

**PORTER COUNTY DRAINAGE BOARD
DESIGN & CONSTRUCTION STANDARDS
FOR
COMMUNICATION FACILITIES WITHIN A REGULATED DRAIN
AND/OR REGULATED DRAINAGE EASEMENT**

PORTER CO. DEPARTMENT OF DEVELOPMENT & STORM WATER MANAGEMENT
OCTOBER 12, 2021

1. Scope

These standards cover general requirements, pre-construction requirements, design and construction requirements, construction inspection and testing requirements, and post-construction requirements associated with the construction, repair, maintenance and/or reconstruction of communication facilities within a regulated drain and/or regulated drainage easement.

2. Related Standards

The documents listed below are related to the requirements described in this section. Such documents shall apply to and govern the construction, repair, maintenance and/or reconstruction of communication facilities within a regulated drain and/or regulated drainage easement. In case of conflict between any part of such documents and any part of the requirements described in this section, the County Engineer shall determine which requirements shall take precedence and govern.

- Porter County Unified Development Ordinance (UDO)
- Porter County Design & Construction Standards/Specifications (Porter Co. UDO, Ch. 8)
- Porter County Design & Construction Standards/Drawings (Porter Co. UDO, Ch. 8)
- Porter County Storm Water Design Manual
- Indiana Department of Transportation (INDOT) Standard Specifications
- Indiana Department of Transportation (INDOT) Standard Drawings
- Manual on Uniform Traffic Control Devices (MUTCD)

3. General Requirements

All work associated with the construction, repair, maintenance and/or reconstruction of communication facilities within a regulated drain and/or regulated drainage easement shall be performed in accordance with other applicable standards.

4. Pre-Construction Requirements

A. Request to Conduct Work w/in a Regulated Drain and/or Regulated Drainage Easement; Application Review Process

No work associated with the construction, repair, maintenance and/or reconstruction of communication facilities within a regulated drain and/or regulated drainage easement shall begin until such work has been reviewed and approved by the Department and a permit or authorization has been issued by the Porter County Department of Development & Storm Water Management (Department).

Requests to conduct work within a regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities shall be submitted to the Department, on an application form provided by the Department.

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Such applications shall include a completed and signed application form and supporting documents describing, illustrating, and detailing the proposed work (e.g., construction plans, erosion and sediment control plan, construction requirements).

Such applications shall be reviewed by the County Engineer, his or her designee or assign, within ten working days of receipt of such requests by the Department; the County Engineer, his or her designee or assign, shall notify the requestor of the outcome of such review process (i.e., approved or denied) within ten working days of receipt of such requests by the Department.

In reviewing such applications to conduct work within a regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities, the County Engineer, his or her designee or assign, shall review such applications for conformance with these Design & Construction Standards and other applicable standards.

B. Hold Harmless Agreement

Prior to receiving authorization to proceed with any work within a regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities, the applicant shall sign a hold harmless agreement between the applicant and Porter Co. regarding any damages the improvements may incur during the repair, maintenance, construction, or reconstruction of the regulated drain and/or any damages that the regulated drain may incur during construction of the improvements shall apply to the project. The form of such hold harmless agreement shall be provided by the Department.

A signed copy of the hold harmless agreement shall be forwarded to the Department prior to receiving authorization to proceed with any work within a regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities.

C. Pre-Construction Notification

The Department shall be contacted at least 48 hours prior to the start of any work within any regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities.

D. Documentation of Pre-Construction Conditions

The Department reserves the right to require the applicant to document the conditions found within the regulated drain and/or regulated drainage easement prior to the start of the work.

All work to document the pre-construction conditions found within the regulated drain and/or regulated drainage easement shall be done in a professional manner and preferably by a professional photographer and/or videographer.

A copy of the photographs and/or video footage documenting the pre-construction found within the regulated drain and/or regulated drainage easement shall be forwarded to the Department prior to receiving authorization to proceed with any work within a regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities.

E. Pre-Construction Conference

The Department reserves the right to require and to attend a pre-construction conference prior to the start of work within any regulated drain and/or regulated drainage easement. At the pre-construction conference, the Department may require the following items:

1. Sequence of and schedule for all construction activities.
2. Proof that all necessary permits and/or authorizations have been obtained for the work.
3. Contact information for all contractors and, if applicable, subcontractors involved in the performance of the work, including emergency contact information.

Design & Construction Requirements

A. Construction Plans

Applicants shall provide to the Department, as an attachment to their application to conduct work within a regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities, construction plans that show the location, character, dimensions, and details of the work to be performed and prescribe a complete outline of the work which is to be completed. Such construction plans shall illustrate all lines, grades, elevations, and dimensions associated with each part or detail of the work.

B. Erosion & Sediment Control Plan

In accordance with the Porter County Erosion & Sediment Control Standards (Porter Co. UDO, Sec. 7-15), all work located immediately adjacent to a ditch or stream acting as a watercourse, including regulated drains, requires an Erosion & Sediment Control Permit. Prior to commencing any land disturbing activities associated with such work, the applicant is required to file an application for and obtain an Erosion & Sediment Control Permit.

C. Vertical Separation Distance between Communication Facilities & Regulated Drainage Infrastructure Crossing

Where communication facilities are installed across a regulated drain, a minimum of five feet of separation distance shall be provided between the invert or bottom of a regulated drain and the crown or top of a conduit or casing pipe containing communication facilities.

D. Horizontal Separation Distance between Communication Facilities & Regulated Drainage Infrastructure

1. Where communication facilities are installed parallel to an open regulated drain (i.e., ditch, stream), such communication facilities shall not be installed beyond the top of bank (i.e., on the channel side of the top of bank) of such regulated drain
2. Where communication facilities are installed parallel to a closed regulated drain (i.e., drain tile), such communication facilities shall not be installed within five feet of the centerline of such regulated drain.

E. Communication Facilities & Hydraulic Structures

Where communication facilities are installed across a regulated drain, and such regulated drain crossing includes a hydraulic structure (e.g., bridge, culvert) carrying a road over the regulated drain, such communication facilities shall not be physically attached, in any manner, to such hydraulic structure.

F. Restoration of Disturbed Areas

All areas within a regulated drain and/or regulated drainage easement disturbed during the construction, repair, maintenance, and/or reconstruction of communication facilities shall be restored to as good a condition or better than existed prior to the start of work.

Construction Inspection & Testing Requirements

A. Pre-Construction Notification

The Department shall be contacted at least 48 hours prior to the start of any work within any regulated drain and/or regulated drainage easement for the purpose of constructing, repairing, maintaining and/or reconstructing communication facilities so that its representatives and/or assigns may be present during the performance of the work to observe and inspect the work. The Department, at its discretion, shall observe and inspect the work during the performance of the work

B. Required Inspections

Inspections of work within a regulated drain and/or regulated drainage easement will be conducted by the Department at the following milestones:

1. Pre-Construction. Prior to the start of any land disturbing activities within the regulated drain and/or regulated drainage easement.
2. Post-Construction. Following the completion of all land disturbing activities and the restoration of all areas within the regulated drain and/or regulated drainage easement disturbed during the performance of the work.

Post-Construction Requirements

A. As-Built Plans

Following completion of the work, the applicant will be required to furnish, to the Department, as-built plans illustrating all lines, grades, elevations, and dimensions associated with each part or detail of the work, such as-built plans clearly indicating, in red, any deviations from the lines, grades, elevations, and elevations shown in the construction plans.

B. Certificate of Compliance

Following completion of the work, the applicant will be required to furnish, to the Department, on a form provided by the Department, a certificate of compliance, certifying that the work was completed in accordance with the construction plans, these Design & Construction Standards, and other applicable standards

C. Conformity with Construction Plans and Design & Construction Standards

Porter County shall not be obligated to accept any work that has been found not to be in compliance with the construction plans, these Design & Construction Standards, and other applicable standards. Such work shall be corrected, removed, or replaced at no cost to Porter County.