

A Policy Concerning the Removal and Disposal of Soil from County Roadside Ditches

Statement of Policy

It shall be the policy of Fayette County to remove soil and other matter from the ditches along the Secondary Road system as required to maintain the roads and provide adequate drainage.

Implementation of Policy

Soil in the county roadside ditches shall be removed and disposed of according to the following criteria:

1. The County Engineer shall determine which ditches are to be cleaned and to what extent (Iowa Code Section 309.67: The county board of supervisors is charged with the duty of establishing policies and providing adequate funds to properly maintain the secondary road system. The county engineer, pursuant to section 309.21 and board policy, shall adopt such methods and recommend such personnel and equipment necessary to maintain continuously, in the best condition practicable, the entire mileage of said system. Section 309.21: All construction and maintenance work shall be performed under the direct and immediate supervision of the county engineer who shall be deemed responsible for the efficient, economical and good-faith performance of said work.)
2. The County shall have first option for the use of said soil in its maintenance of the Secondary Road system.
3. The owner or tenant of land adjoining a roadside ditch shall have second option for the use of said soil.
4. The County may enter and operate its equipment on private land for the purpose of maintaining roadside ditches provided permission is granted by the owner or tenant and in conjunction with No. 3 above may deposit said soil directly on that land.
5. In the event neither the county nor the adjoining property owner or tenant have use of said soil, the county may provide it to another governmental agency.
6. The owner and tenant of land adjoining a roadside ditch may, upon request and in conjunction with No. 1 and 2 above, be permitted to remove soil from said ditch in a manner approved by the Engineer and deposit same on that adjoining land.

Policy Administrative Rules

1. Ditches being considered for cleaning may be discussed and looked at with the Roadside Management Division of the Fayette County Conservation Board.
 - A. Things to be considered include but are not limited to the following:
Native plant material that may be impacted and off-site land practices that may have contributed to the siltation of the ditch.
2. In the case that ditch cleaning is needed and is deemed that the siltation has occurred as a result of adjoining off-site land use practices the following policy will be implemented: Soil from the cleaning will only be returned to the adjoining landowner by agreeing to provide enough right-of-way to grade the slope to a minimum 3:1 (3 horizontal to 1 vertical) slope.
3. In the case that ditch cleaning is needed and is deemed not to be the result of adjoining land use practices the following policy will be implemented: The county, provided adequate right-of-way is present, will grade the backslope to a minimum 3:1. If adequate right-of-way is not present, the county will try to negotiate a sufficient amount of right-of-way as to establish a 3:1 backslope.

The reasoning behind these policies include the following:

- A. To eliminate the possibility of leaving vertical backslopes which will slump and resilt the ditch, which was just cleaned.
 - B. To eliminate the possibility of leaving vertical slopes that will erode off-site onto adjoining private land.
 - C. To provide an adequate and proper backslope that can be seeded and vegetation established in an efficient and permanent manner.
4. Ditches to be cleaned may be surveyed for drainage and shots taken during the cleaning process to ensure the ditch drains in the manner for which it was designed.
 5. Ditch cleaning will also be done in coordination with road construction projects that may require fill. Attempts will be made to utilize required ditch cleaning in close proximity to those projects.
 6. In the case of road projects which require fill, but ditch cleaning fill is not readily available, the conservation and road department will work together to find fill in coordination with close landowners who may want to sell or give up fill in return for establishment of better field layout or conservation type practices.

7. In the event that off-site land practices are deemed to be the cause of ditch siltation, ponding or other undesirable problems, the county will pursue solutions in the following manner:
 - A. A team of professionals including NRCS personnel, Roadside manager, and the county engineer's office will attempt to meet with the landowner to encourage conservation practices that will correct or improve the situation.
 - B. If these attempts are not successful or cooperation from the landowner is not adequate, the county may file a soil loss complaint with the Fayette County Soil and water Conservation District in order to initiate a legal investigation as prescribed in section 161A.47 of the Code of Iowa.

8. In the event that a landowner or tenant has encroached upon county right-of-way either for agricultural purposes or drainage purposes without permission from the county, the county will pursue correction of the encroachment. These corrections include but are not limited to the following:
 - A. Survey and staking of the right-of-way line.
 - B. Destruction of any crops that may be growing in the right-of-way.
 - C. Letters to the landowner explaining the problem and asking that the encroachment not reoccur.

These Administrative rules are not intended to cover every situation and are subject to change and addition depending on situations that may be unforeseen

This Policy approved this _____ day of August, _____.

Fayette County Board of Supervisors:

John Bunn, Chairman

Richard Jensen

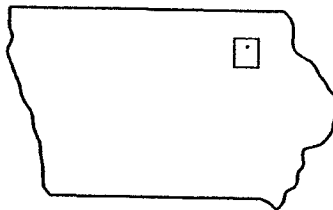
Michael Kennedy

Attested:

Larry Popenhagen, County Auditor

Fayette County Highway Dept.

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NOTICE TO LANDOWNERS

Fayette County requests your cooperation in the removal of dikes/dams constructed at the outlets of county roadway culverts. These dikes are causing problems with road stability and drainage. Those problems include:

- wet unstable roadbeds, especially serious when the roadbed freezes and thaws creating frost-boils and a nearly impassable roadway.
- silt build-up in the ditches, roadway pipe culverts, and driveway culverts, leading to expensive repairs and early replacement.
- underground tile blowouts of upstream property owners.

Fayette County Highway Department spends approximately \$100,000 cleaning out ditches every year, but with your assistance we can reduce this expense.

With the fall harvest season nearing, this is an appropriate time to make this request because we know that the crops will be coming out of the fields and this will give us an opportunity to work together and make the needed changes.

Enclosed is a copy of an instruction for installation of a "Rock Filled Blind Inlet (French Drain)" that appears to be an acceptable alternative to the dike that you are presently utilizing. This seems to be an effective way of reducing the surface water through the field to prevent a constantly wet situation while still allowing the heavier runoff to escape and not pond up in the road right of way. (Please contact your local NRCS Office for proper sizing and installation procedures.)

If you choose to retain a dike system it will need to be constructed off the road right-of-way, and the top of the dike can be no higher than the level of the bottom of the culvert.

Fayette County will assist in the removal of the dikes but will not participate in the cost of constructing the rock filled intake or retained private dike.

This also is a reminder that the county does participate in the cost of constructing tile crossings under roadways to allow for subsurface drainage from one side of the road to the other. Please contact this office to obtain a permit, and for further information.

Dennis Edgar, PE
Fayette County Engineer