

DRAINAGE/DITCH CLEANING PERMIT APPLICATION



Highway Department
 1201 Main Avenue West
 West Fargo, ND 58078
www.casscountynd.gov
 Phone: 701-298-2370
 Fax: 701-298-2395

Please Print or Type **Instructions:** Complete all questions that apply, sign, attach necessary documents, and submit to the Cass County Highway Department, along with a nonrefundable application fee in the amount of \$50. Submit an application and fee for each permit requested. Applications can be emailed to litchyk@casscountynd.gov.

Applicant (Landowner)	Applicant's Representative (Renter/Other)
Address	Address
City, State Zip	City, State Zip
Phone	Phone
Email Address	Email Address

Type of Permit Requested	
<input type="checkbox"/> Drainage <input type="checkbox"/> Ditch Cleaning	Attachment A is needed when processing requests for Drainage. Attachment B is needed when processing requests for Ditch Cleaning.

Location of Proposed Work			
Water Resource District	Address, City, State Zip of Property to be Served by Permit (if applicable)		
On what county highway are you requesting the drainage/cleaning?	Section-Township-Range	What side of the highway?	
		<input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W	<input type="checkbox"/> Along <input type="checkbox"/> Across

Wetland Review	
This application is for the single purpose of cleaning a ditch to its original design elevation and will not require a wetlands review	
<input type="checkbox"/> Yes <input type="checkbox"/> No	
If you answered no, the applicant is required to work with the National Resources Conservation Service and, if necessary, the Corps of Engineers, US Fish and Wildlife, and North Dakota Game and Fish, to ensure no wetlands are impacted by the proposed project.	
Wetland(s) impacted <input type="checkbox"/> Yes <input type="checkbox"/> No	
Description of proposed work	
Estimated Project Start Date	Estimated Project Completion Date

By signing below, the Applicant agrees to perform all work in accordance with this Permit and to indemnify and hold harmless the County, its officers, and employees from all liability, judgments, costs, expenses, and claims growing out of damages, or alleged damages, of any nature whatsoever, to any person or property arising out of performance or nonperformance of said work.

 Applicant Signature _____ Date

Upon approval and issuance of the permit, the Applicant is hereby granted permission to do the work described herein. Should the work exceed the limits herein allowed, the permit shall become null and void and the applicant shall immediately be in violation of any laws, ordinances, rules, regulations, etc., as pertains to working without a drainage permit.

 Authorized Highway Department Signature _____ Date

TERMS AND CONDITIONS: Drainage on highway right of way and ditch cleaning shall be subject to the following terms and conditions:

1. Landowners request for drainage on highway right of way must be reviewed or approved by the Water Resource District.
2. When drainage work involves ditch cleaning, ditch elevations should be re-established to the original ground level to match the existing invert culvert elevations and not infringe upon the established inslopes and backslopes of the road ditch.
3. All materials removed from the ditch will be wasted on the property outside of the road right of way unless other arrangements have been made with the Cass County Highway Department.
4. The applicant agrees to seed all disturbed areas with a suitable grass seed mixture.
5. The applicant hereby agrees to cause this work to be done at no cost to the Cass County Highway Department.
6. Disturbed areas shall be left in a neat appearing condition. The existing in slope and back slopes shall be maintained.
7. All disturbed areas shall be seeded. Measures shall be taken to prevent erosion from occurring.
8. All work and associated costs are the responsibility of the applicant.
9. The applicant is responsible for obtaining all utility locates prior to beginning any work within the highway right of way.
10. The applicant shall be required to wear an ANSI/ISEA 107-2004 Class II high visibility garment while within the highway right of way as per the requirements of 23 CFR 634.
11. Drainage work shall be conducted so as to ensure the safety of the public as well as the people who are working at the site.
12. No work under this application is to be started until the application is approved and the permit is issued.
13. Where work on or near the traveled roadway is necessary, proper signs, channelizing devices, warning lights, and barricades must be erected to protect traffic, employees, and pedestrians. All traffic control devices and methods shall conform to the Manual on Uniform Traffic Control Devices (MUTCD).
14. Proper erosion control and sedimentation devices shall be used.
15. After construction is completed, the applicant shall notify the Cass County Highway Department that the work is completed and is ready for final inspection.
16. No construction shall be considered complete until checked and approved by the County Highway Department. The applicant will notified of any deficiencies. Failure to complete the repairs will cause the applicant to be liable to the County for the cost of the repairs, as outlined in Ordinance #2015-2 and NDCC § 24-05-23.

OFFICE USE ONLY

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Application Fee Received:	Amount \$	Date:
Approved Permit Sent to Applicant:	Date:	
Notification Received From Applicant that work is complete:	Date:	
Final Inspection Completed By:		Date:
Final Inspection Approved:	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Comments:		

ATTACHMENT A

Requirements for Drainage Adjacent to Cass County Highways:

1. The Applicant shall be responsible for all costs incurred for all items of work, complete in place. The Applicant shall include the furnishing of all labor and equipment needed for maintenance, removal, or relocation if necessary. If the Applicant fails to maintain, remove, or relocate, the Cass County Highway Department will then make any corrections necessary and assess costs to the Applicant. The Permit shall transfer with ownership of the property being drained.
2. The location of the discharge of the drain tile shall match the Original Contour and elevation of the property. If the Applicant needs to discharge the drain tile in a location that does not follow the original contours, the Applicant will need to get approval from the local water board regardless of the size of the drain tile acreage. In addition, the Applicant may be permitted/required to clean a short portion of the highway ditch if needed to reestablish the original ditch grade line. Example: If the field originally drains towards the NE corner of the property, the drain tile shall discharge in the NE corner of the property. The Applicant will need to verify to the Cass County Highway Department with a contour map.
3. Water from the drain tile system shall be discharged off of the Cass County Highway Department right of way. The water shall enter the Cass County Highway Department right of way through an approved above ground ditch. All permanent structures, pumps, energy dissipation devices shall be constructed entirely off the Cass County Highway Department right of way. The Cass County Highway Department shall not be held responsible for water backing up into drain tile system.
4. If there is a need for the drain tile system to cross Cass County Highway Department right of way, the crossing shall be perpendicular to the centerline of the roadway. Installation shall be from edge of right of way to edge of right of way. If there is a legal drain located within the highway right of way, the crossing will be allowed to terminate at the drain provided approval from the Water Resource District. All crossings shall require a **Utility Permit**. Utility Permit fees shall be applied. In the event the crossing needs to be removed or relocated to accommodate construction or maintenance of a highway, the applicant or any successors shall relocate the facility. All risk and damage costs to the crossing pipe shall be the responsibility of the Applicant. The Applicant shall be responsible for all locates requested by parties working within or planning to work within highway right of way. The Applicant shall register the location, use purpose, and material type with One-Call or the local utility locate agency. All costs now and in the future for initial and ongoing registration shall be the responsibility of the Applicant.
5. All disturbed areas shall be seeded according to the Cass County Highway Department seed mixture specifications. Erosion control devices shall be installed prior to construction and maintained until 70 percent of the vegetation is reestablished, the Applicant shall then remove the devices.
6. The Applicant shall be responsible for future erosion and sedimentation in the right of way as a result of the installation of the drain tile system on Cass County Highway Department right of way. The Applicant shall make immediate repairs for erosion and remove silt, when needed, or at the request of the Cass County Highway Department.
7. Pumps shall not be allowed to operate if they cause ice to form in ditches and culverts to become plugged with ice.
8. In the event the Cass County Highway Department has a roadway construction or maintenance project in which the drain tile system will affect the Cass County Highway Department's ability to do work on the project, the drain tile system shall be shut off when directed by the Cass County Highway Department. (The Applicant is required to ensure gravity systems have the ability to shut off flow into the Cass County Highway Department right of way.)
9. Cass County Highway Department specifically reserves the right to revoke or change the terms and conditions of this Permit with or without cause and upon notice to the Applicant.
10. Cass County Highway Department specifically reserves the right to plug or terminate any drainage facility located on Cass County Highway right of way if the Applicant cannot be reached or is non-responsive within 30 days of written notice.
11. All work on Cass County Highway Department right of way shall be done in a neat and professional manner, subject to inspection and approval by the Cass County Highway Department.

ATTACHMENT B

Requirements for Ditch Maintenance Adjacent to Cass County Highways:

Requests for lowering ditch grades or culverts, adding culverts or increasing culvert sizes, installing berms or ditch blocks or changes in the size of the drainage area, the following information will be required:

1. A hydraulic analysis shall be performed and approved by a Registered Engineer in the state of North Dakota. The hydraulic analysis shall show size of drainage area, discharges for 10, 25, 50, and 100 year peak flows, depth of flow for peak flows and headwater elevations for peak flows. All peak flows shall be calculated using the USGS Method (*Techniques for Estimating Peak-Flow Frequency Relations for North Dakota Streams*) for rural areas or Rational Method for urban areas for existing and proposed conditions. Upstream and downstream impacts need to be identified.
2. A Set of Construction drawings approved by a Registered Engineer in the state of North Dakota shall be submitted showing existing and proposed ditch and culvert elevations. Cross section drawings will be required for ditches, approaches, berms, and ditch blocks.
3. If the request is approved by the County Engineer, a Cass County Highway Department Drainage Permit will be required to perform the work.