



# **Lake Fork Rules and Regulations**

**April 11, 2019**

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## INTRODUCTION

The Lake Fork Project is owned and operated by the Sabine River Authority of Texas (hereinafter referred to as the “SRA”). This dam and reservoir project began in December 1974, when the Authority opened its Lake Fork Division temporary offices in Quitman, Texas to proceed with land acquisition. Construction work on the project began in October of 1975. Final closure of the dam was made in February 1980 and the conservation pool stage of 403-feet mean sea level (msl) was reached on December 11, 1985.

Construction of the Lake Fork Reservoir was funded through a water supply agreement with Texas Utilities Generating Company, Inc. (TUGCO) to provide water for municipal and industrial uses. The Cities of Dallas and Longview have contracted for purchase of water from the Reservoir along with several other municipalities and water supply corporations.

The Board of Directors has officially designated the dam and spillway as “Lake Fork Dam” and the reservoir waters as “Lake Fork Reservoir”.

These Rules and Regulations are published by the Sabine River Authority of Texas as a means of:

- Managing the surface of Lake Fork
- Providing for the improved water safety on the surface of Lake Fork
- Providing for the control of both artificial and natural pollution of the surface water of Lake Fork
- Ensuring the quality and quantity of the waters of Lake Fork Reservoir for its main purpose of water supply
- Ensuring maximum recreation benefits to all residents and visitors
- Protecting life and property

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 Authority 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 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 statute's give SRA the authority to adopt such rules and regulations as are necessary to control the surface of Lake Fork, to provide for improved water safety on the surface of Lake Fork and provide for the control of both artificial and natural pollution of the surface water of Lake Fork.

## 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, the SRA recognizes its responsibility to maintain and operate Lake Fork 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, further recognizes its responsibilities to the citizens of the counties of Wood, Rains, and Hopkins, to the citizens of Texas, and to all who make use of and enjoy Lake Fork.
- 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 Lake Fork, (2) preventing waste of water or unauthorized use thereof and (3) controlling residence, hunting, fishing, boating, and all recreational and business privileges along or around the reservoir.
- 2.4 The SRA has no taxing powers and relies on revenues obtained from projects, such as Lake Fork, to fund operations and maintenance. For certain designated use of Lake Fork, 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 Lake Fork. 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 Lake Fork.

### 3. DEFINITIONS

- 3.1 **Project Boundary:** While generally established based on the guidelines of following the 412-msl contour or a minimum distance of 200-foot horizontal distance from the 403-msl contour, the Project Boundary is actually a metes and bounds description.
- 3.2 **Conservation Pool:** the level at which water is deliberately impounded within Lake Fork and established at 403-msl. Contents of the Reservoir may exceed the Conservation Pool and inundate lands up to the Project Boundary of 412-msl.
- 3.3 **Floodplain:** All lands owned by the SRA and between the Project Boundary and Conservation Pool.
- 3.4 **SRA:** 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.
- 3.5 **SRA Land:** Shall mean any real property owned or controlled by the SRA in connection with the operation, maintenance, and original construction of the Lake Fork Dam and 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.
- 3.6 **Board:** The Sabine River Authority of Texas Board of Directors.
- 3.7 **Reservoir:** shall mean Lake Fork, which is the body of water impounded by the Lake Fork Dam, located in Wood, Rains, and Hopkins Counties.
- 3.8 **Commercial Limited Use Permit (CLUP):** Permit issued to Permittee for making commercial use of SRA property.
- 3.9 **Private Limited Use Permit (PLUP):** Permit issued to Permittee for domestic non-commercial use of SRA property.
- 3.10 **Grazing Limited Use Permit (GLUP):** Permit issued to Permittee for agricultural and livestock use of SRA property.
- 3.11 **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 property.
- 3.12 **Watercraft:** For the purposes of these Rules and Regulations shall have the same meaning as the term "Vessel" in the Texas Water Safety Act.
- 3.13 **Rules:** Shall mean these rules and regulations.

- 3.14 **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.
- 3.15 **Permittee:** Any person, individual, firm, or company holding a valid CLUP, PLUP, GLUP or SLUP.

#### 4. SUPERVISION OF LAKE FORK

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

#### 5. OFFICE LOCATIONS

The Lake Fork Office is located at 353 Private Road 5183, Quitman, Texas 75783 at the north of the dam between Quitman and Alba. The General Manager's office is located at 12777 North Highway 87, Orange, Texas 77632.

All inquiries pertaining to the Rules established herein should be directed in writing to the Sabine River Authority of Texas, Lake Fork Division Manager, 353 Private Road 5183, Quitman, Texas 75783. All applications for permits are to be made on appropriate forms which may be obtained from the Lake Fork 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 Lake Fork office in accordance with the provisions of these Rules and the current "Fee Schedule for Lake Fork".

#### 6. AUTHORITY

These Rules related to the operation of Lake Fork have been established by Resolution of the Board in 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 adopted by the Board on December 7, 1991 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 or requirements of any other federal, state or local regulatory authority.
- 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'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 Land owned by and under the jurisdiction of the SRA and associated with Lake Fork.

## **7. VIOLATIONS**

Any violation of these Rules by a person or firm having a PLUP, CLUP, GLUP, SLUP, or other form of contract or agreement with the SRA shall be considered a breach of said PLUP, CLUP, GLUP, SLUP, contract or agreement. Under such violation the SRA will provide 30-days written notice to correct violation. Should person or firm correct violation within 30-days of written notification, no termination of PLUP, CLUP, GLUP, SLUP, or other form of contract or agreement shall occur. On the 31<sup>st</sup> day, if the violation has not been corrected the SRA shall terminate the PLUP, CLUP, GLUP, SLUP, contract or agreement wherein the person or firm shall submit a new application to acquire a new PLUP, CLUP, GLUP, SLUP, contract or agreement once the violation has been corrected.

## **8. PROPERTY OWNED BY THE AUTHORITY**

The use of all land within the Lake Fork Project Boundary 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 and other equipment necessary for the operation of the Reservoir, pump stations, dams, spillways, roadways, utility rights-of-way and easements shall have priority over any PLUP, CLUP, GLUP, SLUP, contract or agreement granted by the SRA. As such, should the need arise, the SRA retains the right, in its sole discretion, to terminate any PLUP, CLUP, GLUP, SLUP, contract or agreement that may be in conflict with the operation and maintenance of Lake Fork.

## **9. LIMITED USE PERMITS**

It is the policy of the SRA 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 for damages, are agreed to by owner or Permittee in writing.

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.

No person, without specific written approval from the Authority, may alter, change or realign the Conservation Pool line or do any channeling, digging, scraping or moving of earth or destroy trees or vegetation within the Project Boundary.

- 9.1 No person shall make use of any SRA Land except as authorized by a Limited Use Permit or other written approval issued by the SRA. Failure to obtain such Limited Use Permit will render such person or persons liable for trespassing on SRA 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.
- 9.2 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.
- 9.3 Application for a Limited Use Permit is to be filed with the SRA on the applicable forms obtained from the Lake Fork Office.
- 9.4 All Limited Use Permits shall specify the area, either directly or by reference to maps maintained in the Lake Fork Office, for which they are issued. The SRA has the sole right and responsibility to define, designate, establish and revise permit area boundaries.
- 9.5 Various improvements may be constructed on the Limited Use Permit (PLUP, CLUP, GLUP, SLUP) areas with prior written approval by SRA. 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.
- 9.6 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's written approval of construction plans. All such facilities installed or constructed on SRA Land shall at all times be maintained in a safe, sanitary and sightly condition and strictly in compliance with these Rules.
- 9.7 Construction Guidelines shall be established and approved by the General Manager or Designee for the orderly development and use of SRA Land. Construction Guidelines for improvement on SRA Land may be obtained from SRA's Lake Fork Office.
- 9.8 Under certain conditions, as approved in writing by the SRA and upon payment of prescribed water withdrawal fee, Permittees may use a limited supply of raw



water from Lake Fork for non-household use only; The Permittee agrees that SRA 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 and irrigation water supply agreements executed by the SRA. 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"). See current Limited Use Fee Schedule.

- 9.9 Anyone withdrawing water from the Reservoir shall hold the SRA 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.
- 9.10 All improvements to the permit area are considered private property and access may be restricted by Permittee.
- 9.11 By execution of a Limited Use Permit, Permittee agrees to allow SRA 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.

## **10. RESTRICTED AREAS**

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

- 10.1 Within 200-feet of any SRA or other publicly owned and operated water supply intake.
- 10.2 Immediately downstream of the structure to the confluence of the tailrace and Lake Fork Creek channel.
- 10.3 Within a 500-foot radius of the overflow spillway structure on the water surface of the Reservoir.
- 10.4 Along the entire length of the earthen dam.
- 10.5 The cove containing the SRA's boat house, pier and boat ramp.
- 10.6 SRA's Lake Fork maintenance shops and equipment buildings.
- 10.7 Other restricted areas as may be established or designated by the General Manager.

## **11. DESTRUCTION OF SRA PROPERTY**

No person shall destroy, damage, deface or remove any property, real or personal, owned by the SRA, any street or roadway, or any tree, shrub, plant, rock or mineral within the Project Boundary.

## 12. SANITARY CONDITIONS; ON-SITE SEWAGE FACILITY RULES

General Rule: Sanitation conditions and facilities within the Project Boundary shall be maintained in compliance with standards set by applicable laws, rules, regulations and order of federal, state and local governmental agencies. Any violation of such laws, rules, regulations and orders shall be a violation of these Rules without regard to the issuance of a notice of violation or other enforcement of such laws, rules, regulations and orders by federal, state or local governmental agencies.

On-Site: On-Site Sewage Facilities located within 2,000 feet of the Reservoir are subject to regulation and permitting by the SRA under that certain "Order adopting rules for On-Site Sewage Facilities within 2,000 feet of Lake Fork."

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 Lake Fork Project Boundary and designates the SRA as its agents responsible for proper implementation of the on-site sewage facility program for Lake Fork. Copies of the TCEQ Rules and license application forms are available at the Lake Fork Division Office.

### **Texas Commission on Environmental Quality (30 TAC 285) (*On-site 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.

## 13. DREDGING AND FILLING: BULKHEADING

- 13.1 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 Lands at any time except in strict compliance with a valid Permit authorizing the same.
- 13.2 It is a violation of these Rules for any person to install, re-install, replace, or modify bulkheads in the Reservoir or on SRA Lands at any time except in strict compliance with a valid Permit authorizing the same.
- 13.3 To obtain a Permit, a person must submit an application on forms provided by the SRA and timely pay all fees required. The SRA reserves the right to grant, deny, condition, or renew such Permit as deemed appropriate in the sole discretion of the SRA.
- 13.4 In addition to the terms and conditions of any Permit issued pursuant to this Section, any dredging, filling, or bulkheading work shall be performed in

accordance with all applicable regulations and permits of the U.S. Army Corps of Engineers.

- 13.5 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 authorized representative at all times. It is a violation of these Rules for a person to fail or refuse to allow an SRA authorized representative access to an encroachment or such work for purposes of conducting an inspection, or to interfere with an inspection in progress.
- 13.6 The SRA 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.
- 13.7 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.

#### **14. 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 Lands, 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.

#### **15. 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 Lands without prior written permission of the SRA. 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

#### **16. ADVERTISEMENTS**

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

#### **17. UNAUTHORIZED SOLICITATION AND BUSINESS ACTIVITIES**

No person, firm or corporation, or their representatives, shall engage in or solicit any business within the Project Boundary without prior written permission from the SRA or in accordance with terms and conditions of a Limited Use Permit.

#### **18. 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'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.

#### **19. 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 Lands, including the surface of the Reservoir except strictly in accordance with written permission given by the SRA. In the event personal property is left or abandoned on premises within the Project Boundary, except in accordance with written permission by the SRA, for more than forty-eight (48) hours, the SRA may take possession of such property and if not reclaimed within ninety (90) days, the SRA 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, the SRA may assess an impoundment charge to be determined by the SRA.

#### **20. DIGGING OR REMOVING ARTIFACTS**

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

#### **21. REMOVAL OF NATURAL RESOURCES**

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

#### **22. 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.

#### **23. HOUSEBOATS**

Houseboats operated or moored on the Reservoir shall meet all local, state and federal requirements. No person holding any Limited Use Permit or a lease from the SRA shall permit a houseboat, barge, or other boat which is not in strict compliance with the laws, rules and regulations of any agency of the United States and of the State of Texas with respect to toilet facilities and water quality to dock or use any pier or other facility or such person's shoreline for harbor.

#### **24. FISHING**

Fishing is permitted on the Reservoir or from any unpermitted SRA Land, except at locations specifically restricted by the General Manager, as regulated by the Texas Parks and Wildlife Department. Furthermore, fishing from all roadway bridge structures on the Reservoir is specifically prohibited.

## 25. HUNTING

- 25.1 Hunting of game and wildlife on the Reservoir is restricted to areas designated by the SRA.
- 25.2 Hunting on SRA lands will be permitted in accordance with federal, state and local laws for the protection of game and wildlife and in accordance with these 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/>

- 25.3 Waterfowl hunting, in accordance with all applicable state and federal laws and all Public Hunting Lands requirements, is permitted on the Reservoir surface.
- 25.4 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 Public Hunting Lands Program. Any hunting blind not in compliance with the TPWD Public Hunting Lands Program are subject to removal and/or destruction.

## 26. SWIMMING

Swimming is specifically prohibited within 1,000 feet upstream from Spillway and Outlet works, adjacent to public boat ramps and in any other area designated as restricted by the General Manager.

## 27. 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 Lands except as approved in writing from the SRA.

## 28. SAFETY AND ENFORCEMENT OF RULES

- 28.1 The enforcement of all Rules for the safe use of the Reservoir is vested in the General Manager or his authorized designee.
- 28.2 The violation of any of the above 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 Lake Fork adopted by the Board.

- 28.3 The performing of 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.
- 28.4 In addition, any such violation shall authorize the SRA 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.