

Policy for Stormwater Utility Division Maintenance Operations Within the Boundaries of Creeks or Waterways.

The City of Abilene Stormwater Utility Division performs maintenance on creeks and drainage ways throughout the City of Abilene. The Division's goal is to reduce potential for flooding by removing vegetation, debris, and sediment that impedes the flow of water and may increase the possibility of flooding. The Division will strive to ensure that the stormwater runoff that reaches our lakes and drinking water supply is of the highest quality.

Maintenance Operations Jurisdiction

The Stormwater Utility Division will perform maintenance from top bank to top bank across the span of creeks within the city limits of Abilene. Work by City of Abilene crews will be limited to City owned property or property where the City has right of access. Creeks that will receive maintenance include Elm Creek, Catclaw Creek, Cedar Creek, Little Elm Creek, Lytle Creek, and Rainey Creek. Maintenance includes the removal of vegetation, debris, and sediment that has accumulated and may impede the flow of water. Maintenance is not performed exclusively for aesthetic purposes; however, all work will be conducted with regard to reasonable consideration of aesthetics. The Division will not perform maintenance on erosion issues caused by the natural flow of the creeks. However, erosion concerns that affect the integrity of bridges, stormwater structures, and/or hinder maintenance operations within the aforementioned maintenance area will be addressed by the Division on a case-by-case basis.

The Division will assess the public interest in all projects or maintenance performed within the boundaries of creeks or waterways. Maintenance that benefits a significant portion of the community or is conducted to remedy a situation that presents imminent danger to public welfare will hold a higher priority. Work that benefits a sole property owner and does not present imminent danger to the public welfare will hold a lower priority.

Property Owners Responsibilities

Whereas the City will follow the aforementioned protocol for maintenance within the boundaries of creeks and waterways; property owners have maintenance responsibilities adjacent to these areas. Property owners are responsible for vegetation maintenance, erosion problems, debris and litter removal, and other real property maintenance from the top bank of a creek or waterway to the curb line of the adjacent street. This includes maintenance, removal, or cosmetic trimming of vegetation on the top bank, erosion caused by the natural flow of the creek, and any debris or litter that accumulates on the homeowner's property adjacent to the creek.

No property owner shall deposit in any creek, drainage way, ditch or any other waterway within the city, any rubbish, filth, construction debris, litter, garbage, grass cuttings or poisonous or deleterious substance or substances liable to affect the health, safety and welfare of persons or aquatic life within or along the waterways.

Property owners are encouraged to maintain the appearance of areas adjacent to waterways by keeping these areas free of debris, high grass and or weeds, and overhanging branches of trees.

Vegetation Removal

The Stormwater Utility Division will practice discretion in removal of vegetation within the working area of the creek. Vegetation that poses an impediment to the natural flow of the creek will be removed. Other vegetation to be removed includes any loose or dead vegetation, vegetation growing within the high water mark of the creek, vegetation that is at a 45 degree angle or greater suspended over the main channel of the creek, and any other such growth that is determined by the Division to pose a potential impediment to the flow of water. Additionally, any vegetation that may eventually cause structural damage to stormwater conveyance structures (i.e. bridge structures, surface or subsurface storm drain structures, gabion basket systems, etc.) will be removed at the discretion of the Division. Generally, the Division will make an effort to leave hard wood trees (elm, oak, pecan, maples, hickories, etc.) that are 6-inches or greater in diameter unless it is located in the creek bed or otherwise increasing the risk of flooding.

The Division will not remove or perform maintenance on vegetation such that root systems become damaged and creek bank structures undermined. In addition, maintenance will not be performed on vegetation that is not causing an impediment to flow or is requested for aesthetic or pest control purposes only.

Mowing Operations

The Stormwater Utility Division will perform mowing operations from top bank to top bank and on any city-owned or right of access property that may be adjacent to the creeks and serves as a drainage way. Mowing operations are conducted primarily for water conveyance purposes only and not for aesthetic purposes. Due to the often wet environment in creek areas, and consequent difficulties in equipment operation, creeks and drainage ways are not subject to City Ordinance mowing requirements. However, the Division has taken steps to minimize the occurrence and duration of overgrown vegetation in the waterways. One of the Division's objectives is to provide a high quality maintenance schedule to the creeks and drainage ways in such a way as to help promote the growth of turf-grass type vegetation such as Bermuda, buffalo grass, fescue, rye, and oats. Turf grasses require less mowing, promote conditions that will less likely harbor pests and vermin, and are excellent erosion inhibitors.

Debris Removal

The Stormwater Utility Division will strive to remove debris and litter from creeks and waterways which may pose a detriment to the environment and public health. Debris removed from creeks may include tree limbs, loose vegetation, solid waste, illegal dump material, construction debris, tires, and any other object or material that otherwise does

not belong in a public drainage way. This debris tends to accumulate at bridges, storm drain structures, bends, and constricted portions of the creek where blockage is likely to occur. These blockages increase the potential for flooding and can cause damage to stormwater structures. Following significant rainfall events the Division will utilize a grid system schedule to inspect locations along the creeks for debris that has accumulated. If debris is discovered to be causing a blockage, the Division will mobilize to remove the material as soon as possible. Through these efforts, the Division hopes to limit the debris and litter that enters our lakes and poses a threat to water quality.

Illegal Dumping

If illegal dumping activity is discovered to be occurring within the creeks and waterways, the Division will coordinate with the City of Abilene's Environmental Enforcement Officer to locate the responsible party. The Division will work to remove the illegal dumping debris as soon as possible to prevent the material from being washed down the creek. However, the responsible party will be held liable for cleanup and disposal costs of dumped material.

Sediment Removal

The Stormwater Utility Division will remove sediment accumulation in creeks and waterways to improve stormwater conveyance and decrease the potential for flooding. Due to federal regulations that protect "waters of the United States" (i.e. Elm Creek, Catclaw Creek, Cedar Creek, Lake Fort Phantom), the Division must exercise considerable caution in the removal of sediment in local creeks. These regulations often require permits from the U.S. Army Corp of Engineer and prevent the use of steel tracked vehicles and bladed equipment (bulldozers, motor graders, scrapers, etc.) within a creek area. These regulations also prevent the Stormwater Maintenance Crew from deepening creeks below the natural creek bed (excludes the removal of silt), widening beyond the natural banks, and altering the creeks natural flow.

Removal of sediment will occur on a rotational basis so as not to disturb extended lengths of the creeks simultaneously. By reducing the amount of disturbed area in one contiguous location the Division will minimize disturbance of natural wildlife and vegetation occurring in the waterway. The Division will choose several locations within the creek to conduct sediment removal; these locations will be separated by a sufficient length of the creek to not impact one another. After sediment removal activities have occurred, the Division will seed the disturbed area with a selected turf-grass and provide any necessary sediment and erosion controls. The Division's goal is to remove accumulated sediment in creeks to facilitate drainage while preserving the natural ecological environment in the City's waterways.

Access to Creeks and Waterways

The Stormwater Utility Division will contact property owners to access the creeks or other water ways when an access point is not available through public property. The City will negotiate an agreement with the property owner through a "Private Property Use

Agreement” to acquire temporary access. Once within the work area, the City will attempt to notify adjacent property owners along the creek that maintenance will be performed in the given area. However, the City is not obligated to notify property owners as long as the maintenance work being conducted is within the high water mark (normal flow area) of the creek.