

Maintaining Creeks on Private Property in Tehama County

If your property has a drainage, creek or a waterway flowing through it, it is your responsibility to maintain it.

Typically, private property extends to the center of the creek, and not just to the fence line. A creek or drainage may also be entirely within your property. The Flood Control and Water Conservation District does not maintain waterways on private property. Tehama County only maintains waterways within its right of way.

When the creek area is not properly maintained, the resulting obstructions can lead to increased flooding, changes in the course of the creek, and increased erosion. Proper creek care includes removing blockages (whether natural or man-made) that could cause flooding, keeping banks vegetated (but not choked) to prevent erosion, preventing pollutants from entering waterways, and removing trash even if it originated upstream from your property.

Any work in creeks and drainages have strict rules to prevent damage upstream and downstream from your property.

As a property owner, you are legally responsible for damages to adjacent property that result from neglect or unpermitted activities on your property. You are also responsible for the actions of your employees, gardeners, landscapers, maintenance workers and contractors. It is against the law to block drainages or cause discharges of pollutants (including soil, rocks and vegetation waste) to creeks and waterways.



Tehama County Flood Control and Water Conservation District



530-690-0700



<https://tehamacountywater.org>

Permits

When do I need CDFW permits?

Fish and Game Code section 1602 requires any person, state or local governmental agency, or public utility to notify the California Department of Fish and Wildlife (CDFW) prior to beginning any activity that may do one or more of the following:

- Divert or obstruct the natural flow of any river, stream, or lake;
- Change the bed, channel, or bank of any river, stream, or lake;
- Use material from any river, stream, or lake; or
- Deposit or dispose of material into any river, stream, or lake.

Please note that “any river, stream, or lake” includes those that are dry for periods of time as well as those that flow year-round. If you are not certain a particular activity requires notification, CDFW recommends you notify.

A Lake and Streambed Alteration (LSA) Agreement is required when a project activity may substantially adversely affect fish and wildlife resources.

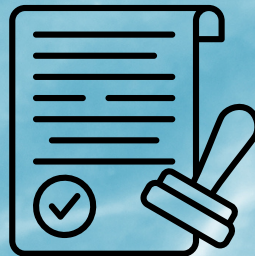
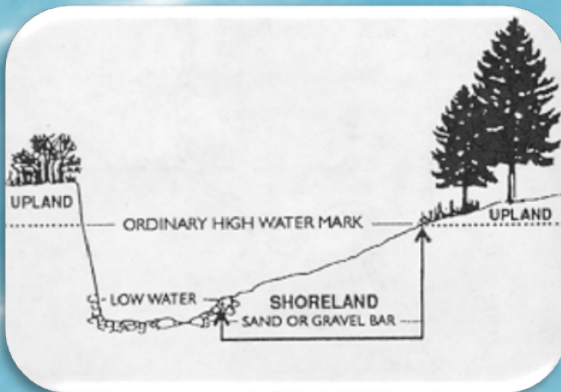
Who should apply for a USACE permit?

Any person, firm, or agency (including Federal, state, and local government agencies) planning to work in navigable waters of the United States, or discharge (dump, place, deposit) dredged or fill material in waters of the United States, including wetlands, must first obtain a permit from the Corps of Engineers.

Permits, licenses, variances, or similar authorization may also be required by other Federal, state and local statutes.

When Should I get a grading permit from the County?

Anytime the movement of soil or rock could affect drainage, waterways or creeks you will likely need a grading permit from the County.



Flood Control and Water Conservation District recommendations for maintaining your drainage, creek or waterway.

- Keep it free of trash and debris
 - Thin dense vegetation
 - Do not expose bare soil
- Do not burn vegetation piles directly adjacent to drainages
- Do not spray chemicals that can get into water
- Prevent bare soil on your property from entering the drainage
- Do not store or build anything below ordinary high water mark
- Use hand tools to maintain areas below the ordinary high water mark
 - Disturb below the low water mark as little as possible
- Leave root systems and low vegetation in place to prevent erosion
- If you are using equipment, you will likely need a permit contact CDFW and Public Works
- If you are moving or exposing soil or rock, you will likely need a permit contact CDFW and Public Works
- If you are removing native trees or any trees greater than 4" diameter, you will likely need a permit contact CDFW
- If your drainage has year-round water in it you will likely need a permit from USACE to modify it or discharge anything into it.

Resources:

Tehama County Flood Control and Water Conservation District: 530-690-0700, Tehama County Public Works: 530-385-1462
California Department of Fish and Wildlife: 530- 225-2367, Us Army Corpse of Engineers: 916-557-5250, Resource Conservation District: 530-727-1280

 <https://tehamacountywater.org>