

PROHIBITED CONSTRUCTION

- Under Emergency rule Section 15.17, a local government may permit the repair of a structure that appears to be partially or wholly seaward of the line of vegetation; however, a local government is prohibited from authorizing the following:
 - repairing or constructing a slab of concrete, fibercrete, or other impervious material;
 - placing material other than beach quality sand on the public beach;
 - repairing or constructing an enclosed space, including a space with breakaway walls, below the base flood elevation, as identified on the pertinent community's flood insurance rate map, and seaward of the line of vegetation;
 - increasing the footprint of the structure; repairing a structure previously built, repaired, or renovated in violation of the Land Office's beach/dune rules or the local government's dune protection and beach access plan or without an approved certificate or permit; or
 - constructing, repairing, or maintaining an erosion response structure.

- Emergency rule Section 15.17 provides that in areas located landward of the public beach
 - a slab or other paving beneath the footprint of a structure may be replaced by wooden decking, brick pavers, or other pervious materials;
 - however, the Emergency rule does not require that an owner remove an existing slab or other impervious surface when no repairs to the slab or other impervious surface is needed.
 - A local government may authorize the repair of a septic system landward of the line of vegetation if the system complies with the rules of the TCEQ and the local government governing on-site sewage facilities.

- Emergency rule Section 15.18 provides procedures and requirements for issuance of authorization to undertake emergency measures for dune restoration or repairs to existing shoreline protection projects for littoral property impacted by Hurricane Ike.

- All construction for emergency stabilization or repairs to coastal structures, dune restoration, or shoreline protection project repairs shall be consistent with state law.