



**August 2010**  
**Town of Flower Mound**  
**Oil and Gas Drilling Ordinance Comparison Chart**

Regulation	Regulation Prior to 2007 Ordinance Amendments	New/Current Regulation
Noise Mitigation	<p>78 dB for day &amp; night drilling measured at 300'</p> <p>85 dB for fracturing (fracking) measured at 300' – daytime only</p> <p>Compressor noise regulation – no regulation for large compressor station; 65 dB for wellhead compressor</p>	<p>Required submission of an approved Noise Management Plan to detail meeting the following requirements: 56 dB during night drilling measured at nearest noise sensitive area such as a residence, school, or nursing home;</p> <p>70 dB drilling and fracturing noise requirement measured at 300' – fracturing allowed during daytime only;</p> <p>3 dB over ambient noise standard during nighttime and 5 dB during daytime for any compressor station measured at noise sensitive area – compressor station must be enclosed &amp; designed/painted to compliment the surrounding area</p>
Fencing/Screening	<p>Required chain-link fence with opaque slats to enclose the drilling operation</p>	<p>Require vinyl coated chain-link fence. Fencing shall be installed around the production equipment and equipped with interlocking opaque slats, mesh, or other screening material approved by the oil and gas inspector.</p> <p>Incorporate monochromatic color scheme with fencing, screening, and painting of equipment consistent with Bureau of Land Mgmt. Standard Environmental Color Chart</p>
Landscaping/Screening	<p>Screening shrubs shall be installed around the site with a minimum of 3 feet in height at planting, with potential to grow to a maximum of 5 feet and, if necessary, must have an installed irrigation system that provides water coverage</p>	<p>Combination of shrubs, tress, etc. required after 45 days of production. Within 3 years, 50% of the structures landscaped shall be screened from view of adjacent property owners and public right-of-way (design criteria). At least 40% of the vegetation shall be evergreen. Emphasis on preservation of existing vegetation and transplanting. Native, drought tolerant plant list provided for direction.</p>

Emergency Response Plan	Required Emergency Response Plan for review & approval	<p>Enhanced the required plan with the following additions:</p> <p>Require the applicant to meet with Town representatives annually to review emergency response plans to cover updated response plans, responsibilities of all parties during an incident, capability of operator to respond to an emergency, type of emergencies that will require involvement from the Town, &amp; plan mutual activities regarding emergency response</p>
Lighting	<p>No person shall permit any lights located on any drill or operation site to be directed in such a manner so that they shine directly on public roads, adjacent property or property in the general vicinity of the operation site. To the extent practicable, and taking into account safety considerations, site lighting shall be directed downward and internally so as to avoid glare on public roads and adjacent dwellings and buildings within 500 feet.</p>	<p>Incorporate measurable illumination limit into requirement – as regulated in current Town lighting code;</p> <p>No person shall permit any lights located on any drill or operation site to exceed 0.4 foot-candles at the closest public road, property line, residence, or human occupied building</p>
Public Information	On-site signage notice with company contact information prior to conducting gas well operations	<p>In addition to on-site signage, the applicant notifies all property owners within 1,500 feet of an approved well drilling permit and the associated activities expected to occur in the near and distant future;</p> <p>Applicant will provide staff with information on the current status of permit activities for inclusion on the Town's website;</p> <p>Include information/status report about gas well applications and permitted drilling sites on the Town's website</p>

Residences	1,000 feet – variance down to 500 feet	1,000 feet for residents <b>without</b> mineral interest in application and never less than 500 feet; 500 feet for residents <b>with</b> mineral interest in application with variance down to 300 feet
Building for human occupancy	500 feet – no variance possible	500 feet – variance down to 300 feet
Water well	1,000 feet – no variance minimum	1,000 feet for water well owners without mineral interest in application; 500 feet for water well owners with mineral interest in application; – no variance minimum
Floodplain	750 feet – measured from bore hole – no variance minimum	500 feet – no variance minimum - measured from edge of disturbance
Environmentally Sensitive Areas	750 feet – measured from bore hole – no variance minimum	500 feet – no variance minimum - measured from edge of disturbance
Tank Batteries, Well Facilities, and Equipment	1000 feet from public park, residences, church, public building, hospital, and human occupied building – no variance possible	1,000 foot setback from public park, church, public building, hospital and school – variance down to 500 feet; 1,000 foot setback from residence whose owner <b>does not have</b> mineral interest in the application – variance down to 500 feet; 500 foot setback from residence whose owner <b>does have</b> mineral interest in the application – variance down to 300 feet; 500 foot setback from human occupied building – variance down to 300 feet; All measured from nearest tank, facility, equipment, etc.
New Construction Setbacks	New construction of buildings, structures, or other improvements must meet all applicable setback requirements	Created new construction setback for “improvements” to an existing well to 500 feet with a variance process down to 300 feet for any buildings, structures, streets, roads, and/or applicable improvements to the property upon which any oil and/or gas well is located; setback measured from nearest surface equipment
Schools, Religious Institution, Hospital	1,000 feet – variance down to 500 feet	1,000 feet – variance down to 500 feet
Existing storage tank	500 feet – no variance minimum	500 feet – no variance minimum
Public Road or Right of Way	500 feet – no variance minimum	500 feet – no variance minimum
Property line	500 feet – no variance minimum	500 feet – no variance minimum
Accessory bldg.	100 feet – no variance minimum	100 feet – no variance minimum