

**MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1  
RULES AND REGULATIONS NO. 01-01**

**RULES, REGULATIONS AND PROCEDURES  
ESTABLISHING DEVELOPMENT AND CONSTRUCTION  
POLICIES FOR UTILITY, PIPELINE, AND CABLE  
CROSSINGS, CROSSINGS AND DRAINAGE  
CONNECTIONS, INDUSTRIAL/AGRICULTURAL/  
COMMERCIAL/INSTITUTIONAL DEVELOPMENT, AND  
RESIDENTIAL/INDUSTRIAL/INSTITUTIONAL/COMMER  
CIAL DEVELOPMENT WITH PLATTING, ESTABLISHING  
FEES, PROVIDING PENALTY, AND PROVIDING FOR  
SEVERABILITY.**

WHEREAS, the Matagorda County Drainage District No. 1, hereinafter "District", has power and authority to control the drainage of overland flows of the lands within the District, as granted under the State of Texas, under the provisions of Section 52, Article III, of the Constitution of the State of Texas, and further authority under the General Laws of the Texas, and

WHEREAS, this authority governs the use, connection to, crossing of, or altering in any other means any drainage facility with the District, and

WHEREAS, the uncontrolled increase in runoff from development of land within the District can overload drainage facilities and cause an increase in flooding on the development and/or adjacent properties, and

WHEREAS, the subdivision of property into two (2) or more parts within Matagorda County, including the incorporated areas within the County, is controlled and governed by the policies, ordinances, and regulations of Matagorda County, and the incorporated areas, and

WHEREAS, this rule is not to supersede any of the existing rules, ordinances, or policies of these entities, or to usurp any authority from the other entities, and

WHEREAS, the Matagorda County Drainage District No. 1 Commissioners have determined that it would be in the best interest of the Matagorda County Drainage District No. 1 to adopt policies to establish guidelines and procedures for obtaining the District's approval for use, connection to, crossing of, or altering in any other means, drainage facilities within the District for each of the following:

1. Utility, Pipeline, and Cable Crossing
2. Crossing and Drainage Connections
3. Industrial/Agricultural/Commercial/Institutional Development
4. Residential/Industrial/Institutional/Commercial Development with Platting

WHEREAS, the caption of this rule has been published two (2) consecutive times in a publication having general circulation in the area, therefore,

BE IT RESOLVED, by the Commissioners of the Matagorda County Drainage District No. 1, that these rules, having full force and effect fourteen (14) days after adoption, shall establish development and construction policies with the District until amended or revoked by further appropriate action of the Matagorda County Drainage District No. 1.

## ARTICLE I. UTILITY, PIPELINE, AND CABLE CROSSINGS

### SECTION 1. GENERAL INFORMATION

- A. All utilities, pipelines, and cables, either publicly or privately owned, shall obtain a permit from the District prior to any construction to cross any drainage facility within a District held easement or facility.
- B. All utilities, pipelines, and cables shall cross a District facility within 20 degrees of perpendicular to that facility. No utility, pipeline, or cable shall be located within and parallel to a District easement or facility.

### SECTION 2. PROCEDURE

- A. Fourteen (14) days prior to the regularly scheduled Board Meeting of the District at which approval is desired, the Applicant shall submit to the District the following:
  - 1. Three (3) copies of completed District Application Form (blank forms furnished by the District).
  - 2. Three (3) copies of sealed engineering drawings providing details of crossing. Drawings shall include both a plan and profile view, the limits of the District's easement, survey name and abstract number, and physical location.
  - 3. Application Processing Fee.
- B. The District and its Engineer shall review the submitted materials. The Board shall take action on the application at the next regular Board Meeting and either approve or disapprove or specify changes to be made to comply with this rule.

### SECTION 3. REQUIREMENTS

- A. Top of utility, pipeline, or cable shall be a minimum of five (5) feet below the existing flowline of the channel being crossed, or five (5) feet below the projected flowline of the channel as provided by the most recently adopted version of the District's Master Drainage Plan, if available. Proposed utility, pipeline, or cable must stay at this depth for the entire width of existing easement, and then may be sloped towards the ground surface at a slope not to exceed 3:1.
- B. All pipelines, except bore crossings, with a working pressure exceeding 200 pounds per square inch shall be constructed with a concrete pad over the line. Pad shall extend one (1) foot on either side of edge of pipeline for the total length of the District's easement, and shall be six (6) inches thick. Concrete mix shall include a color dye meeting District specifications and approval. Top surface of pad shall be a minimum of five (5) feet below the existing flowline of the channel being crossed, or five (5) feet below the projected flowline of the channel as provided by the most recently adopted version of the District's Master Drainage Plan, if available.
- C. Upon completion of crossing, the Applicant shall install markers on either end of crossing, at the right-of-way limits of the District's easement. Said markers shall be approved by the District, and shall be in place prior to release of bond or letter of credit.
- D. The Applicant shall provide the District with forty-eight (48) hours notice prior the start of construction.
- E. The Applicant shall pay for all materials and labor related to the proposed work.

#### SECTION 4. ACCESS PERMIT

- A. Upon approval of application by Board, the District shall prepare an Access Permit for execution by the District and the Applicant, granting the Applicant the privilege to cross the District facility. The Applicant shall deliver executed Access Permit, along with check for County recording fee, to the District. The District shall be responsible for recording of Access Permit and will return original to the Applicant. The District shall retain a certified copy of permit. The permit shall be termed as permanent or temporary. Access permits shall have no force or effect upon easements or rights-of-way granted by others to the District unless an easement or right-of-way is also granted to the Applicant by the owner of the tract of land in question.

#### SECTION 5. BOND

- A. The Applicant shall provide to the District a bond, cash, or letter of credit in an amount to be determined by the District prior to the issuance of the Access Permit. The bond or letter of credit must be made payable to the District, and shall be on a form acceptable to the District. Cash may be in the form of a certificate of deposit to be placed with the District. Interest earned on deposit shall be payable to the Applicant. The bond or letter of credit shall be in force for a period not less than one (1) year. The District shall release bond, cash, or letter of credit after a final inspection of the construction site is made by the District, and the District is satisfied that the site has been restored to acceptable conditions.

#### SECTION 6. FEES

- A. Application Processing Fee - Three hundred dollars (\$300.00), payable by cash or check, submitted with the District Application Form. The fee shall be waived for other political subdivisions of the State of Texas.
- B. The Applicant shall be responsible to the District for Engineering costs incurred during review of the application. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.
- C. The Applicant shall be responsible to the District for Engineering costs incurred during construction of permitted work. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.

## ARTICLE II. CROSSINGS AND DRAINAGE CONNECTIONS

### SECTION 1. GENERAL INFORMATION

- A. All new crossings of District's facilities shall be governed by and shall meet the requirements stated herein.
  - 1. Crossings of District facilities herein shall include, but not be limited to, pipes, bridges, dams, concrete or rock low-water crossings, etc.
  - 2. Any crossing which obstructs or impairs drainage shall be prohibited.
- B. All drainage connections to District facilities shall be governed by and shall meet the requirements stated herein.

### SECTION 2. PROCEDURE

- A. Fourteen (14) days prior to the regularly scheduled Board Meeting of the District at which approval is desired, the Applicant shall submit to the District the following:
  - 1. Three (3) copies of completed District Application Form (blank forms furnished by the District).
  - 2. Three (3) copies of drawings providing details of crossing. Drawings shall include both a plan and profile view, the limits of the District's easement, survey name and abstract number, and physical location.
  - 3. Three (3) copies of map or aerial photograph indicating drainage area affected by proposed work.
  - 4. Application Processing Fee.
- B. The District shall review the submitted materials. The Board shall take action on the application at the next regular Board Meeting and either approve or disapprove or specify changes to be made to comply with this Rule.
- C. These requirements shall be met for all new connections to the District's facilities constructed after effective date of this rule.

### SECTION 3. REQUIREMENTS

- A. Open ditch connections to existing channels is prohibited. The Applicant shall use pipe of approved material and size to connect drain or ditch to existing channel.
- B. Construction of pipe drain into channel shall be bedded and backfilled with suitable material approved by the District to prevent settlement and wash-outs. Downstream end of pipe shall be no higher than one (1) foot above flowline of channel, and pipe shall be oriented downstream in the channel. Concrete rip-rap, or other suitable erosion prevention material, may be required by District after review.
- C. Map or aerial photograph showing the drainage area affected by proposed work shall indicate total number of acres within drainage area. Land use shall remain agricultural, or additional requirements for detention may be required by the District.
- D. Public crossings shall also comply with all rules and regulations of the governmental entity having jurisdiction governing public roads in the area of the proposed crossing.
- E. Culverts or other similar crossing structures shall be bedded and backfilled with suitable material approved by the District. District shall establish flowline elevations for the structure.



- F. The Applicant shall provide the District with forty-eight (48) hours notice prior the start of construction.
- G. The Applicant shall pay for all materials related to the proposed work.
- H. Should permitted facility become damaged by the Applicant or others, the Applicant shall pay for replacement materials, and shall reimburse the District for all labor and equipment costs incurred in replacing or repairing the structure. Should the permitted facility be damaged by the District, the District shall bear all costs associated with the replacement or repair of the facility.
- I. Should permitted facility deteriorate from natural causes, the District shall pay for replacement materials only. The District shall bear all labor and equipment costs incurred in replacing the structure.
- J. If proposed work requires enlargement or modification to an existing District facility, all work must comply with the District's Master Drainage Plan, if available.

#### SECTION 4. ACCESS PERMIT

- A. Upon approval of application by Board, the District shall prepare an Access Permit for execution by the District and the Applicant, granting the Applicant the privilege to cross the District facility. The Applicant shall deliver executed Access Permit, along with check for County recording fee, to the District. The District shall be responsible for recording of Access Permit and will return original to the Applicant. The District shall retain a certified copy of permit. The permit shall be termed as permanent or temporary. Access permits shall have no force or effect upon easements or rights-of-way granted by others to the District unless an easement or right-of-way is also granted to the Applicant by the owner of the tract of land in question.

#### SECTION 5. ABANDONMENT OF PERMIT

- A. Permit shall be considered permanent until such time facility is declared abandoned by the Applicant, or is unused for a period of five (5) years. If the Applicant discontinues use of permitted work for a period of 5 years or more, the District reserves the right to remove any improvements and restore area to original condition.

#### SECTION 6. FEES

- A. Application Processing Fee - No application fee is required for a permit under this section, provided the land use remains agricultural, or the applicant is a political subdivision of the State of Texas permitting a public crossing. For all other applications submitted under this Article, the application fee shall be three hundred dollars (\$300.00), payable by cash or check, submitted with the District Application Form.

#### SECTION 7. EXISTING FACILITIES (UNPERMITTED)

- A. Should an existing facility (one installed prior to the effective date of this rule) become damaged by the Applicant or others, the Applicant shall pay for replacement materials, and shall reimburse the District for all labor and equipment costs incurred in replacing or repairing the structure. Should the existing facility be damaged by the District, the District shall bear all costs associated with the replacement or repair of the facility.
- B. Should an existing facility (one installed prior to the effective date of this rule) deteriorate from natural causes, the District shall pay for replacement materials only. The District shall bear all labor and equipment costs incurred in replacing the structure.
- C. District may construct crossings of existing ditch connections at District's expense to prevent erosion or to maintain its facilities.

ARTICLE III. INDUSTRIAL/AGRICULTURAL/COMMERCIAL/INSTITUTIONAL  
DEVELOPMENT

SECTION 1. GENERAL INFORMATION

- A. Any tract development encompassing one (1) acre or more of impervious area crossing or connecting to an existing District facility, or otherwise significantly changing the drainage on the site or adjacent areas, shall comply with the provisions of this rule.

SECTION 2. PROCEDURE

- A. Fourteen (14) days prior to the regularly scheduled Board Meeting of the District at which approval is desired, the Applicant shall submit to the District the following:
  - 1. Three (3) copies of completed District Application Form (blank forms furnished by the District).
  - 2. Three (3) copies of sealed engineering site plan drawings providing details of drainage from the project site, including any crossings or connections to existing District facilities. Site plan shall include elevations and/or contours, drainage areas, and all proposed surface and subsurface improvements. Drawings of and crossings or connections shall include both a plan and profile view, the limits of the District's easement, survey name and abstract number, and physical location.
  - 3. Three (3) copies of map indicating drainage area affected by proposed work.
  - 4. Application Processing Fee.
- B. The District and its Engineer shall review the submitted materials. The Board shall take action on the application at the next regular Board Meeting and either approve or disapprove or specify changes to be made to comply with this rule.

SECTION 3. REQUIREMENTS

- A. Open ditch connections to existing channels is prohibited. The Applicant shall use pipe of approved material and size to connect drain or ditch to existing channel.
- B. Construction of pipe drain into channel shall be bedded and backfilled with suitable material to prevent settlement and wash-outs. Downstream end of pipe shall be no higher than one (1) foot above flowline of channel, and pipe shall be oriented downstream in the channel. Concrete rip-rap, or other suitable erosion prevention material, may be required by District after review.
- C. Culverts or other similar crossing structures shall be bedded and backfilled with suitable material approved by the District. District shall establish flowline elevations for the structure.
- D. Map showing the drainage area affected by proposed work shall indicate total number of acres within drainage area. Calculations for the discharge flow rates for existing and proposed conditions using the 5-year, 25-year, and 100-year storm shall be provided. Increases in storm water runoff may require detention. Design criteria shall comply with the District's Master Drainage Plan, if available, or Texas Department of Transportation (TxDOT) guidelines.
- E. The Applicant shall provide the District with forty-eight (48) hours notice prior the start of construction.
- F. The Applicant shall pay for all materials and labor related to the proposed work.
- G. Should permitted facility deteriorate or become damaged by the Applicant or others,

the Applicant shall pay for replacement material, and shall reimburse the District for all labor and equipment costs incurred in replacing or repairing the structure. Should the permitted facility be damaged by the District, the District shall bear all costs associated with the replacement or repair of the facility.

- H. If proposed work requires enlargement or modification to an existing District facility, all work must comply with the District's Master Drainage Plan, if available.
- I. The applicant shall provide acceptable evidence that any detention facility will be maintained and kept in operating condition. Said evidence may include funds available to the District or other political subdivision of the State of Texas for said maintenance should the facility need said maintenance and the developer, owner, or other responsible party fail to provide such.

#### SECTION 4. ACCESS PERMIT

- A. Upon approval of application by Board, the District shall prepare an Access Permit for execution by the District and the Applicant, granting the Applicant the access to the District facility. The Applicant shall deliver executed Access Permit, along with check for County recording fee, to the District. The District shall be responsible for recording of Access Permit and will return original to the Applicant. The District shall retain a certified copy of permit. The permit shall be termed as permanent or temporary. Access permits shall have no force or effect upon easements or rights-of-way granted by others to the District unless an easement or right-of-way is also granted to the Applicant by the owner of the tract of land in question.

#### SECTION 5. ABANDONMENT OF PERMIT

- A. Permit shall be considered permanent until such time facility is declared abandoned by the Applicant, or is unused for a period of five (5) years. If the Applicant discontinues use of permitted work for a period of 5 years or more, the District reserves the right to remove any improvements and restore area to original condition. Any pipe material salvaged will remain the property of the Applicant, and will be left at the site, off of the District's easement.

#### SECTION 6. FEES

- A. Application Processing Fee - Two hundred dollars (\$200.00), payable by cash or check, submitted with the District Application Form.
- B. The Applicant shall be responsible to the District for Engineering costs incurred during review of the application. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.
- C. The Applicant shall be responsible to the District for Engineering costs incurred during construction of permitted work. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.

#### SECTION 7. DRAINAGE DESIGN PROCEDURES

J. GENERAL INFORMATION

1. Adequate drainage shall be provided by the applicant that will not allow any increase in flooding within the applicant's property or on adjoining or other properties. The protection of adjoining or other property will be considered in the review of the plans submitted.
2. The following procedures are intended to provide that new development, with detention, will not cause any adverse impacts on existing conditions on the property or adjoining or other property.
3. The applicant's engineer should contact the District for any specific requirements for the watershed in which the proposed development is to be located.

K. For Drainage Areas Less than 300 Acres

1. The Rational formula shall be used to calculate peak runoff rates. Rainfall intensity shall be based on the Texas Department of Transportation rainfall intensity formula using Matagorda County coefficients.
2. The Small Watershed Method for development of hydrographs (H. R. Malcom, A Study of Detention in Urban Stormwater Management, Report No. 156 Water Resource Research Institute of the University of North Carolina) shall be used to compute runoff hydrographs for both existing and development conditions. Soil Conservation Service (SCS) methodology may be used to compute excess runoff volumes.
3. Detention volume calculations shall include routing of developed conditions hydrographs for all three (3) design storm events through the detention facility.

L. For Drainage Conditions Greater than 300 Acres

1. Peak discharges may be computed using the Rational Formula, or other District approved methodology.
2. The Small Watershed Method shall be used to compute runoff hydrographs for both existing and developed conditions. SCS methodology may be used to compute excess runoff volumes.
3. Detention volume calculations shall include routing of developed conditions hydrographs for all three (3) design storm events through the detention facility.
4. For large watersheds (1 square mile or more), the District should be contacted to discuss appropriate methodology for drainage calculations.

D. Other methodologies for drainage calculations may be submitted to the District for approval prior to submittal of drainage calculations.

E. The District's Engineer shall not be retained by the Applicant for the preparation of this application.

ARTICLE IV. RESIDENTIAL/INDUSTRIAL/INSTITUTIONAL/COMMERCIAL  
DEVELOPMENT WITH PLATTING

SECTION 1. GENERAL INFORMATION

- A. It is suggested that each owner or subdivider of land first confer with the District, before preparing the preliminary plan of the proposed subdivision, to secure a copy of the District's rules and regulations governing development within the District, and to become familiar with the District Master Drainage Plan, if available.
- B. The subdivider or developer will be required to install, at his own expense, all drainage facilities and structures in accordance with the District's standards and specifications governing same, including all engineering costs covering design, layout, and construction supervision. Preliminary plans and layouts for all drainage facilities shall be submitted by the subdivider or developer to the District for study by the District Engineer along with the submission of the preliminary plat of the subdivision. Final construction plans shall be submitted by the subdivider or developer at the time of filing the final plat with the District in the same number of copies as required of the subdivision plat.
- C. There will be no participation by the District in the cost of any drainage facilities within the subdivision except in the event of the requirement for oversize facilities to serve land areas and improvements beyond the subdivision in question, or to serve other subdivisions. Each installation of this character and the terms and extent of the District's participation will be considered individually upon the merits of each facility and the conditions involved.

SECTION 2. PROCEDURE FOR PRELIMINARY PLAT APPROVAL

- A. Four (4) copies, or prints, of the preliminary plat of any proposed subdivision shall be submitted to the District for approval before the preparation of the final plat for record. Such preliminary plat shall be filed in the office of the District at least fourteen (14) days prior to the regular meeting of the Board at which approval is requested. The District and its Engineer shall review the submitted materials. The Board shall take action at the next regular Board Meeting and either approve or disapprove or specify changes to be made to comply with this Rule.
- B. Preliminary plat shall conform to the requirements of the governmental entity having jurisdiction over platting, i.e. Matagorda County, or City of Bay City. The District shall not supersede the platting requirements of these entities, except with respect to drainage as it comes under the jurisdiction of the District.
- C. Preliminary plat shall be accompanied by a preliminary plan for both on-site and off-site drainage.
- D. Where the preliminary plat submitted for approval covers only a part, a unit, or increment of the owner's or subdivider's entire holding or ultimate subdivision, a sketch of future development and drainage facilities shall be provided.
- E. It is to be understood that the approval of the preliminary plat by the District does not constitute official acceptance of the proposed subdivision by the District, but does constitute an authorization to begin and proceed with the preparation of the final subdivision plat. There shall be no work in the field on the proposed subdivision until the final plat has been approved and accepted in official actions by the District, and the instrument recorded in the office of the county clerk, except and unless upon the written approval of the District being cognizant of such approval.

- F. Approval of the preliminary plat expires at the expiration of a period of six (6) months unless the final plat has been submitted for approval.

### SECTION 3. PROCEDURE OF APPROVAL OF FINAL PLAT

- A. After the approval by the District of the preliminary plat, a final plat shall be prepared and submitted by the District for approval and subsequent recording in the office of the county clerk. Four (4) prints of this final plat shall be submitted to the District at least fourteen (14) days prior to the regular meeting of the Board at which approval is requested. The Board shall take action at the next regular Board Meeting and either approve or disapprove or specify changes to be made to comply with this Rule.
- B. Final plat shall conform to the requirements of the governmental entity having jurisdiction over platting, i.e. Matagorda County, or City of Bay City. The District shall not supersede the platting requirements of these entities, except with respect to drainage as it comes under the jurisdiction of the District.
- C. Final plat shall be accompanied by proposed construction plans for both on-site and off-site drainage. Plans shall include both plan and profile drawings.
- D. The plat shall bear a properly executed dedication of all easements and rights-of-way intended for drainage use by the District, such dedicatory instrument to be signed by the owner or owners, and by all other persons or parties having a mortgage or lien interest in the property.
- E. Before final approval of the plat by the District, there shall be filed with the District the following:
  - 1. A title opinion from a title company licensed to do business in the State of Texas, or licensed attorney in the State of Texas, stating the ownership of the property, as well as all others having a mortgage or lien interest in the property.
  - 2. Tax certificates from all taxing entities stating that all current taxes have been paid.
  - 3. A certificate by the owner or owners of the subdivision proposed as to the completion of all improvements required by the District in accordance with the District's standards and specifications.
  - 4. Acceptable evidence that any detention facility will be maintained and kept in operating condition. Said evidence may include funds available to the District or other political subdivision of the State of Texas for said maintenance should the facility need said maintenance and the developer, owner, or other responsible party fail to provide such.
- F. Final plat shall contain proper signature blanks for certificate of approval to be filled out by the District and the District's Engineer.
- G. After approval of the plat by the District, one blue-line print, an electronic copy of the plat, and one reproducible mylar film positive shall be furnished to the District. A complete set of final construction plans shall also be provided to the District. Upon completion of construction, an As-Built set of construction plans shall be provided to the District.
- H. Approval of the plat shall expire if the subdivision is not developed within a two year period from the date of final approval.



#### SECTION 4. FEES

##### A. Preliminary Plat

1. Application Processing Fee - Two hundred dollars (\$200.00), payable by cash or check, submitted with the District Application Form (blank forms furnished by the District).
2. The Applicant shall be responsible to the District for Engineering costs incurred during review of the application. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.

##### B. Final Plat

1. Application Processing Fee - Two hundred dollars (\$200.00), payable by cash or check, submitted with the District Application Form (blank forms furnished by the District).
2. The Applicant shall be responsible to the District for Engineering costs incurred during review of the application. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.
- 3.. The Applicant shall be responsible to the District for Engineering costs incurred during construction of permitted work. If additional costs are incurred beyond the initial Application Processing Fee, the District will invoice the Applicant. Invoiced amount shall be paid within thirty (30) days of presentation. If not paid, said cost shall bear maximum interest allowable under the law. If the District employs an attorney to collect the same, the District shall be entitled to reasonable attorney fees and all costs of court occasioned by such event.

#### SECTION 5. DRAINAGE DESIGN PROCEDURES

##### A. GENERAL INFORMATION

1. Adequate drainage shall be provided by the applicant that will not allow any increase in flooding within the subdivision or on adjoining or other properties. The protection of adjoining or other property will be considered in the review of the plans submitted.
2. The following procedures are intended to provide that new development, with detention, will not cause any adverse impacts on existing conditions on the property or adjoining or other property.
3. The applicant's engineer should contact the District for any specific requirements for the watershed in which the proposed development is to be located.



B. For Drainage Areas Less than 300 Acres

1. The Rational formula shall be used to calculate peak runoff rates. Rainfall intensity shall be based on the Texas Department of Transportation rainfall intensity formula using Matagorda County coefficients.
2. The Small Watershed Method for development of hydrographs (H. R. Malcom, A Study of Detention in Urban Stormwater Management, Report No. 156 Water Resource Research Institute of the University of North Carolina) shall be used to compute runoff hydrographs for both existing and development conditions. Soil Conservation Service (SCS) methodology may be used to compute excess runoff volumes.
3. Detention volume calculations shall include routing of developed conditions hydrographs for all three (3) design storm events through the detention facility.

C. For Drainage Conditions Greater than 300 Acres

1. Peak discharges may be computed using the Rational Formula, or other District approved methodology.
2. The Small Watershed Method shall be used to compute runoff hydrographs for both existing and developed conditions. SCS methodology may be used to compute excess runoff volumes.
3. Detention volume calculations shall include routing of developed conditions hydrographs for all three (3) design storm events through the detention facility.
4. For large watersheds (1 square mile or more), the District should be contacted to discuss appropriate methodology for drainage calculations.

B. Other methodologies for drainage calculations may be submitted to the District for approval prior to submittal of drainage calculations.

C. The District's Engineer shall not be retained by the Applicant for the preparation of this application.

#### ARTICLE V. PENALTY

SECTION 1. Any person, firm, or corporation violating any of the provisions of this article shall be fined not less than Ten Dollars (\$10.00) nor more than Two Hundred Dollars (\$200.00) for each offense; and a separate offense shall be deemed committed on each day during, on, or which a violation occurs or continues. Any violation of said permit may be enforced by permit forfeiture and/or injunctive relief.

#### ARTICLE VI. SEVERABILITY

SECTION 1. If any word, phrase, clause, paragraph, sentence, part, portion, or provision of this rule or the application thereof to any person or circumstance shall be held to be invalid or unconstitutional, the remainder of this rule shall nevertheless be valid, and the District hereby declares that this rule would have been enacted without such invalid or unconstitutional word, phrase, clause, paragraph, part, portion, or provision.

#### ARTICLE VII. VARIANCES

SECTION 1. The District may authorize special exceptions to the terms of the rules and regulations herein that are consistent with the general purpose and intent of these rules and regulations.

PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2001.

By \_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

066359

**MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1  
AMENDMENT TO RULES AND REGULATIONS NO. 01-01**

**ARTICLE II. CROSSINGS AND DRAINAGE CONNECTIONS, SECTION 3.  
REQUIREMENTS, I., currently reads:**

- I. Should permitted facility deteriorate from natural causes, the District shall pay for replacements materials only. The District shall bear all labor and equipment costs incurred in replacing the structure.

**IS HEREBY AMENDED as follows:**

- I. Should permitted facility deteriorate from natural causes, the District shall pay for one-half ( $\frac{1}{2}$ ) of the costs for replacements materials only. The District shall bear all labor and equipment costs incurred in replacing the structure, so long as the District does the work or gives prior approval for the replacement.

**ARTICLE II. CROSSINGS AND DRAINAGE CONNECTIONS, SECTION 7.  
EXISTING FACILITIES (UNPERMITTED) B., currently reads:**

- B. Should an existing facility (one installed prior to the effective date of this rule) deteriorate from natural causes, the District shall pay for replacement materials only. The District shall bear all labor and equipment costs incurred in replacing the structure.

**IS HEREBY AMENDED as follows:**

- B. Should an existing facility (one installed prior to the effective date of this rule) deteriorate from natural causes, the District shall pay for one-half ( $\frac{1}{2}$ ) of the costs for replacement materials only. The District shall bear all labor and equipment costs incurred in replacing the structure, so long as the District does the work or gives prior approval for the replacement.

**BE IT RESOLVED**, by the Commissioners of the Matagorda County Drainage District No. 1, that these rules, as amended, having full force and effect fourteen (14) days after adoption, shall establish development and construction policies with the District until amended or revoked by further appropriate action of the Matagorda County Drainage District No. 1.

**PASSED AND APPROVED** this 22 day of AUGUST, 2006.

By

*R. W. Hunter*

President

**ATTEST:**

*[Signature]*  
Secretary



010016411001  
Year: 2006 Doc: 001-001 Type: AMM

THE STATE OF TEXAS §

COUNTY OF MATAGORDA §

This instrument was acknowledged before me on the 22<sup>ND</sup> day of AUGUST, 2006, by ROBERT NOSTER, President.



Stefanie Pawlosky  
Notary Public in and for the  
STATE OF TEXAS

Notary's printed name: STEFANIE PAWLOSKY  
Commission expires: 2-7-09

STATE OF TEXAS COUNTY OF MATAGORDA  
I hereby certify that this instrument was FILED in File Number  
Sequence on the date and at the time stamped hereon by me,  
and was duly RECORDED in the OFFICIAL RECORDS of  
Matagorda County, Texas on

AUG 22 2006



Rail Dunn  
COUNTY CLERK, Matagorda County, Texas

Rail Dunn  
COUNTY CLERK  
MATAGORDA COUNTY, TEXAS

06 AUG 22 PM 4:09

FILED

MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1  
PERMIT APPLICATION FORM

CULVERT CROSSING AND DRAINAGE CONNECTIONS

PERMIT NO. \_\_\_\_\_

DATE \_\_\_\_\_

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE ( ) \_\_\_\_\_

STREAM OR DITCH DESIGNATION \_\_\_\_\_

SURVEY \_\_\_\_\_ AB. NO. \_\_\_\_\_ COUNTY \_\_\_\_\_

LOCATION \_\_\_\_\_

DESCRIPTION OF PROPOSED CONSTRUCTION \_\_\_\_\_

CULVERT SIZE \_\_\_\_\_ # OF BARRELS \_\_\_\_\_ MATERIAL \_\_\_\_\_

COMMENTS \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVAL SUBJECT TO ANY AND ALL REQUIREMENTS, SPECIFICATIONS, AND/OR CHANGES  
ATTACHED HERETO

APPROVED BY DISTRICT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1 \_\_\_\_\_ DATE \_\_\_\_\_

APPLICANT SHALL REIMBURSE DISTRICT FOR ENGINEERING COSTS INCURRED DURING REVIEW OF APPLICATION AND CONSTRUCTION. SAID AMOUNT SHALL BE PAID WITHIN THIRTY (30) DAYS OF PRESENTATION; IF NOT PAID, SAID COSTS SHALL BEAR MAXIMUM ALLOWABLE INTEREST APPLICABLE UNDER THE LAW. IF DISTRICT EMPLOYS AN ATTORNEY TO COLLECT THE SAME, DISTRICT SHALL BE ENTITLED TO REASONABLE ATTORNEY FEES AND ALL COSTS OF COURT OCCASIONED BY SUCH EVENT.

MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1  
PERMIT APPLICATION FORM

UTILITY, PIPELINE, OR CABLE CROSSING

PERMIT NO. \_\_\_\_\_

DATE \_\_\_\_\_

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE (\_\_\_\_) \_\_\_\_\_

STREAM OR DITCH DESIGNATION \_\_\_\_\_

SURVEY \_\_\_\_\_ AB. NO. \_\_\_\_\_ COUNTY \_\_\_\_\_

LOCATION \_\_\_\_\_

DESCRIPTION OF PROPOSED CONSTRUCTION \_\_\_\_\_

TYPE OF UTILITY \_\_\_\_\_ MATERIAL BEING HANDLED \_\_\_\_\_

SIZE \_\_\_\_\_ OPERATING PRESSURE \_\_\_\_\_ WALL THICKNESS \_\_\_\_\_

TYPE OF JOINTS \_\_\_\_\_ METHOD OF CONSTRUCTION \_\_\_\_\_

START DATE FOR CONSTRUCTION \_\_\_\_\_ PROJECTED COMPLETION DATE \_\_\_\_\_

BOND, CASH, OR LETTER OF CREDIT \_\_\_\_\_ AMOUNT \$ \_\_\_\_\_

COMMENTS \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVAL SUBJECT TO ANY AND ALL REQUIREMENTS, SPECIFICATIONS, AND/OR CHANGES  
ATTACHED HERETO.

APPROVED BY DISTRICT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1 \_\_\_\_\_ DATE \_\_\_\_\_

APPLICANT SHALL REIMBURSE DISTRICT FOR ENGINEERING COSTS INCURRED DURING REVIEW OF APPLICATION AND  
CONSTRUCTION. SAID AMOUNT SHALL BE PAID WITHIN THIRTY (30) DAYS OF PRESENTATION; IF NOT PAID, SAID  
COSTS SHALL BEAR MAXIMUM ALLOWABLE INTEREST APPLICABLE UNDER THE LAW. IF DISTRICT EMPLOYS AN  
ATTORNEY TO COLLECT THE SAME, DISTRICT SHALL BE ENTITLED TO REASONABLE ATTORNEY FEES AND ALL COSTS  
OF COURT OCCASIONED BY SUCH EVENT.

MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1  
PERMIT APPLICATION FORM

TRACT DEVELOPMENT

PERMIT NO. \_\_\_\_\_

DATE \_\_\_\_\_

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE (\_\_\_\_) \_\_\_\_\_

STREAM OR DITCH DESIGNATION \_\_\_\_\_

SURVEY \_\_\_\_\_ AB. NO. \_\_\_\_\_ COUNTY \_\_\_\_\_

LOCATION \_\_\_\_\_

DESCRIPTION OF PROPOSED CONSTRUCTION \_\_\_\_\_

EXISTING CONDITIONS RUNOFF \_\_\_\_\_ cfs (5-YR) \_\_\_\_\_ cfs (25-YR) \_\_\_\_\_ cfs (100-YR)

PROPOSED CONDITIONS RUNOFF \_\_\_\_\_ cfs (5-YR) \_\_\_\_\_ cfs (25-YR) \_\_\_\_\_ cfs (100-YR)

SITE AREA \_\_\_\_\_ (AC) DETENTION VOLUME REQUIRED \_\_\_\_\_ (AC-FT)

COMMENTS \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVAL SUBJECT TO ANY AND ALL REQUIREMENTS, SPECIFICATIONS, AND/OR CHANGES  
ATTACHED HERETO

APPROVED BY DISTRICT ENGINEER \_\_\_\_\_

DATE \_\_\_\_\_

MATAGORDA COUNTY DRAINAGE DISTRICT NO.1

DATE \_\_\_\_\_

APPLICANT SHALL REIMBURSE DISTRICT FOR ENGINEERING COSTS INCURRED DURING REVIEW OF APPLICATION AND CONSTRUCTION. SAID AMOUNT SHALL BE PAID WITHIN THIRTY (30) DAYS OF PRESENTATION; IF NOT PAID, SAID COSTS SHALL BEAR MAXIMUM ALLOWABLE INTEREST APPLICABLE UNDER THE LAW. IF DISTRICT EMPLOYS AN ATTORNEY TO COLLECT THE SAME, DISTRICT SHALL BE ENTITLED TO REASONABLE ATTORNEY FEES AND ALL COSTS OF COURT OCCASIONED BY SUCH EVENT.



MATAGORDA COUNTY DRAINAGE DISTRICT NO. 1  
PERMIT APPLICATION FORM

INDUSTRIAL/INDUSTRIAL/INSTITUTIONAL/COMMERCIAL DEVELOPMENT  
WITH PLATTING

PERMIT NO. \_\_\_\_\_

DATE \_\_\_\_\_

APPLICANT \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_ PHONE (\_\_\_\_) \_\_\_\_\_

STREAM OR DITCH DESIGNATION \_\_\_\_\_

SURVEY \_\_\_\_\_ AB. NO. \_\_\_\_\_ COUNTY \_\_\_\_\_

LOCATION \_\_\_\_\_

DESCRIPTION OF PROPOSED CONSTRUCTION \_\_\_\_\_

EXISTING CONDITIONS RUNOFF \_\_\_\_\_ cfs (5-YR) \_\_\_\_\_ cfs (25-YR) \_\_\_\_\_ cfs (100-YR)

PROPOSED CONDITIONS RUNOFF \_\_\_\_\_ cfs (5-YR) \_\_\_\_\_ cfs (25-YR) \_\_\_\_\_ cfs (100-YR)

SITE AREA \_\_\_\_\_ (AC) DETENTION VOLUME REQUIRED \_\_\_\_\_ (AC-FT)

COMMENTS \_\_\_\_\_

SUBMITTED BY: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVAL SUBJECT TO ANY AND ALL REQUIREMENTS, SPECIFICATIONS, AND/OR CHANGES  
ATTACHED HERETO

APPROVED BY DISTRICT ENGINEER \_\_\_\_\_

DATE \_\_\_\_\_

MATAGORDA COUNTY DRAINAGE DISTRICT NO.1

DATE \_\_\_\_\_

APPLICANT SHALL REIMBURSE DISTRICT FOR ENGINEERING COSTS INCURRED DURING REVIEW OF APPLICATION AND CONSTRUCTION. SAID AMOUNT SHALL BE PAID WITHIN THIRTY (30) DAYS OF PRESENTATION; IF NOT PAID, SAID COSTS SHALL BEAR MAXIMUM ALLOWABLE INTEREST APPLICABLE UNDER THE LAW. IF DISTRICT EMPLOYS AN ATTORNEY TO COLLECT THE SAME, DISTRICT SHALL BE ENTITLED TO REASONABLE ATTORNEY FEES AND ALL COSTS OF COURT OCCASIONED BY SUCH EVENT.