

TABLE OF CONTENTS

PURPOSE	1
RECREATIONAL ACTIVITIES	
FISHING.....	1
HUNTING.....	1
DUCK BLINDS.....	1
FIREARMS AND EXPLOSIVES.....	1
BOATING	1
WATER SKIING.....	2
BARGE TYPE CRAFT/HOUSEBOATS.....	2
SAFE OPERATION.....	2
CAMPING	2
PROPERTY AND LAND	
ACCESS TO SHORELINE/WATER.....	2
LIMITED USE PERMITS.....	2
COMMERCIAL OPERATIONS.....	3
ABANDONMENT OF PERSONAL PROPERTY.....	3
DESTRUCTION OF AUTHORITY PROPERTY.....	3
RESTRICTED AREAS.....	3
WATER QUALITY PROTECTION	
GASOLINE AND OIL STORAGE.....	3
CHEMICAL VEGETATION CONTROL.....	4
SANITATION.....	4
MISCELLANEOUS	
ADVERTISEMENTS.....	4
BUOYS.....	4
CONSTRUCTION	
PERMIT TO INSTALL & CONSTRUCT FACILITIES.....	4
ON-SITE SEWAGE FACILITY.....	4
PUMPING OF WATER FOR DOMESTIC USE.....	5
PENALTIES/ENFORCEMENT	
PENALTIES/PENAL RESOLUTIONS.....	5
ENFORCEMENT OFFICERS.....	6
FEE SCHEDULE	6

THESE REGULATIONS WERE ADOPTED BY THE WATER AUTHORITY TO MAINTAIN THE QUALITY AND QUANTITY OF WATER IN LAKE PALESTINE FOR ITS PRIMARY PURPOSE – A MUNICIPAL WATER SUPPLY, TO INSURE MAXIMUM RECREATIONAL BENEFITS CONSISTENT WITH THIS PRIMARY PURPOSE AND TO PROTECT LIFE AND PROPERTY.

RECREATIONAL ACTIVITIES

FISHING

Fishing on Lake Palestine shall be governed by the applicable Texas Parks and Wildlife statutes and regulations, as well as applicable federal regulations. No trotline will be allowed within 1,000 feet of a commercial marina operation. No person shall engage in commercial fishing of any kind on the Lake.

HUNTING

The only hunting allowed on Authority property and the surface of the Lake is duck hunting. Authorized duck hunting shall be in accordance with current Texas Parks and Wildlife Department (TPWD) statutes and regulations, as well as applicable federal regulations. No hunting is allowed in the cleared areas of Lake Palestine (south of the State Highway 155 bridge(s)) on land owned by the Authority, or from the water. There shall be no hunting within 1000 feet of the shoreline, 1000 feet of other duck blinds or other hunters, and within 2000 feet of a residence or other habitable structure.

DUCK BLINDS

Duck blinds may only be erected at sites approved by the Authority. Floating duck blinds are prohibited. A permit is required for each duck blind, and is issued for one (1) year. An application for the construction of a duck blind shall be filed with the Authority, and the annual fee for the same shall be paid prior to issuing the permit. The Permittee's tag shall be permanently attached to each respective duck blind in an easily visible location somewhere on the structure. Duck blinds must be located a minimum of 1000 feet from the shoreline, a minimum of 1000 feet from any other duck blind, and a minimum of 2000 feet from a residence, a park, boatramp, marina, or other public or commercial structure.

Non-permitted duck blinds erected on Lake Palestine will be destroyed by the Authority.

FIREARMS AND EXPLOSIVES

Rifles, shotguns, pistols, firearms and explosives of any kind are prohibited on the waters of Lake Palestine and on Authority property except as permitted by the Texas Concealed Weapons Law, and except for shotguns during duck hunting season (as allowed by these regulations). This provision however shall not apply to law enforcement officers of the State of Texas or peace officers of the Authority.

BOATING

All watercraft placed on Lake Palestine shall be in full compliance with the "Texas Water Safety Act" and the rules and regulations of the Texas Commission on Environmental Quality governing the disposal of waste from watercraft. Disposal of waste from boats or any other watercraft shall be in accordance with the 30 TAC Chapter 321, Subchapter A, "Boat Sewage Disposal". It shall be unlawful for any person to throw, discard or discharge into the waters of Lake Palestine, or on Authority owned lands, any refuse, garbage, trash, rubbish or waste of any kind.

NO WATERCRAFT SHALL BE USED AS A RESIDENCE.

Watercraft when not in actual use must be either removed from the reservoir or moored or stored at an authorized commercial dock, pier, or boat house or at a privately owned, permitted facility.

No watercraft shall be permanently anchored on the reservoir. All craft left unattended on the Lake for more than 48 hours shall be considered to be abandoned property. No open moorings whatsoever will be allowed on Lake Palestine.

WATER SKIING

The cleared area of Lake Palestine (the areas where timber was cleared and removed prior to closing the dam, and as identified on the official map of the lake) is open to water skiing with the exception that skiing

will not be allowed within 400 feet of the shoreline except for launching and landing. It is unlawful for any person to water ski or ride an aquaplane or similar device upon the waters of Lake Palestine without wearing an approved personal flotation device (PFD).

BARGE TYPE CRAFT AND HOUSE BOATS

All barge type craft or houseboats, except those manufactured by reputable manufacturers of marine equipment, shall be supported by polyester foam flotation units or metal pontoons. All barges or houseboats shall have minimum positive flotation capacity equal to twice the weight of the barge plus twice the weight of the live load. Every barge or houseboat shall be equipped with an outboard motor or inboard motor and must be capable of propulsion under its own power.

Watercraft over 40 feet in length and 14 feet in width will not be permitted on the reservoir except by special permit issued by the Authority, or if they are to be present for a limited duration (no longer than eight (8) hours). Cabin craft with toilet facilities must have a holding tank and pump-out capabilities.

Commercial rental craft will be operated on the reservoir by concession agreement only and in compliance with all applicable laws of the State of Texas for this type of operation. Privately owned watercraft shall not be rented or hired.

SAFE OPERATION OF VEHICLES OR CRAFT

The negligent operation of any vehicle, craft, boat or any other conveyance by any person on property owned or controlled by the Upper Neches River Municipal Water Authority, whether land or water area, will be prosecuted.

CAMPING

Camping will be permitted only in locations clearly marked as camping areas, and in such a way as to not be in conflict with boat launches, parking or other recreational activities. Camping equipment shall not be abandoned or left unattended for more than 24 hours.

No person will be allowed to camp on Authority land for any one (1) period of more than fourteen (14) days (two (2) weeks) in any one (1) year period.

PROPERTY AND LAND

ACCESS TO THE SHORELINE AND WATER

Pedestrian access is permitted along the shoreline of the reservoir except in prohibited areas, and subject to the trespass laws of the State of Texas as applied to the rights of adjacent land owners, holders of limited use permits, and flood easements. Motor vehicle access is permitted only over public and reservoir roads.

LIMITED USE PERMITS

All marginal lands surrounding the reservoir below the 355.0' msl takeline are subject to flooding.

A Limited Use Permit (LUP) must be obtained by property owners, leaseholders, assignees, etc., of lands abutting the takeline in order to have any permissive rights whatsoever on the area between the takeline and the lake surface.

All owners or lessees of land abutting the takeline may be issued Limited Use Permits on the area down to the water level on payment of prescribed fees therefor, and providing such lot owners, agencies or organizations agree to abide by the rules and regulations governing such permits covering Authority property.

Failure to maintain any boathouse, pier, or other structure located on Authority property in a safe and usable condition may result in the revocation of the LUP by the Authority.

All owners or lessees of lands around the Lake abutting the Authority property line at the takeline who desire to alter the lake water line on Authority property by moving of earth in order to bring the water level closer to their property

line and/or to deepen such area for boating, water intakes, etc., MUST first file application and plans with the Authority (and in certain cases the U.S. Corps of Engineers) to obtain written approval by permit prior to doing any work of this type. When it has been determined by the Authority that such plans are in order, approval may be given and a permit issued to the owner or lessee.

Under no circumstances will permission be given to dig or cut channels across the takeline nor shall any filling or dredging occur in the lake basin without a valid permit.

Land granted to the Authority by flood easement is subject to the Limited Use Permit regulations of the Authority. Regulations governing placement of facilities below the 345.0' msl (shoreline) shall also apply.

COMMERCIAL OPERATIONS

All commercial operations or activities on the waters of the reservoir or on lands owned by the Authority are prohibited except by written agreement with the Authority.

ABANDONMENT OF PERSONAL PROPERTY

Abandonment of personal property including watercraft on the land or waters of the reservoir area is prohibited.

Personal property shall not be left unattended except in accordance with permits issued therefor. No responsibility whatsoever will be assumed by the Authority for any personal property, and if such property is abandoned or unattended in places other than designated in a permit issued therefor, or under any existing regulation, for a period in excess of forty-eight (48) hours, it may be impounded by the Authority. If not reclaimed and an impoundment charge (if any) paid within ninety (90) days, it will be sold, destroyed, converted to Authority use, or otherwise disposed of by the Authority in accordance with applicable state law.

DESTRUCTION OF AUTHORITY PROPERTY

The destruction, damage, defacement or removal of Authority property, or of any vegetation, rocks, minerals, or other natural element on Authority property is specifically prohibited under penalty of physical removal from the reservoir area, revocation or cancellation of any granted privileges or permits, and prosecution therefor.

RESTRICTED AREAS

Entry or use of the following restricted areas is prohibited:

- Authority owned and operated outlet works, including access bridge and tower, earthen dam embankment and private road traversing the length of dam embankment, spillway, stilling basins, and that portion of the outlet channel between the spillway stilling basin and the low water crossing bridge;
- Land surface within 1000 feet of outlet tower;
- Water surface within 200 feet of outlet tower;
- Water surface within 200 feet of spillway;
- Authority's administration building, maintenance and equipment buildings, and adjacent fenced grounds;
- No boat launching ramps, marinas, docks, boathouses or piers accessible by the public shall be located within 1000 feet of raw water supply intake structures;
- All recreational activities are prohibited in a restricted zone of 200 feet radius from all municipal raw water supply intake structures.

WATER QUALITY PROTECTON

GASOLINE AND OIL STORAGE

Gasoline and other flammable or combustible liquids shall not be stored in, upon or around the reservoir or shores thereof, except in Underwriters Laboratories approved safety cans of five (5) gallon size or less. No petroleum products whatsoever shall at any time be dumped in, on or about the reservoir.

CHEMICAL VEGETATION CONTROL

A permit must be obtained from the Authority before applying any chemical, herbicide, or pesticide into the waters of Lake Palestine, or onto any land surface owned or controlled by the Authority.

SANITATION

Shore installations, marinas and all habitations on the watershed shall provide approved sewage disposal facilities. No sewage facilities shall be constructed below the takeline (355.0' msl).

MISCELLANEOUS

ADVERTISEMENTS

Private notices and advertisements are prohibited on lands owned or controlled by the Authority except when authorized by the Authority as necessary for the convenience and guidance of the public using the area.

BUOYS

The Authority will install marker buoys on the reservoir for the designation of restricted areas and for navigational aids. Buoys are safety or warning devices and it is a violation of the laws of the State of Texas and the rules and regulations of the Authority for any person to move, remove, tamper with, willfully damage or anchor a craft to any buoy. It shall be unlawful for any person to place a buoy on the reservoir without Authority approval, except for the designation of an underwater diving operation in progress.

CONSTRUCTION

PERMIT TO INSTALL AND CONSTRUCT FACILITIES

A Limited Use Permit must be obtained before constructing or placing any improvements on Authority land or before making alterations to Authority land.

Piers, boathouses, docks, bulkheads, canals, fences, or other improvements or alterations, will not be allowed on Authority property except by permit. All floating piers, docks, boathouses, and/or barges and other facilities must be securely moored in an approved manner at all times and anchored properly in order to prevent such from becoming unmoored during periods of high water. Installation of all piers, boathouses, docks, barges and other facilities are in all instances subject to the approval of the Authority.

Applications for such permits must be accompanied by the appropriate non-refundable fee, a recorded plat of property showing lake front dimensions and location of improvements, proof of ownership, plans, specifications, construction details and material description. The drawing must be legible and to scale showing front, rear and side elevations. All necessary property corners with a minimum of outside corners at roadway and at waterfront take line (elevation 355.0' msl) must be clearly marked at the time of the pre-construction inspection. A construction permit is valid for a period of 180 calendar days at which time if all work in the permit is not completed, the permit is void. A new application and fee will be required to continue the project.

Following the review of the plans contained in the application, the payment of prescribed fees, and an on-site inspection of the property, a permit may be issued if the plans conform to the Authority's specifications.

A permit issued by the Authority in no way releases the improvement owner from the responsibility of meeting the requirements of federal, state, county or city regulations, or any development deed restrictions that may apply.

The decision of the General Manager shall be final in all matters regarding a permit to install or construct.

ON-SITE SEWAGE FACILITY PERMITS

In accordance with the Texas Commission on Environmental Quality, an Order adopted pursuant to §366.031, Texas Health and Safety Code and 30 Texas Administrative Code §285.10 of the rules of the Commission, any on-site sewage disposal system installed within 525 feet of the "takeline" of Lake Palestine must be permitted by the Upper Neches River Municipal Water Authority. The area of jurisdiction shall be known as the "Water Quality Zone".

On-site disposal systems will be considered for approval and permitting only after the following tasks have been completed:

- Applicant has submitted to Authority a completed application accompanied by the established fee.
- A system design is submitted in strict accordance with Lake Palestine Water Quality Order and Construction Standards for On-Site Sewage Facilities, current edition, as promulgated by the Texas Commission on Environmental Quality.
- A pre-construction inspection (PCI) has been performed by the Authority Designated Representative (D.R.), and the design is found acceptable.
- The system has been constructed in strict accordance with the approved design and a final inspection has been performed by the Authority D.R. Permits will have a term of five (5) years and may be renewed for successive terms of five (5) years if the facility is not in conflict with this regulation, and if no pollution or injury to public health will result.

The pre-construction inspection and final inspection will be performed only by the Authority D.R. The final inspection will be conducted prior to covering or concealing any portion of the system.

Any developer or other person interested in creating a subdivision in the “Water Quality Zone” in which private on-site sewage facilities will be utilized must fulfill the following requirements:

- A plat of the proposed subdivision must be filed with the Authority for approval with applicable fee(s).
- The developer will cause to be performed by licensed professionals, the necessary tests and inspections as prescribed by the Authority to determine the suitability of the use of private on-site sewage facilities within the proposed development.
- The developer must file a plat of the subdivision for approval by the County Commissioner’s Court having jurisdiction in the area, and the approved plat shall be recorded in that County’s records.
- Notice of this regulation and its applicability to the subdivision and each lot therein must be given to every lot or parcel purchased by the developer, his agent or assigns.

PUMPING OF WATER FOR DOMESTIC USE

The pumping of water from Lake Palestine is prohibited except where permits are issued by the Authority to adjoining landowners (waterfront) to install pumps for the purpose of supplying domestic water to lake front property. These permits are issued upon proper application and payment of an annual permit fee paid one year in advance. All other sales of water from Lake Palestine for any other purpose shall be by negotiated contract with the Authority.

Domestic water withdrawals will be limited to a pump not larger than 5.0 h.p. with a maximum two (2) inch delivery line. The annual fee shall be based on pumping unit horsepower and size of delivery line.

The Upper Neches River Municipal Water Authority shall not be responsible for availability, purity, quality, quantity or regularity of flow at anytime, it being expressly recognized that this raw water use is subordinate to present and future municipal use.

Water users shall hold the Upper Neches River Municipal Water Authority harmless from any direct or indirect damages, injuries, or illnesses that might occur from the use of such raw water or from the water system.

Water withdrawals shall be for the personal and private use of the permittee, family and guests on his premises only, and in no event shall such water be used for commercial purposes.

PENALTIES/ENFORCEMENT

PENALTY

The violation of the above regulations which might endanger the life, safety, or property of any person, or the quality of water in reservoir shall be sufficient grounds for the revocation of any permit. This penalty shall be in addition to other penalties prescribed by penal resolutions duly adopted by the Board of Directors of the Upper Neches River Municipal Water Authority according to the laws of the State of Texas applying to the operation of Lake Palestine, Blackburn Crossing Dam.

ENFORCEMENT OFFICERS

All peace officers of this state and its political subdivisions and game management officers are enforcement officers of the Texas Water Safety Act. The enforcement officers may enforce the provisions of the Texas Water Safety Act by arresting and taking into custody any person who commits any act or offense prohibited by this chapter or who violates any provision of the Act.

FEE SCHEDULE

Duck Blind Permit	\$20.00 (annually)
Limited Use Permit	\$25.00 per lot plus \$.05 per foot owned along 355.0' msl (annually)
Permit to Install and Construct Facilities	\$50.00 per application submitted
Pumping of Water for Domestic Use	
Up to $\frac{3}{4}$ h.p. Pump	\$36.00 annually
Over $\frac{3}{4}$ h.p. Pump (max 5 h.p.)	\$72.00 annually
On-Site Sewage Facility	
Residential	\$150.00
Commercial	\$300.00
Reinspection Fee	$\frac{1}{2}$ of Permit Fee