE APPLICATION PACKET – DREDGE AND FILL 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 (5) acres of land or that are located within a Buffer zone of a creek or river.
- Utility line construction and maintenance.
- Dredge or Fill Activities that dredge more than 500 cubic yards or disturb more than 500 linear feet of shoreline.

The Ordinance requires Written Notification and the use of Erosion and Sediment Controls for any Development or Dredge and Fill activity, even if a permit is not required. Contact LCRA for further information.

The landowner or land user must submit a permit application to LCRA for review and approval before beginning work.

Submit applications and/or notices to:

**LCRA – Mail Stop L106
P.O. Box 220
Austin, TX 78767
Attn: Watershed Engineering & Planning**

For questions regarding the **permit submittal process**, contact 800-776-5272, ext. 2324. **For technical questions** regarding the ordinance, construction requirements, etc., contact 800-776-5272, ext. 2091 or ext. 4080.

Before a permit can be issued, the applicant must post a notice at the project site and mail a notice to landowners within 500 feet of the property. The notification requirements 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 must be provided after LCRA approves the cost estimate. A template for the letter of credit is included in this packet. 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.

Issuance of a 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 applicant's responsibility to obtain all applicable permits.

The following is a packet of information to assist in submitting a Dredge and Fill Permit application. Contact LCRA for appropriate alternate forms and checklists for a other permit types.

Permit Application Form

Application # _____
(to be completed by LCRA)

LCRA HIGHLAND LAKES WATERSHED ORDINANCE PERMIT APPLICATION

___ Development Permit ___ Master Plan ___ General Utility Permit

___ Quarry/Mine Certification ___ Quarry/Mine Permit ___ Dredge/Fill Permit

APPLICANT NAME: _____ FIRM: _____

(PERSON OR
ENTITY
SEEKING
PERMIT)

STREET ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ FAX: _____ EMAIL: _____

PROPERTY OWNER NAME: _____ FIRM: _____

OWNER

STREET ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: _____ FAX: _____ EMAIL: _____

AGENT/ENGINEER NAME: _____ FIRM: _____

ENGINEER

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

Development Permit

\$1,830 + \$366/acre (0-10 acres) + \$165/acre (10-100 acres) + \$146/acre (> 100 acres)

Alternative Standards – Development Permit Fee (fast track permit and fee)

\$1,830 + \$73/acre (0-100 acres) + \$18/acre (>100 acres)

Master Plan Review

\$3.50 per acre for projects seeking alternate standards

\$5.00 per acre for projects not seeking alternate standards approval

Utility General Permit

\$500 for project lengths ranging from 1 to 5,000 linear feet

\$1,000 for project lengths greater than 5,000 linear feet

Annual Maintenance Inspection Fee

\$400/year (one to five water quality basins + \$50 for each additional Best Management Practice [BMP]). First fee paid at project completion by developer at issuance of BMP Maintenance Permit. Subsequent fee paid by owner/maintenance association.

Quarry/Mine Certification or Permit

\$1,000 + \$100/acre (0-10 acres) + \$45/acre (10-100 acres)+\$10/acre (> 100 acres)

Annual Quarry/Mine Inspection Fee

\$500 + \$200 for each pit/mine and water quality basin.

Dredge and Fill Permit

\$500 for projects ranging from 500 to 1,000 cubic yards

\$1,000 for projects greater than 1,000 cubic yards

Reinspection Fee

\$100

Permit Amendment

\$100

Plan Revisions

\$50 per plan sheet (fee to be charged only for sheets with substantive changes; no charge for changes to cover sheet, key map or detail sheets to reflect revisions)

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

Dredge and Fill 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 (Appendix 1.2) and fee per Appendix 1.3.
2. Detailed location map.
3. List of property owners within 500 feet of the site. The names of the landowners shall be determined by the applicant based upon the records from the appropriate County Tax Appraisal District.
4. Evidence of ownership of property on which the requested work will take place (warranty deed or tax records), along with any lease agreements, easements, etc. If work is to be done on property not owned by the applicant, provide written permission from the owner to perform the requested work.
5. Plat of the property where the dredge and fill activity will take place. On the plat show the proposed locations of retaining wall, boat slip, boat ramp, and areas to be dredged. Identify limits of construction, haul/access roads, staging areas, and the location of erosion and sediment controls (silt fence, sediment basins, turbidity curtains, etc.).
6. A description of the type and quantity of dredged material (if any), in cubic yards, to be removed from the site. Indicate how dredged areas will be stabilized (e.g. earth slope at 3 horizontal to 1 vertical, sheet piling, concrete/stone retaining wall, etc.)
7. A description of the plans for the disposal of any dredged material.
8. A description of the type and quantity of fill material, in cubic yards, to be placed below the normal waterline. (Include in this estimate any material that will be placed below the normal water level to build a retaining wall, boat slip, boat ramp, etc.)
9. Provide a specification for restoration of all disturbed areas.
10. A copy of the U.S. Army Corps of Engineers application. (Mail the original directly to the Corps.) If covered by a nationwide permit, include the permit number and a copy of the pre-construction notice, if applicable.
11. Cost Estimate for temporary erosion controls and stabilization. This cost estimate must also include restoration costs in addition to any turbidity controls and erosion/sediment controls

Additional Submittals required for certain project types

Include the following items if your project falls into one of these categories:

Boat ramp proposals require calculations regarding the amount of fill and excavation that will be required to construct the ramp. Include a list of materials that will be used to construct the boat ramp along with cross section drawings of dimensions, slopes, elevations, and depth profiles

Dredge or Fill projects involving materials or equipment staging areas located in the lakebed shall provide a Severe Weather Evacuation Plan detailing how the contractor will respond to a significant rise in lake level. Provides details on how weather conditions and LCRA hydro/flood operations will be monitored (contact LCRA staff about getting on the Floodgate Operations Notification Service).

Dredging performed in submerged conditions

- Provide specifications and/or details on the methods of all underwater construction (pipeline anchor blocks, barge anchors, manifold, temporary standpipe, etc.) and how potential for an increase in turbidity will be minimized.
- Provide a turbidity monitoring plan or section in the specifications that covers how turbidity will be monitored in the project area. If turbidity cannot be contained through the use of a turbidity curtain, then monitoring may be required during construction activity. A portable turbidimeter can be used to monitor conditions at specified test locations. Typically, the maximum allowable turbidity is 20 NTU greater than the background conditions at any test location. Every project is unique, so consult with LCRA to best determine location, timing and depth of test locations.

Letter of Credit Template

[Required format for Letters of Credit related to Lower Colorado River Authority issued Permits- remove this text from final document]

(Issuing Bank letterhead)

IRREVOCABLE STANDBY LETTER OF CREDIT NO. _____

Date: _____, 20__

Expiration Date: _____, 20__

Beneficiary:

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

Applicant:

[Name and address]

Gentlemen:

We hereby issue our Irrevocable Standby Letter of Credit No. _____ in your favor up to the aggregate amount of US\$ xx,xxx.xx [dollar and cents words written xxxxxxxxxxxx and xx/100] U.S. Dollars available by draft(s) drawn on us at sight, marked "Drawn under Irrevocable Standby Letter of Credit No. _____ of _____ [Issuing Bank name]" accompanied by the following:

1. A certificate signed by an authorized officer or agent of the Lower Colorado River Authority (hereinafter "LCRA") indicating that:
 - a) Applicant has failed to construct and maintain all required erosion and sedimentation controls, including final stabilization as set forth in Permit # _____ and the LCRA Highland Lakes Watershed Ordinance (the "Ordinance"), as amended.
 - b) LCRA has notified Applicant of such failure and Applicant has not constructed or maintained said erosion and sedimentation controls within 30 days of such notice.
 - c) LCRA has not failed to perform with respect to any material obligation required of it under the Ordinance.
2. An opinion signed by an attorney for LCRA certifying that:
 - a) An event has occurred as described in subparagraph 1.a) above which entitles LCRA to draw on this Letter of Credit, and the event has not been cured and is continuing.

b) LCRA has not failed to perform with respect to any material obligation required of it under the Ordinance.

3. This original Letter of Credit and any amendments thereto (if any). In the event of a partial drawing, the original Letter of Credit will be endorsed and returned to you, unless the Letter of Credit has expired or the amount available is reduced to zero.

We hereby engage with you that documents drawn under and in compliance with the terms of this Irrevocable Standby Letter of Credit will be duly honored if presented for payment to [Issuing Bank name and address of Letter of Credit department] prior to _____ a.m./p.m. [deadline] Central Time on or before the expiration date of this Letter of Credit.

It is a condition of this Letter of Credit that it shall be automatically extended without amendment for an additional period of one year from the current expiration date and each future expiration date, for as long as the Final Stabilization required by the Permit supported by the Letter of Credit has not been completed, or until a BMP Maintenance Permit has been approved by LCRA, whichever is later.

This Letter of Credit is subject to the International Standby Practices 1998, International Chamber of Commerce Publication No. 590 ("ISP98"), in effect on the date this Letter of Credit is issued, and as to matters not addressed by ISP98 is subject to and governed by Texas State Law and applicable U.S. Federal Law.

_____ [Issuing Bank name]

Authorized Signature

Authorized Signer Name

Authorized Signer Telephone Number

Mailed Notice Template

Mailing Date: _____

NOTICE OF DREDGE AND FILL PERMIT 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 Dredge and Fill Permit approval for the referenced project. You are being notified of this application because the LCRA Highland Lakes Watershed Ordinance requires notification of neighboring property owners when a Dredge and Fill Permit 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 L106
Watershed Engineering & Planning
P.O. Box 220
Austin, TX 78767

Delivered:

LCRA, Mail Stop L106
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 512-578-2324.