

**RULE NOs.: R161-14.29  
& R161-14.30**

**POSTING DATE: October 7, 2014**

## **NOTICE OF PROPOSED RULE**

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

Comments on the proposed rules 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](mailto: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 rules to become effective.

Affordability impact statements regarding the proposed rules have been obtained and are 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If a proposed rule is not adopted on or before January 5, 2015 it is automatically withdrawn and cannot be adopted without first posting a new notice of a proposed rule.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 rules 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 RULES**

**R161-14-29:** Revisions to the Standard Specifications Manual as follows:

### **Items 604S, Seeding for Erosion Control, and Item 648S, Mulch Sock**

- **604S - Seeding for Erosion Control**
  - Updated submittal requirements, weed list, seeding mixes, irrigation and maintenance practices for temporary and permanent erosion control.
- **605S – Soil Retention Blanket**
  - Updated shear stress ranges in the material description for Class 2 “Flexible Channel Liner” to match TxDOT approved product list ranges.
- **606S – Fertilizer**
  - Updated to submittal requirements and fertilization practices during construction and corrected numerous outdated references
- **609S - Native Seeding and Planting for Restoration**
  - Updated submittal requirements, weed list, seeding mixes and irrigation for native grassland seeding.
- **648S - Mulch Sock**
  - 3.E. Materials - The minimum mulch sock material tensile strength has been increased from 44 psi to 202 psi.

### **Item No. 658S– Void and Water Flow Mitigation**

- **658S.1 – Description**
  - Reference to LDC 25-8-281 requirements added.
- **658S.2 – Submittals**
  - Allows 2500 psi concrete for compliance with TCEQ concrete criteria, on a case-by-case basis.
- **658S.3 – Materials**
  - Allows 2500 psi concrete for compliance with TCEQ concrete criteria, on a case-by-case.
- **658S.4– Procedures**
  - Remove provision for video recording as a substitute for Geologist trench inspection when backfill occurs simultaneously with trenching.
  - Changed separation distance from 25 feet to 50 feet for resuming work in the vicinity of a void.
  - Minor revision to allow mitigation of small voids above the utility pipe prior to receiving approval of a site plan correction.
  - Adds requirement to notify to Watershed Protection Department geologist

- Adds requirement that the owner's Geologist observe and report installation of mitigation measures
- **658S.5 – Execution**
  - Adds requirement for a geotechnical or structural engineer to provide cave-roof stability analysis of voids measuring 160 cubic feet or more. Requirement that Watershed Protection Department and other affected departments agree to proposed mitigation measures.
  - Adds provision for financial penalties for failure to comply with the rule.
- **658S.7 – Payment**
  - Adds provision for the City of Austin to contract a Geologist separately on City of Austin projects.

**R161-14-30:** Revisions to the Standards Manual as follows:

**New Details**

- **661-1** – Sand Bed Filtration Configurations Using Geomembrane Liner
- **661-2** – Sand Bed Filtration Configurations Using Clay Liner/No Liner
- **661-3** – Biofiltration Bed Configurations Using Geomembrane/Clay Liner
- **661-4** – End of Pond Details
- **661-5** – Anchor Trenches for Ponds

## **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 R161-14.29 and R161-14.30, 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.