SABINE RIVER AUTHORITY

Toledo Bend Rules and Regulations

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CONTENTS

INTRODUCTION 3

1. STATUTORY AUTHORITY 4
2. GOVERNANCE 4
3. DEFINITIONS 5
4. SUPERVISION OF TOLEDO BEND 7
5. OFFICE LOCATIONS 7
6. AUTHORITY 8
7. VIOLATIONS 8
8. PROPERTY OWNED BY THE AUTHORITY 9
9. RESTRICTED AREAS 9
10. DESTRUCTION OF SRA-TX PROPERTY 9
11. SANITARY CONDITIONS 10
12. ON-SITE SEWAGE FACILITY RULES 10
13. GARBAGE, REFUSE, RUBBISH OR POLLUTANTS 10
14. GASOLINE AND OIL STORAGE 10
15. ADVERTISEMENTS 10
16. UNAUTHORIZED SOLICITATION AND BUSINESS ACTIVITIES 10
17. ALCOHOLIC BEVERAGES 11
18. ABANDONMENT OF PERSONAL PROPERTY 11
19. DIGGING OR REMOVING ARTIFACTS 11
20. REMOVAL OF NATURAL RESOURCES 11
21. WATERCRAFT AND BOATING REGULATIONS 11
22. HOUSEBOATS 11
23. FISHING 11
24. HUNTING 12
25. SWIMMING 12
26. MANUFACTURED HOMES, HOUSES, RECREATIONAL VEHICLES OR OTHER STRUCTURES 12
27. LIMITED USE PERMITS 12
28. PRIVATE LIMITED USE PERMIT CONSTRUCTION STANDARDS 15
29. COMMERCIAL LIMITED USE PERMIT CONSTRUCTION STANDARDS 17
30. COMMERCIAL DEVELOPMENTS 19
31. SAFETY AND ENFORCEMENT OF RULES 22
32. GRANDFATHERING 23

APPENDIX A 24

INTRODUCTION

The Toledo Bend Project (hereinafter referred to as the "Reservoir") is jointly owned by the Sabine River Authority of Texas (hereinafter referred to as the "SRA-TX") and the Sabine River Authority, State of Louisiana (SRA-LA). The Toledo Bend Reservoir (herein after referred to as the "Reservoir"), at 185,000 acres, is the largest man-made reservoir in the Southern United States. Toledo Bend has over 1,200 miles of shoreline, 503 miles in Louisiana and 762 miles in Texas. The storage capacity of the reservoir is over 4,477,000- acre-feet. It stretches more than 75 miles from the dam to the upper reach of the reservoir, north of Logansport, Louisiana, and inundates land in four Texas counties (Panola, Shelby, Sabine and Newton) and three Louisiana parishes (DeSoto, Sabine and Vernon).

The Reservoir was constructed by the SRA-TX, and the SRA-LA, primarily for the purposes of water conservation, hydroelectric power generation, and recreation. The Reservoir offers an almost unlimited opportunity for recreational development and is a major element in serving the growing demand for water-oriented outdoor recreation. The operation of the project for hydroelectric power generation and water conservation provides a dependable yield of 1,851 million gallons per day which is shared equally by Texas and Louisiana. Most of this water is passed through the turbines for the generation of electric power and is available for municipal, industrial, and agricultural purposes. The two hydroelectric power generating units have peak capacities of 42,500 KVA each and are estimated to provide an average 207 million kWh annually.

These Rules and Regulations govern the Texas side of Toledo Bend Reservoir and are in addition to any applicable rules, regulations, laws or requirements of any other federal, state or local regulatory authority including, but not limited to, the Toledo Bend Shoreline Management Plan (SMP) and Historic Properties Management Plan (HPMP). In the event of a direct conflict between these Rules and Regulations and any Federal or State rules, regulations, laws or requirements, such federal or state rules, regulations, laws or requirements shall prevail and control.

These Rules and Regulations are published by the SRA-TX as a means of:

- Managing that portion of the surface of the Reservoir under the jurisdiction of SRA-TX
- Providing for improved water safety on the surface of the Reservoir
- Providing for the control of both artificial and natural pollution of the surface water of the Reservoir
- Ensuring the quality and quantity of the waters of the Reservoir for its primary purposes of water conservation, hydroelectric power generation, and recreation
- Ensuring recreational benefits to all residents and visitors
- Protecting life and property
- Ensuring orderly use of SRA-TX lands

SABINE RIVER AUTHORITY OF TEXAS

David Montagne
Executive Vice President and General Manager

1. STATUTORY AUTHORITY

The Sabine River Authority of Texas is a conservation and reclamation district created by the 51st Legislature of the State of Texas in 1949. The Statute establishing the SRA-TX and defining its powers, functions and responsibilities is found in ACTS, 1949, 51st Leg., p.193, ch. 110, Amended Acts 1955, 54th Leg., p. 373, ch. 93, p. 379, ch. 101, Amended Acts 1973, 63rd Leg., p. 557, ch. 298, Amended Acts 1989, 71st Leg., p. 5043, ch. 1248, Amended Acts 1991, 72nd Leg., p. 665, ch. 100 (Article 8280-133, Vernon's Texas Civil Statutes).

These Rules and Regulations are adopted and promulgated under authority vested in the SRA-TX Board of Directors and laws of the State of Texas, including, but not limited to, Chapter 49 and 51 of the Texas Water Code and Chapter 31 of the Texas Parks and Wildlife Code, which statutes give SRA-TX the authority to adopt such rules and regulations as are necessary to control the surface of the Reservoir under SRA-TX jurisdiction, to provide for improved water safety on the surface of and provide for the control of both artificial and natural pollution of the surface water of the Reservoir.

2. GOVERNANCE

2.1 In consideration of the contractual agreements for the supply of raw water to all of its existing customers and to other future water users, and to its contractual agreements for the production of hydro-electric power, the SRA-TX recognizes its responsibility to maintain and operate the Reservoir in the most efficient manner possible and to do all things necessary to provide for the adequacy and quality of the water.

2.2 The SRA-TX further recognizes its responsibilities to the citizens of the counties of Newton, Sabine, Shelby, and Panola Counties, Texas, and Sabine, DeSoto and Vernon Parishes, Louisiana and to the citizens of Texas and Louisiana, and to all who make use of and enjoy the Reservoir.

2.3 In recognition of these responsibilities, the Board has adopted these rules and regulations contained herein for the purposes of: (1) conserving, protecting and developing the sanitary conditions and quality of the waters in and flowing into the Reservoir, (2) preventing waste of water or unauthorized use thereof and (3) controlling residence, hunting, fishing, boating, camping, and all recreational and business privileges along or around the reservoir.

2.4 The SRA-TX has no taxing powers and relies on revenues obtained from projects, such as the Reservoir, to fund operations and maintenance. For certain designated use of the Reservoir, fees and charges have been established by the Board in order to provide revenues for such operations and maintenance. These fees, which may be revised from time-to-time by the Board, may be found on the current "Fee Schedule for Toledo Bend." The funds derived from these fees may be used to provide for personnel, equipment, notices and publications, etc., necessary for the operation and maintenance of the Reservoir.

3. DEFINITIONS

3.1 **Board:** The Sabine River Authority of Texas Board of Directors.

3.2 **Commercial Limited Use Permit (CLUP)**: Permit issued to Permittee for making commercial use of SRA-TX property.

3.3 **Conservation Pool**: The level of which water is deliberately impounded within the Reservoir and established at 172.0-feet mean sea level (msl). Contents of the Reservoir may exceed the Conservation Pool and generally inundate lands up to the Project Boundary of 175.0-feet msl.

3.4 **Contamination:** Means and refers to the presence of any Hazardous Substance (as hereinafter defined) or the existence of any injury to health, safety, or the environment or any other environmental condition at, in, or under the Premises (which term for purposes hereof shall include any navigable waters adjacent to and into which any portion of the Premises extend), or originating on the Premises which would be reasonably required to be removed or insure that no environmental matter restricts the present or future use, operation, leasing, development, construction, or alteration of the Premises.

3.5 **Environmental Laws:** Means and refers to each and every law (including, without limitation, common law), statute, code, ordinance, regulation, rule, order, permit, consent decree, or other requirement (including, but not limited to, consent decrees and judicial or administrative orders) of the United States, the State (or any political subdivision thereof) in which the Premises are located, and any other executive, judicial, regulatory, or administrative agency, authority, board, bureau, commission, court, arbitrator, or arbitration board, relating to health or safety or to the environment, including, but not limited to, those applicable to the manufacture, processing, transportation, distribution in commerce, use, generation, storage, treatment, disposal, handling and Release of any Hazardous Substances including medical waste, all as amended or modified from time to time, and those applicable to pollution, contamination, injury, destruction, loss, protection, cleanup, reclamation or restoration of the soil, groundwater, surface water, air, or other natural resources, to exposure to pollutants, contaminants, hazardous or toxic substances, petroleum products, materials, or wastes.

3.6 **FERC**: Federal Energy Regulatory Commission.

3.7 **Floodplain**: All lands owned by the SRA-TX and between the Project Boundary and Conservation Pool.

3.8 **Hazardous Substances:** Means and refers to any dangerous, toxic, or hazardous material, petroleum products, pollutant, contaminant, chemical waste including medical waste or substance defined, listed, or described as such or listed in, or governed by an Environmental Law, now in existence or which may be subsequently enacted. The term “Release” means and refers to the intentional or unintentional spilling, leaking, dumping, pouring, emptying, seeping, disposing,

discharging, emitting, depositing, injecting, leaching, escaping, abandoning, or any other release or threatened release, however defined, of any Hazardous Substance.

3.9 **Houseboat:** Any boat or floating structure, whether or not it contains a thrust or propulsion device, that is capable of being used as a stationary and/or mobile residence that usually, but not necessarily, contains plumbing fixtures.

3.10 **Manufactured Home**: A structure, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is four hundred (400) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation.

3.11 **Permittee**: Any person, individual, firm, or company holding a valid CLUP, PLUP, or SLUP.

3.12 **Private Limited Use Permit (PLUP)**: Permit issued to Permittee for domestic non-commercial use of SRA-TX property.

3.13 **Project Boundary**: The Sabine River Authority of Texas shall exercise control over the Toledo Bend Reservoir from the project boundary and will be responsible for managing the area 1,000 feet eastward and/or toward the center of the lake and reservoir area from the 172-foot mean sea level (msl) elevation, or 1,000 feet from the low water mark on the Texas side of the reservoir. The Sabine River Authority, State of Louisiana will exercise similar control over a similar area of the Louisiana bank of the Reservoir. The area between these two areas, or what is generally considered the middle part of the Reservoir, will be under the control of the Toledo Bend Project Joint Operation. The project boundary line was established as far as engineeringly practicable along the 175-foot msl contour elevation, or a minimum distance of fifty (50) feet laterally toward the land from the 172-foot msl contour elevation.

3.14 **Reservoir**: shall mean Toledo Bend, which is the body of water impounded by the Toledo Bend Dam, located in Newton, Sabine, Shelby and Panola Counties in Texas and Sabine, Desoto and Vernon Parishes in Louisiana.

3.15 **Recreational Vehicle or RV**: A vehicle which is (1) built on a single chassis; (2) 400-square feet or less when measured at the largest horizontal projections; (3) designated to be self-propelled or permanently towable by a light duty truck without the need of a permitted load; (4) no wider than 8.5-feet with slide-outs, if any, retracted and (5) designed primarily not for use as a permanent dwelling, but as a temporary living quarters for recreational, camping, travel, or seasonal use. The definition of Recreational Vehicle or RV under the Rules specifically excludes tiny homes, tiny cottages, Park Model RV, and similar style vehicles.

3.16 **Rules**: Shall mean these rules and regulations.

3.17 **RV Park**: Shall mean permitted improvements on SRA Land that consists of one or more rental spaces for Recreational Vehicles that are located, maintained, and established for occupancy by the general public on a transient and temporary basis.

3.18 **SRA-TX**: Shall mean the Sabine River Authority of Texas, a conservation and reclamation district, a governmental agency and political subdivision of the State of Texas created by special act of the Texas Legislature codified at Article 8280-121 V.T.C.S., as amended, under authority of Article XVI, Section 59 of the Texas Constitution.

3.19 **SRA-TX Land**: Shall mean any real property owned or controlled by the SRA-TX in connection with the operation, maintenance, and original construction of Toledo Bend Reservoir. This term generally includes easement rights, rights of way, any type of real property interest and/or any land which is, may be or has been inundated by water of the Reservoir, and the lands adjacent thereto, up to the Project Boundary.

3.20 **Subdivision Limited Use Permit (SLUP)**: Permit issued to a developer, homeowner's association or other group of landowners for common, non-commercial use of SRA-TX Land.

3.21 **Texas Water Safety Act**: Shall mean Chapter 31 of the Texas Parks and Wildlife Code, as the same may be amended from time to time.

3.22 **Watercraft**: For the purpose of these Rules and Regulations shall have the same meaning as the term "Vessel" in the Texas Water Safety Act.

4. SUPERVISION OF TOLEDO BEND

The implementation of these Rules shall be delegated to the General Manager and his or her Designee.

5. OFFICE LOCATIONS

The Toledo Bend Office is located at 450 Spur 135, Burkeville, Texas, 75932 at the south end of the dam near Burkeville, Texas, phone number (409) 565-2273. The General Manager's office is located at 12777 North Highway 87, Orange, Texas 77632, phone number (409) 746-2192.

All inquiries pertaining to the Rules established herein should be directed in writing to the Sabine River Authority of Texas, Toledo Bend Division Manager, 450 Spur 135, Burkeville, Texas, 75932. All applications for permits are to be made on appropriate forms which may be obtained from the Toledo Bend office. Applications of any kind should be filed with this office and accompanied by the designated application filing fee. No permits will be valid until approved in writing.

All fees, rentals, and other charges are to be paid to the Toledo Bend office in accordance with the provisions of these Rules and the current "Fee Schedule for Toledo Bend."

6. AUTHORITY

These Rules related to the operation of Toledo Bend have been established by Resolution of the Board in an official meeting.

6.1 These Rules are in effect as of this publication and shall remain in effect until amended, revised or rescinded by official action of the Board.

6.2 The Rules and Regulations previously adopted by the Board are hereby repealed and replaced in its entirety as of the effective date herein.

6.3 These Rules shall be in addition to any applicable rules, regulations, laws, plans or requirements of any other federal, state or local regulatory authority.

6.3.1. **Reference**

a) US Forest Service Rules and Regulations located at:

https://www.fs.usda.gov/r08/texas/offices/sabine-national-forest

b) Toledo Bend - FERC Historic Properties Management Plan

c) Toledo Bend - FERC Shoreline Management Plan

d) Toledo Bend - FERC Recreation Management Plan

e) FERC Management Plans located at: http://www.sratx.org

6.4 In the event of a direct conflict between these Rules and any federal or state rules, regulations, laws or requirements, such federal or state rules, regulations, laws or requirements shall prevail and control.

6.5 It shall be the policy of the Board that no protest to these Rules shall be reviewed by the Board until after proper appearance before SRA-TX's management staff including the General Manager. All persons shall have the right of appearance, protest and/or review in the order prescribed.

6.6 Variances to these Rules for governance, where not otherwise mandated by federal, state or local laws, may be granted by the General Manager or his or her designees in cases of imminent public necessity/calamity; or to protect the public health, safety or welfare.

6.7 These Rules, as established by the Board and stated herein, are in effect on SRA-TX Land owned by and under the jurisdiction of the SRA-TX and associated with the Reservoir.

7. VIOLATIONS

Any violation of these Rules by a person or firm having a PLUP, CLUP, SLUP, agreement or other form of contract with the SRA-TX shall be considered a breach of said PLUP, CLUP, SLUP, agreement or other form of contract. Under such violation the SRA-TX will provide 30-days written notice to correct violation to person or firm. Should person or firm correct violation within 30-days of written notification, no termination of PLUP, CLUP, SLUP, agreement or

other form of contract shall occur. On the 31st day, if the violation has not been corrected the SRA-TX shall terminate the PLUP, CLUP, SLUP, agreement or other form of contract wherein the person or firm shall submit a new application to acquire a new PLUP, CLUP, SLUP, contract or agreement once the violation has been corrected. Any PLUP, CLUP, SLUP, agreement or other form of contract terminated for any reason will lose any and all grandfathered provision and be required to meet all current Rules provided for herein.

8. PROPERTY OWNED BY THE AUTHORITY

The use of all land within the Toledo Bend Project Boundary, or owned or leased by SRA-TX for the purposes of the operation and maintenance of the Reservoir, including but not limited to the use for safety stations, maintenance shops, garages, intake facilities, telemetering stations, pump stations, dams, spillways, roadways, utility rights-of-way and easements shall have priority over any PLUP, CLUP, SLUP, contract or agreement granted by SRA-TX. As such, should the need arise, the SRA-TX retains the right, in its sole discretion, to terminate any PLUP, CLUP, SLUP, contract or agreement that may be in conflict with the operation and maintenance of the Reservoir.

9. RESTRICTED AREAS

Public entry or use of the following facilities is unconditionally prohibited:

9.1 Within 200-feet of any SRA-TX or other publicly owned and operated water supply intake.

9.2 SRA-TX owned, and jointly owned and operated intake works, powerhouse, spillway and private road on top of and traversing the entire length of the earthen dam, spillway channel, tailrace channel and open mowed areas below the dam.

9.3 SRA-TX maintenance shops and equipment buildings.

9.4 Water surface within 450 feet of the powerhouse intake, and 1,000 feet downstream of powerhouse, and both sides of that 1,000-foot section of the discharge channel.

9.5 Water surface within 150 feet upstream of the spillway intake, and the spillway channel 650 feet downstream of the spillway.

9.6 Water surface within 50 feet of the main dam embankment.

9.7 Other restricted areas as may be established or designated by the General Manager including closure of the Reservoir when warranted.

10. DESTRUCTION OF SRA-TX PROPERTY

No person shall destroy, damage, deface or remove any property, real or personal, owned by SRA-TX, any street or roadway, or any tree, shrub, plant, rock or mineral within the Project Boundary, or improvement of any nature existing or placed on said lands without express written authorization or approval from the SRA-TX authorizing same.

11. SANITARY CONDITIONS

Sanitary conditions and facilities within the Project Boundary under the jurisdiction of SRA-TX, shall be maintained in compliance with standards set by applicable laws, rules, regulations and order of federal, state and local governmental agencies, as well as these Rules.

12. ON-SITE SEWAGE FACILITY RULES

On-site Sewage Facilities (OSSF) located within 2,000-feet of the Reservoir are subject to regulation and permitting by the SRA-TX under that certain Order adopting rules for On-site Sewage Facilities within 2,000-feet of the Reservoir. Rules adopted and amended by the Texas Commission on Environmental Quality (TCEQ) establishes an on-site sewage regulatory zone extending 2,000-feet landward from the Project Boundary and designates the SRA-TX as its agents responsible for proper implementation of the on-site sewage facility program for Toledo Bend within Texas. Copies of the TCEQ Rules and license application forms are available at the Division Office.

Texas Commission on Environmental Quality (30 TAC 285) (Onsite Sewage Facilities)
https://www.tceq.texas.gov

Such private sewage facility rules are hereby adopted in their entirety as a part of these rules and regulations, and the violation of any provisions of such rules is hereby specifically prohibited. For violation enforcement and schedule see 30 TAC Chapter 285, Subchapter G for details.

No part of an OSSF may be located on a PLUP or SLUP permit area.

13. GARBAGE, REFUSE, RUBBISH OR POLLUTANTS

No person shall throw, deposit or permit to be carried or deposited by the elements onto the surface of the Reservoir, or SRA-TX Land, any litter, refuse, garbage, trash or any other kind of waste. No pollutants shall be dumped, deposited or permitted to be carried into or on any waters or lands within the Project Boundary.

14. GASOLINE AND OIL STORAGE

No gasoline, petroleum product or other flammable or combustible liquids shall be stored in, upon or around the Reservoir or SRA-TX Land without prior written permission of the SRA-TX. No petroleum products or similar products shall at any time be dumped or deposited into or on the Reservoir or in such proximity thereto as to be carried or flow into the Reservoir.

15. ADVERTISEMENTS

No private notices, advertisements, handbills, placards, or any printed, pictured or written matter shall be placed or deposited on SRA-TX Land, including the surface of the Reservoir except as authorized in writing by SRA-TX.

16. UNAUTHORIZED SOLICITATION AND BUSINESS ACTIVITIES

No person, firm or corporation, or their representatives, shall engage in or solicit any business, including but not limited to food trucks and mobile sales/vendors, within the

Project Boundary without prior written permission from SRA-TX or in accordance with terms and conditions of a Limited Use Permit.

17. ALCOHOLIC BEVERAGES

Laws of the State of Texas and local option laws and restrictions related to sale and use of beer, wine and intoxicating liquors within the counties in which land areas of the Reservoir are located shall govern and dictate SRA-TX's rules pertaining to the use and sale thereof. The possession, sale, and/or use of beer, wine and intoxicating liquors in violation of applicable state and local option laws is specifically prohibited.

18. ABANDONMENT OF PERSONAL PROPERTY

No person who owns or is in possession of any personal property shall leave or abandon such property on any premises within the Project Boundary or on SRA-TX Land, including the surface of the Reservoir except strictly in accordance with written permission given by SRA-TX. In the event personal property is left or abandoned on premises within the Project Boundary, except in accordance with written permission by SRA-TX, for more than forty-eight (48) hours, SRA-TX may take possession of such property and if not reclaimed within ninety (90) days, SRA-TX may sell, use, destroy or otherwise dispose of such property without liability to the owner or person in possession thereof. If the property is reclaimed, SRA-TX may assess an impoundment charge to be determined by SRA-TX.

19. DIGGING OR REMOVING ARTIFACTS

No person shall dig or remove any artifacts, bone or pottery from any SRA-TX Land. Such activity is a violation of the Texas Antiquities Code and such action is subject to prosecution.

20. REMOVAL OF NATURAL RESOURCES

No person shall destroy or remove from SRA-TX Land any timber, shrubs, other vegetation, rock, sand, gravel, caliche, or any other substance, material, or geological feature without prior written approval of SRA-TX.

21. WATERCRAFT AND BOATING REGULATIONS

All persons owning and operating a boat of any type, whether commercial or private, shall comply with all requirements of the Texas Water Safety Act.

22. HOUSEBOATS

Houseboats operated, anchored, or moored on the Reservoir shall meet all local, state and federal requirements including, but not limited to, TCEQ's Clean Water Certification Program and the Texas Water Safety Act. No person or Permittee with a PLUP shall moor or anchor, or allow to be moored or anchored, any houseboat or barge adjacent to any dock, pier, or bulkhead. Houseboats and barges, at the discretion of a Commercial Permittee, may be moored adjacent to a dock, pier, or bulkhead associated with a CLUP.

23. FISHING

As regulated by the Texas Parks and Wildlife Department (TPWD), fishing is permitted on the Reservoir and from any unpermitted SRA Land. With a current limited use permit, Permittee

may fish from lands contained within the limited use permit. Furthermore, fishing from all roadway bridge structures and restricted areas is prohibited.

24. HUNTING

Hunting of game and wildlife on the Reservoir is restricted to areas designated by the SRA-TX. Hunting on SRA-TX Lands will be permitted in accordance with federal, state and local laws for the protection of game and wildlife and in accordance with the following Rules:

U.S. Fish and Wildlife Service
https://www.fws.gov/laws

Texas Parks and Wildlife Department
https://tpwd.texas.gov/regulations/outdoor-annual/hunting/general-regulations/

Waterfowl hunting, in accordance with all applicable state and federal laws and all Public Hunting Lands requirements, is permitted on the Reservoir surface. Refer to the North Toledo Bend Wildlife Management Area (WMA) section of the TPWD Hunting Map Bulletin.

https://tpwd.texas.gov/huntwild/hunt/wma/find_a_wma/list/?id=33&activity=hunting

No fixed or stationary hunting blinds may be placed or constructed on the Reservoir. All hunting blinds are subject to the rules and regulations of the TPWD Public Hunting Lands Program. Any hunting blind not in compliance with the TPWD Public Hunting Lands Program are subject to removal and/or destruction.

25. SWIMMING

Swimming is specifically prohibited within 1,000-feet upstream from the Spillway and Powerhouse, within 100-feet of public boat ramps and in any other area designated as restricted by the General Manager.

26. MANUFACTURED HOMES, HOUSES, RECREATIONAL VEHICLES OR OTHER STRUCTURES

No Manufactured Home, house, Recreational Vehicle, or other structure, used or intended for habitation by human beings for any period of time shall be constructed or placed on SRA-TX Lands except as approved in writing from the SRA-TX. Unless specifically approved in writing by SRA-TX, no permanent or full-time living is permitted on SRA-TX Land.

27. LIMITED USE PERMITS

27.1 It is the policy of SRA-TX that the adjacent property owner or Permittee may have the first option to limited use of the Floodplain providing that all Rules, prescribed fees, restrictions and reservations, including waiver of any claim against the SRA-TX for damages, are agreed to by owner or Permittee in writing.

27.2 The SRA-TX is under no obligation to maintain a specific level of the Reservoir in order to facilitate the construction or use of any structure provided for herein.

27.3 The General Manager may limit or restrict the construction, operation, and maintenance of improvements in response to changes in Reservoir levels, for public health and safety, in times of emergency, or when, in his or her judgement, circumstances so require.

27.4 The permitted use of the Floodplain by the Permittee will generally provide some access to the Reservoir at the Conservation Pool. However, in certain areas such as narrow inlets and at the back of coves, access to the Reservoir will be provided only where reasonable and practical as determined solely by the SRA-TX.

27.5 No person, without specific written approval from the SRA-TX, may alter, change or realign the natural conditions or topography and terrain within the Project Boundary including, but not limited to channeling, digging, scraping, moving of earth, and removal of trees or vegetation. Any such modifications made without approval of SRA-TX may be considered a breach of any PLUP, CLUP, SLUP, or other agreement with SRA. If such modifications are made without approval from SRA-TX or if modification is not in compliance with prior approved plans and specifications, said person may be required to return said lands to their natural conditions within 30 days of notification by SRA, at no cost to the SRA. Additionally, the person or persons may be required to pay a retroactive fee covering the period of time from modification to the authorization.

27.6 No person shall make use of any SRA-TX land except as authorized by a Limited Use Permit or other written approval issued by the SRA-TX. Failure to obtain such Limited Use Permit will render such person or persons liable for trespassing on SRA-TX Land. In addition to such trespassers being subject to prosecution, it shall also be consideration for denial of a Limited Use Permit to which otherwise they would be entitled.

27.7 A Limited Use Permit may be issued to a person, firm or corporation who are owners, leaseholders or assignees of land adjacent to the Project Boundary for that portion of the Floodplain adjacent to their property.

27.8 Application for a Limited Use Permit is to be filed with the SRA-TX on the applicable forms obtained from the Toledo Bend Office, along with payment of the necessary fees. The SRA-TX reserves the right to grant, deny, condition, or renew such Permit as deemed appropriate in the sole discretion of the SRA-TX.

27.9 All Limited Use Permits shall specify the area, either directly or by reference to maps maintained in the Toledo Bend Office, for which they are issued. The SRA-TX has the sole right and responsibility to define, designate, establish and revise permit area boundaries.

27.10 Various improvements may be constructed on the Limited Use Permit (PLUP, CLUP, SLUP) areas by submitting a construction application, along with all necessary documentation and payment of the appropriate fee. No construction shall commence until a written approval is provided by SRA-TX. All construction

approvals are site specific and may be subject to limitations due to physical properties of the permit area. See Limited Use Fee Schedule for current rates.

27.11 Any contractor working on SRA Land, requiring the completion of a construction application, shall maintain general liability insurance in the amount of $500,000 per occurrence and $1,000,000 aggregate, including automobile coverage in the amount of $500,000 per occurrence and Workers Compensation Coverage (statutory limits) or be shown as additional insured on the Permittees insurance policies. Additionally, the insurance certificate shall list SRA as additional insured and provide for a waiver of subrogation in favor of SRA. Insurance certificates are to be submitted to SRA with the construction application.

27.12 Improvements including piers, wharfs, boathouses, docks, and ramps may be installed or constructed on Limited Use Permit areas, subject to the permit provision and SRA-TX's written approval of construction plans. All such improvements installed or constructed on SRA-TX Land shall at all times be maintained in a safe, sanitary and sightly condition and strictly in compliance with these Rules.

27.13 Under certain conditions, as approved in writing by the SRA-TX and upon payment of prescribed water withdrawal fee, Permittees may use a limited supply of raw water from Toledo Bend for personal, non-household use only. The Permittee agrees that SRA-TX shall not be responsible for availability, purity, quality or regularity of flow at any time; it being expressly recognized that this raw water use is subordinate to any and all present and future municipal, industrial, mining and irrigation water supply agreements executed by SRA-TX. Any water withdrawal contemplated by this section shall be limited to a single electric pump with a discharge line no greater than one-inch (1") nominal diameter. Submersible pumps are prohibited.

27.14 Anyone withdrawing water from the Reservoir shall hold the SRA-TX harmless from any and all claims, demands, suits and liability resulting from death, injury or illness of any person or damage to any property growing out of the use or consumption of any water withdrawn.

27.15 All properly permitted and approved improvements to the permit area in conformance to these Rules, including piers, wharfs, boathouses, docks and ramps, are considered private property and access to the general public may be restricted by Permittee. Furthermore, for the avoidance of doubt, a Permittee may restrict access to the general public within the interior of a boathouse but may not prevent the general public from casting into these areas for the purpose of fishing.

27.16 By execution of a Limited Use Permit, Permittee agrees to allow SRA-TX personnel to cross his or her private ownership to reach the Floodplain as necessary for inspection of the premises and, in the event of permit default, to remove any

personal property located on the Floodplain. It is a violation of these Rules for a person to fail or refuse to allow an SRA-TX authorized representative access to an encroachment or such work for purposes of conducting an inspection, or to interfere with an inspection in progress.

27.17 PERMITTEE SHALL SAVE, HOLD HARMLESS, DEFEND AND INDEMNIFY THE SRA-TX, ITS AGENTS, OFFICERS, DIRECTORS, CONTRACTORS, EMPLOYEES, AND THE PROPERTY OF THE SRA-TX (INCLUDING THE PREMISES) FROM AND AGAINST ANY AND ALL LIABILITY, DAMAGES, EXPENSES (INCLUDING WITHOUT LIMITATION, ATTORNEY'S FEES AND EXPENSES) ARISING OUT OF: (I) CAUSES OF ACTION, SUITS, CLAIMS, JUDGEMENTS, AND COSTS OF ANY KIND OR CHARACTER IN ANY MANNER ARISING FROM INJURY TO OR DEATH OF ANY PERSON (INCLUDING, BUT NOT LIMITED TO, PERMITTEE AND THE INVITEES, LICENSEES, GUESTS, AND EMPLOYEES OF PERMITTEE) OR (II) DAMAGE TO OR LOSS OF ANY PROPERTY (INCLUDING, BUT NOT LIMITED TO, THE PREMISES) OR (III) A RISE IN OR FLUCTUATION OF THE LEVEL OF WATER IN TOLEDO BEND, FROM THE OPERATION OF THE TOLEDO BEND DAM AND RESERVOIR OR (IV) THE LOCATION OF ANY PERSONALTY OR FIXTURES ON SAID PROPERTY OR (V) ANY NON-COMPLIANCE WITH ENVIRONMENTAL LAWS (AS DEFINED IN THESE RULES) OR ANY CONTAMINATION (AS DEFINED IN THESE RULES) IN ANY MANNER CAUSED BY, CONNECTED WITH, OR ARISING OUT OF THE USE AND OCCUPANCY OF THE PREMISES BY PERMITTEE OR FROM THE ACT OR OMISSION OF ANY PERSON OR PERSONS, INCLUDING BUT NOT LIMITED TO, PERMITTEE AND EMPLOYEES OF PERMITTEE, IN OR ABOUT THE PREMISES WITH THE EXPRESS OR IMPLIED CONSENT OF PERMITTEE (BUT EXCLUDING SRA-TX AND ANYONE ACTING FOR SRA-TX). THIS INDEMNITY AND HOLD HARMLESS AGREEMENT SHALL INCLUDE INDEMNITY AGAINST ALL COSTS AND EXPENSES INCURRED IN OR IN CONNECTION WITH ANY SUCH LIABILITY OR PROCEEDING BROUGHT THEREON AND THE DEFENSE THEREOF AND SHALL EXPRESSLY EXCLUDE ANY LIABILITY ARISING OUT OF (I) THE ACT OR NEGLIGENCE OF SRA-TX OR ITS AGENTS, EMPLOYEES OR CONTRACTORS OR (II) ANY HAZARDOUS SUBSTANCE (AS DEFINED IN THESE RULES) PRESENT AT, UNDER OR ABOUT THE PREMISES PRIOR TO PERMITTEE'S OCCUPANCY.

28. PRIVATE LIMITED USE PERMIT CONSTRUCTION STANDARDS

The following construction standards shall apply for improvements constructed on SRA-TX Land associated with a PLUP:

28.1 Site Plan: A detailed site plan shall be required showing the permit area, conservation pool elevation, as well as all property lines. Site plan shall be in strict accordance with all applicable laws, rules, and regulations, including but not limited to the latest editions of the International Building Code, National Electrical Code, and the National Fire Protection Association Code and Standards (NFPA). All plans and specifications shall be submitted to SRA-TX for final review and approval prior to the start of any construction. SRA-TX reserves the right, in its sole discretion, to require changes to the plans and specifications. Upon approval

and acceptance of the final plans and specifications, SRA-TX will provide a written "Authorization to Construct." Prior to SRA-TX approval, the Permittee shall submit to SRA-TX all other required approvals from other entities having jurisdiction of the proposed construction.

28.2 Storage Buildings/Gazebos/Pavilions: May not be used as a habitable structure or for RV storage.

28.2.1 Buildings shall be single level and shall not exceed 720-square feet.

28.2.2 Siding shall be factory coated metal, wood, cement fiberboard or brick.

28.2.3 Flooring shall be concrete slab or wooden structure with a minimum of 2X6 joists.

28.2.4 Walls shall be factory coated metal, wood, cement fiberboard or brick.

28.2.5 Roof shall be factory coated metal or composition shingles.

28.2.6 Potable water plumbing attached to conventional household fixtures including but not limited to showers, bathtubs, laundry facilities and toilets are prohibited.

28.3 Boathouses and Piers: May not be used as a habitable structure.

28.3.1 Structures shall be single level not exceeding 1,500-square feet; not including walkway from shore (subject to further limitations based on site conditions).

28.3.2 Total length may not exceed 150-feet from the conservation pool elevation or 20% of cove width (whichever is less).

28.3.3 All materials touching the water and structural framing shall be steel or treated wood or other approved material. All wooden material must be treated 2X6, synthetic deck board or approved equivalent.

28.3.4 Walls shall be factory coated metal, wood, cement fiberboard or brick.

28.3.5 Roofing material shall be factory painted metal roofing or composition shingles.

28.3.6 Encapsulated foam flotation is required for floating boathouses. Other flotation may be approved on a case by case basis. Styrofoam blocks are prohibited.

28.3.7 Potable water plumbing attached to conventional household fixtures including, but not limited to showers, bathtubs, laundry facilities and toilets are prohibited.

28.4 Retaining Walls, Excavation, and Dredging: Excavation and dredging activities may be permitted in some areas at the discretion of the Authority and the US Army

Corp of Engineers (USACE). All dredge, fill, and excavation activities within the project boundary must comply with all applicable local, state, and federal requirements, and must be completed in accordance with all USACE Issued Permits. No dredging activities or excavation will be allowed where it will cause the conservation pool to be closer than 200-feet from the project boundary. Dredged material removed shall be disposed of above the conservation pool elevation, and best management practices used to prevent erosion and sediment runoff into the lake. All slopes shall be stabilized and shall not be steeper than 4:1. Retaining wall materials shall be pre-approved and appropriate for the shoreline location.

28.5 Fences.

28.5.1 Fencing material must be pre-approved.

28.5.2 It is the responsibility of the Permittee to locate permit boundaries and to construct fencing on the permit area. Fences may not extend beyond the conservation pool elevation.

28.5.3 If it is determined a fence needs to be removed or relocated for any reason, the Permittee will do so at no cost to the Authority.

28.6 Electrical: All proposed electrical improvements shall be in accordance with NFPA 70 – National Electric Code (NEC) and meet all local and state requirements. All work shall be performed by a licensed electrician meeting state and local standards. All underground and exterior electrical shall be installed in conduit, unless otherwise approved. Electrical may not be attached to trees.

28.7 No recreational vehicle may be stored on a Private Limited Use Permit Area.

29. COMMERCIAL LIMITED USE PERMIT CONSTRUCTION STANDARDS

The following construction standards shall apply for improvements constructed on SRA-TX Land associated with a CLUP:

29.1 Site Plan: A detailed site plan shall be required showing the permit area, conservation pool and 174-msl elevations as well as all property lines. Site plan shall be in strict accordance with all applicable laws, rules, and regulations, including but not limited to the latest editions of the International Building Code, National Electrical Code, Texas Architectural Barriers Act/Texas Accessibility Standards, and the National Fire Protection Association Code and Standards. All plans and specifications shall be submitted to SRA-TX for final review and approval prior to the start of any construction. SRA-TX reserves the right, in its sole discretion, to require changes to the plans and specifications. Upon approval and acceptance of the final plans and specifications, SRA-TX will provide a written "Authorization to Construct." Prior to SRA approval, the Permittee shall submit to SRA all other required approvals from other entities having jurisdiction of the proposed construction.

29.2 Recreational Vehicle/Travel Trailer (RV): May not be used for full time living and must be on wheels and readily movable in a “drive-away” condition at all times.

29.3 Decks, porches and storage buildings.

29.3.1 Neither freestanding nor attached roofs are allowed over RV’s.

29.3.2 Unattached porches or decks not exceeding 400-square feet in total area (including walkways, stairs, ramps, etc.) may be erected at individual RV sites. No permanent structures, including decks, may be constructed around or adjacent to any Recreational Vehicle if such structure would prohibit the movement of the Recreational Vehicle.

29.3.3 Roofing material must be factory painted metal roofing or composition shingles.

29.3.4 Structural and floor joists must be a minimum of 2X6 treated material.

29.3.5 Handrails must be a minimum of 2X4 treated material.

29.3.6 Storage buildings not exceeding 100-square feet may be permitted if Permittee submits a standard, uniform design for approval by SRA-TX.

29.4 Carports, garages and individual piers at RV spaces are specifically prohibited. Any carport, garage or individual pier that was previously permitted and approved prior to adoption of these Rules shall be grandfathered in accordance with Section 32.

29.5 Electrical: All proposed electrical improvements shall be in accordance with NFPA 70 – National Electric Code (NEC) and meet all local and state requirements. All work shall be performed by a licensed electrician meeting state and local standards. All underground and exterior electrical shall be installed in conduit, unless otherwise approved.

29.6 Retaining Walls, Excavation, and Dredging: Excavation and dredging activities may be permitted in some areas at the discretion of the Authority and the US Army Corp of Engineers (USACE). All dredge, fill, and excavation activities within the permitted premises must comply with all applicable local, state, and federal requirements, and must be completed in accordance with all USACE Issued Permits. No dredging activities or excavation will be allowed where it will cause the conservation pool to be closer than 200-feet from the project boundary. Dredged material removed shall be disposed of above the conservation pool elevation, and best management practices used to prevent erosion and sediment runoff into the lake. All slopes shall be stabilized and shall not be steeper than 4:1. Retaining wall materials shall be pre-approved and appropriate for the shoreline location.

29.7 General.

29.7.1 Unused, inoperable or unregistered vehicles, boats or RV's may not be stored on the permit area.

29.7.2 Discharge of firearms is strictly prohibited.

29.7.3 No portion of the property may be used for outside commercial business activities.

29.7.4 No household appliances of any type may be kept outside of an RV.

29.7.5 Fences will not be permitted on individual RV sites.

29.7.6 Commercial Permittees have the right to impose additional restrictions to the above standards.

29.7.7 Unless previously approved by SRA-TX, Park Model RVs and tiny homes/cottages are specifically prohibited on Limited Use Permit areas. Designation of Park Model RVs and tiny homes/cottages, as compared to Recreational Vehicles, shall be determined by SRA-TX in its sole discretion.

30. COMMERCIAL DEVELOPMENTS

These Rules are developed with the objective of accommodating commercial developments, including but not limited to marinas and RV Parks, to maintain the natural scenic quality of the shoreline and water for all users, protecting specific scenic attributes assuring development of the shoreline is balanced, orderly, in suitable locations and done in a manner to protect reasonable public access and use of the shoreline.

The following minimum requirements shall apply to any new, altered, improved, or expanded commercial development on SRA-TX land:

30.1 Site Plan – A detailed site plan shall be required showing the full build-out and associated phasing designed and prepared by a Registered Professional Engineer in the State of Texas. Site plan shall be in strict accordance with all applicable laws, rules, and regulations, including but not limited to the latest editions of the International Building Code, National Electrical Code, Texas Architectural Barriers Act/Texas Accessibility Standards, and the National Fire Protection Association Code and Standards. The plans and specifications, signed and sealed by a Registered Professional Engineer in the State of Texas, shall be submitted to SRA-TX for final review and approval prior to the start of any construction. SRA-TX reserves the right, in its sole discretion, to require changes to the plans and specifications. Upon approval and acceptance of the final plans and specifications, SRA-TX will provide a written "Authorization to Construct." Prior to SRA-TX approval, the Permittee shall submit to SRA-TX all other required approvals from other entities having jurisdiction of the proposed development.

Upon completion of construction, a Registered Professional Engineer in the State of Texas shall certify in writing that the construction was completed in accordance

with the approved plans and specifications as well as certify that all improvements are in compliance with all applicable laws, rules and regulations, including but not limited to the latest edition of the International Building Code, National Electrical Code, Texas Architectural Barriers Act/Texas Accessibility Standards, and the National Fire Protection Association Codes and Standards.

30.2 Roadways – Roadways must be provided with the following minimum standards for ingress and egress for fire and emergency vehicles:

30.2.1 Improved roadway surface with a minimum width of 24-feet for two-way traffic. One-way traffic improved roadway surfaces must be a minimum width of 16-feet.

30.2.2 Each roadway shall be located within a 40-foot wide roadway corridor. Each roadway corridor is to remain free of any temporary or permanent restriction or obstruction for passage of emergency vehicles and any oncoming traffic they may encounter. No long-term or overnight parking shall be allowed within the 40-foot roadway corridor.

30.2.3 Roadways shall be in accordance with standard engineering principles and be designed, constructed, and maintained to be passable by emergency vehicles at all times and in all weather conditions. Roadways shall be constructed such that rainfall and runoff will not accumulate on the roadway or cause rutting.

30.2.4 Roadways shall not be less than six (6) inches of base material compacted to 95% density, hardened, and adequate to support the weight of recreational vehicles and emergency equipment weighing up to 80,000 lbs so as not to heave, shift, or settle unevenly under the weight of the vehicles due to frost action, inadequate drainage, vibration, or other forces.

30.2.5 Roadways shall be looped or end in a cul-de-sac with a minimum radius of 50-foot. Roadways ending in cul-de-sacs shall be no longer than 600-feet in length.

30.2.6 Roadway corridors shall maintain a minimum vertical clearance of 15-feet at all times.

30.2.7 Roadway corridors shall operate and be maintained as continuous fire lanes at all times and shall not be impeded.

30.3 Entrances – Entrances shall be designed to minimize congestion and hazards allowing free movement of traffic on adjacent streets.

30.4 Parking – Adequate parking and maneuvering space shall be provided for the parking and loading of vehicles without the use of public right-of-way, privately owned property, or the roadway corridor within the commercial development.

30.5 RV Parks – RV Parks shall at a minimum abide by the following:

30.5.1 Contain a minimum of five (5) acres of SRA-TX Land.

30.5.2 Each RV site shall include a minimum of two (2) parking spaces located outside of the roadway corridor.

30.5.3 The number of RV sites shall not exceed eight (8) per Limited Use Permit acre.

30.5.4 No RV site or improvement shall be located within 50-feet of the Conservation Pool and must be above 174-msl.

30.5.5 A minimum separation distance of 30-feet shall be maintained between any RV (including any extension of any RV slide-out) or improvement(s) and the adjacent RV or improvement(s).

30.5.6 Piers for individual RV sites will not be permitted. Common piers may be approved on a case-by-case basis.

30.5.7 Unless previously approved by SRA-TX, Park Model RVs and tiny homes/cottages are specifically prohibited on Limited Use Permit areas. Designation of Park Model RVs and tiny homes/cottages, as compared to Recreational Vehicles, shall be determined by SRA-TX in its sole discretion.

30.6 Change in Topography – The existing and finish contour lines shall be included and submitted with the detailed site plan. The site plan shall include locations of all proposed improvements to the property such as RV sites, boat ramps, underground utilities, electrical lines, drainage, roadways and roadway corridors, parking, fencing, buildings, etc.

30.7 Water and Wastewater Lines – All water and wastewater lines shall be installed in dedicated corridors and designed in accordance with 30 TAC Chapters 217 and 290.

30.8 Wastewater Treatment – If proposing wastewater treatment utilizing an OSSF system, a wastewater disposal plan showing full utilization and build out of the property, prepared in accordance with 30 TAC § 285.4(c) by a Registered Professional Civil/Environmental Engineer licensed in the State of Texas, shall be submitted with the site plan. If wastewater treatment will be provided by a utility or municipality utilizing a centralized collection system, a certification letter from the provider acknowledging available capacity and willingness to serve for the full utilization and build out of the site shall be provided prior to SRA-TX approval.

30.9 Potable Water Service – Permittee shall submit with application a certification letter from a potable water provider acknowledging available capacity and willingness to serve the full utilization and build out of the site prior to SRA-TX approval.

30.10 Electrical service – Permittee shall submit with application a certification letter from the local electric utility provider acknowledging available capacity and willingness to serve the full utilization and build out of the site prior to SRA-TX approval. All proposed electrical improvements shall be in accordance with NFPA 70 – NEC and meet all local and state requirements. All work shall be performed by a licensed electrician meeting state and local standards. All underground electrical shall be installed in conduit, unless otherwise approved.

30.11 United States Army Corps of Engineers (USACE) Approval – The USACE may require authorization or permitting of shoreline related development. Written approval or clearance from the USACE must be provided to the SRA-TX prior to SRA-TX's approval of a project.

30.12 Texas Historical Commission (THC) Approval – The THC may require a cultural resource survey of the construction area in accordance with 13 TAC. Permittee shall submit to SRA-TX copies of consultation and if required approved THC concurrence of the project prior to SRA-TX approval of a project.

30.13 911 Identification – Permittee shall provide 911 identification based on the local 911 requirements. Permittee shall submit with application a certification letter from the appropriate 911 entity acknowledging and approving the proposed 911 identification prior to SRA-TX approval.

30.14 TCEQ Storm Water Pollution Prevention Plan – The Reservoir is a water supply reservoir and can be negatively impacted by sedimentation and pollution carried by runoff into the Reservoir. Under current TCEQ Regulations, any construction activity including clearing, grading, and excavation, must be permitted for storm water discharge unless the operations result in less than one-acre total land area which is not part of a larger common plan of development. A copy of a Storm Water Pollution Prevention Plan (SWPPP) and permit are required to be submitted to SRA-TX prior to the start of any construction. The SWPPP shall be prepared and sealed by a Registered Professional Engineer in the State of Texas and developed to ensure protection of the waters of the Reservoir.

30.15 Floodplain Permits – Floodplain permitting has strict standards set by the Federal Emergency Management Agency (FEMA) and the County that shall be adhered to. In order to develop within 200-feet of a FEMA regulated Floodplain, the Permittee shall contact the local County Floodplain Administrator prior to permitting, development, and/or construction to obtain the current development requirements. Permittee shall submit with application a certification letter from the County Floodplain Administrator acknowledging and approving the development prior to SRA-TX approval.

31. SAFETY AND ENFORCEMENT OF RULES

Enforcement of all Rules for the safe use of the Reservoir is vested in the General Manager or his or her authorized designee. A violation of any of these Rules, that might, based on the

sole discretion and determination of SRA-TX, endanger the life, safety or property of any other person, shall be considered sufficient grounds for immediate termination or revocation of any permit. This penalty shall be in addition to other penalties prescribed by law or by resolution pertaining to the Reservoir adopted by the Board.

Performing any act prohibited by or the failure to do any act required by these Rules is hereby declared to be unlawful and such violation shall be punishable by a fine not to exceed TWO HUNDRED DOLLARS ($200). Additionally, for any such violation of these Rules, SRA-TX may terminate any permit, Limited Use Permit, Lease, agreement, or any other privilege granted to an individual or entity, if such violation is not cured within thirty (30) days of notice provided by SRA-TX of such violation.

32. GRANDFATHERING

Grandfathered status of CLUP improvements permitted prior to June 19, 2025 shall expire on the date as stipulated in Appendix A, or upon termination of CLUP due to default. Grandfathered developments or permitted uses are not exempt from prior existing state and county regulations as they apply to health and safety, nuisance, septic, water and other public health concerns. Permittees may repair and maintain existing development or other permitted uses and maintain grandfathered status, but such repairs are limited to the act of mending or fixing damage, wear and tear, or defect for the sole purpose of restoration to a functioning and safe condition.

Upon the expiration or termination of the grandfathered status under this provision, the Permit Area and its improvements must be in compliance with the Rules. Grandfathered status applies only to improvements authorized by SRA-TX in writing prior to the adoption of the updated Rules.

APPENDIX A

Toledo Bend

Permit Number	Current CLUP Name	Expiration Date of Grandfathered Status
TB-300016	Alpine Marina	8/31/2056
TB-300038	Bill's Landing	8/31/2056
TB-300020	Byrd's Nest RV Park	8/31/2056
TB-300050	Fox's Lodge	8/31/2056
TB-300034	Harvey's Landing	8/31/2056
TB-300023	Holly Park Marina, Inc.	8/31/2056
TB-300033	Huxley Bay Marina	8/31/2056
TB-300012	Jack's 944 Marina	8/31/2056
TB-300003	Ladner's Green Acres	8/31/2056
TB-300013	Lowe's Creek Park	8/31/2056
TB-300017	Midlake Kampground	8/31/2056
TB-300055	Mill Creek Bay RV Park	8/31/2036
TB-300052	Newell's Fishing World	8/31/2056
TB-300004	Paradise Point Marina	8/31/2056
TB-300049	Rogers Williams Camp	8/31/2056
TB-300001	Shady Oaks Marina	8/31/2056
TB-300005	Six Mile Marina	8/31/2056
TB-300008	Sportsman's Marina	8/31/2056
TB-300015	Best Park	8/31/2057
TB-300015	Harborlight	8/31/2057
TB-300019	Lost Frontier	8/31/2060
TB-300044	McGee's Landing	8/31/2060
TB-300060	Fairmount RV	8/30/2061
TB-300010	Fin & Feather Marina	8/31/2061
TB-300002	Hillside Inn & RV Park	8/31/2061