

Instructions for Permit Application for Development on Lands Located Within Designated Floodplain Areas

To comply with the **Kingfisher County** Floodplain Regulations and to minimize potential flood damage, if you are building within an identified flood hazard area, you must agree to construct your proposed development in accordance with the following provisions:

1. For **ALL STRUCTURES**, the foundation and the materials used must be constructed to withstand the pressures, velocities, impact, and uplift forces associated with the 1% Chance flood. A completed **FEMA Elevation Certificate (form 086-0-33)** must accompany this application, signed by a licensed Surveyor or Engineer.
2. All **UTILITY** supply lines, outlets switches, and equipment must be installed so as to minimize damage from potential flooding and meet FEMA – *Protecting Buildings and Utilities from Flood Damage Instruction - 348*.
3. You must submit **CERTIFICATION FROM A LICENSED ENGINEER** of the flood protection requirements which will be used to meet FEMA 348 standards. Additionally, a written **CERTIFICATION FROM A LICENSED ENGINEER** stating flood-proofing measures “As-Built” have been completed. Failure to provide the required certification is a violation of this permit.
4. **Other provisions** – See attached list [Instructions for Oil/Gas Floodplain Development](#)
5. Penalties for Noncompliance of County Ordinance and instruction are found in ARTICLE VI, paragraph 1:

No Structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of these regulations and other applicable regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Article V, Section D.1 is presumed to be in violation until such time as that documentation is provided. Violation of the provisions of these regulations by failure to comply with any of their requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a Misdemeanor. Any person who violates these regulations or fails to comply with any of their requirements shall upon conviction thereof be fined not more than \$500.00 or imprisoned for not more than one year or both, for each violation, and in addition shall pay all costs and expenses involved in the case. Nothing herein contained shall prevent the Kingfisher County Floodplain Board, District Attorney, or Board of County Commissioners from taking such other lawful action as is necessary to prevent or remedy any violation.

6. The Developer/owner is required to remove and/or dispose of accumulated or piled debris, construction materials, and/or trash from the floodplain area during development and after development is complete to prevent floating debris downstream.

7. Fee paid with application. As of **October 7, 2015** the Fees for Kingfisher County are as follows:

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| a. Residential/Commercial Development | \$100 |
| b. Farm/Agriculture Development | \$50 |
| c. Powerline Development | \$300 |
| d. Wind Tower Development | \$500 |
| e. Drilling Pad Location/Pipeline Development | \$500 |

payable to **Kingfisher County Floodplain.**

AUTHORIZATION:

I have read or had explained to me and understand the above special provisions for floodplain development. 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 floodplain management regulation. I understand that County Ordinance requires compliance and that failure to do so shall constitute a Misdemeanor. 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

INSTRUCTIONS FOR OIL AND GAS FLOODPLAIN DEVELOPMENT
No development can occur in the floodplain until permit is issued.

Fill out and sign the permit application form.

Include with permit application:

- Detailed set of plans and specifications, including flood protection measures designed by a licensed engineer. Upon completion of flood-proofing measures, a written notification from a licensed engineer stating flood protection measures were built and installed according to plans and specifications ("As-Built") is required.
- Copies of other required permits including those from the Corporation Commission (permit to drill when it becomes available), Kingfisher County Road Crossing Permit (if a pipeline crossing), Letter of Map Revision from FEMA (if needed), and a 404 permit from US Army Corps of Engineers (if needed.)
- Copy of Spill Prevention and Counter Measure Plan (optional).
- Emergency Evacuation Plan (optional).

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

Flood protection measures must include the following:

1. **Tank batteries and other equipment** installed **below the Base Flood Elevation** at the site in the floodplain shall be tied down to prevent flotation and lateral movement. See FEMA Instruction 348 and the Floodplain Administrator for guidance. Each tank, to include oil heaters, compressors, and any other components will be anchored with engineer specified steel cable capable of preventing floatation and lateral movement, equivalent size steel turnbuckles, thimbles, and wire rope clips, attached to 36 inch auger type anchors from three equally spaced points from the top to the ground.
2. **Tank batteries and other equipment** installed on compacted fill to **raise above the Base Flood Elevation 1ft** will require a Hydraulics and Hydrology (H&H) Study performed by a licensed individual to determine a "No-Rise" certification. A Conditional Letter of Map Revision (CLOMR) based on Fill, may need to be submitted to FEMA and copies of the H&H study and the completed CLOMR to be submitted to this office with the County Permit Application if a rise in the Base Flood Elevation is determined – Note, a Letter of Map Revision (LOMR) will also need to be obtained from FEMA once construction is complete if a rise in BFE of more than one (1) foot is determined.
Wellheads must be barricaded against flowing water and floating debris. Barricades, at a minimum must be as tall as the well head, be at least two sided, positioned to face the upstream flow, and be angular in design to deflect debris. Structurally, the barricades at a minimum should be constructed of 2 and 3/8 inch OD pipe. Upright posts anchored in the ground. Horizontal pipe spaced and welded **12** inches center-to-center (**NO lite-duty gates, tee posts, or welded wire panels**) – Note, barricades may be made to be removed for well servicing but must still be strong enough to withstand flowing water and striking debris.

3. Pipelines must be buried at least 48 inches, 72 inches under rivers and creeks. A Statement of Burial Depth Compliance is required.
4. A closed pit system is required.

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.

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 provided and installed in the barrow ditch where the lease road meets the county road.

Contact the County Commissioner as a courtesy concerning the county roads that you or your contractors will be using.

This office must be notified if equipment is added after completion. If site is sold or assigned this office must be notified. A secondary drill on an existing site will only need a permit if new production equipment is added to an existing site.

EXCEPTIONS:

Any construction outside of this guidance should be submitted, in writing, to the Kingfisher County Floodplain Board for consideration.