



TEXAS GENERAL LAND OFFICE

JERRY PATTERSON, COMMISSIONER

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PRESS RELEASE

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Patterson listens to local officials, amends post-Ike emergency rules

Changes allow use of clay fill, building an enclosed area beneath beach houses

AUSTIN — Jerry Patterson, Commissioner of the Texas General Land Office, today amended post-Hurricane Ike emergency rules to address the concerns of local officials working to recover from the storm.

“These changes come from the ground up,” Patterson said. “We’ve been on the coast, listening to both property owners and local authorities, and these changes to the emergency rules reflect their concerns.”

Patterson added new rules to allow coastal property owners to use clay or a sandy clay mixture to fill voids beneath the footprint of residential structures. Local governments may also use clay or sandy clay fill to protect exposed public infrastructure, such as roads and sewers.

“Property owners and local governments need to shore up their investments but beach-quality sand is in short supply,” Patterson said. “Allowing limited use of clay or sandy clay fill is needed to address an immanent threat to public health, welfare and safety.”

Patterson also added new emergency rules that allow property owners to enclose an area below their house if the house’s foundation is intact. This will allow property owners to better protect their property.

Patterson also added new emergency rules to clarify authority on utilities reconnection procedures.

The additions modify the provision of the post-Hurricane Ike emergency rules to clarify that emergency stabilization and repair does not include reconnection to sewer, water and electrical services. Reconnection to such utilities may be made in accordance with other applicable law or local ordinances.

The emergency rules are effective for 120 days and are only applicable in coastal counties with local dune protection and beach access plans within the counties of Nueces, Matagorda, Brazoria and Galveston.

The new sections are adopted on an emergency basis under the Texas Natural Resources Code.

The Texas General Land Office is the state agency responsible for overseeing the Texas coast, erosion control and response as well as oil spill prevention and recovery. The Land Office also oversees enforcement of the Texas Open Beaches Act, the Dune Protection Act and works to maintain healthy beaches.

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Patterson authorized emergency orders the day Hurricane Ike struck the Texas coast allowing local governments to issue authorizations for emergency stabilization and repair of residential structures to eliminate threats to public health, safety and welfare. Under the rules, the normal permitting process will not apply. Emergency authorizations are valid for no more than 180 days after they are issued. Septic systems damaged by the storm may be authorized for repair by local governments under the emergency rules, as long as the system complies with all state and local on-site sewage storage facilities.

To see the emergency rules, visit www.glo.state.tx.us.

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