

Code Enforcement Officer – Dale Bolt
200 S Main Ste. 203 Giddings, Texas 78942
Office (979) 212-8070/Cell (979)676-2566
dale.bolt@co.lee.tx.us

COMMERCIAL DEVELOPMENT
Including Oil / Gas / Pipeline Development

FEE & PENALTY SCHEDULE

Application Fee: \$500
Penalty for not securing application - \$500
Penalty (within floodplain) - \$1,000

Instructions for All Development Located in Unincorporated Areas of Lee County

No development may begin until, at a minimum, a conditional permit or exemption certificate is issued.
Please complete and sign the application form. Please include the following with permit application.

- Detailed set of plans and specifications, including flood-proofing measures designed by a professional, licensed engineer.
- 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.)
- Copy of Spill Prevention and Counter Measure Plan.
- Emergency Evacuation Plan in case of imminent flood event.

All structures and pieces of equipment, pipeline or other development in the 1% chance/100-year floodplain must be flood-proofed (designed in a manner to reduce or eliminate flood damage, e.g. anchoring) or elevated.

- 1) A base flood elevation (BFE) must be established and elevation and/or flood-proofing of structures and/or equipment must be to the BFE, or in the case of a pipeline, a no-rise certificate is required.
- 2) If the drilling and/or production site is in the floodway, you must demonstrate through an engineering study that there will be no increase in flood heights during the discharge of the 1% chance flood caused by development.
- 3) Flood-proofing measures must include the following:
 - a. Tank batteries and other equipment installed at the site in the floodplain shall be tied down to prevent flotation and lateral movement.
 - b. Protection around any vulnerable equipment such as the well-head must be installed to keep flood debris from damaging equipment which could release product into floodwaters or send equipment floating downstream.
- 4) Pipelines must be buried at no depth less than State of Texas required 36 inches, under rivers and creeks at a depth of no less than the State of Texas minimum standard and must be buried to a depth in compliance with the Lee County-approved crossing permit. A Certificate of Burial Depth is required. Above ground valves and meter runs may require a flood debris protection fence.
- 5) A closed pit system is required.

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- 6) Any material stored on the site that is highly volatile, flammable, explosive, toxic, or water reactive should be protected to at least the level of the 500-year flood.
- 7) Drill-site pad and road to well do not need to be elevated but should not obstruct the natural flow of water (i.e. install culverts and flood control devices as needed). A culvert must be installed in the barrow ditch where the lease road meets the county road.
- 8) Tree and brush debris must be removed from the floodplain or burned in accordance with County law.

After drilling/production/pipeline site is completed, the Compliance Certification Form (completed by registered professional engineer) must be submitted, including a list of all production equipment on site. Submit Elevation Certificate if anything was elevated above the BFE. The floodplain administrator will inspect the site again at this time. The Code Enforcement 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.

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Commercial Development Permit Application

Located in Unincorporated Areas of Lee County

Application Fee: \$500
Penalty for not securing application - \$500
Penalty (within floodplain) - \$1,000

State of Texas
County of Lee

Application Number: _____

THIS PERMIT APPLICATION MUST BE *COMPLETELY* FILLED OUT (*NOTHING LEFT BLANK*) AND IS VALID FOR
1 YEAR.

PART I

1) Applicant Full Name: _____

2) Contact Full Name: _____ Phone: _____

3) Mailing Address: _____
Number / Street or P O Box City Zip Code

4) Email: _____ Cell: _____

5) Location of Property: _____
Street Address City Zip

Property Identification Number

Abstract Information

Name / Number of Survey

Acreage

LAT. _____ LON. _____

Applicant Requests To:

☐ Construct ☐ Remodel ☐ Place Manufactured Housing
☐ Burial, Pipeline or Cable ☐ Drill ☐ Other

List Type and Purpose of Development: _____

Please include with this application a copy of the survey.

Is site to be located in an identified Special Flood Hazard Area (Regulatory Floodplain)? ☐ Yes ☐ No
If no, proceed to Part III. If yes, complete Parts II and III.

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PART II

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

Flood Map Effective Date: April 2014 Flood Zone Type: ☐ AE ☐ A ☐ X ☐ Other

Engineer: _____ Contact Phone: _____

Contractor: _____ Contact Phone: _____

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

Applicant **MUST** attach the following to the Permit Application **if any portion or all property** is located within 1% chance (100 year) Floodplain:

- ☐ One copy of Plans/Specifications of proposed construction;
- ☐ Latitude and Longitude included on Land Survey completed by Licensed Land Surveyor;
- ☐ Elevation Certificate completed by a licenses Professional Engineer (with PE stamp.)

Is site to be located in an identified floodway? ☐ Yes ☐ No **If yes**, it must be demonstrated through an engineering study that there will be no increase in flood heights during the discharge of the 1% Chance flood caused by your development.

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

PART III

WARNING STATEMENT: *Please read and acknowledge.*

The flood hazard boundary maps and other flood data used by the Lee 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 acknowledge that I have read and understand the above Warning Statement. I also hereby grant permission to the Lee County Flood Plain Administrator to enter upon the above described property for the purpose of making all necessary inspections pertaining to the Building Permit.

Applicant Signature

Date

Lee County Floodplain Administrator Signature

Date

**Certification of Depth of Oil / Gas / Pipeline Development
Located in Unincorporated Areas of Lee County**

Permit No. _____

Date Issued: _____, 20____.

THIS IS TO CERTIFY that the pipeline constructed under this permit in unincorporated areas of Lee County has been buried at least 36 inches and minimum under any creek or river within floodplain boundaries is at the minimum required by the State of Texas.

Location of Pipeline: Map attached? ☐ YES ☐ NO

Please complete the following legibly:

Company Name: _____

Company Address: _____

Contact Information: _____
Name 24-hour Phone Email

By signing this form I certify that the above-stated requirements have been met.

Signature, Pipeline Inspector

Printed Name of Pipeline Inspector

Title

Contact Phone

Received by: _____

Date: _____

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Compliance Certification for Oil / Gas / Drilling / Production Sites

Development Located in Unincorporated Areas of Lee County
- Lands Located within FEMA-Designated 1% Chance of Flood -

This form must be completed by a Registered Professional Engineer.

Company Name: _____

Contact Full Name: _____

Email: _____

Phone: _____ Fax: _____

Address: _____

24-hour Emergency Contact Information: Name: _____

24-hour Emergency Phone: _____

Location of Permitted Site: _____

Property ID / Physical Address

_____ Facility Name: _____

Long / Lat

Was elevation used as flood protection measure? ☐ YES ☐ NO If yes, attach Elevation Certificate(s).

Was No-Rise Certification used as flood protection measure? ☐ YES ☐ NO If yes, attach Certificate.

On the second page of this form, list all equipment stored on-site and flood protection measures used. Attach extra sheets if necessary. **Attach photos of all equipment.**

I hereby certify that I have inspected the facility, and can attest that all flood-proofing and/or elevation measures (listed on page 2 and any attachments) have been met, and that the applicant has complied with the flood-proofing provisions of the permit.

Signature of Registered Professional Engineer

License/Registration Number / *State*

Printed Name of Registered Professional Engineer

Date

Seal Placement

To be completed by Floodplain Administrator

Permit Number: _____ Date Approved: _____ By: _____ Permit fee paid? ☐ Y ☐ N

Conditional Approval: ☐ Yes ☐ No Reason for Conditions: _____

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List all equipment stored on site and flood protection measure used.

Ex: Vertical separator with horizontal tank band having 2 cables with turn buckle ties to ground anchors

1. _____

2. _____

3. _____

4. _____

5. _____

6. _____

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