

Figure: 31 TAC §155.15(b)(1)(C)(ii)

**Residential Use, Category II
Coastal Easement Rent and Fees**

Notable Definitions

Residential use, Category II -- Multi-family residential units per defined lot or parcel of land; land and individual units may be separately owned; includes uses by condominium developments and homeowners associations acting for and on behalf of owners of a multi-family residential development, but does not include time-share developments or any use that includes commercial activities. (Definition from 31 TAC §155.1(d)(48))

Fill formula -- Encumbered state land multiplied by the appraised market value of adjacent littoral property multiplied by the return on investment. (Definition from 31 TAC §155.1(d)(28))

Fees

Application Fee: \$50.00 (per occurrence on new, amendment, and assignment applications)

Rent

Rental consideration is determined by taking the greater of:

- (i) Minimum Rent (\$100.00 per year)
- (ii) Project Component Rent (listed below)

Project Component	Annual Rent
Piers, Docks and Watercraft Storage	\$0.15 per square foot
Breakwater, Jetty, Groin	\$0.03 per square foot ¹ –
Dredge	
New Dredge Existing	\$0.50 per cubic yard ²
Dredge	\$0.01 per square foot
Open Encumbered Area	\$0.02 per square foot
Fill	
Proposed Fill	\$0.10 per square foot -OR- fill formula not to exceed \$1.00 per square foot
Existing Fill	Variable ³
Concrete Stairs and Slabs	\$0.15 per square foot
Rip Rap, Vegetative Shoreline Stabilization, and Living Shorelines	No rent ⁴

¹ Breakwaters constructed in association with a living shoreline will have no annual rent.

² New Dredge is a one-time rent assessed at the initial dredging, subject to §155.15(b)(4).

³ (-a-) existing fill (excluding bulkheads) not permitted as of August 15, 1995: \$0.02 per square foot.

(-b-) existing fill permitted after August 15, 1995: \$0.10 per square foot -OR- fill formula not to exceed \$1.00 per square foot.

(-c-) existing fill at renewal: 110% of the previous contract fill rate for each five-year period not to exceed \$1.00 per square foot.

⁴ Projects that consist only of rip rap or vegetative shoreline stabilization have no rent.