

**COUNTY OF SAN DIEGO, CALIFORNIA BOARD
OF SUPERVISORS POLICY**

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Cost Responsibility for the Construction of Flood Control and
Drainage Facilities Within Road Rights of Way

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Purpose

To define and assign financial responsibility between the San Diego County Flood Control District and County of San Diego (County) for drainage facilities constructed within County-maintained road right of way.

Background

Construction of drainage facilities in County-maintained road right of way is normally paid for only from Road Fund, and construction of flood control facilities outside the road right of way is normally paid for only from Flood Control District funds. However, there are cases where Flood Control District and County drainage facilities within County-maintained road right of way cross each other, or make use of the same easements.

In these cases, it is necessary to assign to each funding source its appropriate share of the total construction cost of the drainage facilities.

1. Definitions

“Drainage Facilities Master Plans” means projects which have been developed and adopted by the Flood Control District Board of Directors on recommendations of staff and the Flood Control District Advisory Commission.

“Special Drainage Area (SDA)” means local or neighborhood land area, where water that flows over the land due to rain, comes together to a single location, such as a channel or storm drain pipe.

“Total Construction Cost” means costs incurred during all phases of a project, including design, environmental permitting, construction and administration.

“Ultimate” means the following for County maintained road right of way and District facilities:

- a. Roads. Ultimate means construction of a road to the ultimate dimensions in accordance with the circulation element of the San Diego County General Plan.
- b. Flood Control Facilities. Ultimate means sized as necessary for the design flood.

2. Policy

It is the policy of the Board of Supervisors acting on behalf of the County and as the Board of Directors of the San Diego County Flood Control District that:

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Whenever a project involving Flood Control District and County drainage facilities within a County-maintained road right of way is initiated by either the Flood Control District or the County that the funding share will be calculated as follows:

DRAINAGE

1. When a natural watercourse exists within the road right of way paralleling or crossing a road, the Road Fund will pay 100% of the cost of construction of all drainage facilities that parallel or cross the road where the flow can be contained in a pipe of 36 inches in diameter (based on capacity using reinforced concrete pipe) or where the quantity of flow is less than 100 cubic feet per second.
2. Whenever the runoff from drainage areas is greater than 100 cfs, and less than 450 cfs, the cost difference between a 36-inch pipe and the pipe or culvert size needed to carry the flow will be paid for from the Flood Control District fund.

FLOOD CONTROL

1. Wherever the flow from runoff exceeds 450 cfs cost sharing will be based on the following rule:

The cost for providing an equivalent open channel shall be computed ("Cost A"). The cost for providing the necessary closed structure to cross or parallel the road shall be computed ("Cost B") and the cost difference between the equivalent open channel and the closed structure shall be computed ("Cost C"). These costs shall be changed to percentages. The Flood Control District fund shall pay that percentage of the cost based upon the equivalent open section cost (Cost A/Cost B) and the Road Fund shall pay that percentage of the cost based upon the difference between the equivalent open channel cost and the closed structure cost (Cost C/Cost B).

2. Bridges - The Road Fund shall pay 100% of the cost of a bridge and any additional channelization made necessary by or primarily to protect a bridge across an open channel.

MISCELLANEOUS

1. Where projects have been agreed to and where the necessary California Environmental Quality Act procedures have been complied with, the approved projects will be budgeted in the Flood Control District fund.
2. Where Community Planning Groups desire drainage facilities which cost more than the facilities shown in an adopted Drainage Facilities Master Plan for the area, the extra cost made necessary by reason of the community plan shall be financed from sources other than the Road Fund or the Flood Control District fund.

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3. Where special problems are created which have not been covered previously, the cost sharing shall be based on the evaluation of the problem and upon negotiation as to the proper cost sharing percentages.

Problems in this category include changes such as those made necessary by either a road or Flood Control District channel where the construction of one leads to modification of the other, or where the channel represents a man-made channel relocated from its natural watercourse.

4. Where interim flood control improvements are being made and where the flood control channel is not being constructed to its ultimate design at the same time and where the road project is the initiator of the joint project, the Road Fund will pay for the interim improvement made necessary in order for the flood control channel to operate effectively.
5. Where either the flood control channel or the road has previously been brought to its ultimate standard, all costs of change because of the project shall be borne by the agency carrying out the project.
6. For projects where the area is not included in a Special Drainage Area or in areas outside the Flood Control District, the Flood Control District share shall be provided by a separate funding mechanism including, local assessment, Community Facilities District or other approved funding agreement rather than by Flood Control District funds.

Sunset Date

This policy will be reviewed for continuance by 12-31-31.

Board Action

11-27-73 (100)
11-27-73 (3)
8-22-89 (47)
11-01-00 (7)
08-07-02 (5)
12-09-08 (33)
11-10-10 (7)
12-06-17 (6/FL1)
10-23-24 (8)

CAO Reference

Department of Public Works