



<h1>POLICY MANUAL</h1>	Date Adopted:      September 8, 1998
Classification:      PROGRAMS	Date Last Amended:
Subject:      Rural Design Standards Fancher Creek Channel Capacity, Maintenance and Bridge Crossing	Approved By: 

Introduction


In the 1973 Redbank and Fancher Creek project, Hydrology Report, prepared by the U.S. Army Corps of Engineers, it was estimated that the channel capacity of Fancher Creek was 600 cfs between the Friant-Kern Canal and the Fresno Canal. In the 1986 General Design Memorandum for the Corps' project it was noted that the carrying capacity of the Fancher Creek channel below the Enterprise Canal had decreased to between 300 and 400 cfs. From the March 1995 flooding it became evident that the channel capacity had been restricted to less than 40 cfs by driveways, channel crossings, and agricultural encroachment.

This policy will set the guidelines for administering the restoration of Fancher Creek between the Fancher Creek Reservoir and the convergence with the Fresno Canal.

1. The District shall prepare a detailed Master Plan for the restoration and preservation of the Fancher Creek Channel to insure the passage of the flows prescribed in the Operation and Maintenance Manual for the Redbank and Fancher Creeks project as prepared by the U.S. Army Corps of Engineers.


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2. The District will implement the Master Plan in the following manner:
  - a. Preserve the channel with permanent channel easements for the area of flow prescribed in Paragraph 1 hereof, and acquire adjoining access as deemed necessary by the General Manager.
  - b. Monitor development and require developers to dedicate easements and build all new channel sections and structures to District Master Plan standards.
  - c. All property subject to subdivision, redevelopment or substantial additional development will have same requirements as new development.
  - d. For property developed prior to March 1, 1995 and served by a bridge or culvert crossing of Fancher Creek which does not meet Master Plan capacity criteria, the District will contribute to the cost of replacing the bridge or culverts in proportion to the impact caused by the new channel hydrology. The property owner must pay the non-District portion of the project cost. A provision of an in-kind contribution such as the granting of the easement

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right-of-ways is creditable against the property owners cost share. Any non-District share in excess of the in-kind contribution must be paid in cash. In the event that the property owner desires to defer the payment of their cost share, the District will provide as an alternate a lien, evidenced by a recorded deed of trust, payable when the property is sold. As a further alternative the District may also consider, on a case-by-case basis, a three (3) year interest free loan evidenced by a recorded deed of trust.

- I.      Where the owner had a bridge requiring reconstruction as determined by the District and the bridge had a capacity of 100 cfs or more, the District shall contribute 100% of the replacement construction costs; and the property owner shall contribute the dedication of the stream channel and bridge right-of-ways.

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II.      Where the owner had a bridge that had a capacity of less than 100 cfs, the District shall contribute 75% of the replacement construction costs and the property owner shall contribute 25% of the construction costs and shall dedicate the stream channel and the bridge right-of-way; provided the District will credit against the property owners 25% cost share, the value of the channel right-of-way up to the property owners construction cost share. No District payment shall be paid for channel dedication when bridge construction is funded in the majority by the District.

III.     Where the owner had no bridge or any other type of improved crossing, the District shall pay 0% of the cost of a bridge, and the property owner shall dedicate the channel upon the securing of any development/subdivision entitlement.

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IV. Under the provisions of this policy, where physically practical, adjoining rural residential parcels of less than three (3) acres will be required to share a single bridge.

V. Where not practical and in all other cases, there will be a maximum of one bridge per parcel, under this policy.

e. The property owner will own and maintain the driveway and bridge upon completion of construction by the District.

f. The District will provide at its cost perpetual channel maintenance upon completion of construction and receipt from the property owner of any necessary grant of easement for the channel, and access right-of-way across the driveway and bridges.