

# HIGHLAND LAKES DREDGE AND FILL ORDINANCE

## INSPECTION PROCEDURES

All required Environmental and Safety plans must be implemented and maintained per the approved plans, permit, the Highland Lakes Dredge and Fill Ordinance (“the Ordinance”) and associated Technical Manual. Dredge and Fill activities may not begin until compliance is certified by the LCRA inspector at the pre-construction meeting.

LCRA inspector: \_\_\_\_\_ Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Alternate LCRA contact: \_\_\_\_\_ Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_

### Permit/Ordinance requirements:

- **Property ownership or control** – No work is authorized except in locations where the permit holder has established ownership or control.
- **Water quality protection**
  - Dredge or Fill activities shall not result in an unauthorized discharge of Pollutants into waters in the state. Any discharges of water containing sediment must be discharged to an approved de-watering system. Return flows may not cause pollution of the lakes or other waterways.
  - Dredged Material must be removed from the lake and placed permanently above the Regulated Pool Elevation of the lake in a manner that will prevent material from re-entering the lake through runoff.
  - Dredge or Fill activities in submerged conditions must employ techniques to manage turbidity, such as coffer dams or turbidity curtains.
  - Unsuitable materials may not be used. Review for potential disposal issues if dredging will occur near marine service stations, boat refinishing or repair operations.
- **Land reclamation and limits on new structures** – Land reclamation is not allowed. New structures may not exceed 1 cubic yard of fill per linear feet of shoreline, except as allowed under a separate authorization by the Army Corps of Engineers.
- **Navigability, water flow and safety**
  - Work must not interfere with others’ reasonable access to or use of the lakes.
  - Shoreline Stabilization systems must not present a hazard to navigation. Shoreline Stabilization systems must follow the existing shoreline, be limited to the minimum required to stabilize the shoreline, and must not exceed the length of the property owner’s waterfront property line unless authorized.
  - Dredged areas must be maintained as not to allow water to become isolated from the remainder of the lake or otherwise impede the normal movement of water.
- **Shoreline stabilization and slope stability** – Refer to approved plans and permit.

- **Invasive species** - Refer to guidance from the Texas Parks and Wildlife Department regarding decontamination of equipment, materials and vessels.
- **Other requirements**
  - No Dredge or Fill activity may occur in the proximity of a public water supply intake, except where the activity is for the repair or improvement of public water supply intake structures or adjacent shoreline stabilization.
  - All applicable permits and authorizations for the proposed operations must be secured and complied with at all times.
- **Turbidity management and monitoring** (Tier II/III) – Review requirements in approved plan.
- **Emergency Operations Plan** (Tier II/III) – Review requirements in approved plan.
- **Commercial dredge and fill zones** (Tier III) – Approved projects must remain in the zones referenced in the permit.
- **Setback requirements** (Tier III) – Review setbacks regarding any Critical Infrastructure, Utility infrastructure or dams near the work area.
- **Public safety plan** (Tier III) – Must meet requirements in approved plan.
- **Additional turbidity management** (Tier III) – Review procedures and potential additional measures to be employed if necessary to control turbidity impacts.
- **Removal of native materials** (Tier III) – Dredging below the original lakebed is not allowed. Project must not exceed the project limits in the permit.
- **Authorized storage** (Tier III) – Dredging that results in increasing storage beyond the authorized volume is not allowed. Project must not exceed the project limits in the permit.
- **Contaminant release** (Tier III) – Review approved plan, if applicable.
- **Spill prevention plan** (Tier III) – Review approved plan.
- **Discharges** (Tier III) - Activities shall comply with all applicable discharge restrictions in 30 Texas Administrative Code, Chapter 311, as amended.

## **Violation Procedures**

### **Priority violations:**

- Failure to obtain the appropriate permit or authorization prior to commencing Dredge and Fill activities.
- Failure to install Best Management Practices (BMPs) prior to commencing Dredge and Fill activities.
- Failure to notify LCRA prior to commencing Dredge and Fill activities.
- Conducting Dredge and Fill Activities beyond the limits established in the approved plans and permit.
- Removal of turbidity controls or other water quality BMPs prior to approval from the LCRA inspector.
- Any discharge of sediment or sediment-laden waters to a lake, waterway or off the site unless LCRA-approved BMPs are in place.

Other violations will be documented and a timeframe established for corrective action. Failure to meet the corrective action deadline may escalate the violation to a priority violation.

### **Priority violation procedure (Stop Work Order)**

- The LCRA inspector may issue a Stop Work Order (Red Tag) for noncompliance. The permit may also be revoked for noncompliance with the Ordinance or Permit requirements.
- A Stop Work Order (Red Tag) is effective immediately, unless the LCRA inspector authorizes specific activities to correct environmental or safety hazards. After the project is brought into compliance, the LCRA inspector must be contacted for a re-inspection.
- Any Person violating provisions of this Ordinance shall be subject to a civil penalty of not more than \$10,000 for each violation. Each calendar day a violation exists shall constitute a separate violation (LCRA Highland Lakes Dredge and Fill Ordinance Section 9.5).

## **Inspection Fees**

LCRA may charge a reinspection fee, as authorized by the Board, when a project is out of compliance with any of the Standards of Section 5 to recover LCRA costs for returning to any location within the Project Limits to determine if compliance has been achieved.

Failure to pay the fee will not delay an inspection, but all required fees must be paid before a project release is issued. Failure to pay the fee is subject to enforcement action.

The fee may be paid at the following locations:

Online:            Mygovernmentonline.org (project account access must be enabled to pay the fee).

Austin:            LCRA General Office Complex  
                      Hancock Building  
                      3700 Lake Austin Blvd.  
                      Austin, TX 78703

Marble Falls:    LCRA Western Maintenance Facility  
                      2643 N. Wirtz Dam Road  
                      Marble Falls, TX 78654

## **Right of Entry**

Any Person, or successors or assigns, who has filed a Permit application or Tier I notification, received a Permit or Authorization under this Ordinance, or is otherwise subject to the provisions of this Ordinance, shall allow LCRA entry within the Project Limits for the purposes of inspection and monitoring. LCRA employees and agents are entitled to enter any public or private property at any reasonable time for the purpose of inspecting and investigating conditions related to water quality and administration of this Ordinance.

**LCRA DREDGE AND FILL PERMIT  
RESPONSIBLE PARTY DESIGNATION**

Project: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Permit #: \_\_\_\_\_  
 Date: \_\_\_\_\_  
 Inspector: \_\_\_\_\_

**I AM THE DESIGNATED RESPONSIBLE PARTY FOR COMPLIANCE  
 WITH ALL REQUIRED ENVIRONMENTAL AND SAFETY PLANS FOR  
 THIS PROJECT, INCLUDING MAINTAINING AND REPAIRING ALL  
 WATER QUALITY BEST MANAGEMENT PRACTICES.**

\_\_\_\_\_  
 PRINTED NAME

\_\_\_\_\_  
 COMPANY

\_\_\_\_\_  
 TELEPHONE NUMBER

\_\_\_\_\_  
 24-HOUR NUMBER

\_\_\_\_\_  
 SIGNATURE

\_\_\_\_\_  
 EMAIL

**PRE-CONSTRUCTION MEETING ATTENDEES**

	NAME	COMPANY	PHONE #
ENGINEER OF RECORD			
OWNER/OWNER'S REP			
CONTRACTOR			
OTHER			
OTHER			
OTHER			