SIGNED AND SEALED THIS 6TH DAY OF DECEMBER, 1993.

City Secretary

Teresa White

Mayor

Kenneth K. Daniels

SECTION 1: THAT certain documents, entitled AMENDED MASTER

Village of Jamaica Beach, Texas:

NOW, THEREFORE, BE IT ORDAINED BY the City Council of the

Village of Jamaica Beach, Texas, in the Village of Jamaica Beach, Texas, AND PROVIDING

AN ORDINANCE ADOPTING THE AMENDED DUNE PROTECTION AND BEACH ACCESS PLAN,

WHEREAS, BY ORDINANCE NO. 93-5, THE VILLAGE OF JAMAICA BEACH,

VILLAGE OF JAMAICA BEACH, Texas:

THEME
Village of Jamaica Beach

City of

Dune Protection and Beach Access Plan
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For human activities, and the Foredune Ridge have been destroyed by natural
in dunes. These dunes supplied sediment to the beach after the
which are usually well vegetated and may also be unvegetated and
backdunes. The dunes formed landward of the Foredune Ridge
underground storage tanks, and similar structures.
Streets, highways, parking areas and other paved areas
channels, and other water retention structures, roads,
ponds, canals, lakes, ditches, artificials, run-off
swimming pools, bath-houses, detached garages, campgrounds,
Amenities - Any nonpermanent major structures including
urbanization; dune vegetation, or public beach use and access.
affected, and the public beach, "affected," means to produce an effect
- as used in this Subchapter refers to dune vegetation, unless
this Ordinance, shall have the following meanings, unless
DEFINITIONS - THE FOLLOWING WORDS AND TERMS, WHEN USED IN
of the Federal Land Office, General and State Coastal Resources Code, Sec. 61.001 (Open Beaches Act)
beaches, Sec. 61.001 (Open Beaches Act)
Texas Natural Resources Code, Sec. 61.001 (Open Beaches Act)
the purpose of Foredune Ridge, the Gulf of Mexico, consistent with the
lands for managing the public beach and human activities occurring
standards established by the General Land Office and formulating
beaches, storm, waves, and shoreline erosion
activities occurring along the shoreline of the Gulf of Mexico,
and other access.
beaches, and other access.
Public Beach Act (formerly the Public Beach Act) and related
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
beaches, and other access.
and rental properties.

Commercial facilities - Any structure used for providing, dis-

trading, and selling goods or services in commerce, including,

trading, and selling goods or services in commerce, inculding,

construction - Causing or carrying out any building, bulkingheadings,

Constrution - Causing or carrying out any building, bulkingheadings,

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construction - Causing or carrying out any building, bulkingheadings,
of the dune protection line.

face, Section 15.2. Specifically, an area extending 75' seaward
Dune Permitting Area - Area as identified by the General Land of

area. In some portions of the Texas coast, dune complexes con-

tain swales. In some portions of the Texas coast, dune complexes con-

air. which dunes have been established by proper management of the

which dunes have been established by proper management of the

Dune Complex - Any emergent area adjacent to the waters of the
to cover the general area described by the General Land Office that

be used interchangeably in this code.

The two terms are used interchangeably in this code.

be used interchangeably in this code.

which dunes have been established by proper management of the

which dunes have been established by proper management of the

Dune Complex - Any emergent area adjacent to the waters of the

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Erosion Response Structure - A hard or rigid structure built for

by human activities, horizontal recession and scour and can be induced or aggravated
during storms by wave action, tidal currents, wave currents, surf and/or

The wearing away of land or the removal of beach and/or

social, or health, whether direct, indirect, or cumulative,
as well as aesthetic, cultural, economic, and functionings of
resources and the components structures, ecosystems, and functionings of

"Effects" may be ecological (such as the effects on natural
populations densities, or growth and rate, and the effects on air

Direct and Indirect Effects - those impacts on beach use and
access, on public beach use and access, on critical dune area, or
improvements on public beach use and access, on critical dune area, or

Direct Effects - "Effects" includes direct effects. Direct effects include:

c. Reauthorization of the Texas Natural Resources

Critical Dune Area as defined in the Texas Natural Resources

Authorization of the General Land Line Protection Permit or Permit - the document issued to

Requirements for Permit (a) (b) and (c)

Construction of the Dune Vegetation Line - a line located 75 feet landward from the

and woody plants.

The Texas Coast and can include coastal grasses and herbaceous

Dune Vegetation - Flora indigenous to natural dune complexes on

Shoreline stabilization which includes, but is not limited to, a
is no natural vegetation line, the shoreline extent of the public reflecting the shoreline extent of the public beach, where there vegetation which spreads contiguously inland typically used to line of vegetation - the extreme boundary of natural vegetation. For Elliotts, see Appendix C, Exhibit A.

Industry Numbers 2091 and 2092 are not considered "industrial" for the purpose of this ordinance, the establishment involved in Part I, Division D, Major Group 40 of the Standard Industrial Classification Manual, as adopted by the Executive Office of the President, Office of Management and Budget (1987 ed.). However, establishments listed in Part I, Division D, Major Groups 20-39 and Part I, Division E, Major Group 49 of the Standard Industrial Classification Manual, as adopted by the Executive Office of the President, Office of Management and Budget (1987 ed.) and as amended, are considered "industrial." The term "industrial" is used to describe establishments that are engaged in activities that are considered to be primarily commercial in nature and that involve the production of goods or services for sale in the marketplace. The term "industrial" is not intended to exclude establishments that are engaged in activities that are primarily for the production of goods or services for use by the establishment itself.

Industrial Facilities - Structures suitable for human habitation, including but not limited to, those occupied by the general public. Habitat structures - Habitats, suitable for human habitation, that are located in the shoreline area. Green - Structures built perpendicular to the shoreline area.

Mediterranean After a Storm. It is also important to note that, water-cut beach is usually not the ideal location for human habitation, as it is more prone to erosion and may be vulnerable to storms and other natural disasters. This is especially true for the Texas Gulf Coast, where storms are a common occurrence and can cause significant damage to structures located in the shoreline area. For information on the first clear, the Texas Gulf Coast, which is the first clear of water-cut beach, usualy not the ideal location for human habitation.
Sand budget - the amount of all sources of sediment, sediment material and to prevent the slipping of land.

Retaining walls - a structure designed primarily to contain mounds, repair damaged dunes, or vegetate existing dunes.

Restoration - the process of constructing man-made vegetated sand mounds. Consider the cost of the technology or technique. Consider the feasibility, scientific, cost-effectiveness, and commercial practicability. Consider the effect on the land, also in determining what is practicable, the city shall be defined in the Texas Natural Resources Code, Sec. 61.013(c).

Public Beach - as used in this ordinance, "public beach" is and associated equipment and roads, used as gathering lines, pumps, tanks, separators, compressors, facilities - the equipment used to gather, liquid, gaseous, subsurface, or other liquids, or other liquids.

Pipelines - A tubular system of tubes used for the transportation of gas, water, sewerage, or other liquids. Subdivision commandement, a statute, a municipal, a conservation district, an association, an individual, a firm, or corporation. Sections.

Nurseries, and other such resources. Surface water, ground water, plants, trees, habitat of flora and fauna, and other such resources. National Forest Insurance Act, Art. 6770d, Texas Revised Civil Statutes Annotated.

Motor vehicle or vehicle - A vehicle as defined by the Texas Uniform Code, Sec. 61.012, Texas Natural Resources Code. Beach may be determined as provided by Sec. 61.015 and Sec.
Protection line and identity the line by map.  

shall establish the jurisdictional boundaries of the dune protection line as delineated in the "State of Texas Natural Resources Program under the Intrastate Cooperation (Article 7413.32C, Vernon's Texas Civil Statutes).  Jamaica Beach

and conserved, consistent with Title 31, Natural Resources.  To adopt the 'Coast County Dune Management and Beach Access Plan within the jurisdiction of the City of Jamaica Beach is authorized by delegation in

REQUISITION FOR PERTHMA

...
Proposed using the mitigation sequence of the coastal erosion and flood hazards areas that are identified by the general land use and the coastal zone management plan. The mitigation sequence shall be the responsibility of the building official or the building department, except where the building official or the building department has been notified by the building fire department that the building is unsafe. The mitigation sequence shall be carried out by the building official or the building department, except in the case of structures that are unsafe. The mitigation sequence shall be carried out by the building official or the building department, except in the case of structures that are unsafe.
(3) Sand fencing shall be required.

(4) Revegetation shall not be considered complete until

(1) Adjacent dunes shall be restored to the contour of the

(2) All areas shall be restored to their original elevation

(3) All areas shall be restored to the order of the

(4) Revegetation

(5) Drainage to the public beach.

All drainage from the lot shall not increase natural

All structures under the structure, concrete, pavers, patios, and balconies

Based upon the lot's approximate natural features,

The structure and lot design shall provide for the

15.4(f) and 15.4(g)(5), The building official is com-

260% (F) and 15.4(g)(5), The building Official is com-

(4) Revegetation shall not be considered complete until

(3) Sand fencing shall be required.

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The structure and lot design shall provide for the

15.4(f) and 15.4(g)(5), The building official is com-

260% (F) and 15.4(g)(5), The building Official is com-
Dune walkovers may not impede or restrict access to the
approximate ten (10) feet seaward of the vegetation line.
The critical dune area and shall end on the beach.
(6) The walkover must start at the northern boundary of
sand to pass through the dune.

(5) Dune walkovers must be constructed to allow rain and
dental 10.

(4) Only one dune walkover shall be permitted per resid-
tion shall be restored as provided hereinafter.

(3) Any vegetation or contours disturbed during construc-

(2) Each side of the walkover posts shall be placed at inter-

(1) A dune walkover shall not exceed four (4) feet in
height above the dune of not less than the width of said
walkover.

(0) Dune walkovers shall be permitted only as outlined in GLO
rule 15.77 (f).

certificates are issued as stated in GLO rule 15.6 (d).

Rule 15.77 (d). Dune walkovers

(1) An permit, in no event shall a permit or
Dune Protection Permit, required be required for the
DuneCritical area, such reconstituion of the develop-
ment, and by determination of the Building Official,
less than twenty (20%) percent, but is seaward of the dune profile.
New location, or destroyed, if the property has been damaged
such structure, which has been damaged
use of structure is expanded by the decree of a
not withstanding that a use of structure was in existence
pre-existing use: destruction

(c)
open spaces (areas completely free of structures).

5. The approximate percentage of existing and finished

proposed landscaping activities on the tract.

4. a description (including location) of proposed

structures.

3. the number and location of the structures and

whether the structures are amenities or habitable

tracts.

2. the location of the property lines and a notation

where applicable, the subdivision, block, and lot.

1. the site by its legal description of the tract and a state-

ment of its size in acres or square feet.

b. A complete legal description of the tract and a state-

ent.

2. the name, address, phone number, fax number, and the

name of the property owner if different from the

applicant.

3. the following items and information:

(i) within the dune perimeter, beach constitute area,

(ii) beachfront construction and dune protection

requirements.

official.

11. all dune walkover construction, improvement or repair

levels.

10. perimeters must relocate walkovers to follow any

relocated dune walkover in good condition (repaired and

replaced). It shall be the duty of the property owner, pursuant

the requirements of this ordinance to keep and maintain

landward migration of the public beach or seaward migration

southern beaching spot standards.

8. all walkovers shall be constructed according to

structurally with two (2) handrails.

7. all walkovers built in public areas shall be con-

struction.
In lieu of Rule 15.35(a)(4)(c), I/II. Additional information shall be required as stated.

16. A copy of the FEMA elevation certificate.

I/II. If known, the location and exterior of any man-made
vegetated mounds, restored dunes, fill activities, or
immediately adjacent to the tract.

Treat all property structures on the tract and on the properties
perimeter of the proposed construction on the tract.

Program etc.

In the National Flood Insurance
Demonstration of structures (as through proof of elevation
performance bond) or, to find eventual relocation or
latter or a
compensation for adverse effects on dunes and dune vegetation.
Proof of financial capability to mitigate or

II. A comprehensive mitigation plan which includes a
change to dune hydrology.

Dune vegetation, alteration of dune size and shape, and
permits, including but not limited to damage to
the beach, which cannot be avoided by activities on the beach.

10. The effects of the proposed activity on the beach.

Existing dunes on the tract.

9. Photographs of the site which clearly show the
proposed contours for the final grade, and

Existing contours of the project, from reference to the National Geodetic and

vertical grading and layout plan identifying all eleva-

The approximate duration of construction.

Structure proposed to be constructed or expanded.

6. The floor plan(s) and elevation view of the
is first scheduled to act on the permit.

General's Office no later than 20 days before the City
make must be received by the City and the Attorney
action and information as to when the decision will be
applciation, any documents associated with the apply-
face and, if necessary, the Corps of Engineers, the
(6) Rule 12, § 3(a)(d), to the City, the Attorney General's Of-
filing, the building official shall forward
building official who will act upon it in the indicated time.
A person proposing to conduct an activity requiring a

A. The proposed activity's impact on the natural drainage

B. In the case of multi-unit dwellings, the number of

units proposed.

C. If located in a Subdivision, a certified copy of the
Subdivision, a plan of the Subdivision certified by a

surveyor, and a statement of the total area of the

subdivision is required.
There are no practicable alternatives to the proposed activity that is located seaward of the dune protection line and adverse effects cannot be avoided as provided in the Mitigation Section.

Standards of this Ordinance.

Substantive findings as defined in "technical seaward of the dune protection line based on weakened dunes or materially damage dune vegetation activity as defined in these Standards.

Area the building official must find that:
Before issuing a permit within the dune permitting

Dune Area.

BEACHFRONT CONSTRUCTION CERTIFICATE & DUNE PROTECTION PERMIT STANDARDS

To reapply for a Dune Protection Permit, it will be necessary for the applicant's work is not completed in this time period, except Master Planed developments which shall be completed within two years. If work is not completed in this time period, a permit shall be completed within one (1) year from the date of the permit.

or by natural causes.

4. A permit or certificate automatically terminates.

Correction of the application regarding the site condition shall be made because the permittee did not provide information. Building official in making the permitting deci-

either did not exist at the time of the original

original application.
(4) The applicant's mitigation plan, for an activity seaward of the Dune Protection Line, if required, will adequately minimize, mitigate, and/or compensate for any unavoidable adverse effects.

(5) The proposed activity complies with any applicable requirements of: Permit and Management of the Public Beach of this Ordinance, Permit and Management of the Dune Protection Line, and construction requirements for improvements to the shoreline due to any construction activities within 200 feet of the Dune Protection Line.

(6) No concrete, slab, or other impervious surfaces, except within 200 feet of the Dune Protection Line, shall be permitted on the public beach unless approved by the City. The proposed activity will be considered inconsistent with this Ordinance, and therefore, will not be approved if the activity:

a. Reduces the size of the public beach on the public beach in any manner, regardless of whether the encroaching structure is on land that was previously landward of the public beach.

b. Functionally supports or depends on or is otherwise related to proposed or existing encroachments on the public beach, regardless of whether the encroaching structure is on land that was previously landward of the public beach.

c. Closes any existing public beach access or parking area, unless equivalent or better public access or parking is established.

d. Cumulatively or indirectly impairs or adversely affects public use of or access to the public beach, including failure to comply with any requirements in Management of the Public Beach of this Ordinance.
permits. Appropriately local, state, and federal such as reserves and sites without the creating degraded spoil disposal sites, or.

site.

compared to the sediments found on the table mineralogy or grain size when section line, which is of an unaccessed degraded spoil seaward of the dune pro-

disposing sand, soil, sediment, or.

State, and federal governments, standards established by the local. Appropriately requirements, for toxicity determined by applicable, relevant, and full to people, flora, and fauna as harmful, in concentrations which are harm- the code of Federal, regulation, part toxic materials listed in volume 4 of the degraded spoil which contains any of the disposing sand, soil, sediment, or.

verse effects on the sediment budget, and the project does not cause any ad-

e rate is greater than one foot per year, areas where the historical accretion non-ismorment project and then only from an approved due restoration or beach permitted mitigation, conservation, or be- the site, except for purposes of p. lemporarity of permanently moving sand

b. the dune protection line, a. Rebordering sand which lies seaward of including:
on or adjacent to the construction site, the portion of the beach/dune system located temporary or permanent removal of sand from activities that are likely to result in the construction or dune protection permits.

e. fails to comply with requirements for beachfront

the building official shall not issue a permit or
Part I, Ch. 15, Subchapter A, Section 31, Natural Resources & Conservation

Erosion Response Structures as Part I, Section 31.9

or with Ordinance 87-I

II. Permits or Certificates Will Not be Issued That

Detonating bombs or explosives.

Prudence

Planted before the enactment of this Ordinance, located in subdivisions with the exception of

and septic fields, with the exception of

or septic tanks, and

Construction of structures, septic tanks, and

Construction.

Part of the permitted on-site construction:

crete, stone, and bricks that are not

cluding inert materials such as con

Depositing trash, waste, or debris in

Protection line.

Impervious surfaces seaward of the dune

Construction, concrete slabs or other

Mining the dunes.


Tional purposes. (Chapter 63, Section

any vehicle not being used for recreation.

sional purposes, but does not include

vehicle that is being used for recreation.

blue, deep, or any other mechanism.

boggy, marshy boggy, marsh.

operating recreational vehicle.

June

This Ordinance.

Remarks prior to the effective date of

all relevant laws and permitting require-

facilities not in full compliance with

Construction or Operating Industrial.
shall be prohibited:

1. Construction or dunes.
   c. Construction of dunes.

2. Any activity that will destroy, or remove a portion of a sand dune.
   d. Placement of fill within the critical dune area.
   e. Placement of fill within the critical dune area.

Permit:

1. Front construction & dune protection
   a. The following activities are prohibited:
   b. Habitability structure.
      i. Failure to repair the structure.
   c. Habitability structure.
      i. Failure to repair the structure.
   d. Habitability structure.
      i. Failure to repair the structure.
   e. Habitability structure.
      i. Failure to repair the structure.
   f. Habitability structure.
      i. Failure to repair the structure.
   g. Habitability structure.
      i. Failure to repair the structure.
   h. Habitability structure.
      i. Failure to repair the structure.
   i. Habitability structure.
      i. Failure to repair the structure.
   j. Habitability structure.
      i. Failure to repair the structure.
   k. Habitability structure.
      i. Failure to repair the structure.
   l. Habitability structure.
      i. Failure to repair the structure.
   m. Habitability structure.
      i. Failure to repair the structure.
   n. Habitability structure.
      i. Failure to repair the structure.
   o. Habitability structure.
      i. Failure to repair the structure.
   p. Habitability structure.
      i. Failure to repair the structure.
   q. Habitability structure.
      i. Failure to repair the structure.
   r. Habitability structure.
      i. Failure to repair the structure.
   s. Habitability structure.
      i. Failure to repair the structure.
   t. Habitability structure.
      i. Failure to repair the structure.
   u. Habitability structure.
      i. Failure to repair the structure.
   v. Habitability structure.
      i. Failure to repair the structure.
   w. Habitability structure.
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   x. Habitability structure.
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   y. Habitability structure.
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   z. Habitability structure.
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   B. Habitability structure.
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   C. Habitability structure.
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   K. Habitability structure.
      i. Failure to repair the structure.
   L. Habitability structure.
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   M. Habitability structure.
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   S. Habitability structure.
      i. Failure to repair the structure.
   T. Habitability structure.
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   U. Habitability structure.
      i. Failure to repair the structure.
   V. Habitability structure.
      i. Failure to repair the structure.
   W. Habitability structure.
      i. Failure to repair the structure.
   X. Habitability structure.
      i. Failure to repair the structure.
   Y. Habitability structure.
      i. Failure to repair the structure.
   Z. Habitability structure.
      i. Failure to repair the structure.
   a. Habitability structure.
      i. Failure to repair the structure.
   b. Habitability structure.
      i. Failure to repair the structure.
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   z. Habitability structure.
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   G. Habitability structure.
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   I. Habitability structure.
      i. Failure to repair the structure.
   J. Habitability structure.
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   K. Habitability structure.
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   L. Habitability structure.
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   W. Habitability structure.
      i. Failure to repair the structure.
   X. Habitability structure.
      i. Failure to repair the structure.
   Y. Habitability structure.
      i. Failure to repair the structure.
   Z. Habitability structure.
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   d. Habitability structure.
      i. Failure to repair the structure.
   e. Habitability structure.
      i. Failure to repair the structure.
   f. Habitability structure.
      i. Failure to repair the structure.
The following standards will be used to determine material weakening and material permit within the critical dune area.

- Beachfront construction & dune protection
- When issuing, denying or conditioned a
- Comply with the following technical standards
- Conservation, Part I, Chapter 12, Subchapter
- Authority: Title 31, Natural Resources &

(h) Technical Standards

- Jamaica beach as part of the access
- Creation of roads, trails or paths
- .
- Paving of any type.
- .
- Maintenance and clean up.
- Operation of any motor vehicle except for
- . Animals, (Ordinance 77-3).
- . Walking, grazing, or running at large
- . Horse riding.
- .
- Barbecues, stables, utilities, or other
- Equipment, volley ball nets, showers,
- Use or placement of playground
- Under the main building.
- Construction of substructures
- Or on a main building.
- Any type of construction work.
- Any kind.
- Storage of goods, equipment, built-
- For parking of a motor vehicle.
- In an area approved by the City Council
- Parking of any motor vehicle except
d. The local historical erosion rate as

per cent of vegetation cover on the site, 
the type of dune vegetation, and 
dunes, the pre-construction condition of 
width, slope, volume, and continuity of the 
site.

site.

b. Cumulative and indirect effects of 
seaward of that area. 
vegetation within the critical dune area or 
proposed construction on all dunes & dune 
effects & indirect effects of the

(5) The activity shall not significantly increase the potential for washovers or

(4) The activity shall not result in a deficient change to dune hydrology.

(3) The activity shall not result in significant

(2) The activity shall not result in run-off

(1) The activity shall not result in the

proposed construction site or adjacent proposed construction as a part of the

Building Official shall not approve the

Real estate or material damage and the

standards will result in a finding of failure to meet any one of these

line. Failure to meet any one of these
The Mitigation Sequence

The Mitigation Sequence shall be used by local governments in determining whether to issue a permit for an activity seaward of the Dune Protection Line, after the determination that no material seaward damage to the Dune Protection Line will occur within Critical Dune Areas or seaward of the Dune Protection Line, as follows:

1. Avoiding the impact altogether by not taking a certain action or parts of an action.
2. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.
3. Rectifying the impact by repairing, rehabilitating, or restoring the affected environment.
4. Compensating for the impact by replacing resources lost or damaged.
The City shall ensure that carefully planned beach nourishment management of the public beach, beachfront construction & dune protection permits relating to beachfront construction & dune protection, in issuing, denying or modifying any conditions relating to the following standards in Chapter 15, Subchapter A, Section 15.6, require that erosion, Jamaica Beach, Jamaica Beach, Jamaica Beach, and erosion hazard, for those properties located in erosion hazard areas, be designed for feasible relocation (e.g., on piers).

(2) That structures located on property adjacent to the public beach be designed for feasible relocation, in accordance with FEMA minimum standards.

(3) That structures be elevated in accordance with FEMA minimum standards.

Such requirements shall be designed so that their benefits and costs are comparable to those of other coastal land use permits, and those that are designed for relocation to the public beach be designed for feasible relocation (e.g., on piers).

The City shall ensure that beach nourishment management of the public beach, in issuing, denying or modifying any conditions relating to the following standards in Chapter 15, Subchapter A, Section 15.6, require that erosion, Jamaica Beach, Jamaica Beach, Jamaica Beach, and erosion hazard, for those properties located in erosion hazard areas, be designed for feasible relocation (e.g., on piers).

(2) That structures located on property adjacent to the public beach be designed for feasible relocation, in accordance with FEMA minimum standards.

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(2) That structures located on property adjacent to the public beach be designed for feasible relocation, in accordance with FEMA minimum standards.

(3) That structures be elevated in accordance with FEMA minimum standards.

Such requirements shall be designed so that their benefits and costs are comparable to those of other coastal land use permits, and those that are designed for relocation to the public beach be designed for feasible relocation (e.g., on piers).
3. Fine clay or silt sediment

2. Non-biodegradable items

1. Hard or engineered structures

Materials shall not be permitted.
Vegetation must be used. The following methods and
requirements for the natural formation of dunes and indigenous
vegetation exceed the protection. Underground must app-

Interference with public use of
the beach is prohibited. Dune restoration shall receive
public beach up to 20 feet in height. If it is determined that the

3. The City may allow restoration of dunes on the

porting the nourishment material

5. There will be no adverse effects caused from trans-

6. The removal of sediment will not have adverse im-

nourishment

7. There will be no adverse environmental effects on

the property surrounding the area from which the sedi-

d. There will be no adverse environmental effects on

the local, state, and federal governments:

4. The material must be free of toxins as defined in

the Code of Federal Regulations, Part 302.4

City Council

Dune restoration projects subject to the approval of the

Dune beach material may be used for a subsurface for dune

size, mineralogy, and quality are the same as the existing

beach.

The sediment to be used must be of effective grain

and beach policies

4. The project must be consistent with the City's dune

(3) Requirements for beach nourishment projects:

The City is required to notify the General Land Office

and the City of any discernible change in the erosion rate on

the natural vegetation line.

2. Permits are required to notify the General Land Office

for erosion response and protective erosion response
Seaward Resources Code, Section 15.2, Subchapter A, Section 15.7, Requiring Jamaica Beach
Authority; Title 31, Natural Resources & Conservation, Part I,

4. Toxic materials as previously defined in this

ordinance.

Restored or man-made dunes will be protected under the

same standards as natural dunes.

(4) Jamaica beach shall be protected from the

larging except from the dune protection act.

(Natural Resources Code (Section 61.222) however, Ives a
public beach by Subchapter D, Section 61 of the Texas
management of the beach/dune system, Section 15.7 and Sec-
office, Chapter 15, Coastal Area Planning, Subchapter A,

Federal, Land Office Regulations as promulgated in Title 31.

All parking and access plans must be consistent with

(3) Signs shall be displayed in a conspicuous location identi-

(2) Parking requirements for all new or redeveloped developments

(1) Drive.

allows access to the beach. Another access point is Buccaneer

drive. The street on the south side of State Highwy 3005,

Standards will be observed when regulating access and use. The following

requirements of the Open Beaches Act.

Seaward Resources Code, Section 61.019, The Attorney General shall make the deter-

Jackson Land planning & Development Judgment Charters under the Open

Jamaica Beach shall presume that any fronting the Gulf of Mexico

public right to use and have access to and from the beach,

to regulate pedestrian and vehicular access, traffic, and parking

Chapter 15, Subchapter A, Section 15.7, Requiring Jamaica Beach

Authority; Title 31, Natural Resources & Conservation, Part I,

4. Toxic materials as previously defined in this

ordinance.

Restored or man-made dunes will be protected under the

same standards as natural dunes.

(4) Jamaica beach is granted authority to regulate animals on

(1) Space for each 15 linear feet of beach frontage.

on or adjacent to the beach, will be calculated at one

(3) All parking and access plans must be consistent with

(2) Parking requirements for all new or redeveloped developments

(1) Drive.

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office, Chapter 15, Coastal Area Planning, Subchapter A,

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to regulate pedestrian and vehicular access, traffic, and parking

Chapter 15, Subchapter A, Section 15.7, Requiring Jamaica Beach

Authority; Title 31, Natural Resources & Conservation, Part I,

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Restored or man-made dunes will be protected under the

same standards as natural dunes.

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(3) All parking and access plans must be consistent with

(2) Parking requirements for all new or redeveloped developments

(1) Drive.

allows access to the beach. Another access point is Buccaneer
shall be in accordance with those policies promulgated accounting and administration of all beach user fees.

Resources Code.
Chapter A, Section 13.8, and Section 63.05, Natural
Resources and Conservation, Part I, Chapter 13. Sub-
beach-related services as defined by Title 31, Natural.

Revenues from beach user fees may be used only for

City.

A new or amended beach user fee plan submitted by the

the public beach.

providing public services and facilities directly
in accordance with G.L. Rule 15.8 (c) based on the cost of

Jamaica Beach may only impose a public beach user fee
is charged.

users in general. Currently, no public beach user fee
a fee in exchange for providing services to public beach
users.

Jamaica Beach may charge public beach users.

(7) Beach User Fees:

of the public.

beach or the right to use the public beach as guarant-
not have the right of access to and from the public
or represent in any other manner that the public beach
which states that the public beach is private property
public beach any sign, marker, or warning, or make
It is prohibited to display on or adjacent to any

within the critical dune areas.

name activities shall be returned to a location
All sand moved or redistributed due to beach mainte-

City of Galveston for beach maintenance.

the beach profile, Jamaica Beach contracts with the
tribution of sand or which will significantly alter
activities which will result in the significant reduc-

Jamaica Beach shall prohibit beach maintenance

(6) Beach Maintenance Activities:

City Cod.

and speed limits shall be in conformity with Jamaica Beach
but not limited to, parking, access, signage, obstruction, including

Beach Traffic Orders; All beach traffic orders, including
b. At least 60 days prior to acting on a request for approval of a master plan, the developer shall provide the following:

- Assessment of the status of the regulatory approval.
- Information regarding the master plan, including detailed information on the master plan, including site improvements, water quality, and environmental impact assessments.
- Descriptions of site improvements between buildings and structures, including water quality, stormwater management, and site improvements.
- Diagrams and other information, including fire hydrants, drainage, and utility systems, and site improvements.

A. Master Plan/Development and Development

Repeal of Conflicting Ordinances - Severability

If any provision of a Master Plan/Development and Development, or any other ordinance or administrative rule is held invalid, such holding shall not affect the validity of the remaining portion of this ordinance or the administrative rule, or the application thereof to any person or thing. The invalidity of any provision of this ordinance shall not affect the validity of any other provision of this ordinance.

Violation.

Any violation of a Master Plan/Development and Development is considered a separate and distinct offense, and each day the violation occurs is considered a separate and distinct offense.

Penalties.

Authority: Title 3. Natural Resources and Conservation, Part I, Subchapter A, Section 15.9; Title 31, Natural Resources and Conservation, Part I, Subchapter A, Section 15.9.
c. When acting on a request for approval of a master planned development, the City Council shall consider:

1. The development's potential effects on dunes, dune vegetation, public beach use and access, and the applicant's proposal to mitigate for such effects throughout the construction.

2. The contents of the plan.

3. Whether any component of the development, such as installation of roads or utilities, will subsequently require a permit or certificate.

4. If the City Council determines that any development contemplated by the plan does not comply with the requirements of this Ordinance, a permit and/or certificate for the development may be issued.

5. If the City Council determines that any development contemplated by the plan does not comply with the requirements of this Ordinance and therefore cannot be approved without an amendment to this Ordinance, the City Council shall submit the plan to the General Land Office for approval as an amendment to this Ordinance.
SANITARY SERVICES

TRANSPORTATION, COMMUNICATIONS, ELECTRIC, GAS, AND

Major Group 49.

Major Group 39.

Major Group 38.

Major Group 37.

Major Group 36.

Major Group 35.

Major Group 34.

Major Group 33.

Major Group 32.

Major Group 31.

Major Group 30.

Major Group 29.

Major Group 28.

Major Group 27.

Major Group 26.

Major Group 25.

Major Group 24.

Major Group 23.

Major Group 22.

Major Group 21.

Division D. MANUFACTURING

(1987 ed.)

Office of the President, Office of Management and Budget

INDUSTRIAL CLASSIFICATION MANUAL, as adopted by the Executive Office of the President, and published in the Department of Commerce, with the exception of activities not authorized to issue a permit or certificate. A local government is not authorized to issue a permit or certificate.
...seaweed products, canned and cured.

Sardines, canned

Oysters, canned and cured

Seafood products, canned and cured

Mackerel: smoked, salted, dried, canned, and pickled

Pilot fish: cured, dried, pickled, salted, and smoked

Fish, canned and cured

Eel, pickled, canned

Canned fish, crustaceas, and mollusks

Canned fish, cured, and pickled

Codfish: smoked, salted, dried, and pickled

Canned haddock (smoked haddock)

Clam bouillon, broth, chowder, juice; bottled or canned

Chowders, fish and seafood; canned

Capers, canned

Crab meat, canned and cured

2091. Canned and cured fish and seafoods

Title (relating to definitions).

Industrial facilities listed in Industry Number 2091 are not

Miscellaneous food preparation and kindred products

Appendix I - continued

EXHIBIT A
Appendix I - continued

MISCELLANEOUS FOOD PREPARATIONS AND KINDRED PRODUCTS

Industrial facilities listed in Industry Number 2092 are not considered "industrial facilities" as defined in 15.2 of this title (relating to Definitions).

2092 Prepared Fresh or Frozen Fish and Seafoods

Establishments primarily engaged in preparing fresh and raw or cooked frozen fish and other seafoods and seafood preparations, such as soups, stews, chowders, fishcakes, crabcakes, and shrimp-cakes. Prepared fresh fish are eviscerated or processed by removal of heads, fins, or scales. This industry also includes establishments primarily engaged in the shucking and packing of fresh oysters in nonsealed containers.

- Chowders, fish and seafood: frozen
- Crabcakes, frozen
- Crabmeat picking
- Crabmeat, fresh: packed in nonsealed containers
- Fish and seafood cakes, frozen
- Fish Fillets
- Fish sticks
- Fish: fresh and frozen, prepared
- Oysters, fresh: shucking and packing in nonsealed containers
- Seafoods, fresh and frozen
- Shellfish, fresh: shucked, picked, or packed
- Shrimp, fresh and frozen
- Soups, fish and seafood: frozen
- Stews, fish and seafood: frozen
identifiable in §15.11(b) of this section must be formally

section of the plan, such modifications or by the local governments and referenced in

office comments sent to the local governments and concerned with general land

certificates of plans with the condition that the pertinent local
certificates without conditions! §15.11(b) of this section

the section identifies at least local governments whose plans are

all thirteen plans comply with state law. Subsection 15.11(a) and (b) of this section and hereby certificates that

The General Land Office has reviewed the plans identified in

and implementation of local plans.

15.10 In February 1993, which provided the minimum standards for

rules for management of the beach/dune system) 31 TAC 31-1

The General Land Office, the General Land Office approved

government with jurisdiction over Gulf beaches to submit plans

chapters 61 and 63, and 31 TAC 15.3(0) require all local

access plans ("plans") of the Texas Natural Resources Code,

certification of local government dune protection and beach

The General Land Office proposes new §15.11 concerning

PROTECTION AND BEACH ACCESS PLANS

SECTION 11. CERTIFICATION OF LOCAL GOVERNMENT DUNE

SUBCHAPTER A. MANAGEMENT OF THE BEACH/DUNE SYSTEM

CHAPTER 15. COASTAL AREA PLANNING

TITLE 31. NATURAL RESOURCES AND CONSERVATION

Page 1 of 9
The application requirements in 15.3(6) of beachfront construction, in addition to any local building code requirements, have been adapted by the appropriate county or ordinance. Governing bodies have adopted an ordinance or administrative order to participate in the federal flood insurance program, and therefore will be subject to the floodproofing requirements of the national flood insurance program. A local government may be subject if the entire area is subject to the floodplain scope of the area regulated by this chapter, geographic scope of the area regulated by this chapter, or the entire area subject to the floodplain scope of the area regulated by this chapter, with the exception of the areas regulated by general land office, and specific areas where flood impacts cannot be identified as the annual number of flood impacts is expected to be substantial. Specific areas where flood impacts are expected to be substantial, any increase because state is already performing this function, and increase the general land office to monitor compliance with state law. The general land office or (2) at the request of the local government or (2) at the request of the local government permitter (1) due to additional time spent by state regulated a limited number of government for a two-year period if the section will be enforced or administrating the section, the effect on state has determined that these will be fiscal implications of a result of section 15.21(2)(b) of this section apply. Effective date of this section, unless the provisions of this section apply as adopted by the local government on or before 180 days from the
Large-scale commercial projects, seasonal residents, and lower cost than the seasonal residents' projects. In general, a single-family residence protected by the required information and the information requested will vary depending on the type of project. However, costs are difficult to estimate since the applications will have different capacities for cost. To obtain other authorizations for beachfront construction, the necessary beachfront construction certificates, because the information provided by the required information required for a single project is minimal. A more detailed discussion of the cost of beachfront construction is best addressed through a discussion of the cost of businesses. The cost of construction within the section for small and large revenues which is specifically authorized for expenditures relating to the Gulf Coast. In addition, the section allows local governments to implement a system for collection of beach use fees which can substantially exceed the existing requirements for construction applications exceeded by local governments. This chapter were extracted from various existing beachfront regulations.
Comments on the proposed rule may be submitted to any of the following:

- Factories and services.
- Exception: and establishment and maintenance of beach-reached facilities; and protection; maintenance of the sediments supply to slow habitaro and erosion of natural resources.
- Public beach use; recreation and access; natural resource and increased flood protection for property and public property and benefit supported as a result of enforcing the section will be.
- Five years the section, as proposed, is to affect the public.

For individuals cannot be predicted.}

From jurisdiction to jurisdiction, a wind farm can estimate the
vary from jurisdiction to jurisdiction, a beach fees at all beaches, and such fees
not required to pay beach user fees at all beaches, because jurisdictions are
"free" beaches. Where no fees are charged, because jurisdictions are
jurisdictional charges a beach user fee is required to provide a
property beach where a beach user fee is charged; however, each
property charged with property costs when using and accessing the
amount of mitigation required.

$15.21

General Land Office
Following local governments have submitted plans to the General Land Office, which are certified as consistent with state law:

1. City of Port Aransas, Chambers County
2. City of Port Aransas, Beeza County
3. City of Port Aransas, Brazoria County
4. City of Port Arthur, Jefferson County
5. Town of Quintana, and Matagorda County
6. Village of Juma Beach

The following local governments have submitted plans to the General Land Office, certification of local government plans, and beach access plans:

1.1. Certification of local government plans and beach access plans, and for the identification and protection of critical dune areas, the certification of local government beach access and use plans agree with the authority to promulgate rules, respectively, for office with the authority to promulgate rules, respectively, for the new section is proposed under the Natural Resources Code upon written request.

Land Office comments referenced in §15.11(b) of this section 522/45-63-6311. Ms. Walker will also provide copies of any general

Page 5 of 9

General Land Office
Governments are required to implement constructively certified local (c) implementation of constructively certified plan, local
submitted to the Village of Surfside Beach (December 3, 1993). The plan consistent with the general land office community
modifies the plan consistent with the general land office community
180 days, during which time the Village of Surfside Beach will
(g) Village of Surfside Beach. This certification is valid for
October 24, 1993.

(5) Galveston County, the general land office community
submitted to the general land office community consistent with the general land office community

(3) Galveston County. This certification is valid for 180 days,
Galveston County (October 14, 1993).

(2) City of Galveston. This certification is valid for 180
days, during which time the City of Galveston will modify the
City of Galveston (October 14, 1993).

(1) City of Corpus Christi. This certification is valid for 180
days, during which time the City of Corpus Christi will modify the
City of Corpus Christi (October 12, 1993).

Land office which are constructively certified as consistent with

STG 11
II
MLC
local government shall provide in writing the statement of legal interpretation in the General Land Office comments, the plan as requested by the General Land Office comment, the plan as modified by the General Land Office, subject to future modification.

In the event that a local government chooses not to modify the contract document, the General Land Office shall provide a written response pursuant to a General Land Office written response, plan review and comment. Further, any exceptions to the plan must be addressed through the General Land Office. The General Land Office has noted exceptions to the plan. If the General Land Office determines that modifications to plans are necessary, the same from subsection (b) of this section, and the General Land Office shall provide to the General Land Office comment, the plan as requested by the General Land Office comment, the plan as modified by the General Land Office, subject to future modification.

Such amendments will not change the name of the plan. The General Land Office will remove all conditions of the plan's certification by amending the certificate of the local government to the satisfaction of the General Land Office(s) within 60 days of receipt of the plan. The General Land Office shall provide to the local government a beach/dune system, and the General Land Office issues for management of the beach/dune system. The General Land Office issues for management of the beach/dune system. The General Land Office issues for management of the beach/dune system. The General Land Office issues for management of the beach/dune system.
justification as to why such modifications are not feasible. The justification shall be submitted to the General Land Office on or before the due date of the revised plan. The justification will be reviewed by the General Land Office, and a determination as to the sufficiency of the justification will be provided to the local government within 60 days of receipt by the General Land Office. Local government plans shall continue in effect under the conditional certification until the sufficiency of the certification is resolved or this section is amended. Conditional certification of a local government plan shall be withdrawn by the General Land Office if the local government does not submit to the General Land Office either a formally adopted plan which has been modified consistent with General Land Office comments or the written scientific or legal justification as to why such modification is not feasible. In any event, withdrawal of conditional certification shall only occur after the General Land Office adopts an amendment to this subsection withdrawing conditional certification, with accompanying specific reasons, and the General Land Office has given the pertinent local government written notice of the withdrawal of the conditional certification.
This section does not affect the General Land Office's October 9, 1992 TAC Subchapter F relating to Interim Approval of Local Government Dune Protection and Beach Access Plans, which continues in effect.