



Mark J. Mooney, P.E.  
COUNTY ENGINEER

Michael M. Beitler, P.E.  
Asst. Co. Engineer

June 21, 2005

Mr. Wiltz Ledbetter, Jr.  
Montgomery Trace Property Owner's Association  
P.O. Box 160  
Tomball TX 77377

RECEIVED  
JUN 22 2005  
CKM PROP. MGMT

Marie Moore  
Administrative Assistant

Re: Fencing in the Floodway

Dear Mr. Ledbetter:

We are in receipt of your letter dated 25 May, 2005 requesting written clarification of the County's policy regarding fences in the regulatory floodway. According to Article 5 of the Flood Plain Management regulations for Montgomery County, encroachments are prohibited in the floodway "including fill, new construction, substantial improvements and other developments unless certification by a professional registered engineer is provided demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge."

It has been a long-standing policy of this office to consider a 3-strand wire fence to be the maximum encroachment allowed in the floodway without the need for the engineer's certification. Any other fence design will trigger the requirement to provide the engineer's certification and to abide by all flood plain development rules and regulations.

If a homeowner requests approval for an alternate fence design in the floodway, they will be required to submit the design and engineer's certification to our office for approval. Once all comments are addressed, the property owner must apply for and obtain a development permit prior to construction of the fence.

Please let me know if you have any questions.

Sincerely,

Dan Wilds, P.E.  
Engineer

cc: Commissioner Craig Doyal, Precinct 2  
File