

DRAINAGE

A drainage system is the path that storm water follows and can include the surface (ground), street gutters, underground pipes/culverts, open channels, lakes, etc. Drainage is the process by which precipitation flows from private property to or through the public road right-of-way and/or from the public road right-of-way to or through naturally occurring channels and flowage easements.

The issues associated with the flow of precipitation or stormwater can be complex. In areas like Southern California, the weather is mild and relatively dry most of the year except for the rainy season, which can produce intense rainfall events and record rainfalls during an occasional wet winter. Because of the long dry season and frequent drought conditions, the natural tendency is to ignore issues regarding storm drainage until heavy rains imperil public and private properties.

The basic drainage rule is that every land owner must allow the naturally occurring flow of water to continue from higher lands/elevations to lower lands/elevations. A landowner may not divert, block, or increase the flow of water from his land to lower lands. The natural flow of surface water must be left undisturbed.

The County of Ventura Transportation Department

The Transportation Department is generally responsible for small-scale drainage facilities under the County-maintained road right-of-way in the unincorporated areas, and provides general maintenance of such facilities.

Larger flood-control facilities are maintained by the Watershed Protection District. Each year, Transportation Department Operations and Maintenance staff perform routine maintenance to minimize the impacts of stormwater flow on travel ways/lanes.

Many areas of the County do not have existing above- or below-ground drainage systems, and some areas are below historical flood plains. During periods of heavy rain, flooding in these areas may be unavoidable and water may pond on roads. Even areas with existing drainage systems may be overtaxed during heavy rainfall events.

To report blocked culverts or inlets during storm events, members of the public can contact Operations and Maintenance staff at (805) 672-2131. Non-urgent related questions, requests, inquiries, or suggestions regarding drainage or potential flooding concerns should be directed to the Transportation Department at (805) 654-2049 or through the "Contact Us" link at <http://www.ventura.org/>.

Flooding Issues on Private Property

What can a prospective owner do before buying a property? What can a property owner do to minimize flood damage on an existing property?

Prospective buyers should thoroughly investigate any potential drainage problems before purchasing a property. The buyer should ask if there are any drainage or flowage easements on the property, and study the topography of the property and surrounding lands. If the driveway or parcel is below street level, there is a strong possibility that storm water naturally flows from the street to the property. The seller or previous owner has a responsibility to disclose any known drainage or flooding problems to the buyer.

What can a property owner do if an adjacent property owner diverts or modifies their property and causes flooding on his or her property?

It is recommended that the two neighbors attempt to resolve the matter themselves. If this is not possible, then one or the other neighbor may have to engage legal counsel and/or hire a civil engineer to protect his or her property rights.

The Transportation Department and the County of Ventura does not have jurisdiction over, nor the authority to resolve, civil matters between private property owners.

However, the County of Ventura does investigate grading violations of the Ventura County Building Code (Chapter 33). Concerns about grading violations should be directed to the PWA – Development and Inspection Services Division at (805) 654-2034.

Flooding Issues on Driveways in the Public Right-of-Way

When a driveway slopes down from the edge of the road toward the property or when a culvert or drainpipe under a driveway is too small, it may be necessary to improve the drainage near the driveway or deflect the storm flows around the driveway.

To perform the drainage improvement or driveway modification, a licensed, private contractor should be hired. An Encroachment Permit is required for any work in the public right-of-way. Maintenance of the driveway, including any culvert or drainpipe under the driveway, is the responsibility of the adjacent property owner.

Storm Drains on Private Property

When a storm drain inlet or outlet begins or ends on private property (even if it passes under the public road right-of-way), it is the responsibility of the private property owner to maintain the storm drain inlet or outlet. Unless there is an easement for drainage purposes so that the County of Ventura may enter the private property to maintain the inlet or

outlet, the Transportation Department has neither the jurisdiction over nor authority to enter private property for maintenance.

Diverting Storm Flows to the County Roadway

According to California Streets and Highways Code §723, §726, and §1487, a person or property may not damage the public roadway with or by diverting or draining water from his or her property to the roadway. The person or property may not divert or alter the flow of stormwater in the public roadway. The property owner is liable for any damage caused by debris or storm flows from the private property to the public roadway.

New Development

Developers are required to control drainage on property to be developed. The developer must demonstrate that drainage from their property will not adversely affect the adjacent County roadway. A drainage study may be required that demonstrates that the property can adequately handle a 10-, 50-, or 100-year storm.

Questions or Concerns for the Transportation Department

Non-urgent: (805) 654-2049.
Blocked culvert/inlet: (805) 672-2131.
Flood Control Facilities (Watershed Protection District): (805) 654-2001.

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**Public Works Agency
Transportation Department**
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