



DITCH MAINTENANCE PROGRAM CITIZEN GUIDE

For more information, or to report a drainage problem in your area, please review the listed web pages, or contact the Storm Drainage Program Coordinator at 757-787-1468 or by email at ditches@co.accomack.va.us

Accomack County Public Works & Facilities
24401 JOYNES NECK RD., P.O. BOX 476, ACCOMACK, VA 23301

www.co.accomack.va.us/departments/public-works

Ditch Maintenance Program Overview

Accomack County strives to maintain the proper drainage of certain outfall ditches and streams within the County that are not the responsibility of another federal, state, or private entity.

The County does not provide a ditch cleaning service to individual property owners, but maintains those drainage ways that serve the community as a whole. This typically involves ditches that drain from communities, towns or roadways to a point where they end up merging with creeks or bays.

Individual or regional permits from State or Federal agencies are obtained for most projects.

No work is done in ditch sections that are significantly influenced by saltwater tides. The County is not capable of working in this environmentally sensitive area and is not in a position to obtain the required permits. Work in these areas seldom results in a valuable benefit because of the reoccurrence of flooding during the tide cycles.

When the County receives a call about a drainage problem, a right-of-entry is requested to walk the ditch and evaluate the situation. The County contacts other agencies, if they also need to be alerted to the situation.

Ditch maintenance work is coordinated with the Virginia Department of Transportation (VDOT) to make sure that all efforts are aligned with VDOT's priorities and plans for maintenance. VDOT handles all of the roadside ditches, pipes, and culverts within their Right-of-Way. Where possible, the County synchronizes plans to complete work in the same area at the same time.





The Need for a Temporary Easement

The County requests a temporary easement to perform ditch maintenance operations on your property. The temporary easement gives the County permission to enter your property to perform necessary work for a period of four (4) years. Once the easement has expired, the County will not perform work on the property until a new four (4) year easement is granted by the landowner.

What happens when the County first comes on my property?

The County will not enter your property until the County has contacted you and received a right-of-entry. The first visit is to assess the drainage situation and evaluate the conditions of the ditch. No work will be performed during this visit and the County will access the ditch with as little impact to your property as possible.

If the ditch section on your property is found to be a valid project, the County will plan with you to determine the best time to come back with equipment and perform the maintenance. The County will not enter your property until you have been contacted and your schedule and concerns are considered.

The County provides you with advance notice of ditch maintenance operations and planning and will consider any special concerns or needs that you may have. The County is sensitive to hunting seasons, crop seasons, and other needs for the use of the property. The Storm Drainage Program Coordinator will work out equipment staging areas and discuss other concerns with you before beginning the work. Meeting on site with you is the most effective method.

How does the County let me know they are returning to the property?

After an easement is granted and all work is performed, the County will not return unless there is reason to believe that a new blockage has developed. If that is the case, the Storm Drainage Program Coordinator will coordinate return to your ditch segment, as follows:

Re-inspection:

- 30-day advance written notice of plans to walk the ditch system on your property
- 7-day phone notice prior to scheduled date of inspection, if a valid phone number is on file
- In-person contact on the day of the inspection, if the landowner is on the property and available

Brush clearing and/or debris excavation:

- 30-day advance written notice of plans to maintain the ditch system & request for any scheduling needs or concerns you may have
- 14-day advance phone notice to verify date of arrival on site, if a valid phone number is on file
- 1 to 3 days advance in-person contact, if the landowner is on the property and available, before staging equipment

In the event additional ditch maintenance is needed and the four (4) year temporary easement has expired, the landowner must grant another four (4) year temporary easement to perform additional maintenance.

In the case of an emergency situation, the County will contact you and also try to visit you at your residence, if you reside locally, to let you know what has to be done to re-establish drainage. This is the only situation where the County may need to access your property expeditiously.

Please note that the County is sensitive to your plans and needs, including situations such as hunting seasons, crop seasons, any planned construction activities, and other needs for the use of the property. County staff will work out equipment staging areas and discuss other concerns before planning the work and arriving on site.

How are projects prioritized?

The County prioritizes ditch maintenance projects using a variety of factors. Each project is ranked to determine the priority of the work, using the following criteria:

- a. Potential roadway hazard
- b. Potential damage due to flooding (yards, houses, roadways)
- c. Size of drainage area upstream of the ditch (how many people benefit)
- d. Plans for VDOT to clean out their portion
- e. Last time area was serviced
- f. The presence of any landowner-installed features such as bridges, fencing, and/or landscaping that would make accessing the drainage ditch difficult

Initial workload is organized around the rankings and then adjusted as each project receives rights-of-entry and the necessary easements to start work. Logistical issues are also taken into consideration, such as time of year, amount of recent rainfall, and crop planting seasons.

Why is my project ineligible?

Some projects may not be eligible for the County program, due to one of the following situations:

- Project is only affecting one or two properties: These projects are deemed to be localized drainage problems and are the responsibility of the individual property owners.
- Ditch section is significantly influenced by saltwater tides: No work by the County is performed in these areas.
- Jurisdiction of a State or Federal agency: Work needs to be performed by the agency responsible for the area of the blockage. Typically this involves culverts or ditches within the VDOT right-of-way. In this case, citizens will be directed to contact VDOT directly at 1-800-367-7623.

The County may have initially determined that your potential project was eligible for further investigation, but the project may have been placed on hold due to one of the following reasons:

- Permission to walk the project was not given: One or more property owners along the ditch will not give permission for us to enter the property for evaluation.
- Easement not given: One or more property owners along the ditch will not consent to an easement to perform the maintenance work required to restore positive drainage.



Policy Statement

County of Accomack, Virginia

Storm Drainage and Ditch Maintenance Policy Statement

& General Operating Guidelines

Policy: It is the policy of Accomack County to strive to maintain the proper drainage of certain outfall ditches and streams in the County that provide community-wide drainage benefits and are not the responsibility of another federal, state, or private entity. Services are not available to individual property owners.

Operating Guidelines:

1. All requests for drainage and ditch maintenance projects will be directed to Accomack County Public Works & Facilities, the entity responsible for overall delivery of drainage and ditch maintenance services.
2. Requests for drainage, ditch maintenance, and similar projects; including those received from incorporated Towns; will be received by the Storm Drainage Program Coordinator, evaluated to determine the extent of the work, and assigned a priority ranking based on the following criteria (or substantially similar criteria):
 - a. Potential roadway hazard
 - b. Potential damage due to flooding (yards, houses, roadways)
 - c. Size of drainage area upstream of the ditch (how many people benefit)
 - d. Plans for VDOT to clean out the portion under their responsibility
 - e. Last time the area was serviced
 - f. The presence of any landowner-installed features such as bridges, fencing, and/or landscaping that would make accessing the drainage ditch difficult
3. The Storm Drainage Program Coordinator will authorize work to proceed on projects based upon their priority ranking taking into account logistical issues.
4. Individual projects related to drainage and ditch maintenance shall not require separate Board of Supervisors approval.
5. All work on projects, including ancillary tasks such as permitting, shall be managed by the Storm Drainage Program Coordinator and shall be performed by qualified vendors selected in accordance with the County's procurement policy.
6. All projects will require landowners to provide the County with a no-cost temporary easement valid for a 4-year period. Projects that do not receive all necessary easements will be removed from the active project list and placed on hold until such time that the remaining easements have been

received. All temporary easements shall be subject to the approval of the County Attorney and shall be recorded in the Clerk's Office of the Circuit Court of Accomack County.

7. All appropriations for drainage and ditch maintenance projects remaining at the end of each fiscal year will carry over to the ensuing fiscal year and automatically be re-appropriated by the Board of Supervisors.

8. Payments to incorporated towns for town-managed storm drainage and ditch maintenance projects:

- i. As authorized by Section 15.2-1202, the Accomack County Board of Supervisors may appropriate funds as it desires to an incorporated town.
- ii. To become eligible for storm drainage/ditch maintenance funds from the County, an incorporated town must submit a written request (email is acceptable), including the dollar amount and the purpose for which the request is made, to the Storm Drainage Program Coordinator (SDPC).
- iii. The SDPC will review the proposed project, the existing County drainage budget, and ongoing projects and priorities.
- iv. The SDPC may, in his discretion, approve, approve with modifications, or disapprove the proposed storm drainage/ditch maintenance project.
- v. The SDPC will advise the town contact if the County will be able to provide funds for the proposed storm drainage/ditch maintenance project, and if so, in what amount.
- vi. If the request is approved for funding, the town will be responsible for securing the necessary landowner easements, obtaining permits from regulatory agencies, hiring contractors if needed, and completing the work.
- vii. After the project is completed, the town will notify the SDPC and allow County staff to inspect the work under the town's easement.
- viii. If there are deficiencies in the work, the SDPC will notify the town and request that the deficiencies be corrected.
- ix. Once the project passes inspection by the SDPC, the town may submit a written invoice to the County, on town letterhead, with invoices attached for contracted work, if any. If the work is not contracted out, the SDPC shall calculate the value of labor based on County-wide averages and the value of materials based on invoices provided by the town.
- x. Once received, the invoice will be processed by the SDPC through the regular County accounts payable process, with payment made to the town with net 45-day terms.
- xi. Any town receiving funds from the County of Accomack for storm drainage and/or ditch maintenance projects shall be responsible for certifying and accounting for the use of these funds.
- xii. The town shall be wholly responsible and solely liable for projects completed with these funds. The town shall defend and indemnify the County, its officers and employees, from and against any damages or liability arising out of the storm drainage/ditch maintenance project.
- xiii. The County is not obligated to provide funds to towns for storm drainage/ditch maintenance, and such funds are subject to appropriation by the Accomack County Board of Supervisors.

I hereby certify that the foregoing policy and general operating guidelines were approved at the June 18, 2025 meeting of the Accomack County Board of Supervisors, Accomack County, Virginia.

H. Jackie Phillips
Chairman, Accomack County Board of Supervisors

Date