

RULE NO.: R161-14.26

POSTING DATE: October 7, 2014

NOTICE OF PROPOSED RULE

The Director of Watershed Protection Department proposes to adopt the following rule after November 8, 2014.

Comments on the proposed rule are requested from the public. Comments should be submitted to Dana McGehee, 505 Barton Springs Road, Suite 1200, Austin Texas, 78704, 974-2634, or via email at dana.mcgehee@austintexas.gov. To be considered, comments must be submitted before November 8, 2014, the 32nd day after the date this notice is posted. A summary of the written comments received will be included in the notice of rule adoption that must be posted for the rule to become effective.

An affordability impact statement regarding the proposed rule has been obtained and is available for inspection or copying at the address noted in the preceding paragraph.

EFFECTIVE DATE OF PROPOSED RULE

A rule proposed in this notice may not become effective before the effective date established by a separate notice of rule adoption. A notice of rule adoption may not be posted before November 8, 2014 (the 32nd day after the date of this notice) or not after January 5, 2015 (the 90th day after the date of this notice).

If a proposed rule is not adopted on or before January 5, 2015 it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.

TEXT OF PROPOSED RULE

A copy of the complete text of the proposed rule is available for public inspection and copying at the following locations. Copies may be purchased at the locations at a cost of ten cents per page:

Watershed Protection Department, located at 505 Barton Springs Road, Suite 1200, Austin, TX, 78704; and

Office of the City Clerk, City Hall, located at 301 West 2nd Street, Austin, Texas.

BRIEF EXPLANATION OF PROPOSED RULE

R161-14-26: Additions and revisions to the Environmental Criteria Manual as follows:

Environmental Criteria Manual Section 1.4 – Erosion and Sedimentation Control

- **1.4.5.F Temporary Structural Practices**
 - Mulch Sock – Increased the minimum mulch sock material tensile strength from 44 psi to 202 psi and Figure 1.4.5.F, Typical Mulch Sock Detail, has been replaced with an improved detail. Table 1.4.5.F.1 was modified to correct an error on the slope column (35:1 to 25:1)
- **1.4.7 Vegetative Practices**
 - Updated fertilization, irrigation and maintenance recommendations.

Environmental Criteria Manual Section 1.6 Design Guidelines for Water Quality Controls

- **1.6.1 Introduction**
 - Added description of two water quality zones (Barton Spring Zone & Outside Barton Spring Zone). Added Statement that alternative controls outside the Barton Springs Zone should treat to same effluent load of a sedimentation/filtration basin. Added Barton Springs Zone map. Changed “WPDR” to “WPD.”
- **1.6.2. General Design Guidelines**
 - Change terminology from “BMPs” to “stormwater control measures” (SCMs)
 - A. General Design Guidelines – removed language referring to the isolation of the water quality volume.
 - B.1 & 2. Water Quality Volume Diversion Structures – reorganized and reformatted diversion structure design and included criteria for stormwater control measures that propose to stack the detention volume above the water quality volume.
 - C. Clarified language relating to State of Texas basin liner requirements. Changed Watershed Protection and Development Review Department to Watershed Protection Department.
 - C.1. Liner Characteristics – removed old appendix V figures (1-56 B & C) and referenced new standard detail for geomembrane liner end treatment (661-4 & 5).
 - D. Short Circuiting and Dead Storage - removed language referring to the isolation of the water quality volume and removed language regarding the use of a pilot channel in a water quality control. Replaced term BMP with stormwater control measure.
- **1.6.3. Maintenance and Construction Requirements**
 - B.12 Removed parenthetical list.
 - C.6 Reorganized section for increased clarity and reduce repetition.

- C.8 Updated porous pavement maintenance and inspection requirements. Relocated items related to design and review to Section 1.6.7.E.
- **1.6.5. Design Guidelines for Sedimentation/Filtration Systems**
 - A.4 Sand Filtration Basin Details – updated reference for rock riprap sizing requirements and removed old appendix V figures (1-56 and 1-56A) and replaced with new standard details for sand bed and biofiltration beds (661-1, 2, &3).
 - B.1 Partial Sedimentation/Filtration - removed language that refers to the splitter box structure requirement and replaced with reference to the revised splitter box criteria in Section 1.6.2.B.
 - C Removed effluent concentration table and replace with a table listing pollutant effluent concentrations for sand filters in Austin, TX. Update list of pollutants.
- **1.6.6 Design Guidelines for Wet Ponds**
 - A.1 Removed references to removal efficiency and replaced with effluent concentration for consistency with proposed ECM 1.6.9 changes. Removed references to runoff coefficient (Rf) and replaced with runoff-rainfall ratio (Rv) and updated equations accordingly.
- **1.6.7 Green Storm Water Quality Infrastructure**
 - 1.6.7.4 Updated Table 1.6.7.1, Minimum required steps for establishing infiltration rate, to match revised porous pavement criteria.
 - A.2 Updated references to be consistent with proposed ECM 1.6.9 changes. Rephrased reference to basin liner requirements.
 - A.4.h Added language relating to enhanced topsoil, including that enhanced topsoil shall meet the requirements of Standard Specification 601S.
 - B.2 Added that vegetative filter strips are not recommended within the Barton Springs Zone.
 - C.1 Revised introductory paragraph to update language to “stormwater control measure.” Removed language that prevents use of biofiltration within Barton Springs Zone.
 - C.4.B Biofiltration Bed with Underdrain – removed old Appendix V figure (1-56D) and replaced with reference to new standard detail for biofiltration bed (661-3)
 - D.1 Rain Water Harvesting – amended to allow use within the Barton Springs Zone and include language regarding the requirement for backflow preventers.
 - E Porous Pavement – amended to allow use for vehicular traffic.
 - H.2 Site Selection – amended land use requirements to include restrictions for use of rain gardens for single family residential developments.

- H.6 Underdrain System - referenced new standard detail for biofiltration bed (663-3)

AUTHORITY FOR ADOPTION OF PROPOSED RULE

The authority and procedure for the adoption of a rule to assist in the implementation, administration, or enforcement of a provision of the City Code is established in Chapter 1-2 of the City Code. The authority to regulate water quality is established in Chapter 25-8 of the City Code.

CERTIFICATION BY CITY ATTORNEY

By signing this Notice of Proposed Rule R161-14.26, the City Attorney certifies the City Attorney has reviewed the rule and finds that adoption of the rule is a valid exercise of the Director’s administrative authority.

REVIEW AND APPROVED

Victoria J. Li, P.E., Director
Watershed Protection Department

Date: _____

Karen Kennard
City Attorney

Date: _____

This Notice of Proposed Rule was posted on a central bulletin board at City Hall by the City Clerk. Date and time stamp is on the front of the notice.