

June 15, 2026

Mr. Luke Fortkamp
Waller County Engineering Department
775 Business 290 East
Hempstead, Texas 77445
979.826.7670

RE: Waller County Variance Conditional Letter
Brookshire Brown Tract, Park 1489
Waller County, Texas
LJA Job No. 5454-2603 (6.0)

Dear Mr. Fortkamp:

We are writing to request a variance from Waller County's requirement that a Conditional Letter of Map Revision (CLOMR) be obtained ahead of being allowed to place structural fill within the 0.2% and 1.0% chance floodplains.

Industrial & Development Ventures, LLC, proposes the development of the Brookshire Brown Tract for an industrial development to be known as Park 1489. The overall 468-acre site is bifurcated by Bessies Creek, and an industrial development has been proposed on the east portion of this site. Phase 1 comprises approximately 147.9 acres of the east portion of the site. Waller County MUD No. 69 was created in support of this proposed development to provide water and sanitary sewer services.

Two tracts are proposed for construction of water and wastewater plant facilities- a northern tract that will serve as the water supply plant (WSP), and a tract located further south to be developed as a wastewater treatment plant (WWTP). Each of the two plant sites are situated near a line that denotes the limits of the 0.2% chance floodplain (BFE 123') and the 1% chance floodplain (BFE 122'). The location of each of these floodplain limits is roughly coincidental due to steep nature of the existing terrain.

In response to submittal of our General Plan for the proposed Park 1489 development, we have received a review comment requesting that a CLOMR be provided prior to structural fill being allowed within the floodplain. We are writing to request a variance from this specific requirement. We ask that this variance be granted on the bases of the following:

- LJA Engineering, Inc. has completed a Drainage Impact Analysis (DIA) of the above-described proposed development. This DIA was signed and sealed by a licensed professional engineer who found no impact to conveyance of the channel, and no net impact to the net storage volume of the channel's floodplain in either the 0.2% or 1.0% condition from the proposed development.
 - For storage volume, the DIA analyzed the Atlas-14, 1% floodplain condition. This condition has been anticipated to mimic the effective 0.2% condition to which Waller County regulates (in lieu of updated Atlas 14 1% floodplain modeling and mapping).

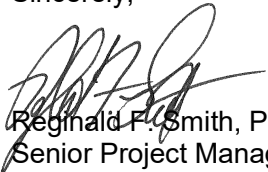
- The above-referenced DIA was reviewed by Pape-Dawson Engineers, Inc., an independent 3rd Party reviewer who reviews for compliance on behalf of Waller County. The reviewer has interposed no objections to our findings upon their review.
- The subject DIA has been reviewed by Quiddity Engineering, LLC, the 3rd party reviewer who reviews on behalf of the Brookshire-Katy Drainage District (BKDD) for impacts to the streams and floodplains within their jurisdiction. Per their review, Quiddity has not objected to our findings as attested by BKDD's approval of the referenced DIA.
- The lowest proposed surface elevation of the WSP site is 140 feet (17 feet above the 0.2% chance floodplain elevation). The lowest proposed surface elevation of the WWTP site is 139 feet (16 feet above the 0.2% chance floodplain elevation).

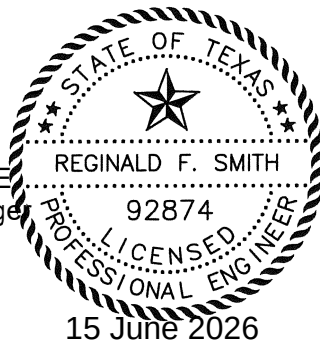
With the above, three independent engineers having a duty to protect the general public concur that structural fill proposed within the floodplain of Bessies Creek for construction of the WSP and WWTP sites do not produce a net impact to the channel on the bases of conveyance and storage volume. The proposed site surface elevations are substantially above the 0.2% chance floodplain elevations. A LOMR-F will be obtained once construction has concluded.

Based on the preceding, we ask that Waller County grant a variance from the requirement that a CLOMR be provided prior to allowing placement of structural fill within the floodplain for this development. The additional requirement would result in substantial delays that could prove detrimental to the continued viability of this development, especially considering the current unknown conditions of FEMA reviewers and review timeline during the government shutdowns.

If you have any questions or need any additional information in this regard, please call me at 713.953.5090 or email me at rsmith@LJA.com. Thank you for your time and assistance with this matter.

Sincerely,


Reginald F. Smith, PE
Senior Project Manager



RFS/jb