ATTACHMENT IV

ENCROACHMENT PERMIT GUIDELINES

Highlighted portions to go into effect: November 19, 2026

This Attachment IV – Encroachment Permit Guidelines (these "Guidelines") shall be known and may be cited as the Tarrant Regional Water District Encroachment Permit Guidelines. These Guidelines shall regulate and apply to all Encroachment Permits issued by the District.

These Guidelines supplement the rules and regulations in the Tarrant Regional Water District General Ordinance, as adopted by the District's Board of Directors on December 16, 2025 (the "General Ordinance"). The terms, provisions, and guidelines contained in these Guidelines are to be construed in conjunction with the General Ordinance, which is incorporated herein by reference. Capitalized terms used but not defined in these Guidelines will have the meaning given to them in the General Ordinance.

An Encroachment Permit is required before Constructing new Improvements or Commercial Facilities, or Modifying existing Improvements or Commercial Facilities within the limits of any District ROW, including without limitation, the Construction of new structures or the Modification of existing structures; aerial, surface, subsurface, or temporary crossings; line(s) and pipeline(s); and the abandonment of line(s) and pipeline(s) on District ROW.

Always check the District's website or District Reservoirs' offices for the most recent version of these Guidelines.

SECTION 1. PERMIT APPLICATION REQUIREMENTS

Section 1.01 Before any Encroachment Permit may be considered, a complete application must be submitted electronically into the District's online permit portal at https://www.trwd.com/resources/permits/, along with such other documents or information as reasonably requested by the District or as required under the General Ordinance.

Section 1.02 An Encroachment Permit application will only be considered once the application fee, as specified in the application and determined by the type of Encroachment being applied for, has been paid to the District. The District may charge fees for District Inspector review time.

Section 1.03 Encroachment Permits may require insurance as determined by the District.

Section 1.04 Encroachment Permit applications submitted to the appropriate District department will be processed in accordance with Section 8 of the General Ordinance and these Guidelines.

SECTION 2. PERMITTING PROCEDURE.

Section 2.01 An Encroachment Permit application shall be considered to have been filed on the date that it is received by the appropriate District department. District staff shall not accept an Encroachment Permit application that is incomplete. The appropriate District department shall review applications within ten (10) business days of receipt and declare the application either accepted for consideration or rejected. In the event the Encroachment Permit application is rejected, the applicant will be required to submit a new application for any further consideration. Acceptance of an application during the administrative review phase only indicates that the Encroachment Permit application contains all necessary information for consideration. Such acceptance is unrelated to the outcomes of subsequent phases of the application process.

Section 2.02 The appropriate District department shall notify the applicant that their Encroachment Permit application has been accepted. Accepted applications shall proceed to the technical review phase.

Section 2.03 District staff shall commence a technical review of an Encroachment Permit application after it is deemed administratively accepted. District staff shall consider any information submitted in the application. During the technical review, District staff shall notify the applicant of any additional information necessary to complete the review. The applicant shall provide the requested information within a period of thirty (30) calendar days, unless otherwise authorized in writing by the District. Once the applicant has submitted all required information, the District staff shall complete the technical review within a reasonable amount of time depending on the complexity of the requests, but not to exceed forty five (45) calendar days.

Section 2.04 If the applicant fails to provide further information as requested by District staff within the prescribed time period, unless the time period is extended in writing by District staff, the Encroachment Permit application shall be deemed technically incomplete and rejected. There shall be no restriction on subsequent Encroachment Permit applications.

Section 2.05 Upon a determination that an application for an Encroachment Permit is technically approved, a final permit decision shall be made in accordance with Section 2.08.

Section 2.06 An Encroachment Permit application may be amended at any time prior to the issuance of an Encroachment Permit for non-substantive changes. Non-substantive changes include slight alterations that do not change the size, footprint, or location of the permitted facility. Substantive changes may be proposed prior to the completion of the technical review phase. However, after completion of the technical review phase, substantive changes shall require a new Encroachment Permit application.

Section 2.07 An Encroachment Permit application may be withdrawn at any time prior to the issuance of an Encroachment Permit. An applicant may request an extension of any deadline during the administrative review or technical review phases. Extension requests must be in writing and shall explain in detail the need for additional time. Such requests shall be subject to written approval by the District.

Section 2.08 Upon completion of the technical review, District staff shall coordinate any necessary changes with the applicant and make a determination to approve, approve in part, or deny the Encroachment Permit. If District staff approve the Encroachment Permit in full or approves the permit in part, District staff shall prepare and deliver, either by mail or electronic transmission, including the District's online permitting software system, a proposed permit to the applicant, which may include any conditions that the District deems appropriate. If District staff denies the Encroachment Permit, District staff shall deliver, either by mail or electronic transmission, a letter notifying the applicant that the permit has been denied. The applicant shall have thirty (30) calendar days to provide written comments, if any, to District staff. District staff shall then have a reasonable amount of time depending on the complexity of the requests, but not to exceed forty five (45) calendar days, to consider applicant's comments and either issue an Encroachment Permit or reaffirm denial of such permit. A copy of the executed Encroachment Permit shall be delivered to the applicant by mail, electronic transmission, or the District's online permitting system.

Section 2.09 District inspectors or authorized representatives may be dispatched to the address specified in the permit application to conduct inspections and ensure compliance with the General Ordinance and these Guidelines. Denying access may result in the immediate revocation of any District-issued permit. The District may charge fees for the time spent by District Inspectors during these reviews.

SECTION 3. ENCROACHMENT GUIDELINES

Section 3.01 The following guidelines shall apply to any encroachment located on a District ROW:

(a) Applicants must verify the depth of the District's existing pipelines using non-destructive methods, such as hydro excavation. A representative of the District must be present during the depth verification process and during crossing. Applicants may email rowinspections@trwd.com to schedule a time for a District representative to be present.

(b) It is the applicant's responsibility to notify Texas 811 and, as necessary, conduct a "Locate Request" before beginning any digging on District ROW. An Encroachment Permit, if granted, does not guarantee the location or depth of any subsurface crossing.

(c) No unpermitted structure, including utility poles, shall be located on or within a District ROW.

(d) The proposed encroachment shall cross the District ROW at a ninety-degree (90°) angle. Any deviation from a ninety-degree (90°) angle must be approved by the District's engineering department.

(e) The applicant must schedule a mandatory on-site pre-construction meeting with a representative of the District. Applicants may email rowinspections@trwd.com to schedule a time for a District representative to be present.

(f) Any area disturbed by the applicant shall be returned to the condition it was before installation. Vegetation shall be established by the applicant in accordance with Environmental Protection Agency guidelines. Applicant's shall ensure any vegetation returned to the ROW is consistently watered until ninety percent (90%) of coverage is established.

(g) Crop and/or surface damage to property adjacent to or located on the District ROW shall be remediated to its prior condition, or cost to remedy such damage reimbursed by applicant to the Landowner or tenant, as applicable. Vegetation shall be established per EPA guidelines; applicants are required to water such vegetation until 90% coverage is achieved. No trees or shrubs may be planted within a District ROW.

(h) No cut or fill modifications are allowed within District ROW.

(i) The applicant must submit and obtain District approval of a comprehensive work schedule prior to the proposed project.

(j) The applicant must submit a proposed plan for all vehicle and equipment crossings. Repetitive vehicle or equipment crossings and loads exceeding AASHTO HS-20 will require a protective crossing designed and sealed by an engineer.

(k) The applicant must submit computer generated crossing plans (or a plan set) containing a plan view and a profile view of the crossing(s) that depict District pipeline(s) and ROW on applicable sheets. Depths of District pipeline(s) should be field verified and accurately labeled.

Section 3.02 Aerial Crossings.

(a) Aerial crossings shall provide a minimum vertical clearance of twenty-eight (28) feet between the existing ground and the lowest point of wire crossing the District ROW.

(b) No structure (pole or otherwise) shall be located within District ROW.

Section 3.03 Subsurface Crossings.

(a) Subsurface utilities shall be installed either (i) at a minimum of two (2) vertical feet above the outside diameter of the existing or proposed pipeline for the entire width of the ROW, or (ii) bored at a minimum of ten (10) vertical feet below the outside diameter of the District's deepest existing or proposed pipeline for the entire width of the ROW. Exceptions must be approved by the District's Engineering Department. At a minimum, all bores through the District's ROW shall be contact grouted; include any other measures necessary to prevent water from flowing along the bore and to prevent more than 0.5 inches of settlement with the District's ROW above the bore.

(b) The applicant must install warning signs on the edge of both sides of the District's ROW, depicting the center line of the Encroachment within the ROW. The applicant's contact information shall be provided on the warning signs. Warning signs should be mounted to a metal or galvanized post, with the bottom edge of the signage at least sixty (60) inches above the ground, and have a non-glare finish. Wording on the warning sign should be presented in both English and Spanish. The font must be a sans-serif font, uppercase, and not italicized, oblique, script, or highly decorative. The character height should be a minimum of 5/8 inch and a maximum of 2 inches (based on the height of the uppercase "I").

(c) Applicants must (i) install at least one test station just outside of the District ROW for proposed utilities constructed with steel material that may interfere with the District's cathodic protection for existing and future pipelines and also (ii) coordinate with the District's Engineering Department to determine if test stations are needed for other casing materials. The applicant must coordinate with the District for the installation of cathodic protection and other casing material test station(s) within the District's ROW, as determined by the District. If required, the applicant must pay a $1,250 fee for each test station installed by the District. Applicant is solely responsible for any damage to anode beds within the construction site.

(d) Sanitary sewer crossings must be encased for the entire width of the ROW and comply with TCEQ requirements established in Title 30, Texas Administrative Code, Chapter 217. No portion of a septic system may encroach within District ROW.

Section 3.04 Surface Crossings (Roadway, Highway, Driveway, Slab Bridge, and Temporary Crossing Encroachments).

(a) Applicants must minimize the number of crossings across District ROW.

(b) Applicants must prepare roadways for crossings in a manner such that the road base will withstand the anticipated traffic and weight of vehicles and equipment utilizing the roadway, including vehicles and equipment used by the District or other applicants with use or access permission on the District ROW.

(c) Surface crossings shall be set at grade level, or have a crossing at grade level, which may be used by the District or its agents. No permanent encroachment shall limit or restrict the District or its agents use or access of the District ROW.

(d) Applicants must maintain any permanent encroachment on a District ROW in such manner as is satisfactory to the District.

(e) Lay-down curbs and/or driveway approaches must be installed within the District ROW in locations designated by the District.

(f) If the proposed project impacts an existing TRWD cathodic protection test station(s), the applicant must coordinate with the District for the installation of a replacement test station(s) within the District's ROW, as determined by the District. If required, the applicant must pay a $1,250 fee for each test station installed by the District. Applicant is solely responsible for any damage to anode beds within the construction site.

Section 3.05 Structures on District ROW.

(a) No structures, including, but not limited to, apartments, barns, buildings, homes, garages, sheds, shops, or any other semi-permanent or permanent constructions may be installed within or across a District ROW.

(b) The District may issue an Encroachment Permit for fencing to be installed within or across a District ROW on a case-by-case basis following submission of a comprehensive design. Fencing is required to have a gate that is not less than twenty four (24) feet wide that allows the District or its agents uninterrupted access to the District ROW. The applicant is restricted from use of such gate on the District ROW as applicants sole entrance across the District ROW.

Section 3.06 Abandoning Existing Utility Line or Pipelines.

(a) An Encroachment Permit is required before an applicant may abandon existing utility lines or pipelines within a District ROW.

(b) A pipeline or subsurface utility line should be removed and backfilled with the same material as was removed when installing the pipeline or subsurface utility line. Abandoned pipelines that are not removed must be filled with concrete or grout.

(c) Any damage to other pipelines, subsurface utility lines, aerial utility lines, or other Improvements located on or adjacent to a District ROW shall be repaired and/or replaced at the sole costs and expense of the permittee abandoning such other pipeline, subsurface utility line, or aerial utility line.

(d) Final inspection of abandoned encroachments must be carried out by a District representative. Applicants may email rowinspections@trwd.com to schedule an inspection.

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