



MEMORANDUM

TEXAS GENERAL LAND OFFICE • COMMISSIONER DAWN BUCKINGHAM, M.D.

Date: July 9, 2024

Subject: Emergency Rules for Tropical Storm Alberto and Hurricane Beryl Recovery

The Texas General Land Office (GLO) has adopted emergency rules that enable coastal counties and municipalities affected by Tropical Storm Alberto and Hurricane Beryl to expedite the beachfront construction and dune protection permitting process. Specifically, 31 Texas Administrative Code §15.18 (Emergency Dune Restoration, Stabilization and Repair of Damaged Habitable Structures, and Repair and Shortening of Dune Walkovers) allows the authorization of dune restoration, emergency stabilization and repair of habitable structures, and emergency repairs and shortening of dune walkovers following a storm. The rules are in response to the vulnerability and danger to public health, safety, and welfare caused by the widespread damage to dunes and habitable structures along the middle and upper Texas coast.

The emergency rules provide local governments in Nueces, Matagorda, Brazoria, and Galveston counties with the limited ability to authorize, without GLO review, immediate stabilization and repair of habitable structures, repairs to and shortening of dune walkovers, and emergency dune restoration projects. Under the emergency rules, local governments are required to maintain a written record of the authorizations, which are valid for 6 months from issuance. A copy of the written records of the authorizations issued under the emergency rules must be provided to the GLO within one week of the expiration of the emergency rule.

This rule allows the authorization of certain activities and includes prohibitions on what is not allowed. The emergency rules will be effective for 120 days from July 10, 2024 and may be extended once by the GLO for not longer than 60 days.

In an effort to assist property owners on the coast with immediate repair and clean-up activities due to damages from Tropical Storm Alberto and Hurricane Beryl and in the midst of an active hurricane season, the emergency rules:

- Allow property owners to restore dunes in a Restoration Area to minimize further threat or damage to coastal residents and littoral property;
- Allow homeowners to undertake emergency stabilization and repair of a home to prevent further damage; and
- Allow property owners to undertake emergency repairs and shortening of a dune walkover to remove any potential impacts to public use of the beach and ensure safety.

New construction and activities not described in the rules will be required to go through the standard permitting process.