



STANISLAUS COUNTY DEPARTMENT OF PUBLIC WORKS DEVELOPMENT SERVICES DIVISION

1010 10th Street, Suite 4204
Modesto, CA 95354
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<http://www.stancounty.com/publicworks>

PIPELINE MAINTENANCE AGREEMENT

- **What is the purpose of a Pipeline Maintenance Agreement?**

The purpose of a Pipeline Maintenance Agreement is to enable the County to monitor work or activities performed within County road right-of-ways by private parties. A Pipeline Maintenance Agreement will also require an Encroachment Permit.

The agreement states that the owner of the pipeline will be responsible for any damage that may occur to the County road that the pipeline runs under if the pipeline fails. The agreement holds the owner of the pipeline responsible in perpetuity for repair of the roadway in the event of any failure of the roadway due to failure of the pipeline. The pipeline agreement is a recorded document and is transferred to any new owners of the property stated on the agreement and they become responsible for maintenance and repair of the pipeline as if they were the original pipeline owner(s).

Issuing the permit assures that the work or activities performed in the encroachment area will be done in accordance to the Public Works Standard Designs and Specifications 2014 Edition, in accordance to the requirements of the Stanislaus County Code and to ensure that the cost of any repair or damage to County right-of-way is placed upon the owner of the pipeline.

- **When is a Pipeline Maintenance Agreement required?**

A Pipeline Maintenance Agreement is required when a property owner wishes to place a privately owned pipe such as an irrigation pipe across County right-of-way.

- **How & where do I apply for a Pipeline Maintenance Agreement?**

You can apply for a Pipeline Maintenance Agreement by visiting the permitting office located at 1010 10th Street, Suite 4204, Modesto, CA 95354. You may also contact 209-525-7594 for general Pipeline Maintenance Agreement information or to schedule an appointment.

The Pipeline Maintenance Agreement application can be found on the County Public works web site located at: www.stancounty.com/publicworks/forms.shtm

- **What are the Steps in Applying for a Pipeline Maintenance Agreement?**

There are currently eight basic steps in obtaining a Pipeline Maintenance Agreement through the Stanislaus County's permitting department. The process begins by submitting an application to the Encroachment Engineer. The eight steps are summarized below:

1. **Download or pickup Application packet:** The owner of the benefiting parcel can obtain a Pipeline Maintenance Agreement packet either by visiting the permitting office located at 1010 10th Street, Suite 4204, Modesto, CA 95354, or online at: www.stancounty.com/publicworks/forms.shtm

2. **Application Submittal:** The owner will submit a completed application along with any required documents and exhibits.
3. **Review & Write-up:** Depending on the type of project, the Encroachment Engineer may either review and approve the application or refer the application to the Traffic and Engineering Divisions for a more in-depth review to determine if all design standards have been met and to ensure safety to the public.
4. **Signature Notary:** After agreement is written, the Encroachment Engineer will contact applicant to pick up agreement to have owners signature notarized.
5. **Agreement Approval:** Once the Agreement has been signed and notarized by the owner of the benefitting parcel, the agreement must be returned to the Encroachment Engineer. It will then be forwarded onto the Director of Public Works. The Director, or the Deputy Director will approve the agreement by signing the document and having it notarized.
6. **Recording Document:** After approval from the Director of Public Works or assigned Deputy, the completed document will be recorded by Public Works at the County Recorder's Office
7. **Encroachment Permit:** An Encroachment Permit is required to work with the County's right-of-way. Once the Pipeline Maintenance Agreement is recorded, then the Encroachment Permit process can begin.
8. **Warranty:** The owner warrants all of the improvements as to material quality and workmanship for life of material. Should any failure of the improvements or any part thereof occur the owner shall make the needed repairs as directed by the Encroachment Inspector without any incurring expense or cost to the County.

- **How long will it take to process a Pipeline Maintenance Agreement?**

The Encroachment Engineer will either approve or deny a Pipeline Maintenance Agreement Application upon determination that the application submittal is complete or incomplete. The Encroachment Engineer has the authority in what constitutes a completed Pipeline Maintenance Agreement Application submittal. The actual time needed to review and approve the application will depend on the completeness of the initial submittal, scope of the work, the level of complexity of the proposed work.

Most simple agreements will take about one week.

- **How much does a Pipeline Maintenance Agreement cost?**

As of July 1, 2015, the fee for a Pipeline Maintenance Agreement is \$285.00.

- **What does the Pipeline Maintenance Agreement Application consist of?**

The Stanislaus County Code requires that all applications for Pipeline Maintenance Agreements shall be made in writing in such form as may be prescribed by the Road Commissioner. The current Agreement Application Packet adopted by the Road Commissioner is available online at the following web site: <http://www.stancounty.com/publicworks/forms.shtm>

At a minimum, the Pipeline Maintenance Agreement application shall include the following items (if applicable):

1. Completed Pipeline Maintenance Agreement Questionnaire
2. A copy of the property Grant Deed with legal description of the property that will be benefitted from the pipeline facility or owner of pipeline.
3. Copies of the property Grant Deed with legal description of the property involved in the project on each side of the road where the pipeline will cross.
4. A certificate of liability insurance will be required from the owner(s) of the pipeline, and from the contractor or company taking out the encroachment permit.
5. A description of the purpose of the pipeline (irrigation water line, drain line, gas, etc.), the precise location of the road crossing (preferably from a landmark such as the nearest crossroad, canal lateral, Lat/Long, benchmark), and the size and type of the proposed pipe. This can be placed on drawing/plan.

6. Provide a drawing/plan of the pipeline crossing showing the roadway, the properties on each side of the road where the pipeline will be originating from and leading to, the assessor parcel number of the properties on each side of the road, any address associated with the properties, and information on the drawing specifying the pipe type, size, and flow direction.
7. Provide information on the condition of the road to be crossed. Photos of the road at the proposed road crossing location are preferred. Photos are required if trenching. If the road has been recently overlaid or is in good condition, the pipeline crossing will be required to be bored underneath the roadway.
8. If water will be discharged into an irrigation district facility such as a canal, a letter of approval from the irrigation district (such as M.I.D., O.I.D., P.I.D., or T.I.D.) will be required.
9. If the roadway will be trenched, a traffic control plan will need to be prepared working with the Public Works Traffic Division and approved by the Traffic Division.
10. If trenching and a road closure are required, approval for the road closure must be obtained from Public Works prior to work beginning and in conjunction with the issuance of the encroachment permit.
11. Application for an encroachment permit, and a traffic control plan (if needed).

- **Do I need liability insurance in order to obtain a Pipeline Maintenance Agreement?**

Yes. A Certificate of Liability Insurance must be provided (or be on file with the Encroachment Engineer) at the time the agreement is issued. The applicant shall provide a Certificate of Liability Insurance with general liability insurance of single coverage of \$1,000,000.

Said policy shall name the Stanislaus County as an additional insured (A separate endorsement sheet may be required with the insurance).

At a minimum, the Certificate of Liability Insurance must show the policy number; policy effective date; policy expiration date; dates of the insurance coverage; the dollar amount of the liability coverage; the insurance company name; and the name of the insured company. The certificate can be sent via email, surface mail or fax by the insurance company or broker, or can be presented over-the-counter by the applicant applying for the agreement.

- **What are the minimum requirements for pipe?**

The County requires that pipe being used in County right-of-way must be traffic rated, and be C900 or SDR-26 PVC Pipe or better.

- **For more information or questions relating to the Pipeline Maintenance Agreement process, please visit our permitting office located at 1010 10th Street, Suite 4204, Modesto, CA 95354. You may also call (209)525-7594 for general Pipeline Maintenance Agreement information.**



Call USA North 1-800-227-2600

Two (2) working days prior to excavating, digging, or in an emergency



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