

Burleson County Office of Floodplain Administration

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Oil and Gas Floodplain Development Permit Instructions and Application for Floodplain Development Located in Unincorporated Areas of Burleson County

****Application Fee: \$500.00****

(Make check payable to Burleson County)

Any/All Oil and Gas Floodplain Development Must be Permitted Including Oil / Gas / Pipeline Development

No development may begin until a permit is issued. Please read the instructions completely and remember to sign the permit application. You will need to include the following items:

- GPS coordinates of the location in Decimal Degrees.
- A copy of the current FIRM or a FIRMette of the location
- Copies of other required permits including those from the Railroad Commission (permit to drill) and 404 permit from US Army Corps of Engineers (if needed.)
- Detailed set of plans and specifications, including flood-proofing measures designed by a professional, licensed engineer.
- Copy of Spill Prevention and Counter Measure Plan.
- Emergency Evacuation Plan in case of imminent flood event.
- An established Base Flood Elevation.

All structures and pieces of equipment in the 1% chance/100-year floodplain associated with oil and gas floodplain development must be flood proofed or elevated to the base flood elevation.

Any material stored on the site that is highly volatile, flammable, explosive, and toxic or water reactive shall be protected to at least the level of the 500-year flood.

The drill site pad and the road to the well site do not need to be elevated but should not obstruct the natural flow of water. The applicant shall install culverts and flood control devices as needed so as not to obstruct the natural flow of water. A culvert must be installed in the barrow ditch where the lease road meets the county road. Tree and brush debris must be removed from the floodplain or burned.

After drilling is completed and site is built, flood proofing certificates for all flood proofed equipment and structures, signed by a licensed engineer, must be submitted. An Elevation Certificate shall be submitted if anything, including but not limited to, structures or equipment was elevated above the BFE.

The developer shall provide a list of equipment installed at site after completion. This office must be notified if equipment is added after completion. If site is sold or assigned this office must be notified.

A recomplete will only need a permit if new production equipment is added to an existing site.

No structure or land shall hereafter be constructed, located, extended, converted or altered without full compliance with the terms of this Commissioners Court Order and all other applicable regulations. Violation of the provisions of this Court Order by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Class C misdemeanor. Any person who violates this Court Order, or fails to comply with any of its requirements, shall upon conviction thereof be fined in accordance with the appropriate Texas Statute(s) for each violation and in addition shall pay all costs and expenses involved in the case. Each day a violation occurs is a separate offense. Nothing herein contained shall prevent Burleson County from taking such other lawful action as is necessary to prevent or remedy any violation.

Plans, specifications, and the application for permit filed by the applicant shall constitute by reference a part of the permit.

Located within the Special Flood Hazard Areas are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles and erosion potential. Encroachments from any oil and/or gas development in the floodway are prohibited, including fill, new construction, substantial improvements and any other development.

The degree of flood protection required by this order is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This order does not imply that land outside the Special Flood Hazard Areas or any uses permitted within such areas will be free from flooding or flood damages. This order shall not create liability on the part of the community or any official or employee thereof for any flood damages that result from reliance on this order or any administrative decision lawfully made there under.

Approval or denial of a Development Permit by the Floodplain Administrator shall be based on all of the provisions of this order and the following relevant factors:

1. The danger to life and property due to flooding or erosion damage;
2. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
3. The danger that materials may be swept onto other lands to the injury of others;
4. The compatibility of the proposed use with existing and anticipated development;
5. The safety of access to the property in times of flood for ordinary and emergency vehicles;
6. The costs of providing governmental services, including those services provided before, during and after flood conditions, including maintenance and repair of streets and bridges, and public utilities and facilities such as sewer, gas, electrical and water systems;
7. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site;
8. The necessity to the facility of a waterfront location, where applicable;
9. The availability of alternative locations, not subject to flooding or erosion damage, for the proposed use;
10. The relationship of the proposed use to the comprehensive plan for that area.

THIS PERMIT APPLICATION MUST BE COMPLETELY FILLED OUT AND IS VALID FOR 180 DAYS.

- 1) Applicant Full Name: _____
- 2) Contact Full Name: _____ Phone: _____
- 3) Mailing Address: _____

Street Address
City
Zip Code
- 4) Email: _____ Cell: _____
- 5) Location of Property: _____
- 6) Applicant Status Corporation Partnership Individual Other

Applicant Development Activity:

- Construct Construct Addition Alteration Elevate Demolish Burial, Pipeline or Cable

Other Applicant Development Activity:

- Clearing Drilling Mining Excavating Filling Storage (Equipment / Supplies)
- Other (Please Specify) _____

If you chose "Add Fill" above, you must complete the following:

- _____ The Amount of Fill Brought On To the Site
- _____ The Amount of Fill Removed From the Site
- _____ Total Amount of Fill for the Project

List Type and Purpose of Development: _____

Name of Community: _____ NFIP Community/Panel Number: _____

Flood Map Effective Date: _____ Flood Zone Type: AE A X Other

Is site to be located in an identified Special Flood Hazard Area (Regulatory Floodplain)? Yes No

If yes, complete the following:

Engineer: _____ Contact Phone: _____

Contractor: _____ Contact Phone: _____

BFE: _____ Natural Elevation of Site: _____ Proposed Built Pad Elevation: _____

Completed No-rise Certificate (s) attached: Yes No

Is site to be located in an identified floodway? Yes No

WARNING STATEMENT: *Please read and acknowledge.*

The flood hazard boundary maps and other flood data used by the Burleson County Floodplain Administrator in evaluating flood hazards to proposed building and/or developments are considered reasonable and accurate for regulatory purposes and are based on the best scientific and engineering data. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. _____ **Applicant Initials**

I have read or had explained to me and understand the oil and gas development permit application instructions and I am, or have the authority to sign on behalf of, the applicant. Authorization is hereby granted the permitting authority and their agents or designees, singularly or jointly, to enter upon the property described on the application during daylight hours for the purpose of making inspections or for any reason consistent with the issuing authority's regulations. I further verify that the information provided by me on the application is true and accurate to the best of my knowledge and belief.

Signature of Applicant _____
Date

Printed Name / Title / Company _____
Date

For Completion by the Burleson County Floodplain Administrator's Office

Amount Received: _____ Check Number: _____ Received By: _____ Date: _____

Is the property located in an identified Special Flood Hazard Area: NO YES: ZONE: _____

COMMUNITY # _____ PANEL #: _____ FIRM DATE: _____

Is additional information required? YES NO

Listing of additional information needed: _____

Are other Federal, State or Local Permits required? YES NO

Are Permits attached to Permit Application? YES NO

Listing of Attachments: _____

Are other County regulations applicable: YES NO

Development Permit Application Approved: PERMIT NUMBER: _____ ISSUE DATE: _____

Floodplain Development Permit Application Approved: PERMIT NUMBER: _____ ISSUE DATE: _____

Development Permit Application Rejected: REASON: _____
DATE: _____ BY: _____

Floodplain Development Permit Application Rejected: REASON: _____
DATE: _____ BY: _____

Map Attached? YES NO Completed No-rise Certificate attached? YES NO