



# Toledo Bend Rules and Regulations

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## INTRODUCTION

The TOLEDO BEND PROJECT 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 development and 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, 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 regulation 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 to 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 , (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 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-msl. Contents of the Reservoir may exceed the Conservation Pool and generally inundate lands up to the Project Boundary of 175.0-msl.
- 3.4 **FERC:** Federal Energy Regulatory Commission.
- 3.5 **Floodplain:** All lands owned by the SRA-TX and between the Project Boundary and Conservation Pool.
- 3.6 **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.
- 3.7 **Permittee:** Any person, individual, firm, or company holding a valid CLUP, PLUP, or SLUP.
- 3.8 **Private Limited Use Permit (PLUP):** Permit issued to Permittee for domestic non-commercial use of SRA-TX property.
- 3.9 **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.

- 3.10 **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.
- 3.11 **Recreation 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. For avoidance of doubt, designation of a recreational vehicle specifically excludes tiny homes, tiny cottages, park models and similar style vehicles.
- 3.12 **Rules:** Shall mean these rules and regulations.
- 3.13 **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.
- 3.14 **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.
- 3.15 **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.
- 3.16 **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.
- 3.17 **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 the by 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
- b) <https://www.fs.usda.gov/detail/texas/about/forest/districts/Sabine>
- c) Toledo Bend - FERC Historic Properties Management Plan
- d) Toledo Bend - FERC Shoreline Management Plan
- e) Toledo Bend - FERC Recreation Management Plan
- f) 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 designees in cases of imminent public necessity/calamity; or to protect 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 contract or agreement. 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 31<sup>st</sup> day, if the violation has not been corrected the SRA-TX shall terminate the PLUP, CLUP, SLUP, contract or agreement 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 required to meet all current Rules provided for herein.

## 8. PROPERTY OWNED BY AUTHORITY

PRIORITY OF USE - 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 conflict with the operation and maintenance of the Reservoir.



## 9. LIMITED USE PERMITS

- 9.1 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.
- 9.2 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.
- 9.3 No person, without specific written approval from the SRA-TX, may alter, change or realign the natural conditions of topography and terrain including but not limited to channeling, digging, scraping, or moving of earth, or destroy trees or vegetation within the Project Boundary. If such modifications are made without approval from SRA-TX or if modification is contrary to approved plans and specifications agreed to by SRA-TX, the modifier may be required to return said lands to their natural conditions. Additionally, the modifier may be required to pay a retroactive fee covering the period of time from modification to the authorization.
- 9.4 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.
- 9.5 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.
- 9.6 Application for a Limited Use Permit is to be filed with the SRA-TX on the applicable forms obtained from the Toledo Bend office.
- 9.7 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.
- 9.8 Various improvements may be constructed on the Limited Use Permit (PLUP, CLUP, SLUP) areas by submitting the appropriate 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.

9.9 Any contractor working on SRA-TX Land shall maintain general liability insurance in the amount of \$1,00,000 per occurrence and \$1,000,000 aggregate, including automobile coverage in the amount of \$1,000,000 per occurrence and Workers Compensation Coverage (statutory limits). Additionally, the insurance certificate shall list SRA-TX as additional insured and provide for a waiver of subrogation in favor of SRA-TX. Insurance certificates are to be submitted to SRA-TX with the construction application.

9.10 Facilities 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 facilities installed or constructed on SRA-TX land shall always be maintained in a safe, sanitary and sightly condition and strictly in compliance with these rules.

9.11 Construction Guidelines shall be established and approved by the General Manager or Designee for the orderly development and use of SRA-TX Land. Construction Guidelines for improvement on SRA-TX Land may be obtained from SRA-TX's Toledo Bend office.

9.12 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 pump discharge line with a nominal diameter no greater than one-inch (1").

9.13 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.

9.14 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.

- 9.15 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 event of permit default, to remove any personal property located on the Floodplain.

9.16 INDEMNIFY, SAVE, DEFEND, AND HOLD HARMLESS THE INDEMNITEES AND THE PROPERTY OF THE INDEMNITEES (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, JUDGMENTS, 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 THE LIMITED USE PERMIT) OR ANY CONTAMINATION (AS SUCH TERM IS DEFINED IN THE LIMITED USE PERMIT) 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 PRESENT AT, UNDER OR ABOUT THE PREMISES PRIOR TO PERMITTEE'S OCCUPANCY.

## 10. RESTRICTED AREAS

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

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

- 10.2 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.
- 10.3 SRA-TX maintenance shops and equipment buildings.
- 10.4 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.
- 10.5 Water surface within 150 feet upstream of the spillway intake, and the spillway channel 650 feet downstream of the spillway.
- 10.6 Water surface within 50 feet of the main dam embankment.
- 10.7 Other restricted areas as may be established or designated by the General Manager including closure of the Reservoir when warranted.

#### **11. 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 under the jurisdiction of SRA-TX. Additionally, no person shall remove from within the Project Boundary or other lands owned by SRA-TX, any SRA-TX property, including but not limited to trees or vegetation, timber, rock or other minerals, or improvements of any nature existing or placed on said lands without a valid permit from the SRA-TX authorizing the same.

#### **12. 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.

#### **13. ON-SITE SEWAGE FACILITY RULES**

On-site Sanitary Sewage Facilities 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 Toledo Bend". Rules adopted and amended by the Texas Commission on Environmental Quality 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 policies, rules and regulations, and the violation of any provisions of such rules is hereby specifically prohibited. For violation enforcement and schedule see 30 TAC 285 Subchapter G for details.

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

**14. DREDGING, FILLING AND BULKHEAD CONSTRUCTION**

- 14.1 It is a violation of these Rules for any person to dredge, excavate, deposit, or fill material from, in or to the Reservoir or SRA-TX Land at any time except in strict compliance with a valid Permit authorizing the same.
- 14.2 It is a violation of these Rules for any person to install, re-install, replace, or modify bulkheads in the Reservoir or on SRA-TX Land at any time except in strict compliance with a valid Permit authorizing the same.
- 14.3 To obtain a Permit, a person must submit an application on forms provided by the SRA-TX and timely pay all fees required by the SRA-TX. 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.
- 14.4 In addition to the terms and conditions of any Permit issued pursuant to this Section, any dredging, filling, or bulkhead work shall be performed in accordance with all applicable regulations and permits of the U.S. Army Corps of Engineers (Fort Worth).
- 14.5 All encroachments (regardless of whether a Permit is required under these Rules) and any dredging, filling, or bulkhead work described herein shall be subject to inspection by an SRA-TX authorized representative at all times. 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.
- 14.6 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.
- 14.7 The General Manager may limit or restrict the construction, operation, and maintenance of improvements by Permit 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.

#### **15. 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

#### **16. 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 the Reservoir or in such proximity thereto as to be carried or flow into the Reservoir.

#### **17. 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.

#### **18. 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.

#### **19. 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, local option laws, is specifically prohibited.

#### **20. 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.

#### **21. 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.

#### **22. 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.

#### **23. 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.

#### **24. 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.

#### **25. CAMPING**

- 24.1 Camping on SRA-TX property will be permitted in specifically designated areas.
- 24.2 Camping is limited to fourteen (14) days unless otherwise designated by signs, bulletin boards or by written authorization.
- 24.3 Camping equipment shall not be abandoned or left unattended for a period of more than twenty-four (24) hours.

- 24.4 The installation of any permanent facility at any designated public campground will be permitted only on written authorization of the SRA-TX.
- 24.5 Campers shall keep their campgrounds clean and shall dispose of all refuse, garbage, trash, etc. in accordance with the instructions contained herein or posted.
- 24.6 Due diligence shall be exercised in building and putting out fires to prevent damage to trees and vegetation and to prevent forest and grass fires.
- 24.7 Camps must be completely razed, and sites cleared before departure of campers.

## 26. FISHING

As regulated by the Texas Parks and Wildlife Department, 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.

## 27. 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/le/laws-regulations.html>

Texas Parks and Wildlife

<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 Texas Parks and Wildlife Department Hunting Map Bulletin.

[https://tpwd.texas.gov/huntwild/hunt/wma/find\\_a\\_wma/list/?id=33&activity=hunting](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 Texas Parks and Wildlife



Department (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.

## 28. 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.

## 29. 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 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.

## 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, or expanded commercial development located on Authority land:

- 30.1 Site Plan – A detailed site plan showing the full build-out and associated phasing designed and prepared by a Registered Professional Engineer in the State of Texas and 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, Permittee shall submit to SRA-TX all other required approvals from other entity’s 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 minimum radius of fifty feet. Roadways ending in cul-de-sacs shall be no longer than six hundred feet.

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

30.2.7 Roadway corridors shall operate and be maintained as continuous fire lines at all times and shall not be impeded. No long-term or overnight parking shall be allowed within the 40-foot roadway corridor.

- 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 acres of SRA-TX Land.
- 30.5.2 Each RV site shall include a minimum of two parking spaces located outside of the roadway corridor.
- 30.5.3 The number of RV sites per acre shall not exceed 6 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 25-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 Park model RVs and tiny homes/cottages are specifically prohibited on Limited Use Permit areas. Designation of park model and tiny homes/cottages, as compared to recreational vehicles shall be determined solely by SRA-TX. For avoidance of doubt, any park model, tiny home, or cottage in place prior to adoption of these Rules may remain on SRA-TX Land until December 31, 2030.
- 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 underground water and wastewater lines shall be installed in dedicated corridors and designed in accordance with 30 TAC 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 provide 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.
- 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 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 mark with a sign each unit and space numerically and in sequential order in accordance with the local 911 requirements. A minimum of six-inch, reflective lettering, at least 36 inches above the ground shall be installed and shall not be obstructed by weeds, vehicles, or any other obstruction. 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 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 authorized designee. A violation of any of these Rules, which might endanger the life, safety or property of any other person, shall be considered sufficient grounds for 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) or imprisonment for not more than thirty (30) days or both. In addition, any such violation shall authorize the SRA-TX to revoke any permit issued to the person committing such violation, or terminate any Limited Use Permit, lease, agreement or other privilege granted to such violator by the SRA-TX.

### **31. GRANDFATHERING**

These Rules shall apply to any new development, phases of development, substantial remodel or expansion of a development that is not established on the date of the adoption of these Rules. Grandfathered developments 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.

Grandfathered status associated with a Limited Use Permit shall expire and terminate upon any remodel, expansion, or failure to pay any fee at which time the facility shall be brought up to meet the current Rules.

Notwithstanding any provision of these Rules, all commercial developments located on SRA-TX Land shall comply with the following requirements no later than the date as stipulated below:

- 31.1 911 Identification – 911 identification of all sites on SRA-TX property shall comply with the requirement of section 30.13 of these Rules and provide a certification letter from the appropriate 911 entity no later than December 31, 2025.
- 31.2 Roadway Width – All roadways located on SRA-TX Land and associated with a commercial development shall comply with section 30.2.1 of these Rules as it relates to roadway width no later than December 31, 2027.
- 31.3 Minimum RV/Improvement Separation Distance – All commercial developments located on SRA-TX Land shall comply with section 30.5.5 of these Rules as it relates to minimum separation distances no later than December 31, 2027.
- 31.4 Park model RVs, tiny homes, and cottages – All park model RVs, tiny homes, and cottages shall comply with section 30.5.7 of these Rules and be removed from SRA-TX Land no later than December 31, 2030.