

PU-20-381

**NuStar Pipeline Operating
Partnership L.P.'s**

PSC Hearing Exhibit 12

MAPLETON TOWNSHIP BUILDING PERMIT AND ZONING CERTIFICATE

DATE 9/1/20

PERMIT # 2020-1

APPLICANT INFORMATION

NAME: **NUSTAR PIPELINE OPERATING PARTNERSHIP L.P.**
 ADDRESS: **7340 W 21st Street North, Suite 200**
 CITY: **Wichita, KS 67205**
 PHONE: **316-721-7078**

BUILDER

NAME:
 ADDRESS:
 CITY:
 PHONE:

LEGAL DESCRIPTION OF PROPERTY

Sections 9,10,11 TWP 139 N, Range 50 W

ELECTRICAL

NAME
 ADDRESS:
 CITY: ZIP
 PHONE:

REASON FOR PERMIT

NEW CONSTRUCTION		
RESIDENTIAL STRUCTURE	FEE	
OUTBUILDING	FEE	
RELOCATION OF PIPELINE	FEE	\$0.00
DETACHED GARAGE		
STORAGE		
OTHER		
REMODELING	FEE	
MOVING		
HOUSE	FEE	
OTHER	FEE	

PLUMBING:

NAME
 ADDRESS:
 CITY: ZIP
 PHONE:

PERMIT FEE \$0
 INSPECTION FEE
 TOTAL
 CHECK #

BUILDING INFORMATION

IS BUILDING LOCATION IN FLOODPLAIN AREA	YES
IS BASEMENT BEING ALLOWED	NO
ELEVATION AT BUILDING LOCATION	N/A
FLOOD PROOF ELEVATION REQUIRED	N/A
TYPE OF BUILDING	
DIMENSIONS	
TYPE OF USE	

ESTIMATED COST OF PROJECT

PERMIT EXPIRES 12 MONTHS FROM
 DATE IS ISSUED IF PROJECT IS NOT
 COMPLETED IN 12 MONTHS, AN
 EXTENSION MUST BE REQUESTED.
 MAXIMUM EXTENSION IS 12 MONTHS
 IF MORE THAN 12 MONTHS EXTENSION
 THAN A NEW PERMIT MUST BE
 PURCHASED

- This permit is issued to ensure the necessary Zoning Ordinances are followed. This includes ensuring that the lot is at the required elevation where applicable and that the structure meets certain flood proofing requirements. No statement or guarantee is made regarding the soundness of the structure or the real estate being built upon.
- This permit is hereby granted upon the condition that the person to whom it is granted, and his agents, employees and workmen, in all the work done in, around and upon building, or any part thereof shall conform in all respects to the ordinances of Mapleton Township regarding the construction, alteration, maintenance, repair, removal, and occupancy of buildings in the township. The occupancy for which this permit is being issued shall not be changed without the approval of the Board of Supervisors of Mapleton Township and then only upon the issuance of a new permit.

Robert Stalock 9/1/2020

Zoning Administrator

Date

R. Heath Reininger 11/6/2020

Owner or Authorized Agent

Date

R. HEATH REININGER
 EXECUTIVE DIRECTOR OF REAL ESTATE
 NUSTAR PIPELINE OPERATING PARTNERSHIP L.P.
 BY AND THROUGH ITS GENERAL PARTNER
 NUSTAR PIPELINE COMPANY, LLC

Issue Date: 9-1-2020

Expiration Date: 8-31-2021

**MAPLETON TOWNSHIP
GENERAL FLOODPLAIN
DEVELOPMENT PERMIT
Bob Staloch
Floodplain Administrator
701-371-2457**

Permit # 2020-1 RELOCATION

Permit becomes void if there are changes to the effective Flood Insurance Rate Maps

A local **Floodplain Development Permit** is the mechanism by which Mapleton Township evaluates all impacts of a proposed activity located in adopted and regulated floodplains. This is critical to ensure an individual project does not unnecessarily increase flood risk to life and property. All activities regardless of scope, size, or location, must be in compliance with the Mapleton Township's Floodplain Damage Prevention Ordinance and be approved under a local floodplain development permit prior to the work commencing. Any entity, person, or company, or organization undertaking "**development**" within a designated floodplain, including the Mapleton Township itself, such as road and public works departments, etc., must obtain a floodplain development permit prior to work commencing. Failure to do so is a direct violation of local requirements and may affect the community's standing with the Federal Emergency Management Agency and the National Flood Insurance Program.

"**Development**" is defined in Title 44 of the Code of Federal Regulations part 59.1 as: *Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.* Other human activities considered "development" includes but is not limited to: alterations of a structure through additions, demolition and remodeling, fences, retaining wall, moving/placement of remanufactured or mobile homes, campgrounds, storage of equipment, vehicles or materials (storage yards, salvage yards), stream restoration, placement of rip-rap and other erosion measures, gravel road placement/replacement, milling/paving asphalt, bridge construction/replacement, culvert construction/replacement, and certain maintenance activities.

While considered "**development**" and subject to Mapleton Township's Floodplain Damage Prevention Ordinance and floodplain development permit, certain activities may be reoccurring and have no impact to flood risk. These activities may be documented through this General Floodplain Development Permit.

A General Floodplain Development Permit allows Mapleton Township's staff responsible for floodplain management to:

- Ensure activities general in nature comply with requirements of the local Floodplain Damage Prevention Ordinance
- Track and document all activities located in adopted and regulated floodplains
- Continue to meet requirements of participation in the National Flood Insurance Program

1. General Provision of the Floodplain Development Permit Terms:

- a. In order to help streamline community development and demonstrate compliance with the locally adopted Floodplain Damage Prevention Ordinance, a General Floodplain Development Permit may be issued for the following categories of work:
 - i. Annually for work that does not alter the flood risk, for which the community and floodplain administrator deems the activity is of low risk and is normal/commonplace within the community. An example of this type of activity is routine channel maintenance that does not alter geometry or maintenance grading of gravel roads.
 - ii. A General Floodplain Development Permit may be used for activities involving the repair or replacement of in-kind structures such as culverts or gravel road washout during recovery.
- b. The development requires written notification to be submitted to the designated Floodplain Administrator prior to commencement of any work that is to occur within the identified and/or regulated Special Flood Hazard Area or floodplain for any and all work covered under this General Floodplain Development Permit. Such notification shall include but not limited to:
 - i. Date for when the activity will occur.
 - ii. Project name or identification description.
 - iii. Entity or department completing the development.
 - iv. Description of work to be completed.

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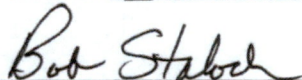
Permit becomes void if there are changes to the effective Flood Insurance Rate Maps

- v. Location of the development.
- vi. Identification of Special Flood Hazard Area zone.
- vii. Verification of development is not located within a Regulatory Floodway.
- c. Records of the required notification must be kept by the local Floodplain Administrator in perpetuity.
- d. Any development, regardless if the activity, located in a Regulatory Floodway must obtain a project specific Individual Floodplain Development Permit and cannot be covered under this General Floodplain Development Permit.
- e. Any development for an existing or proposed building must obtain an Individual Floodplain Development Permit and cannot be included in this General Floodplain Development Permit.
- f. The Floodplain Administrator may deny any project type or category from this General Floodplain Development Permit and require an Individual Floodplain Development Permit.

2. Conditions Applicable to Developments Authorized Under this General Floodplain Development Permit

- a. It is the applicant's responsibility to comply with the requirements of Section 404 of the Clean Water Act and Sections 7 and 9 of the Endangered Species Act of 1973, or with any other applicable federal, state, or local laws, criteria, or regulations.
- b. All required local, state, and federal permits must be obtained prior to beginning work.
- c. Permanent and temporary placement or storage of materials may not occur in the regulatory Floodway without the issuance of an Individual Floodplain Permit.
- d. Construction equipment, material, and waste should be located outside the regulatory floodplain when not in use.
- e. Does not alter or change flood carrying capacity of water course or manmade or natural protective barriers.
- f. Does not increase flood damage and/or exposure to flood hazards.
- g. Maintenance must not lower the normal channel invert elevation.
- h. Utilities installed in accordance with the General Floodplain Development Permit (such as underground utilities) that are below the Base Flood Elevation must be designed such that flood waters cannot enter the utility components.
- i. In the event of a change to the scope of work or modification to the development that is covered under this General Floodplain Development Permit, notification must be sent to the Floodplain Administrator and be approved prior to the continuation of the work. If the changes to the scope or work or modifications to the development are determined to no longer qualify the development for use of the General Floodplain Development Permit, said development must ceased until an Individual Floodplain Development Permit is obtained.
- j. The usage of a General Floodplain Development Permit is meant to satisfy the permitting requirements outline within the locally adopted Floodplain Damage Prevent Ordinance. As such, other agencies and programs including but not limited to grant and disaster programs may have additional requirements which may include the issuance of an Individual Floodplain Development Permit. For this reason, it is the applicant's responsibility to ensure those other requirements are met.
- k. Does not trigger any requirement found in the local floodplain management regulation.

Print Name and Title of Community Official: Bob Staloch, Floodplain Administrator

Signature of Community Official:  Date: 9-1-2020