

✿ Special Notice Regarding Excavation in Ditch Channels ✿

After January 1, 2010, as part of any work on regulated drains in Vanderburgh County, Indiana:

All excavation work including silt dipping, sediment removal, embankment repairs, reconstruction or other land disturbing activities within the channel and to the extent of land disturbance outside the channel must begin no sooner than the 1st day of July and be completed and prepared for reseeding or application of erosion control fabrics, rip rap or other stabilizing materials no later than the 10th day of September in any year subsequent to 2009 unless specifically authorized by the Vanderburgh County Surveyor or authorized representative thereof.

All spoil and excess earth generated by the work must be spread across the adjacent seventy-five (75) feet outside the top of each bank, or to a distance specified in the bid documents for an individual job, and to a depth not to exceed one-half (0.5) foot greater in elevation than existed prior to the work and in a fashion as will not alter the pre-project pattern of surface storm water run-off or impede the flow of surface run-off from adjacent land into the ditch channel or designated inlets.

If the spreading of the spoil as required in the paragraph above cannot be achieved, the county surveyor will provide for alternative disposal, and the specifications will contain specific instructions with regard to such alternative disposal. In such cases, the bid price for the work must contain cost item(s) for such alternative disposal.

If the spoil or excess soil can be and is intended to be spread across adjacent land surfaces but the land owner wishes the spoil or excess soil transported and applied to other land surfaces on the appropriate landowner's property, then the relevant landowner shall pay any excess cost of such transportation and disposal, and such costs and other arrangements shall be arrived at between the contractor and the landowner without the involvement or the liability of the county surveyor or county drainage board.

Damages to crops or property outside the designated work areas or designated ingress/egress to the work areas specified in the contract documents or attachments thereto shall be solely the responsibility and at the cost of the contractor.

Reseeding, sodding or any other method of revegetation of the work areas within the repaired, reworked or reconstructed channel must be completed no later than September 15 of the same year in which the excavation was completed and in a manner otherwise instructed in the specifications for the work.

The reseeded, sodded or otherwise revegetated work site must be inspected and approved as adequate final land surface stabilization by the county surveyor or authorized representative thereof within sixty (60) days of the completion of activity to reseed, sod or otherwise revegetate the work area.

The county surveyor or authorized representative thereof will notify the affected landowner(s) of the intent to complete work during a crop season and the landowner can then make the choice whether to plant a crop knowing the peril of losing the crop to the proposed work between July 1 and September 15 of the same year. Therefore, the county surveyor and the county drainage board shall not be liable for crop damages within the 75 feet disposal zone on each side of the channel bank as described above.