



## **CARVER COUNTY DIVISION OF PUBLIC WORKS**

### **DRAIN TILE POLICY**

Adopted by the Carver County Board of Commissioners – November 18, 2014

#### **Policy Statement**

##### Purpose

It is the goal of Carver County Public Works to provide rights-of-way for the traveling public that are safe, efficient, and free of unnecessary hazards, while providing minimum inconvenience to property owners. The purpose of this policy is to provide a standard for the installation and maintenance responsibility of drain tile outlets, drain tile crossings and longitudinal drain tile runs on county highway rights-of-way under the jurisdiction of the Carver County Public Works.

##### Policy

All new natural surface drainage and artificial subsurface drainage that connects to or drains to a county highway rights-of-way will only be allowed upon a completed and approved grading and excavation permit or utility permit application, according to the provisions contained in Minnesota Statute §160.20 and this policy.

#### **Policy Guidelines**

##### Private Drain Tile Outlets

Carver County Public Works will not allow new drain tile outlets and their associated drainage discharges from private property to enter roadside ditches unless otherwise approved by the Public Works Division Director under extreme circumstances upon a completed and approved utility permit.

Drain tile outlets are not acceptable because of the following reasons:

- i. They create a maintenance nuisance by saturating the entire county highway roadside ditch bottom, which makes it difficult for maintenance equipment to operate efficiently.
- ii.
- iii. They create an additional unnecessary hazard within the county highway rights-of-way.
- iv.
- v. Their location is unknown to Carver County Public Works if the property owner does not acquire a permit or approval to install the tile outlet on county highway rights-of-way.

##### Private Drain Tile Crossings

Carver County Public Works will allow private drain tile crossings upon a completed and approved utility permit application. Carver County Public Works will only allow private drain tile crossing installations of gravel or paved county highways and their adjacent shoulders by the boring and jacking method unless otherwise approved by the Public Works Division Director under extreme circumstances upon a completed and approved utility permit application. All installations shall have an outer casing, and the casing shall be large enough to accommodate the drain tile and the filling of all voids. All voids between the casing and the drain tile shall be filled by a method approved by the Permits Manager and the Public Works Division Director.

Drain tile crossings shall have a riser with a slotted surface inlet, for soil conservation, on each side of the county highway as near to the right-of-way line as practical to serve as a marker of their location.

The boring and jacking method is necessary because of the following reasons:

- i. It eliminates the need to close the county highway.
- ii. It allows access for emergency services during installation of the drain tile.
- iii. It greatly reduces the potential delays to the traveling public.
- iv. It greatly reduces the potential for settlement of the roadway structure and the associated maintenance costs to correct the settlement of the roadway.

#### Public Drainage System Drain Tile Crossings

Carver County Public Works will allow public drainage system drain tile crossings that follow the Minnesota Public Drainage Law, Minnesota Statute Chapter 103D and 103E procedures. Carver County Public Works will only allow public drainage system drain tile crossing installations of gravel or paved county highways and their adjacent shoulders by the boring and jacking method unless otherwise approved by the Public Works Division Director in writing under extreme circumstances. All installations shall have an outer casing, and the casing shall be large enough to accommodate the drain tile and the filling of all voids. All voids between the casing and the drain tile shall be filled by a method approved by the Permits Manager and the Public Works Division Director.

The boring and jacking method is necessary because of the same reasons declared under the previous section, Private Drain Tile Crossings.

Drain tile crossings shall have a riser with a slotted surface inlet, for soil conservation, on each side of the county highway as near to the right-of-way line as practical to serve as a marker of their location.

Private Longitudinal Drain Tile Runs

Carver County Public Works will not allow new or reconstructed private longitudinal drain tile runs (e.g. parallel to a county highway in the roadside ditch) unless otherwise approved by the Public Works Division Director under extreme circumstances upon a completed and approved utility permit. Longitudinal drain tile runs are unknown to other private utility companies and are frequently damaged when located with the county highway rights-of-way.

In the case of existing private longitudinal drain tile runs, Carver County will contribute up to half of the cost to relocate a private drain tile outside of the county highway rights-of-way. This contribution may be in the form of cash payment or in-kind drainage system work and materials supplied. Private drain tile relocation work must be approved in writing by the Public Works Division Director prior to the work commencing. Any work done prior to said approval, will not be eligible for reimbursement.

Longitudinal drain tile installations outside of the county highway rights-of-way shall be located so that the trench excavation will not encroach within the county highway rights-of-way, including excavation spoil piles. The drain tile location must reasonably accommodate future maintenance of the drain tile so that it will not impact the roadside ditch surface drainage and other private utilities within the county highway rights-of-way. Any excavation within the county highway rights-of-way can only be done with a completed and approved excavation and grading permit.

Public Drainage System Longitudinal Drain Tile Runs

Carver County Public Works will not allow new or reconstructed public drainage system longitudinal drain tile runs (e.g. parallel to a county highway in the roadside ditch) unless otherwise approved by the Public Works Division Director in writing under extreme circumstances. Longitudinal drain tile runs are unknown to other private utility companies and are frequently damaged when located with the county highway rights-of-way.

Longitudinal drain tile installations outside of the county highway rights-of-way shall be located so that the trench excavation will not encroach within the county highway rights-of-way, including excavation spoil piles. The drain tile location must reasonably accommodate future maintenance of the drain tile so that it will not impact the roadside ditch surface drainage and other private utilities within the county highway rights-of-way. Any excavation within the county highway rights-of-way can only be done with a completed and approved excavation and grading permit.

Maintenance of Drain Tile

Carver County Public Works will perform maintenance on drain tile within county highway rights-of-way by following the standards listed in this section.

- i. Private Drain Tile Crossings

Private drain tile crossings are allowed within the county highway rights-of-way by utility permit. Private drain tile crossing maintenance and repairs are the responsibility of the private drain tile owner, unless a drain tile agreement is executed with Carver County when there is a benefit to the county highway as determined by the Public Works Division Director and County Board of Commissioners.

If the private drain tile owner fails to properly maintain the drain tile and it poses a threat to the health, safety and welfare of the public, the Public Works Division Director is authorized to correct the deficiency as deemed necessary and appropriate with maintenance crews or private contractors. The drain tile owner will be responsible for all costs incurred with the repair of the drain tile.

ii. Public Drainage Ditch Drain Tile Crossings

Public drainage ditch drain tile crossings will be maintained and repaired according to the Minnesota Public Drainage Law, Minnesota Statute Chapter 103D and 103E procedures.

iii. Private Longitudinal Drain Tile Runs

Private longitudinal drain tile runs maintenance and repairs are the responsibility of the private drain tile owner, unless a drain tile agreement is executed with Carver County when there is a benefit to the county highway as determined by the Public Works Division Director and County Board of Commissioners.

If the private drain tile owner fails to properly maintain the drain tile and it poses a threat to the health, safety and welfare of the public, the Public Works Division Director is authorized to correct the deficiency as deemed necessary and appropriate with maintenance crews or private contractors. The drain tile owner will be responsible for all costs incurred with the repair of the drain tile.

iv. Public Drainage System Longitudinal Drain Tile Runs

Public drainage ditch longitudinal drain tile runs will be maintained and repaired according to the Minnesota Public Drainage Law, Minnesota Statute Chapter 103D and 103E procedures.

**Discretionary Decisions**

Public Works Division Director Discretion

Situations may occasionally arise which require flexibility and practicality when following this policy. The Public Works Division Director is authorized to make good management decisions relating to matters not specifically addressed by this policy. Management decisions that are made should follow the general intent of this policy.