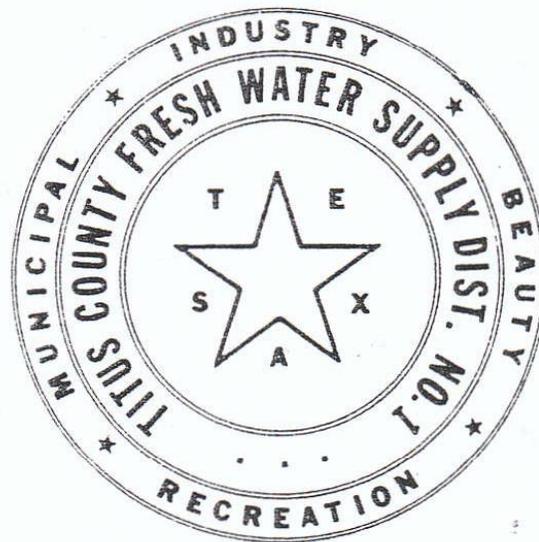


# TITUS COUNTY FRESH WATER SUPPLY DISTRICT NO.1

A MUNICIPAL UTILITY DISTRICT  
GOVERNING THE USE AND ENJOYMENT OF  
LAKE BOB SANDLIN  
AND FORT SHERMAN DAM



## OFFICIAL MANUAL OF POLICIES, RULES AND REGULATIONS

Adopted by  
Board of Directors  
October 22, 2010  
Amended August 17, 2015

TABLE OF CONTENTS ..... 2

SECTION 1

    GENERAL ..... 3

SECTION 2

    POLICIES ..... 5

SECTION 3

    PROPERTY OF DISTRICT AND DISPOSITION OF SAME ..... 6

SECTION 4

    USE OF EASEMENT AREA..... 6

SECTION 5

    USE OF WATER AND LANDS OWNED BY DISTRICT ..... 9

SECTION 6

    PERMITS..... 13

SECTION 7

    RECREATIONAL ACTIVITIES AND RESTRICTED AREAS ..... 17

SECTION 8

    PROHIBITED ACTIVITES ..... 18

SECTION 9

    BOATING REGULATIONS..... 21

SECTION 10

    FISHING AND HUNTING..... 23

SECTION 11

    WATER SPORTS..... 24

SECTION 12

    SANITATION ..... 24

SECTION 13

    SECURITY AND ENFORCEMENT REGULATIONS ..... 26

SCHEDULE OF FEES.....28

## **SECTION 1 - GENERAL**

### **1.100 - HISTORICAL AND STATUTORY AUTHORITY**

Titus County Fresh Water Supply District No. 1 (referred to herein as “District”) was created in 1966 under the provisions of Chapter 4, Title 128, RCS of Texas and acts 1967, 60th Legislature, regular session, Chapter 221, the boundaries being the same as that of Titus County. Land acquisition for the Lake Bob Sandlin Reservoir started in 1973 and construction of Fort Sherman Dam began in 1974. The City of Mt. Pleasant and Luminant, a subsidiary of Energy Future Holdings (EFH) (formerly known as Industrial Generating Company), contracted for the purchase of water from the lake, and certainly, these contracts were a big factor in getting the lake built and made possible the financing of the project. The City of Pittsburg is permitted to take water from the lake under an agreement between the District and Northeast Texas Municipal Water District. Fort Sherman Dam was closed August 19, 1977 and the lake began filling, with elevations of 300 plus recorded in January 1979. Lake Bob Sandlin filled to normal elevation of 337.50' MSL on February 18, 1983 covering approximately 9500 surface acres.

### **1.110 - RESPONSIBILITIES**

In consideration of contractual agreements for the supply of raw water the District recognizes its responsibility to maintain and operate the lake for its primary purpose of water supply, and to do all things necessary to provide for the adequacy and quality of the water. The Lake is remarkably free of any pollution and the District realizes that it is its responsibility to those who use and enjoy the lake to prevent any future pollution.

In recognition of these responsibilities, the Board of Directors has adopted the rules and regulations contained herein, as amended, for the purposes of:

- (1) Securing, preserving and maintaining the sanitary condition and chemical quality of the waters in and flowing into the reservoir;
- (2) Preventing waste of water and unauthorized use thereof;
- (3) Controlling hunting, fishing, boating and camping, and all other recreational and business privileges along or around the reservoir; and

- (4) Regulating privileges on any land or easement owned or controlled by the District.
- (5) Fulfilling any purposes for which the District was created.

The District has no taxing powers for maintenance and operation. Thus, its maintenance and operation must be paid out of revenues obtained from the sale of water. Feeling that these are not sufficient, certain fees, charges and rentals for the use of the lake for designated purposes have been established by the Board of Directors in order to provide additional revenues. These funds will be used to provide for maintenance personnel, equipment, notices and publications necessary for the operation and maintenance of the lake.

### **1.120 - SUPERVISION**

Supervision and operation of Lake Bob Sandlin and Fort Sherman Dam are under the general management of the Executive Director of the District. The District offices are located at 352 Fort Sherman Dam Road, Mt. Pleasant, Texas with the mailing address being P.O. Box 650, Mt. Pleasant, Texas, 75456-0650. The telephone number is 903-572-1844 and you can visit the District's website at [www.tcfreshwater.com](http://www.tcfreshwater.com).

All inquiries pertaining to the policies, rules and regulations will be directed in writing to the Executive Director at the address stated. All applications for permits will be made on appropriate forms which may be obtained from the District office. All applications of any kind and for any purpose will be filed with the office, accompanied by the designated filing fee, and considered on an individual basis. No permits will be valid until approved by the Executive Director or their designee.

Enforcement of all rules and regulations established herein is the function of the District's Police Department operating under the direction of the Executive Director, as well as authorized local and State officers.

## **SECTION 2 – POLICIES**

### **2.100 - GENERAL**

- (1) In promulgating these policies, rules and regulations, the District is acting under the Water Code of the State of Texas, as amended, and other applicable State or Federal law or regulations.
- (2) All policies, rules and regulations relating to the operation and use of Lake Bob Sandlin and Fort Sherman Dam have been established by resolution of the Board of Directors in an official meeting on the 17th day of August, 2015, notice of which meeting was duly posted in the time and manner required by law, and the meeting held at the District offices at 352 Fort Sherman Dam Road, Mt. Pleasant, Texas. These policies, rules and regulations will supersede all previous publications.
- (3) These policies, rules and regulations are in effect five (5) days after the date of publication of these policies, rules and regulations, and shall remain in effect until amended, revised, or rescinded by official action on the part of the Board of Directors.
- (4) Notice of amendments, revisions or rescissions shall be published as required by the Water Code of the State of Texas as amended.
- (5) All activities on the lake shall be at the sole risk of the person indulging therein, whether with or without a permit from the District.
- (6) Any person desiring to protest to any policy, rule, regulation or decision by the Executive Director shall file the protest in writing with the Executive Director; and thereafter, the Executive Director shall meet with the protestant and shall make a full report to the Board. In the event the Executive Director is unable to resolve the protest, then the matter shall be referred to the Board of Directors and the Board shall set the matter for hearing and all interested persons shall have the right of appearance to protest the decision of the Executive Director. Variances to Policies, Rules and Regulations can only be issued by the Board of Directors. Variances can be submitted to Executive Director to be presented to the Board.
- (7) A violation of any District permit, rule or regulation may be cause for cancellation of all District permits held by the violator or denied issuance of additional permits to same.

**SECTION 3 - PROPERTY OF DISTRICT**  
**AND DISPOSITION OF SAME**

**3.100 - PROPERTIES OWNED BY DISTRICT**

- (1) All of the property required for the administration building, appurtenances, and shop, dam, spillway, outlet works, the lake proper, and necessary protective areas are owned by the District. In addition, the District owns an easement in other properties surrounding, but above, the lake water surface area.
- (2) The spillway level is 337.50' MSL, and the District owns fee simple title to all lands to this elevation. In addition thereto, the District owns a 100 foot flowage easement outside the property line or to 342.00' MSL, whichever is greater.
- (3) The policy is herein established that no fee simple property owned by the District shall be available for sale or lease to private, public or commercial use so long as such property is required for present or future uses of the District. And, no fee simple property of the District shall be used for any purpose other than District uses without the express consent of the District.
- (4) No property owned by the District will be disposed of unless and until such property is determined by the Board of Directors to be surplus to any use by the authority.
- (5) It is considered that from time to time adjustments on boundary lines may be necessary between the District and adjoining owners and this may be accomplished by resolution of the Board of Directors. Any adjoining owner requesting an adjustment shall pay all surveying fees and other charges or fees.

**SECTION 4 - USE OF EASEMENT AREA**

**4.100 - EASEMENT LIMITATIONS**

All land acquisitions by District, whether by deed or eminent domain, places the following limitations on the easement area:

- (1) Grantee shall have the right to regularly and periodically inundate the easement area when necessary by reason of flood conditions and without claim by Grantors for damages

resulting to said lands or any improvements or other properties that may be thereon;

- (2) Grantee's agents, servants and employees shall have the right of entry at all times on the easement area for all purposes;
- (3) Grantee shall have the right to grant easements for the construction and maintenance of utilities, both public and private, on and across the easement area;
- (4) No buildings or other Structures shall be located within the confines of the easement area except upon written consent of Grantee;
- (5) No alteration of the shoreline by excavation, filling, channeling, or in any other manner, shall be permitted within the easement area except upon the written consent of the Grantee;
- (6) Septic systems placed in the easement area shall be constructed and maintained in accordance with tried and established rules and regulations of the Texas Commission on Environmental Quality (TCEQ) or its successor. Septic lines are allowed in accordance with such regulations;
- (7) Grantor releases any rights as to claims for future damage occasioned by the fluctuation in the water level of the reservoir, operation of the reservoir as a water supply project, wind and wave action, siltation or growth of underbrush and aquatic vegetation; and
- (8) The rights, powers, privileges, uses and restrictions herein stated as being applicable to the easement area shall be binding upon the heirs, assigns and personal representatives of both parties, and shall be covenants running with and covering the land.

The acquisition documents are recorded, and the originals are on file in District's office; and the Executive Director will review these any time with adjoining owners.

#### **4.110 - CONSENT BY DISTRICT OF CONSTRUCTION ON EASEMENT AREA**

In the exercise of the rights granted to District in this easement area, District agrees that in all instances where consent of the District is required, that District will not unreasonably or arbitrarily withhold such consent.

#### **4.120 - UTILITY EASEMENTS IN EASEMENT AREA**

In granting easements for utilities in the easement or fee area, the District shall require the Grantee to file an application with the District setting out the type of utility and the purpose for which the easement is sought, as well as the general location. In granting the application, the

District shall use due care to the end that the utilities shall be at such location, if at all possible, so that the use of the easement area by the owner will not be impaired. When the utility line has been completely installed, the Grantee will furnish the District with a plat showing the location of the utility on the easement area and any poles or other installations.

This section shall not be applicable to any contract or agreement between the land owner and the utility company for the location or extension of utilities to any improvements on the easement area by the owner, his lessee or assigns, and such owner may contract for the installation of such utilities on the easement area as the owner desires, except sewage easements.

#### **4.130 - BUILDINGS OR STRUCTURES**

Any owner of an easement area, his lessee or assigns, desiring to place a building or other structure upon the easement area shall file with the District, upon forms provided by the District, a general description of the type of building or structure and its location; and thereupon, the District may issue a permit. This permit shall contain a provision to the effect that the owner shall keep the building or structure in reasonable repair and structurally sound, and upon their failure to do so, the District may, after 90 days written notice to the owner, remove same at owner's expense.

In contemplation of the fact that more than one person may have an interest in the building or structure, the application shall require the applicant to designate one person by name and address who shall be the District's correspondent to whom all notices may be sent; and the owners will furnish the District with any change in this person.

#### **4.140 - RIGHTS RESERVED TO DISTRICT**

(1) District, through these policies, calls to the attention of the owners, his lessee and assigns, of the easement area, rights reserved to the District in parts (1) and (7) of Sec. 4.100 EASEMENT LIMITATIONS. Part (1) provides that the District shall have the right to regularly and periodically inundate the easement area when necessary by reason of flood conditions and without claim by the landowners for damages resulting to said lands or any improvements or properties that may be thereon. This right of inundation will be exercised only when there are flood conditions to the extent that the spillway cannot take the flood

waters; or, by reason of flooding in the Cypress Basin, the District will be required to hold water until it can be safely released. Part (7) releases the District from any damages occasioned by the fluctuation in the water level of the reservoir, operation of the reservoir as a water supply project, wind and wave action, siltation, or growth of underbrush and aquatic vegetation.

- (2) The water level of the lake is not a constant level and there may be times when due to drought, flooding or other matters beyond District's control, the water level will be less than 337.50' MSL and on occasion greater than 337.50' MSL. All permits are issued subject to such fluctuation in water level.

## **SECTION 5 - USE OF WATER AND LANDS OWNED BY DISTRICT**

### **5.100 - DUCK BLINDS**

Any person desiring to use a hunting blind on the lake will get permission from the District. All hunting blinds shall be temporary in nature, and must be put up and removed by the Permittee on each use. Permanent hunting blinds will not be permitted on the lake.

### **5.110 - TRESPASSERS**

All persons, except those temporarily fishing, hunting, boating, sail-boating or skiing on the waters of Lake Bob Sandlin shall be liable for trespassing on District's property; and such trespassers will be subject to prosecution.

### **5.120 - APPROPRIATION OF WATER FROM LAKE**

**The appropriation of water from Lake Bob Sandlin for any purposes is expressly prohibited, save and except when permits have been secured from lawful authority, and contract entered into with the District. The District exercises the right to grant or deny permits at the sole discretion of the District. Property owners shall notify the District of changes to current mailing addresses. A Shoreline Management Residential Water Use Permit shall be in the following form as amended August 17, 2015:**

- 1. Water Use.** Property owners with waterfront property only (Permittee) may divert water from Lake Bob Sandlin (Lake), at the location described in Application for Residential Water Use Permit (Exhibit A), attached hereto and incorporated by reference herein. Permittee agrees to observe all applicable rules and regulations or other requirements of the District with regard to the maintenance and use of all pipelines, pumping equipment, electrical lines and all other facilities (Facilities) necessary for transporting the water, including specifically the conditions set forth in this Permit.

The water made available pursuant to this Permit is provided year to year on an “as available” basis. The District 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 District harmless from any direct or indirect damages, injuries, or illnesses that might occur from the use of such raw water. The water in the Lake is not potable. It is expressly agreed that the water is not suitable for drinking. Water withdrawals shall be solely for the purpose of supplying domestic water for irrigation purposes only to lake front property of the Permittee at the residence located at the address of the Permittee, and in no event shall such water be used for filling ponds, commercial use or by any other person or entity other than Permittee.

In the event the drought contingency plan is amended at any time during this permit, any new restrictions shall become a part of the permit and Permittee shall reduce its water diversion accordingly.

The normal pool elevation of the Lake is 337.50' MSL. If the District invokes water conservation measures under its currently approved drought contingency plan, every holder of a water pumping permit shall curtail such water usage as follows:

- Stage 1 – Voluntary - 10% Voluntary Reduction – 8’ below pool elevation (329.50' MSL)
- Stage 2 – Mandatory – Watering Schedule – 13’ below pool elevation (324.50' MSL)
- Stage 3 – No Outdoor Watering – 18’ below pool elevation (319.50' MSL)

### **NOTICE TO PERMITEE**

**The District shall only have available 1,000 acre feet of water on an annual basis for all Permittees. The District is limited to this amount of water due to its existing contracts for the sale of water. Should, at any time during the existence of this permit, a party to a water supply contract exercise its option to take additional amounts of water from Lake Bob Sandlin, the District, in its sole discretion, may reduce or completely curtail the use of water under this permit, thereby causing the Permittee and all other Permittees to reduce their water consumption accordingly. In addition, after examination of water usage under this and other permit holders, the District may, in its sole discretion, reduce the amount of water available based on the usage by Permittees. If at any time the District determines that supplying water under this permit shall be in conflict with any existing water supply contract, or shall receive notice from any party to a water supply contract that the District is in violation of such water supply contract, the District may, in its absolute discretion, discontinue the**

**availability of water under this permit and Permittee shall promptly remove all equipment used in the diversion of water from Lake Bob Sandlin.**

2. **Land Rights and Easement.** This Permit does not grant Permittee permission to place Facilities upon or across land owned or leased by anyone other than the Permittee and does not grant Permittee any easement into Lake Bob Sandlin for the purpose of installing equipment necessary to divert water.
3. **Term.** This Permit is issued upon proper application (Exhibit A) and payment of the appropriate fees associated with this Permit. This Permit shall commence upon the Effective Date and shall continue until terminated by the Permittee or at the discretion of the District. The Board of Directors of the District reserves the right, in its sole discretion, to change or discontinue this Permit at any time.
4. **Fees.** Permittee shall be subject to the following fees:
  - **Application Fee.** A one-time, non-refundable Application Fee of \$50.00 upon submission of Exhibit A for consideration. The Application Fee may be adjusted in the future by the District, at its sole discretion.
  - **Annual Permit Fee.** The Annual Permit Fee for the privilege of installing and maintaining the Facilities and the right to divert water will be \$150.00. The Annual Permit Fee may be adjusted in the future by the District, at its sole discretion.
  - **Payment.** *Payment of the Application Fee and the Annual Permit Fee must accompany this Agreement.* This Permit may be continued from year to year by paying annually in advance an annual permit fee set by the Board of Directors of the District. *Fees must be paid by the last day of January of each succeeding year in order to avoid past due penalties and/or termination of this Permit.* Fees will be considered past due after January 31 and will have a \$50.00 late fee assessed if paid in February or a \$100.00 late fee assessed if paid in March. If payment has not been received within this 60 day past due period, the District may remove the equipment at owner's expense. All permits currently issued to the property owner may be terminated at this time and may not be re-issued until restitution has been made. Payment of the required annual fee is due regardless of whether Permittee actually diverts water during the term of this Permit. Fees are non-refundable. If you decide at a later date not to renew the permit, **all** equipment, including pumps, must be removed from the lake. There will be a \$100.00 reconnect fee and another application for a new facility will be required prior to reinstalling the equipment.
  - **Default, Cure, and Cancellation.** Permittee shall be considered in default of this Permit if for any reason 1) Permittee violates any provisions of any applicable rules, regulations and/or guidelines of the District, or 2) Permittee violates the terms of this permit, including, but not limited to, the failure to pay permit fees when due and any violations regarding the installations, maintenance and use of the requested Facilities. In the event of default, other than failure to pay permit fees, the District shall provide Permittee with written notice of such default and Permittee shall have 30 days to cure such default other than failure to pay permit fees. If Permittee fails to cure such default in such 30 days, the District may, in its sole discretion, cancel this permit and terminate this permit. All permits currently issued to the property owner may be terminated at this time and may not be re-issued until default is resolved.
5. **Removal of Water Facilities.** In the event that District cancels this permit and terminates this Permit, the District may, in its sole discretion, require the Facilities (pump, piping, electrical lines, and all Facilities necessary for the transporting water) to be removed. If Permittee fails to remove the Facilities after such a request by the District, the District may

remove the Facilities and Permittee shall be liable for any and all costs incurred by the District related to the removal of the Facilities.

6. **Assignment.** This Permit may not be assigned by Permittee, and any such assignment shall be void.
7. **Water Level.** The water level in Lake Bob Sandlin (the Lake) will not be constant. While it is the desire of the District to keep the Lake as full as possible, the level of the water will vary, depending on the amount of water used, evaporation rates, amounts of rainfall and runoff, and other factors. The District will not credit, prorate, refund or provide any form of compensation for the inability of Permittee to divert water as permitted.
8. **Facilities.** Permittee shall install and maintain, at Permittee's expense, the appropriate intake and pump equipment as required by District to divert water from the lake. Intake and pump equipment may not be placed in or on Lake without an approved Residential Water Use Permit. The District shall have access to and the right to inspect equipment at all times. Submersible pumps for residential irrigation *shall not* be placed in the Lake. ***Only existing operational submersible pumps installed prior to this Permit may remain in the lake without any further modifications.*** PVC pipes must be limited to no larger than a 2" inside diameter restriction.
9. **Additional Requirements Regarding Residential Water Use Permits.** This Permit must be approved and signed by the District before installation of the Facilities is initiated.
  - The electrical services shall be installed in accordance with the National Electric Code as amended and revised. The District performs cursory electrical inspections for general compliance only. **Property owners with permitted submersible pumps shall have a licensed electrician inspect all electrical components to ensure that the installation meets all requirements specified in the National Electric Code and provide a dated and signed written statement from said electrician as to that effect to submit with application.**
  - The requested Facilities shall be installed and maintained only in the location specifically authorized by the District.
  - Facilities may be required to be removed or modified if, in the opinion of the Executive Director or Code Enforcement Officer, or their designee, it or its operation is an inconvenience to others or if it constitutes a hazard to navigation, public health, safety, welfare, or a hazard to anyone occupying or utilizing the Lake or adjacent land.
  - This water shall be used on Permittee's premises and *is not* for resale to others.
  - Permittee agrees that the District may enter onto Permittee's property for the purposes of inspecting the Facilities.
  - At this time the District does not require that an individual meter be installed at the diversion point but the District, in its sole discretion, may require that such a device be installed at Permittee's expense as a condition of a future Permit.
  - Permittee agrees to observe and abide by all applicable Federal, State and local laws, ordinances and regulations pertaining to the activities herein permitted and nothing contained herein shall be construed as alleviating the Permittee of any responsibility to obtain any permit, license or other approval required by any agency in connection with the activities herein permitted.
  - The Permittee shall indemnify and hold harmless the District for any damages, costs and charges to which Permittee may be subject or which Permittee may have to pay by reason of any injury to any person or property, or loss of life or property, suffered or sustained by any person whatsoever arising out of the activities here permitted; Permittee shall, at his own expense, assume the defense of all claims and actions for

damages arising out of any such injuries by third persons, and shall pay all judgments that may be rendered on such actions.

## **SECTION 6- PERMITS**

The District exercises the right to grant or deny any and all permits at the sole discretion of the District without recourse. Permits shall be obtained before performing any work on the lakebed or over the water. Property owners and/or their contractor should contact the District's office with any questions or concerns they have before any construction or work begins. A fee of \$250.00 payable to the District may be imposed for failure to obtain the proper permit in addition to a possible written citation issued by the District Police Department and/or removal of structure.

Permits for fish habitat structures and/or the number per permit to be introduced into the waters of Lake Bob Sandlin may be limited annually based upon the number of permits issued during that year.

### **6.100 - CONSTRUCTION OF STRUCTURES IN LAKE**

(1) All floating or stationary piers, wharves, boat houses, marinas, docks, fences, and/or barges and other facilities will not be allowed on the fee land of the District, which is elevation 337.50' MSL or less, except on permits which are considered on an individual basis and granted by District for such construction and in accordance with District specifications as stated in the Rules and Regulations Built on Lake Bob Sandlin. Property owners shall notify the District of changes to current mailing addresses. The distance the entire structure is allowed to extend into the lake shall not exceed 75 feet measured from the water line; that is, elevation of 337.50' MSL. The District, at its discretion, may allow such facilities to extend onto the reservoir to a maximum total length of not more than 150 feet perpendicular to water line; that is, elevation of 337.50' MSL, and will be determined by the Executive Director or their designee. Maximum total size of the above mentioned structures will not be greater than 1,600 square feet, excluding the walkway, with an annual fee charged on the entire square footage, including the walkway, as set out in the "SCHEDULE OF FEES", and all shall be kept in good repair. The billing cycle for annual fees runs from January 1 through December 31. Statements will be mailed the first week of January and are due by

January 31. Fees are past due after January 31 and will have a \$50.00 late fee assessed if paid in February or a \$100.00 late fee assessed if paid in March. If accounts become delinquent, the District may, after 60 days written notice to the owner, remove structure at owner's expense if the account is not brought current. Fees incurred by the District to remove a structure for nonpayment of annual fees or due to a safety hazard will be charged to the respective property owner for full payment up to and including any legal fees. All permits currently issued to the property owner may be terminated at this time and may not be re-issued until restitution has been made. Variances to Policies, Rules and Regulations for Structures Built on Lake Bob Sandlin can only be issued by the Board of Directors. Variances can be submitted to the Executive Director to be presented to the Board.

### **Regulations For Structures Built On Lake Bob Sandlin**

**Approved and Adopted by the Board-Effective January 11, 2010-Revised August 17, 2015**

**Water Level.** The water level in the lake will not be constant. Lake Bob Sandlin is a water supply and conservation project. While it is the desire of the Titus County Fresh Water Supply District No. 1 (District) to keep the lake as full as possible, the level of the water will vary, depending on the amount of water used from the lake, evaporation rates, amounts of rainfall and runoff upstream, and other factors. The District will not credit, pro-rate, refund, or provide any form of compensation for the inability of Permittee to utilize permitted structures.

#### **Boathouse and Piers**

1. The privilege of installing a structure on the lake is not an inherent right with the control or ownership of waterfront property. If a structure is permitted for construction, it is to be used responsibly and should not contribute to domestic wastes, especially human waste, entering the lake.
2. The District exercises the right to grant or deny structure permits and any modifications to structures as deemed appropriate at the sole discretion of the District.
3. The District may permit no more than one boathouse and one pier on any one shoreline lot with a minimum of 100 feet of shoreline. A minimum of 25 feet of shoreline is required for a pier and 50 feet of shoreline is required for a boathouse. Structures shall not be built within 5 feet from the property line. Adjoining lots owned by 1 owner may build 1 structure per lot unless the lots have been joined in a manner prohibiting the separation of the lots.
4. Construction plans, including floor plan, elevation plan and walkway, must be submitted with the permit application, along with the permit fee, and approved by the District prior to any work being done. A visual inspection will be required prior to approval. A permit/placard must be obtained and placed in plain view from the lake and kept there until all work is completed. Permits are to be obtained before repairs are made to structures.
5. All structures built adjacent to one lot may not exceed an aggregate total of 2,000 square feet. The footprint of a boathouse, including boat slip(s) and deck area, may not exceed 1,600 square feet. Additional square footage will be allowed for a walkway to the structure provided the walkway does not exceed 6 feet in width. The footprint of a pier may not exceed 400 square feet. Additional square footage will be allowed for a walkway to the structure provided the walkway does not exceed 6 feet in width. Neither temporary nor permanent living will be allowed on any structure.
6. No boathouse or pier shall be constructed which is more than 1 story in height. This means that a boathouse or pier may have a deck on top, but the deck may not be enclosed and may not have a

roof over it. No covered two-story deck/boathouse structures will be permitted. The roof of a structure shall be a flat top or have a maximum of 5 in 12 pitch.

7. Outer walls may be used to protect lifted boats from the weather so long as the bottom of the wall is not lower than 4 feet below the roof edge or 4 feet above the floor. The District will allow fully enclosed storage area, not to exceed 100 square feet floor space, with one dimension of the enclosure not to exceed 6 feet.
8. Lakefront property owners should be aware that the District may, at its discretion, remove the unpermitted structure/portion if you build a new structure, or add on to an existing structure without first obtaining a permit and a fee of \$250.00 payable to the District may be imposed in addition to a possible written citation and/or removal of structure. Make sure all permits are obtained.

### **Permit Guidelines**

1. The permit will become invalid if the project, including plans and specifications of the approved permit, is altered or deviated from in any substantive manner without prior authorization from the District. The Applicant will remove all unauthorized modifications or deviations and the shoreline will be restored to its original condition at the Applicant's expense.
2. All construction permits will expire 90 days from issuance. If construction is not completed within the 90 days the contractor or property owner will contact the District by phone at 903-572-1844 or email [lrodgers@tcfreshwater.com](mailto:lrodgers@tcfreshwater.com) to request one extension of an additional 90 days. No more than one extension may be granted. (If additional time is required, requests will be considered on a case-by-case basis.)
3. Once constructed, the construction permits become a renewable annual permit. Failure to keep appropriate fees paid each year may result in the structure being removed from Lake Bob Sandlin at the expense of the owner. In the event an annual fee is not kept current, the District will notify the owner and allow 60 days to bring fees current before further action is taken.
  - Structures built with more than 1 walkway will be assessed an annual fee for the waters that are enclosed within those walkways.
  - An annual fee will be assessed on the entire structure built over the waters of the lake regardless of property lines or pool elevation.

### **Inspections**

1. The District may inspect the structure on a periodic basis during construction to ensure compliance with all rules, regulations and guidelines. After all construction is completed it shall be the duty of the contractor, his designee or the property owner to contact the District by phone at 903-572-1844 or email [lrodgers@tcfreshwater.com](mailto:lrodgers@tcfreshwater.com) for final inspection of the structure.
2. The District reserves the right to perform an inspection of this structure for compliance at any time, during or after construction.

### **Plumbing and Electrical**

1. Toilets, showers, sinks, faucets, or any similar plumbing fixtures in an enclosed area will not be allowed to be installed on structures over the waters of Lake Bob Sandlin. Exterior exposed plumbing (sinks and faucets) will be permitted.
2. The electrical services shall be installed in accordance with the National Electric Code as amended and revised. The District performs cursory electrical inspections for general compliance only. The property owner is advised to have a licensed electrician, electrical inspector, or other professional with expertise in electrical installations to inspect all electrical components to ensure that the installation meets all requirements specified in the National Electric Code.

### **Safety and General Repair**

1. The distance the entire structure is allowed to extend into the lake shall not exceed 75 feet measured from the water line; that is, elevation of 337.50' MSL. The District, at its discretion, may allow such facilities to extend onto the reservoir to a maximum total length of not more than 150 feet perpendicular to water line; that is, elevation of 337.50' MSL, and will be determined by the Executive Director or their designee.
2. No structure may be situated in a manner that interferes or obstructs access to other permitted structures or neighboring properties or that may be a safety hazard as determined by the District.
3. It is recommended that the property owner install the 911 property address with 4 inch reflective numbers and letters on the structure that are visible from the lake.

4. Safety lights (wired, battery or solar) shall be installed on the lake end of all structures. Additional lights shall be installed at 50 feet intervals if structure extends more than 50 feet into the lake or at least half the distance between shore and lake.
5. A maximum of 30 gallons of fuel may be stored on the structure in D.O.T. approved containers as long as doing so does not create a potential health or environmental hazard. Storage of pesticides, herbicides, fertilizers or other poisonous substances over the waters of Lake Bob Sandlin is strictly prohibited.
6. Insecticide misters are not to be installed on structures over the lake.
7. All piers, boathouses, or other like structures must be kept in a safe condition and be kept in good repair. Owners of unsafe or rundown structures will be given 90 days to make necessary repairs, as determined by the District.
8. Structures may be required to be removed or modified if, in the opinion of the District, they constitute a hazard to navigation, public health, safety, welfare, or a hazard to anyone occupying or utilizing the lake or structure.

#### **Dredging**

1. All dredging in Lake Bob Sandlin (including that associated with retaining walls, shoreline leveling and/or contouring, and boat ramp construction) shall be performed in accordance with rules and guidelines established by the U.S. Army Corps of Engineers. All dredging requires a dredging permit from the District (including those projects where no permit or notice is required by the Corps of Engineers). If a dredging permit is issued from the District, dredging will be allowed only under the footprint of the structure or for backfill of retaining wall.
2. Acceptable erosion control measures must be utilized throughout the construction period (i.e. containment, silt screens, other physical structures to minimize the amount of sediment entering the reservoir).
3. Retaining walls may be constructed along your property line. If an eroded area along the shoreline is approved by the District to be reclaimed, a portion of the backfill material may also be reclaimed from the reservoir, dependent upon the amount needed. Any material used to backfill must be pre-approved by the District. Soil testing may be required at property owner's expense.
4. If more than 50 cubic yards of nontoxic dredged or fill material (native soil, concrete, sand, gravel or rock) are to be discharged below elevation of 337.50' MSL in the construction of the requested structure, Permittee must obtain a Department of the Army permit for such structure from the U.S. Army Corps of Engineers.

#### **Exceptions and Variances**

1. Existing structures that were built prior to these revisions of the rules and regulations and that were built in compliance with the approved permit that was issued upon construction, and are still in compliance, may remain in the lake without modifications at the discretion of the District. Those structures with un-permitted modifications or additions which make them no longer compliant with their approved permit will be addressed on a case-by-case basis by the District to bring the structure into compliance with these revised rules and regulations.
  2. Any variance to the rules and regulations stated in this document must be brought before the Board for consideration and ruling.
  3. Violations to any of the above District rules and regulations will result in appropriate penalties in accordance with Federal, State and local laws.
- (2) All floating facilities mentioned in the preceding paragraph must be securely moored in an approved manner at all times and anchored properly in order to prevent such from becoming unmoored and floating away. All shall be kept in good repair. The barges referred to herein are not those used for fishing or pleasure and which are propelled by motor.

- (3) Before construction of any facilities mentioned in this section:

- (a) Application must be made to the District accompanied by a sketch showing location, dimensions, construction plans and method of anchoring. The application shall give the name and address of the person acting as agent for the Permittee and with whom correspondence may be had; and
- (b) After inspection of property and review of plans and payment of the prescribed fee, permit may be issued if plans conform to District's specifications and in the opinion of the Executive Director, or their designee, do not interfere with lake uses.

**6.110 - CONTEST PERMITS**

Any person, firm, club or corporation desiring to stage any type of contest on Lake Bob Sandlin, such as boat racing or fishing tournament, shall make application to the District upon forms to be provided by the District. If approved, the District may issue a permit. No such contest shall be held without securing a permit.

**6.120 - SPECIFIC USE PERMITS**

Permit for a specific use must be approved by the Board of Directors.

**6.130 - WHEN PERMITS NOT REQUIRED FROM DISTRICT**

Any person, firm or corporation holding permits from, or registered with, Texas Commission on Environmental Quality (TCEQ) (formerly known as Water Quality Board), or its successor, or any other authorized agency, for the disposal of solid and/or liquid waste shall not be required to secure any permit from the District but would notify the District of any such activity.

**SECTION 7- RECREATIONAL ACTIVITIES**  
**AND RESTRICTED AREAS**

**7.100 - RESTRICTED AREAS**

Public use of Lake Bob Sandlin of any nature is unconditionally prohibited in restricted areas marked with regulatory floating buoys marked "Keep Out". Any city or other permitted user of

Lake Bob Sandlin wanting to restrict an area will make application for such, and, if granted, pay the cost of buoys as stated in the Buoy Permitting Policy as amended.

## **SECTION 8- PROHIBITED ACTIVITIES**

### **8.100 - DESTRUCTION OF DISTRICT PROPERTY**

The destruction, damage, defacement, removal or excavating of any District property, including vegetation, soil, rocks, minerals or water, is specifically prohibited under penalty of removal from District's property, revocation or cancellation of any granted privileges or permits, and consequences of prosecution therefore. This includes, but is not limited to, activities in or on the lake, and/or dry lake bed caused during drought conditions (i.e. burning, driving, parking, cutting trees, etc.).

### **8.110 - FIREARMS AND EXPLOSIVES PROHIBITED**

Firearms and explosives of any kind are prohibited on the water surface, except when in possession of a law enforcement officer or District employee on official business. Shotguns are allowed during migratory bird season only (ducks and geese). Hunting will be strictly prohibited near any populated area around the lake. No firearms or explosives shall be fired on the lake except by law enforcement officers, District employees or persons with hunting permits during hunting seasons applicable to the lake. No hunting will be allowed on any District property, other than on the surface waters of Lake Bob Sandlin in accordance with any State or Federal law or regulations, unless authorized by a Specific Use Permit approved by the Board.

### **8.120 - SANITATION**

It shall be unlawful for any person to throw, discard, or discharge into the waters of Lake Bob Sandlin or on any owned lands and facilities any refuse, garbage, trash, sewage, rubbish or waste of any kind.

### **8.130 - GASOLINE, OIL AND HAZARDOUS MATERIAL STORAGE**

A maximum of 30 gallons of fuel may be stored on the structure in D.O.T. approved containers as long as doing so does not create a potential health or environmental hazard. Storage of pesticides, herbicides, fertilizers or other poisonous substances over the waters of Lake Bob Sandlin is strictly prohibited.

Commercial use storage facilities for gasoline and other inflammable or combustible materials shall not be stored in or on Lake Bob Sandlin or on any lands or facilities owned by the District without permit secured from the District or as specified in the Rules and Regulations for Structures Built on Lake Bob Sandlin. Application for such permit shall state the location and quantity of the stored product. Permitted commercial storage facilities will provide an annual certified inspection report to the District and the District reserves the right to request additional inspections if there is a potential issue with the facility. No leakage into the lake shall be permitted. This permit shall be cancelled on violation. This provision on storage only shall not be applicable to municipalities, corporations or governmental entities that may have permits to remove water from the lake. It shall be unlawful to dump in or on the waters of Lake Bob Sandlin any petroleum or similar products, or dump same in an area that will result in drainage into the lake.

### **8.140 - UNAUTHORIZED SOLICITATION AND BUSINESS ACTIVITIES**

It shall be unlawful for any person, firm or corporation, or their representative to engage in or solicit any business on Lake Bob Sandlin.

### **8.150 - COMMERCIAL OPERATIONS**

No commercial operation or activities on the waters of Lake Bob Sandlin or on lands owned by it shall be conducted.

### **8.160 - ALCOHOLIC BEVERAGES**

The possession, sale and/or consumption of beer, wine, and intoxicating liquids in violation of applicable State or local option laws on the water surface of the reservoir and/or within the

District's recreational park facility is specifically prohibited.

#### **8.170 - GAMBLING**

Laws of the State of Texas shall govern and dictate the prohibition of any and all forms of gambling on the water surface of the reservoir, or any land area owned or controlled by District.

#### **8.180 - ABANDONMENT OF PERSONAL PROPERTY**

Abandonment of personal property or buildings on the reservoir, on land owned by the District or on lands in which the District has an easement, is prohibited, and any such property may be taken in charge by the District. If not reclaimed or removed and impoundment charge (if any) paid within 90 days, it will be sold, destroyed, converted to District use, or otherwise disposed of by the District.

#### **8.190 - SPECIAL ZONES**

In conformity with Parks and Wildlife Code of Texas, as amended, the District may, through the Executive Director or order of the Board of Directors, from time to time designate areas of the lake for special uses; such as, swimming, skiing or prohibition of motor boats, and in such cases, floating buoys shall be placed with appropriate markings thereon. The Executive Director or Board of Directors may designate an area to be temporarily used for the purposes stated herein.

#### **8.200 - DIVING OR JUMPING INTO THE LAKE**

Diving or jumping into Lake Bob Sandlin from any public highway, roadway bridge or railroad bridge is strictly prohibited. This is a violation of the District's Rules and Regulations.

#### **8.210 - AIRCRAFT**

Storage of any and all aircraft in the easement area and/or on District property is strictly prohibited. (Exception: emergency medical services). This provision does not restrict landings and take-offs on the water of the Lake.

## **SECTION 9 - BOATING REGULATIONS**

### **9.100 - TEXAS WATER SAFETY ACT AND FEDERAL ACTS**

All watercraft on Lake Bob Sandlin shall be equipped and operated in accordance with the provisions of the U.S. Coast Guard Inland Rules, as amended, which shall apply to waters of Lake Bob Sandlin.

The Texas Water Safety Act of Parks and Wildlife Code of the State of Texas, as amended, and any Federal act or regulation applicable to the operation of all watercraft on public waters shall be applicable to the waters of Lake Bob Sandlin.

### **9.110 - SANITATION REQUIREMENTS**

Any boat or houseboat which has sleeping quarters, or all boats and barges with restrooms or holding tanks for all refuse and sewage will not be allowed on Lake Bob Sandlin.

### **9.120 - COMMERCIAL PERMIT REQUIRED**

No boats, vessels, piers, barges, or other floating marine craft used for commercial purposes shall be allowed on Lake Bob Sandlin without first obtaining a permit from the District. See Commercial Use Fees.

### **9.130 - NUMBERING MOTORIZED WATERCRAFT**

No person shall operate a motorized watercraft upon the waters of Lake Bob Sandlin without having the same properly numbered and registered with appropriate State and/or Federal authorities. Information regarding the numbering of such watercraft may be secured from Parks and Wildlife Department of the State of Texas.

### **9.140 - CLASSIFICATION OF BOATS**

- (1) Watercraft shall be classified as provided by and defined by the Parks and Wildlife Code of the State of Texas as amended.
- (2) Commercial Boats - Boats or barges rented to others, or the carriage of any person or persons by a vessel for a valuable consideration, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person who has interest in the vessel, or the carriage of any goods, wares, or merchandise, or any other freight for a valuable consideration, whether directly or indirectly flowing to the owner, charterer, operator, agent, or any other person who has an interest in the vessel, or any person performing a service for hire.

### **9.150 - GENERAL BOAT AND BARGE OPERATIONS**

- (1) No watercraft which is deemed to be unseaworthy shall be permitted to operate on Lake Bob Sandlin. The District shall bear no responsibility for the safe condition, proper design, or safe operation of any boat or other craft placed in or upon the water controlled by the District.
- (2) No person shall operate or cause to be operated any watercraft equipped with a motor or internal combustion engine, regardless of whether such a motor or engine is temporarily or permanently attached to said watercraft, on the waters of Lake Bob Sandlin, unless such motor or engine is equipped with an efficient muffler, in good working order and in constant operation so as to prevent excessive noise and annoying smoke. No outboard motor or internal combustion engine shall be deemed equipped with an efficient muffler unless the exhaust gases are discharged underwater or are so muffled as to not be noisier or more annoying than an internal combustion engine of like power equipped with an underwater exhaust. No inboard motor or internal combustion engine shall be deemed equipped with an efficient muffler unless the exhaust gases are condensed and silenced by the continuous circulation of water through the exhaust manifold, or are so muffled as to not be noisier or more annoying than when so condensed and silenced by water circulation through the exhaust manifold of an internal combustion engine of like power.
- (3) Any watercraft or other object found adrift or sunken on Lake Bob Sandlin or found not anchored or securely grounded shall be taken up by District Police Officers and District

shall have a lien thereon for the taking, towing and keeping of same. Unless the owner thereof takes same into possession and pays the charges within 90 days after being notified, District may dispose of same as abandoned property.

- (4) The operator of any watercraft involved in an accident on Lake Bob Sandlin resulting in injury or death to any person or damage to property shall immediately stop such watercraft at the scene of the accident and shall give their name, address and full identification of their watercraft and the name and address of the owner of the boat or barge to the person struck or occupant of the boat or barge collided with, and shall render reasonable assistance to any person injured in the accident, and shall report such accident immediately to a representative of the Parks and Wildlife Department and/or the District.
- (5) No person shall operate an air-drive boat on Lake Bob Sandlin, except during the performance of duties by District personnel.
- (6) Any motorized watercraft, when moving under power, shall not come within 50 feet of row-boats and sailboats.
- (7) All watercraft shall be operated in a careful and prudent manner at idling speed within 200 feet from any shoreline.

#### **9.160 - WARNING TO BOAT AND BARGE OPERATORS**

All operators of watercraft are hereby warned to be on the lookout for floating debris or partially submerged objects at all times. Excessive speed may be dangerous due to floating debris or partially submerged objects. The District shall not be held liable for any damage caused by floating debris or partially submerged objects.

#### **9.170 - PUBLIC DOCKING FACILITIES**

No person shall operate public mooring or docking facilities except as specifically authorized by a permit. See Commercial Use Fees.

### **SECTION 10 - FISHING AND HUNTING**

The general and special laws of Texas, and Rules and Regulations of Parks & Wildlife Department of Texas, in effect now or as amended, will control the taking of fish from, and the

hunting in and on, Lake Bob Sandlin. No hunting will be allowed on any District property, other than on the surface waters of Lake Bob Sandlin in accordance with any State or Federal law or regulations, unless authorized by a Specific Use Permit approved by the Board.

See also SECTION 8-PROHIBITED ACTIVITIES, 8.110 FIREARMS AND EXPLOSIVES PROHIBITED.

## **SECTION 11 - WATER SPORTS**

### **11.100 - SWIMMING AND BATHING**

Swimming in Lake Bob Sandlin will be unsupervised and there will be no life guards in attendance. Swimming will be at the sole risk of the participant.

### **11.110 - WATER SKIING AND AQUAPLANES**

Those engaging in skiing or aquaplaning will do so at their sole risk.

## **SECTION 12 – SANITATION**

### **12.100 - GENERAL SANITATION**

The history of lakes shows that with the passing of time, dwellings, motels, marinas, and other developments surround the lake. In practically all instances of such development, there is no central sewage collection and disposal system, and this results in the construction and use of an on-site sewage system. To prevent pollution, an on-site sewage system must be constructed and maintained in accordance with tried and established rules and regulations of the Texas Commission on Environmental Quality (TCEQ) or its successor. Septic lines are allowed in accordance with such regulations. In addition to the sewage from buildings and other developments, there can be pollution from industrial and agricultural operations. The counties of Titus, Camp, Franklin and Wood will be the enforcing agencies of these rules and regulations. The District's duty is to prevent pollution of the waters of Lake Bob Sandlin.

### **12.110 - BUILDINGS ON EASEMENT AREA**

Although it is not the policy of the District to restrict buildings or other installations on easement areas, yet the District, in its duty to prevent pollution, must call to the attention of all persons using the easement area that no type of building installation, activity or business will be permitted in this area that will cause pollution of the waters of Lake Bob Sandlin. The District's employees will cooperate and advise with any person desiring to use the easement area on the matter of whether or not such use might or might not cause pollution. In so doing, the District's employees may require a survey of the easement area showing the type of use and location of buildings or installations. Any type of living quarters to be built in the easement must be permitted and be above 342.00' MSL to avoid possible flooding. Any other permitted structure or improvement built below 342.00' MSL is subject to flooding.

### **12.120 - MARINAS, ETC. TO HAVE HOLDING TANKS**

All marinas, boat and barge storage Permittees are required to have and maintain sewage holding tanks and facilities. All such facilities must comply with Texas Commission on Environmental Quality (TCEQ) (formerly known as Water Quality Board), or its successor, as the same now reads or as amended and all other rules and regulations of other State agencies.

### **12.130 - AREAS OUTSIDE OF EASEMENT AREA**

To prevent pollution, an on-site sewage system must be constructed and maintained in accordance with tried and established rules and regulations of the Texas Commission on Environmental Quality (TCEQ) or its successor. The counties of Titus, Camp, Franklin and Wood will be the enforcing agencies of these rules and regulations. The construction of on-site sewage system or septic tanks and field lines for an area of 2,000 feet outside of the spillway level of 337.50' MSL must be done in accordance to the above referenced rules and regulations. The owner and/or user of on-site septic systems or septic tanks and field lines in this 2,000 foot area that may or might cause pollution of the lake will be subject to civil and criminal penalties and injunctions for the continued use of the same after notice to abate the nuisance.

## **SECTION 13 - SECURITY AND ENFORCEMENT REGULATIONS**

### **13.100 - POLICE OFFICERS**

The District will have in its employment one or more police officers working under the Executive Director who will be authorized to make arrests when necessary to prevent or abate the commission of any offense against the rules and regulations of the District and against the laws of the State of Texas when the offense or threatened offense occurs on any land, waters or easement owned or controlled by the District, and making an arrest in case of an offense involving injury or detriment to any property owned or controlled by the District, and the police officer will be authorized to file complaints in the appropriate court of jurisdiction in Titus County, being the county in which the District's principal office is located or in such other Courts as may have jurisdiction. They are further authorized to perform any duties placed upon them by these Rules and Regulations or by the Water Code of the State of Texas, as amended, or any other law, rule or regulation of the State of Texas.

### **13.110 - VENUE**

All complaints for violation of these Rules and Regulations shall be filed in an appropriate court of jurisdiction in Titus County, Texas; this being the county in which the District's principal office is located. Such procedure is authorized by the Water Code of the State of Texas as amended.

### **13.120 - CANCELLATION OF PERMITS**

Any person, firm or corporation found guilty of violation of any section of these regulations, or any conditions of a permit, or any law, rule or regulation of the State of Texas or any other governmental entity, shall, upon request of the District, surrender his permit, and the same shall be cancelled without return of any permit fee or any portion thereof. If the Permittee has any property of any type on the waters of Lake Bob Sandlin or fee land, the Permittee must immediately remove same and clean the site; and upon failure to do so within 10 days after cancellation of the permit, the District may proceed to remove same at the cost to the Permittee and dispose of the same as herein provided.

**13.130 - DISPOSAL OF PROPERTIES OF OTHERS COMING INTO POSSESSION OF DISTRICT**

Any property of others taken into possession by the District under any of the provisions of these regulations shall be retained by the District for a period of 90 days, during which time the District shall give notice to the owner of the possession of the property and the owner may redeem same by paying any fees or charges and removing same. Notice shall be by certified mail to the last known address; and if no known address, then by publication one time in a newspaper published in the area. The notice shall state the name of the owner, if known; the property in possession; and will state if not claimed and fees and charges paid by a certain date, the same will be disposed of by the District. In disposing of any property not redeemed, the District may convert it to District use, or destroy it, sell it; and in the event of a sale, the funds received shall become District funds for maintenance and operation.

