

Staff Report

for the Board of Directors Meeting of February 22, 2017

TO: Board of Directors

FROM: Gary D. King, Engineering Manager

DATE: February 14, 2017

SUBJECT: Policy# 6690 Privately Owned Culverts (Consent)

ENGINEERING

RECOMMENDATION:

Approve a new policy for privately owned culverts as recommend by the Engineering Committee on January 17, 2017.

BACKGROUND:

The District is creating a policy to direct staff in the management of privately owned culverts and gives clarity to the Districts requirements for the privately owned culverts.

The policy addresses numerous issues that have been encountered by the District relevant to privately owned culverts on the canals. These issues have been by developers, private landowners, and District activities. The policy will create a consistent direction for the managing of privately owned culverts by the District or external to the District.

The policy is recommended for approval by the Engineering Committee and staff.

BUDGETARY IMPACT:

There is no budget impact at this time.

GDK

Nevada Irrigation District

POLICY MANUAL

POLICY TITLE: Privately Owned Culverts
POLICY NUMBER: 6690

The intent of this policy is to guide the District related to the management of Non-District culverts that support access and convey water within the District. The District operates and maintains approximately 450 miles of open canals. District canals and the related facilities are designed and constructed to accommodate District managed water supplies, plus some limited intrusion flow. Culverts provide access over District canals for items such as vehicles, pedestrians, bicycles, animals, storm water, and other utilities. The majority of culverts are privately owned with little or no use by District and are classified as private culverts

Poorly maintained culverts create various problems for District water deliveries such as capacity reduction caused by sediment, collapsing, or collapsed culverts which can substantially impact the Districts ability to deliver water to its customers. Impacts include loss of water to water treatment plants, interruption of delivery to irrigation customers, and overtopping of canals causing property damage. These failures are a risk to public health and safety.

- 6690.1** Private culverts shall be constructed only with an approved encroachment permit issued by or under the supervision of the District.
- 6690.2** District will establish a construction standard for all culverts. Installers shall follow the Districts current standards for construction. Installer may apply for modifications to the standards which must be preapproved by the Engineering Manager.
- 6690.3** Maintenance of private culverts shall be the responsibility of the landowner or underlying parcel owner or assigns.
- 6690.4** Replacement, repair, or removal of private culverts shall be at the sole cost of the landowner.
- 6690.5** District has the right to repair or remove any private culvert that encumbers the Districts ability to convey water. Those costs shall be the responsibility of the landowner.
- 6690.6** If repair or removal of a private culvert in a non-emergency situation is warranted the District will notify the underlying parcel owner of the necessary work. If the work is not completed after allowing sufficient amount of time, the District shall perform that work at the sole cost to the landowner.

6690.7 District has the right to use or work on any private culvert to convey water. District shall have the right of ingress and egress across any structure or installation at any and all times. The District without charge must be able to use any improvements installed by Permittee within the encroachment areas as it deems necessary to conduct its operations.

Adopted: February 22, 2017 via Resolution No. 2017- Revised:

**ESTABLISHING POLICY FOR
PRIVATELY OWNED CULVERTS**

WHEREAS, the Nevada Irrigation District (the “District”) intends to establish, and revise from time to time, administrative policies to guide the operations and management of the District; and

WHEREAS, the District’s insurance carrier provided sample guidelines for personnel and administrative policies for consideration by the District; and

WHEREAS, over the past few years, the District has adopted several administrative policies using the sample guidelines, in an effort to assemble a comprehensive policy manual; and

WHEREAS, certain District policies are outdated, and should be revised and formatted in the same manner as the sample guidelines; and

WHEREAS, such draft policy has been reviewed by the District’s Legal Counsel and found to be in accordance with law.

NOW, THEREFORE, BE IT RESOLVED, the Board of Directors of the Nevada Irrigation District hereby adopts the following policy, as attached and shall be incorporated herein:

#6690 Privately Owned Culverts

BE IT FURTHER RESOLVED, that the attached policy shall be incorporated into the District Policy Manual, and the Board Secretary is hereby authorized to assign and revise policy numbers, and format and reformat the attached, as needed for an organized, comprehensive, policy manual.

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PASSED AND ADOPTED by the Board of Directors of the Nevada Irrigation District at a regular meeting held on the 22nd day of February, 2017, by the following vote:

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| AYES: | Directors: |
| NOES: | Directors: |
| ABSENT: | Directors: |
| ABSTAINS: | Directors: |

President of the Board of Directors

Attest:

Secretary to the Board of Directors