

RULE NO.: R161-16.19

POSTING DATE: October 5, 2016

NOTICE OF PROPOSED RULE

The Director of Watershed Protection Department proposes to adopt the following rule after November 6, 2016.

Comments on the proposed rule are requested from the public. Comments should be submitted to Dana McGehee, 505 Barton Springs Road, Suite 1200, Austin Texas, 78704, 974-2634, or via email at dana.mcgehee@austintexas.gov. To be considered, comments must be submitted before November 6, 2016, 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 November 6, 2016 (the 32nd day after the date of this notice) or not after January 3, 2017 (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before January 3, 2017 it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.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

R161-16.19: Additions and revisions to the Environmental Criteria Manual Section 1.4, *Erosion and Sediment Control*, Environmental Criteria Manual Section 1.6, *Design Guidelines for Water Quality Control*, and Environmental Criteria Manual Appendix S-1, *Cost Estimates For Erosion/Sedimentation Control Fiscal Surety*, as follows:

Environmental Criteria Manual Section 1.4 – Erosion and Sedimentation Control

- **1.4.4 – Plan Development and Implementation**
 - Remove reference to Appendix P-7. This Appendix no longer exists.

Environmental Criteria Manual Section 1.6 - Design Guidelines for Water Quality Controls

- **1.6.2.B – Water Quality Volume Diversion Structures**
 - Update stacked detention language to clarify when a splitter box is required and inline pond requirements.
- **1.6.2.C – Basin Liners**
 - Added criteria regarding handling of liner penetrations regarding submerged inlets and storm sewers.
- **1.6.3.C – Major Maintenance Requirements**
 - Added language regarding watertight requirements for retaining walls, and mortared or grouted rock walls.
- **1.6.7.4 – Infiltration Rate Evaluation**
 - Added note setting maximum infiltration rate (0.20 in/hr) for retention irrigation SCMs.
- **1.6.7.A.2 – Minimum Design Criteria for Retention Basin**
 - Added reference to DCM 1.2.4.E
- **1.6.7.A.4 – Minimum Design Criteria for the Irrigation System**
 - Added maximum infiltration rate (0.20 in/hr) modifications for retention irrigation SCMs.

Environmental Criteria Manual Appendix S-1 – Cost Estimates for Erosion/Sedimentation Control Fiscal Surety

- Removed curb inlet protection cost estimate.

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 R161-16.19, 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

Joe Pantalio, P.E., Director
Watershed Protection Department

Date: _____

Anne Morgan
City Attorney

Date: _____