

500 SPECIFIC ENCROACHMENT PERMITS

This chapter describes specific types of encroachment permits, their codes and requirements. The Encroachment Permits Office uses permit codes for categorizing projects, determining application completeness, and file management. Specific permit codes for utility facility installation, maintenance and relocation are described in Chapter 600.

Tables 5.1A and 5.1B lists encroachment permit types, codes and sections that discuss their requirements.

Table 5.1A
Administrative Permit Codes

SECTION	CODE	TITLE	RESPONSIBLE UNIT
500.1	AH	Adopt-A-Highway	Maintenance
500.2	AP	Transportation Art Program	Landscape Architecture
500.3	AS	Airspace Development	Right of Way
500.4	CC	City and County Issued Permits	City/County
500.5	CN	Chain Installer	Maintenance
500.6	CU	Commercial Use	Landscape Architecture, Maintenance, Right of Way or Telecommunications
500.7	GM	Gateway Monument	Landscape Architecture
500.8	ID	Community Identification	Landscape Architecture
500.9	MM	Blue Star Memorial Markers and Memorial/Historical Plaques	Landscape Architecture
500.10	OP	Oversight Projects	Project Development

**Table 5.1B
Specific Permit Codes**

Section	Code	Description	Section	Code	Description	Section	Code	Description
501.3A	AD	On-Premise Advertising Displays	507	MB	Mail Box	516	SV	Surveys
501.3B		Arcades	508	MC	Miscellaneous	516.1		Multi-year survey permits
501.3C		Awnings	508.1		Contractor's Yard & Plant	516.2		Accident Reconstruction
501.3D		Marquees	508.5		Grading	516.3		Archaeological Surveys
501.7	BR	Banners/Decorations/Signs	508.6		Mowing Grass	516.4		Land Surveys
501.8	BS	Bus Shelters & Benches	508.7		Material Removal	516.5		Literature Distribution
501.10	CD	Commercial Development	508.8		Parking Meters	516.6		Research Projects
501.12	CS	Curb, Gutter, Sidewalk	508.9		Engineering Services	516.7		Soil Survey
502.1	DD	Major Drainage Facilities	508.10		Survey Monuments	516.8		Traffic Counts
502.2	DM	Minor Drainage Facilities	508.11		Gathering of Roadside Vegetation Materials	517	TK	Traffic Control,
501.14	DP	Double Permit				517.1		Conventional Highway
503		Filming Permits	509	OA	ODA Visibility Improv. Request	517.2		Temporary Signals
503.5A	FI	Intermittent Traffic Control				517.3		Ramp Closures
503.5B	FL	Traffic Control	510.1	RC	Commercial Driveway	517.4		Planned Checkpoints
503.5C	FO	No Moving Traffic	511.1	RD	Rider Initiated By Caltrans	517.4A		Charitable Solicitations
503.5D	FR	Film Rider	510.2	RM	Reconstruct Driveway	517.5		PCMS
503.5E	FS	Special	510.3	RP	Road Approach	517.6		Snow Closures
503.5F	FF	Facilities	510.4	RS	Single Family Driveways	517.7		Temp. Directional Signing
504	FN	Fence	511.2	RT	Rider for Time Extension	517.8		Const. Identification Signs
505.1	GC	Cable Crossing	511.3	RW	Rider to Modify Work	518	TN	Tunnel Under Road
505.2	GV	Seismic Vibrator	512	RX	RR Grade Crossing Maint.	519	WL	Wall
506		Landscape Permits	513	SC	Early Entry	520	MW	Monitoring Well
506.4A	LC	Conventional Highway	514	SE	Special Events	521	SI	Signs
506.4B	LF	Freeways	515	SN	Signal & Lighting	521.1		Guide Signs
506.4C	LM	Maintenance				521.2		Fire Hydrant Markers
506.4D	LT	Tree Trimming/ Removal				521.3		Fire Protection Signing

Section 500 of this chapter describes Administrative Encroachment Permit codes. These permit codes are reviewed and approved by Caltrans functional units other than the Encroachment Permits Office. Subsequent sections describe categories of permits including those that are complex and often include several permit codes.

500A Certification of Compliance with the Americans with Disabilities Act (ADA)

Encroachment permit projects that create, alter or affect pedestrian facilities are required to be designed and constructed in accordance with the policies and standards in the current Design Information Bulletin 82 (DIB 82) available at:

<http://www.dot.ca.gov/hq/oppd/dib/dibprg.htm>

For projects coordinated by the Encroachment Permits Office, compliance with DIB 82 is documented with the "Certification of Compliance with the Americans with Disabilities Act" (form TR-0405) available at:

<http://www.dot.ca.gov/hq/traffops/developserv/permits/applications/index.html>

Separate TR-0405 forms are required for the Design and Post Construction Certifications. The Design Certification must be submitted prior to the issuance of an encroachment permit or rider. The Post Construction Certification must be submitted after construction is completed.

The signature and stamp of a California Licensed Professional Engineer, Licensed Architect or Licensed Landscape Architect are required on the TR-0405 forms. A stamp is not required when the certification is done by (1) an authorized utility company representative or (2) an authorized (at the discretion of the District Permit Engineer) Caltrans representative with direct knowledge of the entire project's pedestrian facilities.

The District Office of Encroachment Permits must retain both forms (Design and Post Construction) in the permit file. To ensure that these forms are submitted, the District Permit Engineer may require the applicant to provide a bond.

For administrative encroachment permit projects, which are reviewed and approved by other functional offices within Caltrans, the lead functional office coordinates with the applicant/permittee for appropriate ADA Design and Post Construction Certification. The lead functional office must retain the Design and Post Construction Certification in their project files.

Projects requiring ADA certification:

All encroachment permit applications are reviewed to assess the need for ADA certification. Lack of ADA certification does not relieve the permittee from following all applicable ADA guidelines. Tables 5.2A and 5.2B list typical permit codes that require ADA certification.

Table 5.2A
ADA Certification by Responsible Functional Office

Section	Permit Code	Description	Responsible Office	Section	Permit Code	Description	Responsible Office
500.3	AS	Airspace Development	Right of Way	500.7	GM	Gateway Monument	Landscape
500.4	CC	City and County Issued Permits	City or County	500.10	OP	Oversight Project	Project Delivery
500.6B	CU	Safety Roadside Rest Areas and Vista points	Landscape	510.3	RP	Road Approach	Project Delivery
500.6C	CU	Demonstration and Experimental projects	Right of Way				

Table 5.2B
ADA Certification by the Office of Encroachment Permits

Section	Permit Code	Description	Section	Permit Code	Description
501.3B	AD*	Arcades	510.1	RC	Commercial Driveway
501.8	BS	Bus Shelters and Benches	511.1	RD*	Rider initiated by Caltrans
501.10	CD	Commercial Development	510.2	RM	Reconstruct Driveway
501.12	CS	Sidewalks	510.4	RS	Single Family Driveways
504	FN	Fence	511.3	RW*	Rider to Modify Work
506.4A	LC	Landscaping - Conventional Highway	515	SN	Signal and Lighting
506.4B	LF	Landscaping - Freeways	517	TK*	Traffic Control
508.8	MC	Miscellaneous Parking Meters	618	UC*	Utility Conventional Aerial
600.2	US	SAFE Telephones			

*Not all projects under this code will require ADA certification.

500 ADMINISTRATIVE ENCROACHMENT PERMITS

The District Encroachment Permits Office issues encroachment permits for projects reviewed and approved by other Caltrans functional units such as Design, Maintenance, Landscape, Traffic Operations, or Right of Way. The applicant works with the responsible functional unit to ensure the proposed encroachment complies with all applicable guidelines, procedures, Standard Plans and Specifications, most current version of “Design Information Bulletin 82: Pedestrian Accessibility Guidelines for Highway Projects”, “Deputy Directive 64 : Complete Streets: Integrating the Transportation System”, etc.

Once all reviews and approvals have been obtained, the responsible functional unit provides the applicant with an “Encroachment Permits Administrative Route Slip” (form TR-0154) authorizing the issuance of an encroachment permit.

The applicant then submits an Encroachment Permit Application package including the authorizing document(s) to the District Encroachment Permits Office. An encroachment permit is then issued. Encroachment Permits’ staff should not expend more than two (2) hours on the whole process of permit issuance for Administrative Permits. Any additional time must be charged to the Project’s Code.

**500.1 Adopt-A-Highway
Permit Code AH**

A fee exempt permit issued for the Adopt-A-Highway (AAH) Program allows participation by individuals, businesses, agencies, and organizations for roadside enhancement involving: litter removal, vegetation control, tree and shrub planting, wildflower planting, and graffiti removal, in the State right-of-way. In recognition for their participation, signs are placed within the right-of-way identifying the group. Certain highway segments may not be appropriate for adoption because of narrow shoulders, steep slopes, poor visibility, etc.

Participants in the AAH Program may adopt segments of a highway and perform the work themselves or hire a professional contractor to perform work on their behalf.

When a contractor is hired, districts should issue a fee-exempt Double Permit “DP” to the party actually performing the work. The “DP” shall include all applicable AAH provisions, liability insurance, etc. Bonding is not required.

The “Adopt-A-Highway Program Application” (form MTCE-018) is used for all AAH inquiries and is submitted by the applicant to the District AAH Coordinator. The AAH Coordinator will review the application and inform the applicant via an “Application Status Letter” whether the group meets participation requirements and whether the requested site(s) is/are available.

If the group meets participation requirements but the requested site(s) is/are not available, the group is placed on a waiting list.

If the group meets participation requirements and a requested site(s) is available for immediate adoption, the District AAH Coordinator prints a pre-filled “Adopt-A-Highway Permit Application” (form TR-0103) and includes it with the Application Status Letter. Additional documents (plans and schedules, recognition panel design proof, etc.) are also requested at this time. Applicants are also given a deadline for returning the documents.

Once the “Adopt-A-Highway Permit Application” (form TR-0103) and additional documentation are submitted and approved, they are forwarded to the District Encroachment Permits Office along with the “Attachment A (Adopt-A-Highway Special Provisions)” (form MTCE-09) for issuance of the permit.

AAH Special Provisions include Safety Requirements (see Appendix K). These special provisions shall be included in their entirety in all AAH Permits. Any highway segment that does not allow the total use of these special provisions should not be included in the AAH Program.

The AAH Program Application and additional information can be found at:

<http://adopt-a-highway.dot.ca.gov/>

500.2 Transportation Art Program Permit Code AP

Artists may place their artwork on Caltrans’s property if the applicant receives approval from the city or county, the responsible local organization(s) representing the community affected by the artwork, and Caltrans’s District Director. District Transportation Art Coordinators evaluate proposals and coordinate these activities. The Landscape Architecture Program is responsible for managing the program. The permittee is **not** charged for the administrative costs, staff reviews, inspection, required traffic control or normal maintenance work associated with Caltrans’ facility or right-of-way.

The encroachment permit is normally issued to the local agency. Surety bonds may not be required unless the District Transportation Art Coordinator so recommends.

An encroachment permit is processed after initial approvals are secured. (See Project Development Procedures Manual, Chapter 29, Section 6 for policy and procedures pertaining to Transportation Art.) For additional information, go to:

http://www.dot.ca.gov/hq/LandArch/16_livability/trans_art/index.htm

500.3 Airspace Development Permit Code AS

Airspace Development Permits “AS” are issued in conjunction with and under the terms of an Airspace Lease Agreement (ALA) or a Telecommunication Site License Agreement (SLA) for the development of usable airspace parcels within controlled access highway right-of-way, and in some instances within conventional highway right-of-way.

General requirements for “AS” Permits and specific conditions that apply to column protection, fencing, telecommunications, and FHWA approval, on Interstate Systems, associated with airspace development are described in the sections that follow.

There are occasions where property (airspace) within conventional highway right-of-way is leased. It does not occur often, but when it does, the process is the same as when airspace is leased within controlled access highway right-of-way.

Installations within conventional highway right-of-way are processed through the District Encroachment Permits office, and generally do not require an ALA or SLA.

Functional branches involved in the processing of Airspace Lease Agreement submittals shall charge their time to their own program overhead Project Code.

Functional branches involved in the processing of Telecommunication Site License Agreement submittals shall charge their time to their own program’s Project Code.

Encroachment permits are required for all airspace leases when located within the operational highway right-of-way, including park and ride lots, when significant permanent improvements are proposed for the development of usable airspace parcels. An encroachment permit may not be necessary if the proposal is outside the operational right-of-way. The encroachment permit is utilized to protect Caltrans’s investment during construction.

The permittee is responsible for coordinating all inspection activities with the R/W Airspace Manager, including notification to others that may be affected by the improvements. When construction is completed and accepted by Caltrans’s R/W representative, the encroachment permit file is finalized and closed, and then the provisions of the Lease Agreement govern the lessee’s operation.

500.3A General Requirements

When an encroachment permit is required (as in the case of permanent improvements), it is issued only **after** the execution of an Airspace Lease Agreement or a Telecommunication Site License Agreement. The District Airspace Manager submits the following documents to the District Encroachment Permits Office for the issuance of the encroachment permit:

- A completed “Standard Encroachment Permit Application” (form TR-0100)
- “Encroachment Permit Administrative Route Slip - Special Projects” (form TR-0154) shall be completed by the District Airspace Manager stipulating that the package is complete
- Payment and Performance Bond (forms TR-0018 and TR-0001. Usually waived for Telecommunications SLAs)
- Copy of liability insurance
- Copy of building permit by local jurisdiction
- Final construction plans, including planting and irrigation plans, approved by the District Airspace Review Committee (DARC) and FHWA

The Airspace Lessee shall provide the District Airspace Manager with six (6) sets of plans and specifications for new construction of curbs, gutters, utilities, lighting, driveway approaches, paving, planting and irrigation systems, and new, modified, or rehabilitated buildings. The District Airspace Manager is responsible for circulating the plans and other documents for review and approval by the functional units.

During lease negotiations, the District Airspace Manager shall meet and confer with the District Encroachment Permit Engineer to confirm the requirements between the permit's General and Special Provisions and the Airspace Lease Agreement.

An encroachment permit may not be required when the Airspace Lease Agreement allows minor modifications to existing improvements (e.g., re-paving, change in direction of parking stall striping, change in directional signs, repairs or minor modifications to irrigation system, painting building exteriors, etc.), or when the site is located off the operational highway right-of-way, because the Airspace Lease Agreement governs these activities. The lessee is required to notify the District Airspace Manager any time construction activities are proposed on the site, and occur near structural columns.

The usable airspace parcel shall not be occupied or used by the lessee until all proposed improvements are completed to the satisfaction of Caltrans's Airspace Development Program representative. If an encroachment permit is issued, a copy of the "Progress Billing/Completion Notice" (form TR-0129) is sent to the District Permits Office and a copy to the District Airspace Manager.

Upon completion of the work and acceptance by Caltrans, the permittee shall submit one set of film positive reproducible, either matte or clear, as-built plans to the District Permit Engineer, if an encroachment permit was issued. A full size, original quality as-built plan set shall be forwarded to Structures Maintenance.

500.3B Column Protection

Lessee's plans for column protection for Airspace Lease Agreements beneath a column-supported State structure are reviewed by Structures Maintenance. Caltrans's representative shall ensure that the protection is placed and maintained during the authorized work or as required by Structures Maintenance.

500.3C Fencing

A Caltrans standard 6-foot high chain link fence may be installed around the perimeter of the leased area with gate locations shown on the plans. Security may be enhanced by the installation of vertical brackets on the fence posts and attaching three strands of barbed wire to the brackets. The use of razor ribbon coils atop the fence is prohibited. An encroachment permit for new fencing is required, but not required for normal maintenance repair. The terms and conditions for maintenance are included in the Airspace Lease Agreement.

Alternative fencing materials (e.g., masonry, wood, etc.) can be used, but require DARC approval. The District Airspace Manager will forward a copy of the DARC's comments and approval of the

plans and specifications, including comments by HQ Structures Maintenance, to the District Permit Engineer as part of the encroachment permit application package.

500.3D FHWA Approval on Interstate System

Airspace development plans for sites located on the Interstate System must be approved by FHWA before an encroachment permit can be issued. The District Airspace Manager forwards a copy of the FHWA approval to the District Permit Engineer when the encroachment permit application package is submitted.

Encroachment permits for short term airspace uses such as; soil testing, Christmas tree lots, interim special event parking, donation collections, and highway contractor storage use may be issued without FHWA approval.

500.3E Encroachment Permit Application

The District Airspace Manager shall obtain a completed “Standard Encroachment Permit Application” (form TR-0100) from the proposed airspace lessee as part of the submittal package.

500.3F Telecommunications (Wireless)

Wireless telecommunications facilities installed within conventional highway right-of-way are processed through the District Encroachment Permits office, and generally do not require an ALA or SLA.

A Site License Agreement (the equivalent to an Airspace Lease Agreement) and an encroachment permit are required to place wireless telecommunications facilities within controlled access right-of-way, and in some instances within conventional highway right-of-way before construction can begin. The plans and specifications shall contain a memorandum from the District Airspace Review Committee (DARC) that the proposed facility does not interfere with Caltrans’s communications systems. The telecommunications carrier shall be in conformance with all other requirements for the issuance of an encroachment permit. If the installation of locked gates is necessary, approval shall be obtained from DARC.

Approval of wireless facilities and access to wireless facilities within controlled access rights of way is delegated to the DARC. Access to the wireless facility shall be made from outside the right-of-way.

- **Site Survey Permits (Pre-Construction)**

Districts may issue an annual “SV” permit to each wireless service carrier for all conventional highways within the District. A deposit equivalent to ten (10) hours of the Standard Hourly Rate shall be collected upon submittal. If the surveying is contracted to a surveying company, a Double Permit “DP” will be required.

Work within U.S. Forest Service property, other leased or prescriptive rights of way are not authorized under Caltrans's encroachment permit, approval shall be obtained from that specific property owner by means of written permission or permit. A copy of authorization or issued permit shall also be forwarded to the District Airspace Manager.

- **Constructing Individual Wireless Sites**

The District Airspace Manager is responsible for the review process of all Lease Agreement submittals. Preliminary and final proposals are reviewed through the DARC before coordinating a detailed plan review and obtaining approval. Deviations from current guidelines require review from the Division of Design, Chief.

- **Future Maintenance of Facilities**

When facilities are located within the operational highway right-of-way an encroachment permit may be issued to each wireless service carrier for routine and emergency maintenance work on conventional and controlled access right-of-way within the District. The permittee shall not make additions to site facilities, change access locations, or allow attachments or modifications to their equipment that would result in use by other utility providers, as approved for construction under the Master License Agreement (MLA). Maintenance requirements in controlled access right-of-way that do not conform to current guidelines will require approval from the Division of Design, Chief.

Applicants are responsible for all Caltrans costs associated with submittals.

500.3G Landscaping

Planting by a local entity or private developer within State highway rights of way is allowed through:

- the encroachment permit process,
- a Caltrans-administered contract that is funded partly or totally by others, or
- leasing the planting area to the owner of the abutting property (see Project Development Procedures Manual, Chapter 29). The preferred method for handling participation by others is through an encroachment permit and a Cooperative Agreement with the local entity (see Cooperative Agreement Manual). In this case, an Airspace Lease Agreement is not required.

An Airspace Lease Agreement may be required with the encroachment permit if the proposed project:

- is determined to be unwarranted for highway planting,
- exceeds the allowable maximum cost per hectare (adjusted annually by the Headquarters Landscape Architecture Program),
- and the improvement to the property is to the benefit of the developer.

The Airspace Lease Agreement will require the lessee to provide a plant establishment period and plant maintenance, including all water and utility costs, during the term of the lease. The District

Landscape Architect, in coordination with the District Airspace Manager, determines when an Airspace Lease Agreement is used.

500.3H Permanent Record

The encroachment permit is a permanent record of the privilege given to the lessee to encroach upon highway rights-of-way to construct, occupy, and use the constructed improvements.

**500.4 Permits Issued by Cities and Counties
Permit Code CC**

Cities and counties may issue specific encroachment permits on **conventional** State highways when authorized by a written agreement with Caltrans (See Appendix B). The specific permit types must be documented in the agreement. This agreement shall be on file in the District Office and a copy forwarded to Headquarters Office of Encroachment Permits.

With an agreement, cities and counties may issue encroachment permits for **specific** activities under the following permit codes:

- **BR** Temporary Banners, Signs, Decorations – New or Repeat
- **CS** Curb, gutter, sidewalk (Removal or Repair of existing only)
- **FN** Fence Repair (Removal or Repair of existing only)
- **MB** Mail or Newspaper Delivery Boxes
- **RS** Driveway – Resurface, Reissue (for record purposes only)
- **SV** Land Survey – Conventional Highways only

Current Caltrans' forms shall be utilized. All work shall be in conformance with State policy and State design standards, unless local standards are more restrictive. The city or county must provide quality assurance personnel for review, inspection, and final acceptance.

The city or county must collect sufficient fees from the permittee to cover their cost of permit issuance, review, and inspection. Immediately after issuance, the city or county must provide Caltrans copy of the issued permits. Caltrans will retain these in their permanent permit files. After project completion, the city or county must send the completion notice, as-built plans, and other data requested by Caltrans to the District Permit Engineer for microfilming. The required data is specified in the agreement.

The city or county must maintain files on all permits issued on State highways. Federal regulations require Caltrans to monitor permits on the National Highway System. The city or county must make the permit files available for inspection at the request of the District Permit Engineer.

Table 5.4 lists the procedures that shall be utilized by cities and counties in reviewing and processing permits issued on behalf of Caltrans.

Table 5.4
Caltrans' Procedures for Reviewing and Processing Permits
Issued by Cities and Counties

Use these procedures in reviewing and processing encroachment permits issued by cities and counties:

1. The city or county reviews the permit application for completeness and sends it to the respective Caltrans' District Permit Engineer.
2. The permit application is then Simplex stamped in the District Office and a copy is sent back to the city or county to issue the permit.
3. The city or county then issues the permit and sends a copy to Caltrans. Caltrans retains a copy in the District Encroachment Permits Office and sends a copy to the appropriate Caltrans permit inspector and the area maintenance superintendent for information purposes only.
4. Any Caltrans' administrative or permit processing charges are not billed on permits issued by cities or counties.
5. Any Caltrans' normal cursory inspection monitoring is not billed for permits issued by cities and counties.

500.5 Chain Installer Operations **Permit Code CN**

A permit code CN is used to allow chain installers on the right-of-way for the benefit of motorists traveling in snow areas. Section 670 of the Streets and Highways Code authorizes these permits.

Districts issuing chain installer permits shall institute a training and testing program. Permit applicants must participate in an orientation session, pass a written test, and pass a performance test during which chains must be installed properly within five minutes. Testing is conducted by either the District Encroachment Permits Office or the Maintenance Regional Managers Office and must be completed before a permit is issued. All administrative work, permittee training, and inspection time should be charged to the Maintenance Project Code for snow removal.

The "Chain Installer Permit Application/Release of Liability" (form TR-0106) and the "Chain Installer Permit" (form TR-0107) indicate the current fee and include the permit conditions. These forms are updated each year by the HQ Office of Encroachment Permits and sent to all participating districts. District Encroachment Permits Offices that do not administer the chain installer program should Simplex-stamp the applications and distribute them to the Maintenance Regional Managers for permit issuance upon completion of testing.

Each District issuing chain installer permits receives an annual set of consecutively numbered vests from Headquarters. Each permittee receives one vest with the permit. A permitted chain installer may apply for a second chain installer permit in another District, provided there is no established waiting list.

Loss of a permit or vest shall be immediately reported to the District Encroachment Permits Office that issued the permit. A duplicate permit will be issued upon payment of the administrative fee

(equal to one hour multiplied by the Standard Hourly Rate). A replacement vest will be issued upon payment of the administrative fee plus the cost of the vest itself.

Vests not used during the year may be retained in storage for future use.

The number of permits available for issuance is limited. First consideration shall be given to prior applicants of the previous winter season, providing their permits were not suspended for more than 30 days or revoked during the previous winter season.

Any permits suspended near the end of the winter season, and/or if the suspension is found to be ineffective at the time so ordered in the opinion of the District Permit Engineer, may be applied to the next winter season if so stated in the letter of suspension to the permittee.

Appeals of any punitive action taken against a chain installer permittee shall be submitted in writing within five (5) business days to the District Permit Engineer.

A written decision shall be rendered within ten (10) business days from the receipt of the written appeal. The District Permit Engineer's written decision may be appealed in writing within five (5) business days, to the District Director in which the permit was issued. The District Director's decision shall be rendered in writing within ten (10) working days from the receipt of the appeal, and this decision is final (There are no further administrative rights of appeal.).

Penalties noted in the "Chain Installer Permit Application/Release of Liability" (form TR-0106) and the "Chain Installer Permit" (form TR-0107) are the minimum. Severe penalties may be imposed for any infraction of Permit Conditions if warranted by the circumstances, or by the permittee's conduct.

500.6 Commercial Use Permit Code CU

500.6A Newspaper Vending Machines

No-fee permits are issued for placing newspaper vending machines within conventional highway right of way. Caltrans should work with servicing news organizations to select safe locations for vending machines and encourage placement of machines on private property. Permits are issued to news organizations for their individual vending machines when no practical location exists outside the right of way in the area requested.

Districts should not remove existing vending machines or cite them as illegal encroachments. Rather, they should contact the news organization to obtain an application. When vending machines obstruct pedestrians or present a traffic hazard, the news organization should have them relocated.

Coin-operated newspaper vending machines featuring sex-oriented magazines and newspapers shall not be permitted on State right of way [California Penal Code Section 313.1 (c) (1)].

Newspaper vending machines shall have a minimum 2 feet horizontal clearance to the face of curb and provide 4 feet of clear sidewalk. They should comply with standards for clear recovery zone and breakaway design if districts determine that the installation would constitute a fixed object. Vending machines displaying advertising for other than the newspaper shall be removed.

Newspaper vending machines are not authorized, and permits are not issued, in access controlled right of way except as provided in Section 500.6B. Maintenance should immediately remove machines located within the access controlled right of way, except for those statutorily authorized in roadside rest areas under a “Newspaper Distribution Agreement” (form TR-0150, see Appendix B) prepared by the District Landscape Architect.

500.6B Safety Roadside Rest Areas and Vista Points

The District Safety Roadside Rest Area Coordinator is responsible for activities pertaining to safety roadside rest areas. Vista Points’ activities are the responsibility of the District Landscape Architect. Applications for use that require an encroachment permit should be reviewed and approved by the appropriate functional units coordinated by the appropriate coordinator and the project documents transmitted to the DPE by an “Encroachment Permits Administrative Route Slip” (form TR-0154) authorizing the issuance of an encroachment permit.

For a list of the Safety Roadside Rest Areas Coordinators, go to:

http://www.dot.ca.gov/hq/LandArch/16_livability/srra/srra-contacts.htm

For a list of the District Landscape Architects, go to:

http://www.dot.ca.gov/hq/LandArch/index_dla_map.htm

The coordinator performs all reviews, field studies, and document preparation before sending the completed package to the permit engineer for permit issuance. Applications for the placement of Newspaper vending machines require a deposit/fee equal to four (4) hours times the SHR. **Solicitation, the distribution of goods, the use as a public forum, and vending activities are illegal and not permitted in roadside rest areas and vista points except as described below.**

Activities that require a permit and the responsible Headquarters jurisdiction are listed as follows:

- | | |
|-------------------------------|------------------------|
| • Newspaper Vending Machines | Landscape Architecture |
| • Vending Machines | Landscape Architecture |
| • Adopt - A - Rest Area | Maintenance |
| • Coin/Credit Card Telephones | Telecommunications |
| • Coupon Distribution | Maintenance |

The Streets and Highways Code, Section 220.5 authorize the placement of vending machines at roadside rest areas. One permit is issued for each site to the California Department of Rehabilitation for construction and maintenance of kiosk and vending machine installation. A double permit is issued to the contractor installing the kiosk or vending machines.

For additional permitting information, see the California Code of Regulation, Title 21, Division 2, Chapter 20, Article 4.

Uses not requiring a permit and the responsible Headquarters jurisdiction are listed below:

- Agricultural Displays
- Traveler Information Centers
- Landscape Architecture
- Maintenance

Agricultural Displays and Traveler Information Centers are governed under the terms of agreements administered by the Maintenance and Landscape Architecture. Other proposed activities or uses may require an encroachment permit. For determinations, contact Headquarters Office of Permits.

500.6C Demonstration and Experimental Projects for Commercial Use of Right of Way

The Division of Right of Way is involved with demonstration or experimental projects involving commercial use of the right of way authorized by statute. The most apparent project type is a commercial kiosk used for advertising in roadside rest areas. This program involves placement of private property within the right of way. Right of Way manages these programs and coordinates all reviews. Permits are issued when applications are approved by Right of Way.

500.7 Gateway Monuments Permit Code GM

A Gateway Monument is defined as any **freestanding** structure or sign, non-integral or non-required highway feature that will communicate the name of the Local Entity (city, county, or township). A Gateway Monument may include the officially adopted seal or slogan of the local entity.

Participation in this program shall be at the sole discretion of each of Caltrans's District Directors.

A local entity must fund and maintain Gateway Monuments. Caltrans will collaborate with the responsible local entity supporting the proposed Gateway Monument.

The District Gateway Monument Coordinator shall be the single point of contact to qualify and process all submittals. For a list of the District Gateway Monument Coordinators, go to:

http://www.dot.ca.gov/hq/LandArch/16_livability/gateway_mon/index.htm

If approved by the District Director, the District Gateway Monument Coordinator will advise the local entity to present a final submittal to the District Permit Engineer. Final submittal for a Gateway Monument will be processed as an encroachment permit. If the proposal is on an interstate highway, the District Permit Engineer will forward the final submittal to Headquarters, Division of Design, and Office of Encroachment Exceptions, to obtain written approval from FHWA prior to finalizing the permit. The District Permit Engineer shall notify the District Gateway Monument Coordinator and the Headquarters Landscape Architecture Program when the permit has been approved and when construction of the Gateway Monument is completed.

Gateway Monument proposals incorporated with transportation projects will need to be identified in the Cooperative Agreement and shall be subject to the review process detailed in the Guidelines and constructed under a separate permit. Gateway Monuments included as part of a capital improvement project, regardless of funding source, will be reviewed, and approved through Caltrans's project development process and as directed within the guidelines.

The District Encroachment Permits Office will issue the primary Gateway Monument (GM) to the Local Entity as a fee exempt permit. If not addressed in the cooperative agreement, a non-exempt double permit (DP) shall be issued to the contractor hired by the local entity for construction activities.

Proposals submitted for the placement of Gateway Monuments must comply with State environmental laws and regulations as well as the Guidelines found at:

http://www.dot.ca.gov/hq/LandArch/16_livability/gateway_mon/index.htm

500.8 Community Identification Program **Permit Code ID**

Community identification is defined as images or text that conveys information about a region, community, or area that may be integrated, painted, or placed as an aesthetic treatment upon required engineered highway facilities.

Required engineered highway features, such as, but not limited to, sound walls, retaining walls, bridges, bridge abutments, bridge rails, and slope paving, may provide the opportunity for the placement of visual, graphic, or sculptural representations of a community's identity, including its history, resources, or other defining characteristics.

Community identification will typically be provided and maintained by the local public agency (e.g., city, county), State or Federal agency, tribal government, or non-federally-recognized tribe.

Community identification proposals associated with new transportation facilities should be submitted to the District Cooperative Agreements office for review and approval through Caltrans' project development process.

Community identification proposals associated with existing transportation facilities should be submitted to the District Office of Encroachment Permits.

Community Identification and Gateway Monuments are discretionary features within the transportation corridor. To avoid motorist distraction and visual clutter, a maximum of only one Gateway Monument or Community Identifier visible from the traveled highway will be allowed per State Highway or Interstate approach (one in each direction) into a local entity.

Policies and procedures for the Community Identification Program are outlined in the Project Development Procedures Manual, Chapter 29, Section 8. Additional information can be found at:

http://www.dot.ca.gov/hq/LandArch/16_livability/community_id/index.htm

**500.9 Blue Star Memorial Markers and Memorial/Historical Plaques
Permit Code MM**

The Blue Star Memorial Highway Program designates various State and national routes as Blue Star Memorial Highways in tribute to the men and women of the nation's armed forces. The program was established by the National Council of State Garden Clubs, Inc. It allows placement of markers and minimal planting (e.g. planting that is incidental to the markers) on highway segments that the California Legislature has designated as Blue Star Memorial highways, highway segments or other appropriate areas approved by the District.

The placement of memorial markers or plaques within the right-of-way is administered and coordinated by the Landscape Architecture Program. Policies and procedures are outlined in the Project Development Procedures Manual, Chapter 29, Section 7. Additional information can also be found at:

http://www.dot.ca.gov/hq/LandArch/16_livability/blue_star/index.htm

Another type of memorial is the roadside memorial, which consists of objects such as: white crosses, wreaths, flowers, personal items, etc. They commemorate the memory of loved ones that died while traveling on a particular State highway.

Placement of roadside memorials is not allowed unless required by specific legislation or approved via the Victims Memorial Signs Program (Streets and Highways Code, Section 101.10)

Additional information on the Victims Memorial Signs Program can be found at:

<http://www.dot.ca.gov/hq/traffops/engineering/control-devices/victims.htm>

500.10 **Oversight Projects**
Permit Code OP

An Oversight Project (OP) permit is issued for highway improvement projects funded-by-others. A Caltrans functional unit (usually Design), other than the Encroachment Permits Office has responsibility for these projects including, but not limited to, plan review and approval, storm water document quality assurance, obtaining encroachment permits and executing cooperative or highway improvement agreements. The Project Development Procedures Manual and Deputy Directive DD-23-R1 have further information on projects-funded-by-others.

Any project equal to, or greater than \$1 million (1,000,000 dollars), or complex, as described in Chapter 100 of this manual, is an oversight project. These projects can be financed with a sales tax measure, a locally funded non-sales tax, or private funds. These projects are not included in a State programming document such as the STIP or SHOPP.

The Caltrans Project Manager will develop a workplan and provide a Project Code. The Project Manager should consult the District Permit Engineer during workplan development to ensure the EP Office is appropriately resourced. Time expended by EP staff on oversight projects shall be charged directly to the oversight project's Project Code.

The EP Office does not coordinate reviews of Oversight Projects. An encroachment permit is issued based on the completed permit application package and the approved "Encroachment Permit Administrative Route Slip" (form TR-0154). This is submitted to the EP Office by the applicant or the responsible Caltrans functional unit.

Some of the documents required to be submitted by the applicant are listed in the table below.

Table 5.5
Application Package Submittal Requirements for Oversight Projects

The Encroachment Permit package shall contain the information listed below for permit issuance on Oversight Projects:

1. A completed “Standard Encroachment Permit Application” (form TR-0100) from the Applicant.
2. A signed “Encroachment Permit Administrative Route Slip” (form TR-0154) provided by the responsible functional unit transmitting project approval and all required items. This form indicates that the project has addressed all concerns by Caltrans functional units and is “ready to proceed”.
3. A copy of the Approved Project Initiation Document (PEER, PSR-PDS, PSR).
4. A copy of the fully executed Cooperative or Highway Improvement Agreement.
5. Right of Way Certification, including high and low risk utility clearances.
6. Written substantiation by the functional reviewing unit that all comments and revisions requested have been addressed.
7. All Plan Sheets, except for Utility Plans, are signed and stamped by a California-Registered Engineer.
8. The proper Caltrans functional unit has signed off on all specialty design plan sheets (signalization, signing, striping, electrical, etc.).
9. Construction oversight information provided (Project Code, Resident Engineer’s name, location, and phone number).
10. Seven (7) sets of folded plans, in U.S. Customary (English) units shall be provided, reduced copies are preferred. Additional plan sets may be required prior to issuance of the permit, depending on the type of project.
11. Functional reviewing units requiring a copy of the permit package shall submit their request in writing.
 - ◆ Normal distribution of the permit package:

Maintenance Regional Manager – 1	Project Development – 1
District Construction Division – 2	Permits Office – 1
Permittee – 1	Permittee’s Contractor – “DP”
 - ◆ If applicable, also include:

Traffic Electrical – 1	HQ Structures – 1
Structures Construction – 1	

Additional Information for the Applicant:

1. Applicant’s contractor will be required to obtain an Encroachment Permit, coded “DP” (double permit).
 - a. The cooperative agreement shall contain a fee waiver statement; otherwise, the Contractor will be required to pay the encroachment permit hourly rate for the total actual time of inspection and oversight expended.
 - b. The Applicant shall provide substantiation that the Contractor has met the Bonding requirements in Sec. 3-1.05 of Caltrans’ Standard Specifications and shall be included within the Contractor’s Permit.

501 GENERAL TYPES OF PERMITS

The types of encroachment permits listed in Tables 5.1A and B generally have only one permit code. They cover a wide range of authorized activities and the scope of permitted activities may vary from routine to complex. Many of the activities covered by these permit types do not require preparation of a Permit Engineering Evaluation Report (Section 202.2).

Permits covering several project locations or districts are called blanket permits. Generally, they are issued for utility facility service connections and routine maintenance as described in Chapter 600. However, blanket permits issued for other permit types are discussed in appropriate sections of this chapter.

ANNUAL/ BIENNIALS

District review (Hydraulics, Traffic Operations, etc.) is required for a new biennial permit. The District Permit Engineer may elect to re-issue the permit without the District review if all Caltrans' requirements are satisfied and field conditions have not changed from the original biennial permit, for the same permittee.

Permits may be issued as a two-year permit (biennial) subject to the discretion of the district permit engineer as indicated in the appropriate sections of this chapter and the next chapter. A summary of these permits is as follows:

Table 5.6

BR	Banners	SV	Engineering Services
BS	Bus Shelters & Benches		Land Surveys
GC	Cable Crossing (Geophysical)		Research Projects Funded by FHWA
GV	Seismic Vibrator (Geophysical)		Soil Surveys
LM	Landscape Maintenance		Traffic Counts
LT	Tree Trimming & Removal	RX	Railroad Grade Crossing Maintenance
MC	Mowing Grass by Adjacent Property Owners	TK	Planned Sobriety Checkpoints
	Grading		
OA	Visibility Improvement Request	UB	Utility Maintenance
		UE	Annual Utility

**501.1 Litter, Vegetation, and Roadside Cleanup
Consent Letter**

A "Consent Letter" (form TR-0131) for litter, vegetation, roadside cleanup, and minor forest service products may be issued by the Maintenance Area Superintendent for **one-day** activities of a type that do not meet the requirements of Caltrans' Adopt-A-Highway Program. The Consent Letter is issued to an individual or group for a one-time cleanup effort. It contains all provisions that apply to work along the highway at the location specified by the applicant and approved by the Maintenance Area Superintendent. The Deputy District Director-Maintenance may approve multiple dates at his or her discretion (maximum of three consecutive days).

**501.2 Salvage Operations
Consent Letter**

The Maintenance Area Superintendent issues salvage permits by issuing a Consent Letter.

Individual salvage permits are required for each specific return to an accident scene by an owner or authorized agent to remove wrecked vehicles or their loads.

Salvage permits are not required when the life or safety of vehicle occupants is involved, to recover victims, to remove wrecked vehicles or their loads that are blocking the roadway, or when a law enforcement officer orders removal from alongside the highway.

In addition, a transportation permit issued by the Transportation Permits Office is required for oversize or overweight tows. For more information on Transportation Permits go to:

<http://www.dot.ca.gov/hq/traffops/permits/>

**501.3 On-Premise Advertising Displays, Arcades, Awnings, and Marquees
Permit Code AD**

AD permits authorize installation and maintenance of on-premise advertising displays, arcades, awnings, and marquees. The following sections describe the general requirements that apply to all AD permits and the specific conditions that apply to each type of installation.

501.3A On-Premise Advertising Displays

AD permits are allowed only for on-premise installations as defined in the Business and Professions Code, Division 3, Chapters 2 and 2.5. Maintenance agreements or more restrictive ordinances or regulations by any city or county take precedence over this section.

An AD permit shall not be issued if the proposed installation creates a hazardous condition because of a curb, gutter, cross slope etc., or if the encroachment is an integral structural portion of a building (including: roof eaves, new bay window, and cantilevered upper floors).

A structure advertising the business conducted on the premises may overhang the conventional highway right-of-way if it meets all the conditions specified in Table 5.7

Contact the Headquarters Chief of Outdoor Advertising Program when questions arise as to whether or not a display conforms to Caltrans' Outdoor Advertising Regulations.

Table 5.7
Guidelines for Allowing a Structure to
Overhang the Conventional Highway Right-Of-Way

An advertising display structure may overhang State right-of-way if it satisfies **all** of these conditions:

1. Conforms to local building code.
2. Structurally adequate.
3. Supporting structure is outside the right-of-way. This includes freestanding or attached to the building it serves (except in special cases where arcades are permitted).
4. Overhang may not extend closer than 24 inches horizontally from the curb face. Exceptions are in historical districts where overhangs are permissible to the curb face. Curbs or other approved safety barriers should protect sign structures.
5. Preferred minimum vertical clearance from the sidewalk is 12 feet. A minimum 8 feet clearance is acceptable when local codes are satisfied.
6. No flashing, rotating or intermittent lights shall be allowed except approved public service information signs. Signs containing red, yellow, or green lights shall not be permitted where they interfere with perception of traffic signals.
7. Wording on the sign may identify only the name of the owner or occupant of the premises or to identify the premises, goods sold or produced or services rendered on the premises.
8. Displays shall not interfere with or hide traffic signals or traffic signs.
9. Any future change in wording or location of a sign requires a separate permit.

501.3B Arcades

Arcades are quasi-permanent, awning-type structures that cover sidewalk areas. They generally are supported by buildings and, when permitted, by freestanding posts on the sidewalks. ADA Certification is required if poles are proposed in the design.

Arcades shall not be a structural part of the building roof trusses. They also shall not interfere with traffic signals and signs, nor have structural posts that reduce horizontal sidewalk clearance to less than that required under the current Design Information Bulletin 82 (DIB 82). For other requirements, see Table 5.7.

501.3C Awnings

An awning is a temporary removable or retractable shelter supported entirely from the exterior wall of a building. Awnings may identify only the owner or place of business.

501.3D Marquees

A marquee shall be supported entirely by the building. Any drainage from the marquee shall not fall on, or drain across, the sidewalk.

501.4 – 501.6 These sections were left blank intentionally**501.7 Banners and Decorations
Permit Code BR**

Banners and Decorations are permitted only on conventional highways—they are **not** allowed on freeways or expressways.

BR permits authorize the erection of banners, decorations, and temporary signing for events by nonprofit organizations over and within State **conventional** highway right-of-way.

Permanent overhead signs or arches may not be erected or suspended over any State highway. Temporary political signs placed within State highway right-of-way are prohibited by the Business and Professions Code, Section 5405.3, and shall be removed immediately.

Authorized banners and decorations over the roadway must have a clearance of at least 18 feet and be suspended securely from permanent structures or poles. Vertical clearance shall be 20 feet on Extralegal Load Network (ELLN) highways. No temporary supports are allowed, and use of State facilities is prohibited.

501.7A Non-Decorative Banners

Permits for Non-Decorative banners are issued to a local agency or a nonprofit organization sponsoring an event approved by the local agency. Banners displaying private advertisements are not allowed. An exception is when the advertisement is part of the event's official title (e.g. Kellogg's Napa Valley Marathon). Banners are not authorized on controlled access right-of-way nor shall they be attached to State facilities.

Districts may issue biennial permits to local agencies for installation of Non-Decorative banners at specific locations for recurring events. The local agency then authorizes each banner installation, notifies the State's representative, and provides traffic control.

The restrictions for Non-Decorative banners are listed in Table 5.8 and apply to both individual banner permits and annual/biennial permits to local agencies.

Table 5.8
Guidelines for Installation of Banners in
Conventional Highway Right-of-Way

1. The event must be approved by the local government having jurisdiction.
2. Display is allowed only within the community that is staging the event, or immediately adjacent to the event location.
3. The banner must be made of substantial material, such as: cloth, canvas, or plastic.
4. The permit engineer shall determine the maximum number of banners allowed.
5. Rope shall be without knots.
6. Banners shall not contain private advertising whether in text or logo format. However, brief text, and/or logos identifying the applicant's local agency (city or county) are allowed. The telephone number of the nonprofit organizations may be included.
7. The lowest point of the banner shall be at least 18 feet above the highway pavement and 20 feet on Extralegal Load Network highways.
8. Suspension or installation of banners is prohibited on State-owned traffic signal poles or other State-owned facilities.
9. Local police may provide traffic control while the banner is being installed or removed.
10. The display may be allowed two weeks before the event and may remain in place for the duration of the event. However, the total period of display should not exceed six weeks.

501.7B Decorative Banners

Decorative banner permits are issued to local agencies for beautification enhancement of their local streets. As a minimum, decorative banners shall:

1. Be used exclusively on conventional highways.
2. Not contain advertising whether in text or logo format. However, decorative text or brief text, and/or logos identifying the applicant local agencies, (e.g. cities and counties) are allowed.
3. Remain in place for periods up to two years--the normal biennial permit duration. However, at the end of the two years, the local agency may reapply.
4. Be applied for by the local agency.

By State statute, the flags of the United States of America and the State of California may be placed on sidewalks within State conventional highway right-of-way. Encroachment permits are not required within city corporate boundaries; however, Caltrans should approve the method of installation and maintenance. In unincorporated county areas, no-fee permits are issued for flag installations after any needed traffic and maintenance reviews are completed. Applicants usually

are local agencies and civic organizations, but individuals may make applications for flags displayed in the right-of-way immediately fronting their property.

501.7C Holiday Decorations

Holiday decorations are permitted only on conventional highways—they are **not** allowed on freeways or expressways.

Decorations attached to vertical structures (other than State-owned facilities) such as power, telephone, or light poles are not to project beyond the curb line and shall be at least 14 feet above the sidewalk. Decorations attached to vertical structures that project beyond the curb line or cross the highway shall have a minimum vertical clearance of 18 feet above the highway pavement and 20 feet on Extralegal Load Network (ELLN) highways. Decorations shall not be attached to State-owned facilities.

Decorative red, yellow, or green lights shall not be placed where it could interfere with the driver's perception of traffic signals.

**501.8 Bus Passenger Waiting Shelters and Benches
Permit Code BS**

BS permits authorize the construction of bus passenger waiting shelters and benches within the State right-of-way. A biennial BS permit should also be issued for the continued maintenance of the facility and advertising panels. The following sections describe the general requirements for bus shelters and the specific conditions that apply to advertising, clearances, construction details, and telephones associated with bus shelters and benches.

501.8A General Requirements

Permits may be granted to local agencies or transportation districts to construct bus passenger waiting shelters or benches within the right-of-way at official bus stops on conventional highways. The shelter design must comply with design standards of the local agency, transit agency, or Caltrans, whichever is most stringent. ADA certification is required. See the ADA certification section at the beginning of this Chapter.

Bus shelters or benches must not restrict sight distances.

501.8B Advertising

Generally, advertising within the right-of-way is prohibited by the California Constitution for to allow it could be a gifting of public funds. Specifically, it is prohibited by State statute (Streets and Highways Code 721 and Business and Professions Code 5403). Even if Caltrans received revenues for sign placement, such signs would soon clutter the highways, become a distraction to motorists, and degrade any scenic value. However, advertising on bus shelters and benches is permissible (Business and Professions Code 5408.5) provided advertising displays are not within 660 feet of and visible from any roadway segment on the National Highway System. Advertising displays

within 660 feet of, and visible from, any urban highway shall be consistent with federal laws and regulations.

Advertising displays shall be placed only at approved passenger loading areas, and must not extend beyond the exterior limits of the shelter or bench. Advertising shall not exceed two display panels per shelter or bench.

501.8C Clearance

Complete State ADA design requirements are provided in the current Design Information Bulletin 82 (DIB 82).

501.8D Construction Details

The minimum structural section design is in Index 626.4(3) of the HDM. When the existing bus pad does not meet this minimum standard, the local agency or bus transit district must reconstruct the highway at new bus stop to accept the continued vehicle loading. In addition, the permittee must ensure that all pavement is saw-cut before removal and must replace, in kind, any pavement markings that are damaged.

501.8E Telephones in Shelters

Coin-activated or credit-card-activated telephones may be placed in bus passenger shelters located on **conventional** State highways. Permits authorizing phone installations are issued to the local agency or transit district. A separate encroachment permit (double permit) must be issued to the installing company for telephone installation and maintenance.

Placing telephones in new transit shelters is authorized by the shelter permit. Permission to add a telephone to an existing shelter is provided in a rider to the original permit authorizing the shelter or in a new permit to the local agency or district.

Local agencies must adopt a parking ordinance restricting parking in front of newly established bus stops and submit it to the District Director for approval.

501.9 This section was left blank intentionally**501.10 Commercial Development
Permit Code CD**

The encroachment permit code (CD) is issued for commercial developments, which are usually associated with large shopping centers or office complexes. However, housing and apartment complexes often are included when they impact State highways. Work involved in commercial development generally is more than what can be classified under a single permit type or code.

Curb, gutter, sidewalk, commercial driveways, drainage, and street lighting are common work in commercial development. Signal work sometimes is a required improvement in such

developments, and an “SN” permit code should be considered if the work involves primarily signals and lighting.

If highway improvements are required, all pedestrian facilities within the limits of the project’s scope need to comply with the current Design Information Bulletin 82 (DIB 82). If the pedestrian facility on one corner of an intersection requires modification in order to comply with DIB 82, then all adjacent corners connected by a pedestrian path are considered to be within the scope of work and are required to comply with DIB 82.

501.10A Dedication of Public and Private Property to Caltrans

Dedications are the setting aside of properties for public use without compensation, as a condition prior to the granting of building licenses, permits, or zoning variances for land use. When development occurs or land use changes are proposed, local agencies, through their police powers, may require these dedications. Property owners must initiate the request that triggers the dedication. Valid dedications can be accepted throughout the project development process.

The dedication process is initiated when an owner applies to a governmental entity for an action on the part of that agency that will enhance the value of development potential of the applicant's property. Where this process impacts transportation facilities and a logical connection can be established between the development or land use change and a transportation project, Caltrans should encourage local agencies to impose reasonable dedication requirements. This process will typically involve Caltrans's Transportation Planning Branch with Right of Way acting in a review and advisory capacity.

When a property owner proposes to dedicate property to a local agency for Caltrans use in conjunction with an encroachment permit project, the District Permit Engineer must not issue the encroachment permit until the dedication is made and the property has been conveyed to Caltrans. District Right of Way will process the dedication and should be contacted from the outset to insure the dedication and any other realty issues are handled in the appropriate manner.

Caltrans must not accept parcels with hazardous contaminants, especially military sites, junkyards, landfills, and gasoline service stations. These parcels may contain known or unknown contaminants. The donor shall be required to furnish certification detailing known contaminants in the parcel or stating that no known pollutants are present.

The District Hazardous Waste Coordinator shall be consulted in all cases of suspected hazardous contaminates. Environmental clearance and utility clearance are necessary before acceptance of property dedications.

Property dedicated to Caltrans should only include that portion of property necessary to mitigate the development’s impact on the highway. These impacts are often a result of increased traffic, drainage, or a need for safe access. Caltrans has no legal authority to require more property than necessary to satisfy the mitigation. Dedication to ultimate highway width along an entire property frontage cannot be mandated by Caltrans unless the local agency has placed that condition on the

applicant. Requiring excessive dedications is a form of inverse condemnation where there is a loss of assets without proper compensation.

Imposing mitigation conditions as a requisite for a construction permit may be unconstitutional unless the conditions are directly related to the project. Relationship of conditions to the project must conform in nature and extent and be substantiated with quantifiable data.

Local agencies have elected authority over their jurisdiction, and by that authority can develop and implement general and specific plans. Encroachment permit engineers should work with District and local agency planning units to assist with plans that will ensure the future highway needs. Local agencies should be made aware that continued operational capacity of the highway relies on their effective plan implementation and management.

When private property is dedicated to the State as a mitigation measure, the applicant must supply the encroachment permit engineer the following information:

1. A copy of title report with its documents
2. A legal description
3. Parcel map of the area
4. Copies of any recorded maps referred to in the documents

Documentation for the area to be dedicated is checked, revised if necessary, and returned to the applicant. The applicant obtains required signatures and returns the deed to Caltrans for signature by the Deputy Director of Right of Way. The deed then is returned to the applicant for recording and returned to Caltrans for our files. An encroachment permit is not issued until the deed has been recorded.

501.11 This section was left blank intentionally

**501.12 Curb, Gutter, and Sidewalk
Permit Code CS**

CS permits authorize construction and maintenance of curbs, gutters and sidewalks, which normally are used in urban areas to control drainage and provide accessibility. ADA Certification is required (See Section 500 and Chapter 200). Except for medians and typical installations at right-turn channels, etc., curbs are not a traffic control device and should not be used solely for traffic channelization without approval by District Traffic (See Section 508.10, "Protection of Survey Monuments").

The CS permit code applies to residential and small commercial proposals that involve more work than driveway openings classified as RS, RM, or RC permits. The work also could involve minor paving, curb ramps, minor signing, and installation of one or two luminaires that are owned and maintained by a city or county. Signal work and installation or relocation of State safety lighting are classified as SN or CD permits, and are not allowed under a CS permit because they require intensive review and inspection.

Designs for curb ramps that are proposed in new construction or as a retrofit must satisfy requirements shown in the standard plans.

Multi-year CS permits may be issued to local agencies (cities and counties) for up to two years. Should standards change during the term of the encroachment permit, the permittee shall comply with current State standards and specifications. CS permits authorize reconstruction, repair, and replacement of existing curbs, gutters, curb ramps, and sidewalks. These structures shall conform to existing dimensions, configurations, alignments, and grades. Drainage facilities shall not be modified and healthy trees shall not be removed.

501.13 This section was left blank intentionally

**501.14 Double Permit
Permit Code DP**

An encroachment permit must be issued to the *owner* of the encroachment. When encroachment work is performed by someone other than the owner, the contractor also may be required by the District to obtain a permit for the work. This practice is called double permitting and is required to recover inspection charges when the original permittee is a public corporation having its work performed by contract (Section 601).

When double permitting is required, the following clause is inserted in the original permit:

“Notwithstanding General Provision #4, your contractor is required to apply for and obtain an encroachment permit prior to starting work. A fee/deposit of \$_____ is required at the time of application.”

The contractor must keep on site copies of both the owner’s and the contractor’s permits.

The DPE may require double permits on routine encroachments. Some examples of routine encroachments are residential driveways, sidewalks, and customary utility work. Double permitting for routine encroachments may be required when Caltrans previously had difficulty securing compliance with permit provisions by either the permittee or contractor.

Deviations from requirements for double permits occur in some specific permit types and are discussed in the appropriate specific sections of this manual.

502 DRAINAGE

Encroachment permits for constructing drainage facilities are classified as major or minor projects. Any diversion of drainage run-off onto highway rights of way are not be allowed. Drainage diversions require exceptional approval from the Chief, Division of Design.

**502.1 Major Drainage Facilities
Permit Code DD**

Large drainage projects located within Caltrans' right-of-way can impact State drainage, traffic, and future highway design. Work can range from trenching for pipelines and boxes to new or modified multi-cell box culvert structures.

Districts should ensure that diversions in drainage are not proposed and that systems can adequately handle the drainage using Caltrans' design criteria. Connections to State systems are not authorized solely to carry the burden of increased runoff from a new development. When State facilities cannot carry the increased drainage, the applicant is responsible for enlarging the capacity of the State facility to handle the increased drainage generated by the proposed work.

Preferably, applicants should place a closed system through the State right-of-way rather than enlarge the capacity of State facilities. However, no maintenance facilities (such as manholes, basins, etc.) are authorized in State right-of-way when a closed system is constructed unless such facilities are required by the State.

Structures Maintenance should review and approve plans for major drainage channel construction. Grading and channel lining can affect the foundations of existing State structures, and structure modifications may affect traffic. Persons working within one mile upstream or downstream of a State structure are required by statute to obtain Caltrans' approval. When protection to the State facility is necessary, a permit is required before starting work within the right-of-way.

Districts should require a performance and payment bond for drainage improvements not owned or maintained by Caltrans.

**502.2 Minor Drainage Facilities
Permit Code DM**

Some examples of minor drainage facilities are small-diameter or low-volume drainage outfalls, through curb drains, roof drains, and minor grading to improve a State outlet or inlet. These types of facilities generally require little review, but they should not affect the State system. If the applicant's proposal appears more involved or if hydraulic concerns are raised, districts may still classify the encroachment as minor and perform more extensive reviews with AX permit fees.

503 FILMING

To encourage motion picture and television filming in California, the California Legislature established the California Film Commission (CFC) as a one-stop permitting authority for the use of state-owned property and state employee services for making commercial motion pictures or still photography. The Encroachment Permit Office in Los Angeles (District 7) is the Caltrans Statewide Film Coordinator (CSFC) and acts as the film liaison to approve or deny all applications for film activities under Caltrans jurisdiction (Government Code, Section 14998 et al., Executive Order S-15-04).

Film production companies submit applications to the CFC in Hollywood who in turn forwards the application to the District 7 Encroachment Permit Office. The CSFC coordinates with Encroachment Permit staff in the other Districts where the film activity is proposed. Each District must designate staff as a District film coordinator.

The CSFC issues the encroachment permit for filming only after obtaining permit provisions and requirements from the affected Districts and submits the encroachment permit to the CFC for inclusion to the CFC film permit. The CSFC, whenever feasible, approves or denies an application within 24 hours. If not feasible, the CSFC will contact the CFC within five working days from the receipt of the application and provide an estimated approval/denial date. This date must be within 10 calendar days from receipt of the application.

503.1 Filming on the Interstate System

The Federal Highway Administration (FHWA) develops policy and assumes responsibility to ensure that the Interstate system is operated and maintained to enhance safety and minimize disruptions. While the control of activities that take place on a specific highway segment is Caltrans' sole responsibility, Caltrans' basic concerns are the same as FHWA's.

Filming on freeways and expressways is strictly controlled and can require extensive review by Caltrans. Some filming activities have ramp closures and traffic control, which directly impact the system. Some filming activities move over restricted portions of the Interstate system and could require closure of the entire traveled way. Such activities on the Interstate system require FHWA approval when they may cause major disruption or negatively impact the safety and integrity of the system.

503.2 Caltrans/CHP Joint Policy Guidelines for Filming on State Highways

Caltrans, the California Highway Patrol (CHP), and the California Film Commission have entered into an interagency Memorandum of Understanding (MOU), which defines the cooperative relationship and joint guidelines to assist the CFC in carrying out its duties and meeting its objectives. The MOU provides the guidelines and conditions of approval, processing, and monitoring of various types of film activities on Caltrans' facilities. The guidelines do not preclude the development of additional guidelines by local CHP commands and Caltrans Districts covering specific issues of mutual concern or interest. A complete copy of the agreement and guidelines is included in Appendix E.

The CFC submits a completed permit application package for a commercial filming encroachment permit to the CSFC, and shall include the items listed in Table 5.9.

Table 5.9
Permit Application Package for Filming Permits

The encroachment package submitted to Caltrans by the California Film Commission shall include:

1. A completed California Film Commission permit application
2. If required, lane closures or detour plans approved by the affected governments
3. Resolutions from all impacted governments indicating approval of the filming activities and lane closures or detour plans. Resolutions should conform to Caltrans' sample format. These resolutions are required when a directional road closure of a State highway (or local road) for filming exceeds five minutes. Sample resolutions and letters of approval are included in Appendix I. When time is of the essence, forms included in Appendix I may be completed by a local official in lieu of a resolution.

503.3 Procedures for Reviewing and Issuing Filming Permits

To minimize traffic congestion and delays during filming, District Permit Engineers should closely monitor the authorized activities associated with FL and FS permits. The DPE should consider consulting the District Traffic Operations unit for locations with substantial traffic volumes before recommending approval of an application to the CSFC. As a minimum, consultation with Traffic Operations by telephone may be appropriate when the CFC requests review on very short notice.

The procedures for reviewing and issuing filming permits are in Table 5.10.

Table 5.10
Procedures for Reviewing and Issuing Filming Encroachment Permits

1. The production company calls the CFC to discuss filming on a State highway. If the company contacts Caltrans directly, relating to the availability or feasibility of highway facilities, basic information, and guidance should be provided if requested. The production company should be referred to the CFC for the submittal of a CFC Permit Application [**California Film Commission, 7080 Hollywood Boulevard, Suite 900, Hollywood, CA, 90028, (323) 860-2960 x 104**].
2. The production company provides details about location, date, proposed activity, meeting locations, etc., to the CFC.
3. The CFC verifies that basic insurance is on file and prepares the Caltrans Permit Application Package.
4. The CFC sends the Permit Application Package to the Caltrans Statewide Film Coordinator (CSFC), calls to verify receipt, and discusses the application with the CSFC.
5. The CSFC contacts the District film coordinator in the District where filming is proposed. The District film coordinator checks with field inspectors and Traffic Operations (if appropriate) to determine the acceptability of the proposal and define any special requirements. If proposed activities are unique, headquarters Legal is consulted to determine if additional liability insurance is needed. The District film coordinator provides this information to the CSFC verbally and in writing.
6. The CSFC coordinates with the Film Media Relations Officer of the California Highway Patrol and establishes required involvement of the CHP, conditions, and requirements. The SC-5 (“Special Event Ahead”) signs are *not* allowed during traffic control for filming.
7. The CSFC prepares the encroachment permit, including the estimated fees for review and inspection to be charged on the permit, and sends it to the CFC. A copy is sent to the District film coordinator and/or field inspector in the District where filming is proposed. **The CSFC shall also provide a copy to the Transportation Permits Office when a highway closure and/or detour are required.**
8. The CFC attaches Caltrans' encroachment permit to the CFC permit. The production company picks up the CFC permit from the CFC and pays Caltrans' permit fee to the CFC.
9. The CFC logs the permit and encroachment permit fees.
10. The CFC submits fees collected by the CFC for all Caltrans permits monthly to the Film Transfer Account.

503.4 Liability Insurance for Commercial Filming

The CFC maintains continuing insurance policies on most film companies and will ensure that necessary insurance policies are submitted to it before permit issuance. Certificates of insurance name the State of California, its officers and employees as being additionally insured.

Insurance coverage required by the DPE normally ranges between the following two extremes shown in Table 5.11, depending on the risk. Special filming activities involving stunts, pyrotechnics, and aircraft flying below an altitude of 500 feet may require additional insurance as set by headquarters Legal.

Table 5.11
Liability Insurance Required for Commercial Filming

Coverage	Minimum Amount	Maximum Amount
Bodily Injury	\$1,000,000 each person \$1,000,000 each occurrence	\$10,000,000 each person \$10,000,000 each occurrence
Property Damage	\$1,000,000 each occurrence	\$ 2,500,000 each person
Aggregate	\$1,000,000	\$10,000,000

503.5 Permit Types for Commercial Filming Activities

Commercial filming activities within State right-of-way are authorized by FI, FL, FO, FS, and FF encroachment permits. FR permit riders are used to change permit conditions.

Special Provisions for all filming permits shall not be modified. Changes in work authorized by a specific permit type, which exceed the Special Provisions for that permit type, must be covered by a different encroachment permit type and by the Special Provisions and District special requirements associated with that permit.

The following discussion describes each type of permit.

503.5A Intermittent Traffic Control/Driving shot with CHP Escort Permit Code FI

FI permits authorize filming activities involving moving vehicles with CHP escort, intermittent traffic breaks (normally not to exceed five minutes), or rolling traffic breaks to allow clear highway conditions during filming on conventional highways.

FI permits are Set Fee, with charges consistent with average processing and review time on a statewide basis. Inspection and fieldwork are not involved because the CHP (rather than Caltrans) provides inspection.

503.5B Traffic Control Permit Code FL

FL encroachment permits authorize filming activities involving traffic breaks exceeding five minutes or involving lane closures on conventional highways.

FL permits generally require engineering expertise by Caltrans to review or inspect. Permit fees are based on actual hours spent for review and inspection. The CFC collects estimated fees before issuing a permit. If the actual hours spent on review and inspection differ from the estimated fees upon completion of the filming activities, Caltrans submits to the CFC the adjusted fees and the CFC bills or refunds the difference between the estimated and actual fees.

Filming Special Provisions shall not be modified, although District conditions may be added to the text of FL permits.

503.5C **No Moving Traffic**
Permit Code FO

FO encroachment permits authorize filming activities that do not impact moving traffic on conventional highways. FO permits usually involve the placement of stationary camera, equipment, and “No Parking” signs within the right-of-way or driving shots with the flow of traffic.

FO permits are minimum cost (two hour review and processing) set fee, with charges consistent with average processing and review time on a Statewide basis. Inspection and fieldwork are not involved because the CHP (rather than Caltrans) provides inspection.

503.5D **Film Rider**
Permit Code FR

Riders are issued for minor revisions to an existing filming encroachment permit. Permit riders cannot allow work that exceeds the original permit’s Special Provisions. According to the guidelines, Caltrans’ Districts approve or deny rider requests only after review by appropriate Caltrans units. Applicants are charged fees for review time associated with requests for time extensions. Riders for time extensions cannot be issued when the original permit has expired; a new permit is required.

503.5E **Special**
Permit Code FS

FS encroachment permits authorize filming on freeways and filming activities requiring detours, stunts, pyrotechnics, aircraft flying below 500 feet in altitude, or other unique activities.

FS permits generally require engineering expertise by Caltrans to review or inspect. Permit fees are based on actual hours spent for review and inspection. The CFC collects estimated fees before issuing a permit. If the actual hours spent on review and inspection differ from the estimated fees upon completion of the filming activities, Caltrans submits to the CFC the adjusted fees and the CFC bills or refunds the difference between the estimated and actual fees.

503.5F **Facilities**
Permit Code FF

FF permits authorize filming activities within a Caltrans facility, which is defined to include any real estate property not part of the State highway or freeway system. A Caltrans facility includes any office building, maintenance station, maintenance facility, Park and Ride lot, and house that is used or operated by Caltrans. Any requested activity within a Caltrans facility shall not disrupt or interfere with any State business.

FF permits generally require review and inspection by the Caltrans staff responsible for the operations of the facility. Permit fees are based on actual hours spent for review and inspection. The CFC collects estimated fees before issuing a permit. If the actual hours spent on review and inspection differ from the estimated fees upon completion of the filming activities, Caltrans submits to the CFC the adjusted fees and the CFC bills or refunds the difference between the estimated and actual fees.

503.6 Inspecting and Monitoring Filming Permits

Inspecting, monitoring, and controlling filming on State highways is a cooperative effort by the CHP and Caltrans. CHP officers normally are present on all filming permits. Inspection of No Moving Traffic (FO) and Intermittent Traffic Control (FI) permits has been delegated to the CHP through the interagency MOU (see Appendix E); Caltrans inspectors may monitor FO and FI permits on a random basis at no cost to the permittee. Caltrans' inspectors and CHP officers are present when filming activities begin for Traffic Control (FL), Facilities (FF), and Special (FS) permits.

After observing a smooth and effective operation of FL permit activities for a period of time, the Caltrans inspector may depart and leave the CHP in charge. In rural areas, where few potential problems exist, the CHP may handle FL filming with no Caltrans inspector involved.

For FS permits, Caltrans inspectors normally are present throughout the activity and Traffic Operations personnel may be present to monitor and adjust traffic control as needed. FS permits that involve only aircraft flying under 500 feet in altitude with no more than intermittent traffic control may be inspected by the CHP with no Caltrans inspector involved.

The production company is required to hire a licensed traffic control specialist to implement detours and lane closures.

For FF permits, both Caltrans and CHP personnel will typically provide inspection. Where filming is limited entirely within a Caltrans facility, CHP will not be assigned and inspection is provided by Caltrans (unless requested or there is an identified need). Where no significant stage work, stunts, and pyrotechnics is required, Caltrans may defer inspection to the CHP to monitor for quality control, safety, and security. Where significant state work, stunts, or pyrotechnics are present, both CHP and Caltrans will jointly inspect and monitor.

504 FENCE (NEW OR MODIFICATION) Permit Code FN

Caltrans owns and maintains all fences placed in the right-of-way to delineate controlled access. Fences generally are inset 0.5 foot to 1 foot inside the State's right-of-way. Private fences are allowed within controlled access areas to maintain the continuity of a fence during permitted work that removes an existing fence, or when placed around an excavation.

Alternate aesthetic fencing along controlled access highways is not authorized and replacement or new fences shall comply with State standards. Exceptions are allowed for soundwall construction and along short tangent sections that extend along local streets and are beyond freeway ramp returns. An alternate wall or fence may be installed in these locations if it also is an effective barrier

to access. Minimum height of the alternate fencing shall be four feet (see Highway Design Manual).

When an unmaintainable gap of 4 feet or less between the soundwall and the right-of-way fence exists, it may be in the best interest of Caltrans and the adjacent property owner for Caltrans to remove the right-of-way fence and allow the adjacent property owner to "own and maintain" that property. In order to do this, the districts can convey the underlying fee but reserve an easement for wall maintenance.

All adjacent owners within that property block must agree with the transaction. Caltrans recognizes the benefit of allowing these property owners to take over the continued maintenance of this property in this kind of situation and may waive Caltrans' administrative cost for this complete transaction. These requests are referred to the District Right of Way Excess Land Section. They will convey the property by the decertification process. No encroachment permit is necessary for this title transaction.

Abutting property owners may place extensions on the State's access control fences to increase fence height or to place barbed wire. Barbed wire placed on brackets must extend vertically or overhang the permittees property. Razor and concertina wires are not authorized.

Local fire protection, law enforcement, and other emergency service agencies frequently request planned emergency access to freeways and expressways. Caltrans' policy is to prohibit planned emergency access to freeways and expressways for new or expanded land development projects. Emergency access shall be planned and provided from local streets and conventional highways outside the access control limits of freeways and expressways.

This prohibition of emergency access shall apply to any additional emergency access to existing development. Existing emergency access granted in the past, such as breakaway fence panels, gates, and sod-block surfaces, may remain if installed under a valid permit.

Fencing in conventional highway right-of-way is limited to protection of pedestrians and excavations. This includes temporary fences that close off construction sites adjacent to the right-of-way when pedestrian traffic is detoured or occurs on existing and temporary sidewalks. Private property fences are not allowed in conventional State highway right-of-way.

Fences along conventional highways generally are placed on the abutting property and are owned and maintained by the property owner. Caltrans has no control over pedestrian access through conventional right-of-way and the fences do not serve as a barrier. However, vehicular gates for private, agricultural, and commercial driveways must be approved as discussed in Section 510.

505 GEOPHYSICAL TESTING

GC or GV encroachment permits authorize geophysical testing within State right-of-way that involves cable crossings or vibration equipment.

Permittees conducting geophysical testing shall be responsible for property damage inside or outside highway right-of-way. A certificate of liability insurance in the minimum amount of

\$1,000,000 for property damage liability is required before permit issuance. Districts should encourage testing companies to include “the State of California, its officers and employees” as additionally insured in their annual policies, which will avoid them having to obtain a separate policy rider for each permit. Districts can then keep a copy of the additionally insured notice on file for reference. The permit may be issued as a biennial.

505.1 **Cable Crossing**
Permit Code GC

Cables associated with geophysical testing preferably should not cross State right-of-way, but in some circumstances, cable crossing may be required. Specific requirements for cable crossings are listed in Table 5.12.

Table 5.12
Requirements for Cable Crossings

These specific requirements apply to cable crossings of State highway right-of-way:

1. Equipment, work, or personnel shall not be allowed within controlled access rights of way. One exception to this policy may be cable crossings required for continuity, in which case cables shall cross controlled access rights of way in a culvert or on structures; on a temporary basis only and not in culverts during the rainy season.
2. Holes shall not be drilled, and blasting is not allowed, on State right-of-way.
3. Nails, spikes, or other material shall not be driven into the traveled way.
4. Nails or spikes driven into the paved shoulder area shall be removed. Resulting holes shall be filled with waterproof compound that blends with the original pavement in color and grade.
5. Paint shall not be placed upon highway pavements, signs, or markers. Traffic tape, chalk, or crayon shall be used if pavement markings are necessary. All tape, stakes, and other obvious markers shall be removed upon completion of permitted work.
6. All mud, dirt, or gravel tracked onto the highway pavement shall be removed immediately and completely.
7. Personnel working within the State right-of-way shall wear safety glasses, hard hats, warning garments, and other appropriate personal protective equipment per the Caltrans Safety Manual.
8. Standard signing and flagging procedures shall be employed according to the CA-MUTCD.
9. Permittees must comply with all requirements of the Vehicle Code and other applicable laws, except as specifically provided herein.
10. No grading is allowed without prior written permission. Grading is not authorized within controlled access highway right-of-way.

Cables shall be placed as close as possible to the right-of-way line, and shall be placed within 6 inches of the curb face or pedestrian sidewalk railing of an overcrossing structure. Longitudinal cables on freeways are not authorized, and therefore cables must be placed outside the right-of-way fence.

505.2 Seismic Vibrator
Permit Code GV

GV encroachment permits are issued for geophysical testing activities that use equipment to generate test waves.

505.2A Testing Method Allowed

Only geophysical testing using the “P-wave” method is allowed. Testing using the “Shear wave” method (S wave) is not allowed on State highway right-of-way because damage to State facilities and adjacent property may result. Permittees may place sensors in State right-of-way even though their test-wave generating equipment is located outside State right-of-way.

All work must comply with permit conditions. Any violations of permit conditions, complaints from adjacent property owners, or other problems should be communicated to the District Permit Engineer. Work shall be suspended immediately until satisfactory steps are taken to ensure compliance with the encroachment permit.

505.2B Vibrators

Truck-mounted vibrators commonly are used to generate test waves. They operate alone or in groups and stop to place a vibrating pad on the ground surface.

Vibrators shall be placed and operated as close to the right-of-way line as possible, with a minimum clearance of 4 feet from the paved shoulder or toe of slopes on embankments. They shall not be operated on any paved surface, and shall not be operated within controlled access rights of way.

Vibrators shall be operated so that no damage will occur to: vegetation, wells, culverts, headwalls, structures, or other improvements. Districts concerned about underground utility damage may require proof of notification and approval by utility owners in the area before starting permitted work.

506 LANDSCAPE

The District Landscape Architect or Permits Landscape Architect and District Maintenance Landscape Specialist shall approve all requests to install planting, irrigation systems, landscape features, or to control roadside vegetation in the State right-of-way. All requests to place irrigation facilities or vines on new and existing structures must be approved by Structures Maintenance.

All landscape improvements and irrigation systems shall conform to Caltrans' policies and standards for design construction, and maintenance. Standard Special Provisions, District maintenance landscape standards, and encroachment permit clauses guide encroachment permits for highway planting and irrigation.

Planting and irrigation design shall be in accordance with the policies and procedures stated in the Caltrans Highway Design Manual, the Project Development Procedures Manual, and the Landscape Program PS&E Guide.

506.1 Purposes

The purposes of issuing encroachment permits for landscaping are to:

1. Provide a means to accomplish planting on transportation facilities, including, but not limited to, freeways, expressways, conventional highways, park and ride lots, safety roadside rest areas, vista points, and bicycle paths.
2. Relieve Caltrans from maintenance of new and existing planting on access controlled highways. Maintenance of all planting on conventional highways is the responsibility of others, at their expense (Project Development Procedures Manual, PDPM Chapter 29, Section 2, Article 3).
3. Ensure that work by others is designed to achieve a balance between safety, aesthetics, maintainability, cost effectiveness, and resource conservation.
4. Protect the traveling public, the public's investment, and the interests of adjacent land owners and businesses.

506.2 Responsibilities

The permittee is responsible for completing all work through construction as specified in the encroachment permit including plant establishment and maintenance (if required) and all costs involved. Performance bonds may be required to ensure that any installation, plant establishment, maintenance, and necessary restoration done by others will meet Caltrans standards. In lieu of the bond, a cash deposit is acceptable.

The city or county, by applying for the permit, will be held responsible for the planting and irrigation systems, plant establishment, maintenance, and all utility costs if the developer or other

private entity fails to meet the encroachment permit requirements. This requirement applies only to freeways and expressways.

The city or county has the option to cause the planting and irrigation systems to be removed and the right-of-way restored to Caltrans' satisfaction at no cost to Caltrans in lieu of continuing establishment or maintenance, or water provision. The encroachment permit or Cooperative Agreement must spell out the conditions of such action.

When the permittee fully funds warranted (Project Development Procedures Manual, PDPM Chapter 29, Section 2, Article 3) planting projects, a four-year plant establishment period, including all water and utility cost, is also required; thereafter, Caltrans provides the maintenance. Exceptions may be granted by the District Landscape Architect or Permits Landscape Architect.

When the permittee provides highway planting that exceeds the allowable maximum cost per hectare (adjusted annually by the Headquarters Landscape Architecture Program) or is unwarranted, the permittee must establish and maintain the planting, including all water and utility costs, for 20 years. Exceptions may be requested from the District Landscape Specialist for Caltrans to maintain planting that exceeds the maximum cost per hectare when additional costs will not increase the plantable area (e.g., rock blanket, larger plants, etc.).

The permittee is responsible for replacement of (installed by Caltrans or others) damaged or removed plants resulting from construction activity, including irrigation modification and/or replacement and plant establishment.

Caltrans will replace highway planting installed by others that is damaged or removed by State highway construction activity, including irrigation modification and/or replacement. Damaged or removed planting that was provided by others will be replaced in kind. Trees and other vegetation will be replaced at a rate and size determined by the District Landscape Architect or Permit Landscape Architect.

When the permittee is responsible for maintaining planting, the plantings shall be maintained in a healthy, attractive, and safe condition.

506.3 Planting, Irrigation, and Landscape Features Provided by Cities and Counties or Private Entities

Highway planting may be provided by others, at their cost, on conventional highways and on controlled access highways. (See Project Development Procedures Manual, Chapter 29, Section 2).

If a developer or other private entity is providing funds, Caltrans may issue an encroachment permit to the city, county, or agency involved, authorizing it to enter into an agreement with the private entity to do planting work.

On controlled access highways, when a developer or other private entity provides funds and desires an encroachment permit directly from Caltrans, a Highway Improvement Agreement (see Cooperative Agreement Manual) will be required if the project costs over \$1 million for work

within the State highway right-of-way. Projects costing less than \$ 1 million will require a general agreement that at a minimum covers installation, establishment, and maintenance responsibilities.

Private entities desiring to fund planting on controlled access highways shall enter into funding agreements with a local agency to perform the work. Caltrans can issue a permit to the agency and hold it responsible if the private entity fails to meet permit requirements.

506.4 Landscape Permit Types

Installation and maintenance of planting and irrigation within State right-of-way is authorized by LC, LF, LM, and LT encroachment permits. Each type of permit is described in the following discussion.

506.4A Conventional Highways Permit Code LC

LC encroachment permits authorize the placement of planting and irrigation systems on conventional highways. The State does not landscape conventional highways and does not have the resources to verify the work is being accomplished. Caltrans requires the local agency to sponsor landscaping proposed for most areas to assure maintenance in perpetuity. Guidelines for design of planting and irrigation systems on conventional highways are listed in Tables 5.13 through 5.19 (in addition to the policies and guidelines shown in the Highway Design Manual). Caltrans encourages individuals and citizen groups to work through their local government when developing planting proposals.

506.4B Freeways Permit Code LF

LF permits authorize the placement of planting and irrigation systems on freeways and expressways. Planting within controlled access right-of-way shall be designed under the guidance of the District Landscape Architect and/or the Permits Landscape Architect and approved according to District procedures and the Project Development Procedures Manual. Clear recovery zone requirements are specified in the Highway Design Manual. The distance between the edge of traveled way and large trees shall not be less than the minimum required; however, the permit engineer may require clearances of a greater amount.

A copy of each LF permit, including plans, bid date, and completion date, shall be sent to Headquarters Landscape Architecture Program, Landscape Classifications, for record keeping, determination, and designation of landscaped freeway relative to the regulation of outdoor advertising displays.

506.4C **Maintenance**
Permit Code LM

LM permits authorize maintenance of planting and irrigation systems within the State right-of-way. Only replacement and repairs are authorized by LM permits. When work is performed for the benefit of the State, encroachment permits are issued without charge.

Two-year LM permits for landscape maintenance may be issued to local agencies (cities and counties). Contractors may perform work for the local agency under a biennial permit. Neither the contractor, city, nor county is charged inspection fees.

LM permits also authorize roadside vegetation control by private property owners who have entered into an agreement with Caltrans Maintenance. All requests by private property owners to assume responsibility for roadside vegetation control shall be directed to the District Maintenance Landscape Specialist.

Division 4, Part 1, Chapter 6.5, Section 5501 to Section 5509 of the Food and Agricultural Code provides a voluntary mechanism by which private property owners and Caltrans may enter into mutually acceptable agreements to promote coordinated programs for roadside vegetation control. If such an agreement includes provisions whereby the property owner assumes responsibility for vegetation control, an encroachment permit is required for the work.

506.4D **Tree Trimming and Removal**
Permit Code LT

LT permits authorize tree trimming and removal within the State highway right-of-way.

Projects that would result in the removal of a healthy live tree(s) or pruning that changes the tree's character must have the consent of the District Landscape Architect and of the city or county if that portion of the project cost is more than \$500. All tree projects by the same applicant that are requested within a 12-month period will be considered as one project for determining project cost.

Before the permit process begins, the District Permit Office will write to the city or county manager (example letter in Appendix F) to seek their written consent for tree work. By law, a 30-day limit is set to obtain their response; otherwise, no response deems their consent. The District Permit Office shall send this request by certified mail, return receipt required, on behalf of the requester. The date received by the city or county establishes the start of the 30 days.

Utility owners may apply for annual tree trimming permits, which are issued directly to the utility companies involved and **not** to the company's contractors. Annual tree trimming permits are issued for conventional highways and only in specific situations on expressways. They are not issued for freeways. The utility owner must furnish a list of contractors with its application. Additional agents are included only by a rider to an issued permit. A fee-exempt double permit (NDP) is required when the applicant lists a contractor that previously has been uncooperative. The permit does not include the NDP contractor as an agent unless the applicant and the NDP contractor provide written assurance that full cooperation will be provided.

Utility companies or their contractors may dispose of woodchips produced from tree trimming operations, within the right-of-way provided Caltrans Maintenance authorizes such disposal. This

policy applies to trees located within or outside the right-of-way. Caltrans Maintenance Area Superintendents may issue a Consent Letter to **any** requester desiring to place woodchips within the right-of-way without the need for an encroachment permit. Authorized disposals, under a Consent Letter, shall be accomplished within one working day. Disposals made without prior authorization are illegal.

Trimming or tree removal shall be done according to the requirements listed in Table 5.20.

506.5 Review of Proposals for Planting and Irrigation

All planting and irrigation plans shall be reviewed by the District Landscape Architect and/or Permits Landscape Architect, and the District Landscape Specialist. The permittee shall submit six copies of planting and irrigation plans, details, and specifications to the District Permit Engineer for review. Review of the plans and construction inspection by Caltrans is performed at the permittees expense.

Projects costing more than \$1,000,000 that are sponsored by a local agency are not charged for plan review. A double permit is required when the local agency contracts for its permit work. Advance payment of review and inspection costs is required before the double permit is issued.

All proposed work is reviewed by the District Landscape Architect or Permits Landscape Architect and Maintenance Landscape Specialist in the same manner as projects designed by consultants. The project is designed under the supervision and guidance of a Caltrans project landscape architect through approval of final plans. Projects costing more than \$1,000,000 are subject to the procedures outlined in Section 202.3.

As-built plans, including wiring diagrams for irrigation systems installed on controlled access highways, shall be provided to the District Permit Engineer and the District Landscape Architect or Permit Landscape Architect within thirty (30) days after completion of construction.

506.6 Standards for Planting and Irrigation Plans

Requirements and standards for planting and irrigation plans are described in Table 5.14.

Table 5.13
Requirements and Standards for Landscape Plans

Planting and irrigation plans must comply with these requirements and standards, unless exempted by the District Landscape Architect and/or Permits Landscape Architect:

1. Plans shall be prepared and signed by a registered landscape architect. They must show the name, registration seal and expiration date, and phone number of the landscape architect and irrigation designer (if appropriate).
2. Plans shall be drawn on 22" by 36" size sheets at 50' (1 : 600) scale { 20' (1 : 240) scale when appropriate}. Scale and north arrow shall be indicated on the plans.
3. A general location map should be provided with the plans. City limits, county lines, public roads, highways, limits of work, north arrow, scale, and other features should be shown.
4. Existing features shall be shown on the plans, such as overhead and high-hazard utilities, street names, guard rail, signs, edge of pavement (shoulder), vegetation, irrigation, curbs, sidewalks, slopes (2:1, etc.), ditch flow lines, walls, and fences. Existing features to be removed also should be noted on the plans. The permittee is required to submit copies of correspondence to verify utility information.
5. State right-of-way (property line) and when appropriate the centerline of the highway shall be shown and labeled. Stations {100' on center} should be indicated on the centerline. All existing highway striping, except on controlled access highways, shall be shown.
6. Planting plans shall indicate botanical names and common names, quantities, size of plants [for example: #1 (1-gallon) flats], spacing (setbacks), and other planting descriptions.
7. Irrigation plans should indicate electrical and water source locations, when appropriate, and the name, address and phone number of the responsible utility service company. Water connection information should include:
 - Source (potable or reclaimed water)
 - Available water pressure
 - Meter size
8. The permittee may be required to use Caltrans' standard details, plant list, planting and irrigation standard specifications, and special provisions where applicable as approved by the District Landscape Architect and Permits Landscape Architect.

506.7 Design Guidelines for Highway Planting and Irrigation

Chapter 900 of the Highway Design Manual shall be followed in designing highway planting and irrigation. The design guidelines shown in Tables 5.9 through 5.13 supplement "Planting Design Standards" in Chapter 900.

**Table 5.14
Design Guidelines for Highway Planting and Irrigation**

These design guidelines supplement those in Caltrans' Highway Design Manual and the Permit Special Provisions:

General Design Guidelines

1. All designs are approved by the District Landscape Architect and/or Permits Landscape Architect.
2. Disturbed areas on State right-of-way that are not planted shall be treated with erosion control materials.
3. Erosion control also may be required on flat areas for dust control, etc.
4. All erosion control work shall be according to Caltrans Storm Water Quality Handbooks (available from Caltrans Publications Unit) and Standard Specifications, Section 20.

Planting Design – Conventional and Controlled Access Highways

1. Plants shall be located so they do not obstruct motorists' clear vision of any highway signs and signals.
2. Lighting directed at trees or plants is not allowed.
3. No planting should be located where it will interfere with sprinkler coverage.
4. Plants with thorns or known to be poisonous to humans and animals shall not be planted adjacent to areas used for grazing animals, equestrian activities, with high public exposure, and where children have access to the planting.
5. Plants should be located so the pruning will not be required.
6. Plant selection, spacing, and setbacks should conform to the “Plant Setback and Spacing Guide” (available through Caltrans Publications Unit and the Caltrans Website).
7. Plants should be located so that they will not obscure existing billboards or on-premise business identification signs.

Irrigation Design – Conventional and Controlled Access Highways

1. If Caltrans has water and electrical service available in the area, the new irrigation can be hooked into existing facilities if the permittee assumes the costs for the water and shut-off valves are provided for main/lateral lines. Otherwise, new separate utilities for the proposed irrigation systems must be provided.
2. Irrigation lines proposed under paved surfaces shall be installed in conduit.
3. Irrigation lines under continuous pressure are not allowed.
4. Provide separate control valves for supply lines operating overhead sprinklers at the top, intermediate, and toe of slopes.
5. Bubbler or low flow sprinklers used on slopes 4:1 or greater should be pressure-compensating or be equipped with pressure-compensating devices.
6. Design all systems to allow a water velocity of no more than 5 fps.
7. Water each planting group (for example, ground cover, trees, and shrubs) with separate control valves.
8. Design and operate irrigation systems to minimize fogging and overspray of water onto paved surfaces.
9. Provide uniform water coverage when using overhead sprinklers.
10. Drip irrigation or subterranean irrigation may be used if approved by the district landscape architect or permits landscape architect.
11. Provide shut-off valves, with ID marker, to isolate groups of control valves or areas of the irrigation system for servicing or shutting-off sections of the system.
12. To minimize drainage at the toes of slopes, anti-siphon/anti-drain valves are required on supply lines and sprinklers located on slopes.
13. A gate valve, with ID marker, should be installed within State right-of-way where the supply line(s) enter the right-of-way. Valves and backflow preventer (if installed) should be installed outside the right-of-way unless they are not under pressure between watering.
14. When necessary, a subsurface drainage system shall be provided in irrigated medians to prevent water flowing onto the roadway. The drainage system should also prevent lateral infiltration of water into the structural section of roadway and shall be approved by the District Permit Engineer.

**Table 5.15
Trees on Conventional Highways**

Trees should not be approved for planting where their growth causes interference, obstruction, damage or injury--either directly or indirectly--to the use of a highway, sidewalk, overhead utilities, or State right-of-way. These conditions apply to trees:

1. Trees should not be planted within 100' of the nearest intersecting public street or in positions that restrict sight distance. Distance is measured from the nearest intersecting right-of-way line.
2. Trees should be planted a minimum of 2.0' behind the curb.
3. Trees should be planted a minimum of 5' from any walkway between a curb and building entrance.
4. Trees should be located a minimum distance of 10' from any driveway, utility pole, fire plug, or to the rear of any highway sign. Trees should be located so they do not restrict the motorist's clear vision of any highway sign.
5. Spreading trees should be planted a minimum of 30' center to center.
6. When a tree requires support or protection, the tree should be staked by using one or more 2"x 2" x 8' redwood stake(s).
7. Large trees that at maturity (10 years) will have a trunk 4" or greater in diameter [measured 4' above the ground] are permitted within the 30' of the traveled way provided all of the following conditions are met:
 - The existing speed zone is 35 mph or less.
 - There is a curb or other barrier between the traveled way and the trees.
 - The sight distance is not restricted.
 - Existing signs and signals are not obscured.
 - In a median the trees are at least 6' from each curb.
 - Trees are at least 100' from the end of any median strip and at least 20' from existing manholes.

If one or more of the above conditions is not met, the location of large trees must be a minimum of 30' from the edge of the traveled way. Small trees and plants trained in tree form that are less than 4" in trunk diameter at maturity shall be planted at least 2' as measured from the face of the curb to the tree. In the absence of a curb, placement shall be at least 20' from the traveled way.

506.8 Tree Protection Requirements

Any permit work to be done on State right-of-way within conventional or controlled access highways that affects existing trees shall be performed according to the following requirements of this section and the special provisions.

**Table 5.16
Tree Wells**

Tree wells are individual openings located in paved areas such as sidewalks and parking lots. The following conditions apply to such installations:

1. Tree wells in paved areas should be a minimum of 3' x 3' square. The street side of tree wells should be parallel with the curb. Allow for a 4'x4' tree well where possible.
2. If irrigation is not available or not effective, two lengths of 4" diameter perforated plastic pipe or 4" diameter cardboard tubes should be installed vertically in opposite corners of each tree well. The pipe should be filled with 2" crushed rock to provide for deep watering.
3. Trees should be planted in the center of any tree well.
4. Tree wells should be made safe for pedestrians. Tree well covers flush with the grade of pavement are required.
5. Root barriers shall be installed to prevent sidewalk damage.
6. Permits for trees should be issued only to local public agencies, not to adjacent property owners.
7. Trees and tree wells in parking lots should be given a minimum of 64 square feet of opening in the pavement. The alternative is deep watering pipes and deep root barrier installation in the root zone.
8. Maintain trees so that the lowest limbs are at least 7' above the sidewalk surface.

**Table 5.17
Shrubs**

Shrubs are woody, multi-stemmed plants with each stem having less than a 4" diameter trunk at ten years.

1. Shrubs should be planted so that at maturity they will not grow closer than 3' from the curb and 5' from the right-of-way line.
2. Shrubs or high-growing ground cover may be in beds no longer than 50' in length with at least a 5' interval between beds to allow pedestrian traffic from the curb to the sidewalk.
3. Shrubs that naturally grow over 3' high should not be allowed within 25' of any driveway or intersecting road.

506.8A Pesticide Use

Pesticides may be used only with approval from the District Landscape Specialist. Use of pesticides (herbicides, insecticides, rodenticides, etc.) must be prescribed in writing by a pest control advisor licensed in California. Pesticide application may be performed only by a certified applicator in conformance with current laws, regulations, and Caltrans' policies.

506.8B Underground Work

Any underground work shall be performed so that tree roots are protected, and shall be as shown on a plan that is reviewed by the District Landscape Architect or Permits Landscape Architect.

**Table 5.18
Plants in Containers**

The conditions applied to plant containers are the same as for planting trees and shrubs elsewhere (i.e., size and location of containers, cost of planting and maintenance, liability, etc.).

Plant containers are permitted only when all of the following conditions are met:

- The existing speed zone is 35 mph or less.
- There is a curb or other barrier between the traveled way and the container.
- The container and planting will not reduce sight distance.

Additional recommendations for containers are:

1. Square or circular plant containers made of wood, brick, metal, concrete, or other appropriate material may be used. Circular concrete containers are most desirable.
2. The size of plant containers shall not exceed the available space between a point 2' back of the curb face (in medians, 6' back of the curb face) and a point 5' in front of the right-of-way line. In most cases, dimensions of the containers should not exceed 4'x 4' for a square container or a diameter of 4' for circular containers.
3. Plant containers shall be secured to the sidewalk to prevent overturning or shifting and placed to avoid creating a hazard to pedestrian or vehicular traffic. The permittee shall be responsible for temporary relocation when necessary to install, repair, or replace underground facilities.
4. The type of tree or shrub desired in the container should be specified in the permit application.
5. Proper maintenance of the plant and container is a requirement of the permit. Containers frequently become unsightly because of litter or unkempt plants.
6. Maintain trees so that the lowest limbs are at least 7' above the sidewalk surface.
7. A minimum of \$10,000 liability insurance is required when permits are issued for installing plant containers. Governmental agencies are exempt from the insurance requirement, but a bond may be required under certain circumstances.
8. Containers with trees or shrubs are not to be used for an advertising display.

506.8C Tree Trimming or Removal

All tree trimming must be performed according to current arboricultural standards, using ANSI, "Tree, shrub, and other woody plant maintenance standard practices," 300 Standards (Part 1) - 2001. Requirements for tree trimming or removal are outlined in Table 5.20. A field review should be made before the permit is issued to obtain clearance for longitudinal facilities within State right-of-way. Hazardous conditions for trimmers or highway traffic must be avoided. The applicant

should indicate the location of the work (county, route, and post mile), the height of utility lines, and the height, kind, condition, and number of trees.

Utility lines shall be of sufficient height to clear the tops of trees that may be maintained at a 40' height. This is especially true of species whose normal development precludes trimming to less than 40' [for example, conifers, single central leader trees of natural conical or pyramidal-type crown development]. Exceptions to this requirement may be permitted when:

1. The trees can be maintained in healthy condition and present a natural, worthwhile appearance after repeated pruning and thinning operations. Trees in this category include open, round crowned types, with several leaders or main branches forming their crown framework.
2. Utilities lines can be placed through or below the crowns of the tree with a minimum of pruning and without the removal of main leaders or limbs that would cause a permanent disfiguration of their crowns.
3. Top trimming under utility lines has been done for years and reconditioning of the trees to establish their natural growth is not cost effective.
4. Trees are on portions of routes that are included in realignment projects, after which the pole lines will be moved or the trees will be outside the right-of-way.
5. Volunteer growth from stumps and roadside seedlings is determined by the District Landscape Architect to have little or no value to the desired condition of the roadside.

The district shall notify the utility owner involved when further trimming or pruning is not desired, either at the height of 40' or at the height established for a particular tree species. This notification allows the utility owner time to modify their facility before additional trimming for clearance becomes harmful to the trees. Under normal circumstances, the utility owner is allowed two growing seasons to complete these modifications, with light trimming permitted in the interim.

In allowing top pruning for utility line clearance, it is desirable to have an open crown rather than a dense canopy of small growth that is caused by repeated cutting of young growth at an even distance under the utility lines. Allow heavier cuts for the removal of "crows' nests" or "brooms." Locate these cuts at laterals in older wood so that the next season's growth will form new crown structure free of disfiguring growth.

An open, naturally shaped crown can be maintained by heading back or removing the taller growth every other year and thinning out dense growth that forms after large wood is removed. Limbs larger than 2" in diameter may be removed when necessary for reshaping the crown or removing undesirable growth.

Table 5.19
Ground Cover

Ground cover includes low-growing plant material used for a variety of landscaping purposes.

1. Grass or an approved ground cover may be planted under permit between the curb and right-of-way line, provided it is maintained for safe pedestrian traffic.
2. No ungrouted decorative stone, gravel, or other loose material is allowed for ground cover.

Table 5.20
Requirements for Tree Trimming or Removal

1. Consent of the adjacent property owner is not required if the tree trunk is entirely within State right-of-way.
2. A limb overhanging the right-of-way may be trimmed without the adjacent owner's consent if it is interfering with highway usage or endangering traffic.
3. Trees on the right-of-way line are joint property and shall not be disturbed without consent of the joint owners. An exception to this requirement is when a hazardous condition exists or the tree is interfering with safe highway operations.
4. The permit applicant is responsible for making necessary arrangements when consent of an adjacent property owner is required.
5. Provisions of the right-of-way deed should be checked when there is a question about the title of the trees. If the district cannot make a conclusive determination based on the right-of-way deed, the matter should be referred to Headquarters Encroachment Permits.
6. Disfiguring cuts and tree topping are not allowed.
7. Districts shall be aware of, and sensitive to, the concerns that local community groups might have regarding trees.
8. Live trees are removed only with approval of the District Landscape Architect and/or Permits Landscape Architect.
9. Letter to city or county, when required, requesting written consent for tree work (Section 506.4D).

507 **MAIL AND NEWSPAPER BOXES**
Permit Code MB

MB permits are issued for installation and maintenance of curbside mailboxes and newspaper delivery boxes. New and replacement mailboxes must conform to Caltrans standards and policies and United States Postal Service (USPS) standards (these requirements apply to newspaper delivery boxes).

Caltrans' policy is to issue encroachment permits for curbside mailbox locations that are convenient to postal patron and mail carriers without interfering with highway safety,

maintenance, operations, or signing. If located within the clear recovery zone, the mailbox support must be made breakaway.

The permittee shall provide suitable all weather surfacing between the roadway and the mailbox. The surfacing shall conform to the adjoining shoulder grade.

Curbside mailboxes are not permitted on new expressways or freeways except on a rural expressway with driveway access openings and no frontage road. Curbside mailboxes on new expressways and freeways may be placed at a convenient location near an interchange or grade separation structure. The most desirable location at an interchange would be on the county road section off the State right-of-way, but should be determined cooperatively with the local postmaster.

AASHTO's "Roadside Design Guide", 4th Edition, Chapter 11 "Erecting Mailboxes on Streets and Highways" (See Appendix H of this Encroachment Permits Manual) offers model guidelines and standards for the installation of rural mailboxes. All mailboxes within the clear recovery zone should be firmly attached to supports that would yield or break away safely if struck by a vehicle.

A single 4 inches by 4 inches square or 4 inches diameter wooden post; or a 1.5 inch - 2.0 inches diameter standard steel or aluminum pipe posts, embedded no more than 24 inches into the ground is considered acceptable as a mailbox support. A metal post shall not be fitted with an anchor plate, but it may have an anti-twist device that extends no more than 10 inches below the ground surface.

Axles, ploughs, crankshafts, and similar large and heavy objects should not be used because potential collisions with them would be severe. Multiple-box installations should be located off the State highway; if that is not possible, individual supports for each mailbox shall be used. The distance between the supports should be the same as the length of support above the ground.

Neighborhood Delivery and Collection Box Units (NDCBU) do not meet the breakaway requirements and should not be placed within the clear zone as described in the Highway Design Manual.

The USPS requires that all new and replacement mailboxes be approved by the postmaster general. The following information is from the Postal Operations Manual (POM) and USPS-STD-7B01. Further information and a list of approved manufacturers are located at www.usps.com.

Curbside mailboxes must be placed so that they may be safely and conveniently served by carriers without leaving their conveyances. They must be reasonably and safely accessed by customers. Boxes must also be located on the right-hand side of the road and in the carrier's direction of travel in all cases where driving on the left-hand side of the road to reach the boxes would pose a traffic hazard or violate traffic laws and regulations. On new rural or highway contract routes, all boxes must be on the right side of the road in the carrier's direction of travel. Boxes must be placed to conform to State laws and highway regulations. Carriers are subject to the same traffic laws and regulations as are other motorists. Customers must remove obstructions, including vehicles, trash cans, and snow, that make delivery difficult. Generally, mailboxes are installed at a height of 41 to 45 inches from the road surface to the bottom of the mailbox or point of mail

entry. Mailboxes are set back 6 to 8 inches from the front face of the curb or road edge to the mailbox door. Because of varying road and curb conditions and other factors, the Postal Service recommends that customers contact the postmaster or carrier before erecting or replacing their mailboxes and supports. (POM, Section 632.524)

Boxes should be grouped wherever possible, especially at or near crossroads, service turnouts, or other places where a considerable number of boxes are presently located. (POM, Section 632.525)

Any mailbox that is found to violate Caltrans or U.S. Postal Service standards shall be removed by the postal patron upon notification by Caltrans.

508 MISCELLANEOUS Permit Code MC

MC permits authorize a variety of activities within State right-of-way that are not covered by other specific permit types addressed in this manual. These activities are described in the following discussion.

508.1 Contractor's Yards and Plant Sites

A State contractor must obtain an encroachment permit for plant and yard sites located within State right-of-way, unless the sites are located within contract limits. (Guidelines are described in the Project Development Procedures Manual.)

1. Sites Described in Special Provisions of State Highway Construction Contracts.

These rules and regulations apply to sites specified in State contracts if:

- The site is excess land, (a Category 2B or 2C hold is required), and the Right of Way Excess Lands Branch processes the hold.
- The site is airspace property, see the Right of Way Manual. Analysis must be approved by the District Airspace Review Committee, and an encroachment permit is required.
- The property is being held for future construction, see the Right of Way Manual.

The project engineer notifies District Right of Way of the proposed use and the target date for advertising the construction contract, and informs District Encroachment Permits that the contractor will be applying for an encroachment permit.

The project engineer is responsible for ensuring that local and environmental approvals are obtained and that appropriate language is placed in the Special Provisions for the contract.

The resident engineer ensures that the contractor properly protects, maintains, and leaves the property in a satisfactory condition at the end of the use, as required by the Special Provisions.

2. Requests by Contractors to Use Non-Designated State Property Located Outside Project Limits.

An encroachment permit is required to use non-designated State highway right-of-way outside contract limits. Other Caltrans property is managed by a lease or rental agreement.

Upon receipt of a contractor's request to use State property outside of the contract limits and not designated in the Special Provisions, the resident engineer directs the contractor to the appropriate District Right of Way unit (Airspace, Property Management, or Excess Land). For excess land rentals, a Category 2B or 2C hold is required, and the analysis must be approved by the Excess Lands Branch (see Right of Way Manual.) For rental of property held for future construction, see the Right of Way Manual.

District Right of Way assists the contractor, as needed, in securing local approvals and environmental clearance. It also coordinates its activities with District Encroachment Permits to ensure that the encroachment permit contains appropriate wording.

Payment for use of State property is based on fair market value.

508.2 – 508.4 These sections were left blank intentionally

508.5 Grading

Grading work occurs frequently in numerous permit categories, and grading requirements are associated with those other permit codes. Occasionally, a permit is issued solely for grading work; in this case, a MC permit is issued for authorized work. The permit may be issued as a biennial.

The following conditions apply to authorized grading work:

GRADING BY PRIVATE ENTITIES IN FREEWAY RIGHT-OF-WAY

Private use of freeway right-of-way to perform earthwork not associated with a highway improvement is not allowed except by a variance approved by the Division of Design, Chief and an encroachment permit. Provisions shall be made to: dispose of soil (located within 15' of traveled way) contaminated from air-borne lead, protect environmentally sensitive resources, protect historical and cultural resources, trees, and vegetation, and prevent erosion (see Caltrans publications on Storm Water Quality).

APPROVED GRADING IN HIGHWAY RIGHT-OF-WAY

Excluding improvements to sight distance or highway improvements, developers of adjacent property shall not remove earth or deposit fill within the right-of-way to improve their property unless approved by the Division of Design, Chief. When approved, the State is reimbursed an amount equal to the market value of removed materials minus the value of improvement to the right-of-way as determined by Project Development.

508.6 Mowing Grass by Adjacent Property Owners

District permit engineers may issue no-fee permits to adjacent property owners to allow cutting dry grass for weed abatement, preventing cattle from breaking through fences onto State right-of-way, or in areas that pose a potential fire hazard to the permittees property. This permit may be issued as a biennial.

A “Consent Letter” (form TR-0131) may be issued by the Maintenance Area Superintendent for one day activities. The Deputy District Director-Maintenance may approve multiple dates at his or her discretion (maximum of three consecutive days).

Permits require assignment of a State maintenance worker to supervise the mowing to assure no damage occurs to State facilities. The permittee will remove all cut grass or hay. Plowing cuttings into the ground is prohibited because of potential erosion.

508.7 Removing Hay, Sand, and Other Materials of Commercial Value

The Maintenance unit reviews applications for removing materials of commercial value from State highway right-of-way. It is responsible for assuring that the proposal complies with policy, obtaining formal bids, advertising for bids in newspapers, and approving and issuing permits.

Permit policy pertaining to harvesting of hay or sand removal or other similar activities where a product of commercial value may be obtained within State right-of-way is as follows:

1. Where the value of the service to Caltrans or the value of the product exceeds \$500, the permit will be issued to the high bidder following an informal bidding procedure. In the case of hay mowing, when hay is baled and removed by the permittee, competitive bidding will be used when parcels of 20 acres (8.09 ha) or more are involved. A permit is issued to the high bidder.
2. When the value of the service and the commercial value of the product both are less than \$500, permits will be issued on a “first come, first served” basis. This would be the case with haying areas under 20 acres (8.09 ha). The District estimates the value of the service based on current labor, equipment, and overhead rates for appropriate work classifications. Current market values should be used to estimate the product value.
3. When issuing permits for the purposes noted above, consider the following:
 - A. Operations must conform to the Caltrans Safety Manual.
 - B. Permittee must submit operation plans and schedule well in advance of work start to allow review and approval of details by Caltrans.
 - C. Permittee must not store harvested product in the right-of-way.
 - D. No selected harvesting unless specifically allowed in the conditions of the permit. The permittee must mow all hay and remove sand only from specified areas.
 - E. Prior to acceptance of encroachment permit fees, the permittee should be advised of pesticide use or other action that could impact the marketability or use of the product sought.

- F. The minimum acceptable bid will be the sum of the standard permit fee plus the cost of administering the competitive bidding process.
- G. A permit is issued as a miscellaneous permit at actual cost.
- H. When a product of value is removed from the right-of-way the standard permit fee will be charged, except for the case where an adjacent property owner mows and harvests hay in an area less than 20 acres (8.09 ha) in size. In the case of the adjacent property owner, as described herein, or if an individual wishes to mow the hay, without harvesting, the permit fee may be waived in accordance with Chapter 200 of the Encroachment Permits Manual.

Competitive bids should be sought by Right of Way for removing, harvesting, or pruning of State highway plants, with leases not to exceed 20-acre (8.09 ha) parcels. Successful bidders need an encroachment permit before starting work; the permit is fee-exempt.

508.8 Parking Meters

Only by adoption of an ordinance may local agencies install and service parking meters and mark parking spaces on conventional highways. The ordinance establishing the parking meter zone must describe the area included within the zone. The local agency must submit the complete draft ordinance to the District Director for approval. The ordinance only becomes effective after Caltrans approval. The ordinance can include the markings designating the parking spaces (Vehicle Code 22508 and CA-MUTCD Section 3B.18, Parking Space Markings).

Where maintenance of a State highway is delegated to a city, the District Director may delegate authority to regulate parking on that highway to the city (Vehicle Code 22506).

Parking meter zone plans shall be reviewed by District Traffic and Maintenance. ADA certification is required (See Section 500 and Chapter 200).

508.9 Structures - Engineering Services

Encroachment permits for structures work are usually identified as Miscellaneous Permits Code (MC), although they also may occur in other permit code categories.

Design plans for work involving construction or modification of structures (for example, bridges, tunnels, retaining walls, soundwalls, etc. (see Structure Work in Appendix K), shall be approved by Division of Engineering Services (DES). Special funded projects are reviewed by DES Office of Special Funded Projects, (OSFP) through the project development oversight process as indicated in Section 202.3, 205.2, 206, 206.2A, and special provision for Structure Work in Appendix K; construction and as-built requirements are subject to conditions of the cooperative agreement. Structures Maintenance shall review all encroachment work not reviewed by OSFP and must approve all work to place irrigation facilities and lines on existing structures, including outside surfaces of retaining walls.

Whenever proposed work involves structures, in addition to the five (5) sets* of plans normally required by the District Permit Engineer for District use, the encroachment permit application shall include the number of contract document sets as shown below:

Number of sets	Send to:
11 OR 13 to 17 if specialties involved (contact OSFP Liaison Engineer)	Caltrans Engineering Service Center Structures, Office of Special Funded Projects 1801 30 th Street, MS 9-2/7G Sacramento, CA 95816 OR P.O. Box 168041 Sacramento, CA 95816-8041

* Additional copies may be required as determined by the District Encroachment Permit Engineer.

Performance bonds are required on all permits (except public agency permits) authorizing work on signals or structures. The bond shall be a minimum of \$10,000 and shall be retained until the permittee furnishes accurate as-built plans and other completion records for the permit work.

All materials used in the permanent construction shall be individually tagged as inspected by Caltrans, or shall be accompanied by a certificate indicating compliance with the permit. These shall be furnished by the permittee on a timely basis. This requirement does not preclude Caltrans from testing materials when deemed necessary.

The permittee shall provide field engineering for line and grade controls, and shall furnish Caltrans with completion records including reproducible as-built plans upon completion of the work. As-built plans furnished to Structures shall be original-quality, full-size reproducible.

508.10 Protection of Survey Monuments

Pre-inspection by Encroachment Permits should include a search for known or suspected survey monuments.

When grading **or construction and maintenance of curbs, gutters and sidewalks** is approved, existing survey monuments must not be disturbed, destroyed, or obliterated. Districts shall include the following statements in all encroachment permits allowing grading, earthwork, or curb, gutter, and sidewalk work:

“Your attention is directed to Standard Specification, Section 5-1.36 Property and Facility Preservation, and Business and Professions Code, Section 8771. Permittee shall physically inspect the work site and locate survey monuments before work commencement. Monuments that might be disturbed shall be referenced or reset in accordance with Business and Professions Code.”

“If feasible, monuments should not be set within the traveled way. All monuments that must be set or perpetuated in paved surfaces, shall be constructed in accordance with Caltrans Standard Specification Section 81 ‘monuments’ and Standard Plan A74, Type D, or equal with prior approval of the District Surveys Engineer.”

“Copies of Corner Records filed or Record of Surveys recorded in compliance with the Business and Professions Code shall be forwarded to the District Surveys Engineer.”

508.11 Gathering of Roadside Vegetation Materials

The gathering of roadside vegetation/plant-life for the purposes of research, education and/or by Native Americans for religion, arts, & crafts is allowed (Public Resources Code, Section 5097.9).

Group participation shall be limited to a maximum of 20 people at a time, and shall have one supervisor appointed.

All participants are required to wear safety equipment, hard hats, approved vests (green or orange), gloves, and glasses/goggles (see Caltrans Safety Manual). This safety equipment may be loaned to the group participants by Caltrans for each operation. Proper dress and foot attire is also required (i.e. shirts with sleeves (long or short), pants, boots, or shoes with a hard sole, etc.) in accordance with Caltrans policies and procedures.

508.11A Permission to Enter

For activities accomplished in one-day or less, permission to enter State right-of-way can be issued through a “Consent Letter” (form TR-0131). The Consent Letter can be obtained, through the Maintenance Area Superintendent’s Office. This activity may meet Adopt-a-Highway requirements. To see if your activity meets these requirements see Section 500.1.

When the proposed activity will take more than one-day (or three days when approved by the Deputy District Director – Maintenance) , the project sponsor must obtain an encroachment permit through the local District Encroachment Permits Office.

The Consent letter or encroachment permit may be waived if Caltrans deems that the activity’s impact to be minimal.

The Consent Letter or Encroachment Permit shall be specific to cover the operational and safety aspects of the specific controlled access location. A copy of the Consent Letter shall be sent to the Headquarters Office of Landscape and Litter Abatement.

- Do not work on the roadway or shoulders, on bridges, in tunnels or near railroad tracks.
- Do not cross freeway traffic lanes on foot. Use caution when crossing conventional highways. Use crosswalks and signals where available.
- Face oncoming traffic as you work and keep an eye on traffic. Be prepared to move quickly, if necessary.

- Discontinue work before dusk. Do not work when fog or other conditions reduce visibility for drivers.
- Do not work when roadway is wet or icy.
- Do not touch or remove materials which you suspect may be toxic or hazardous. Items to avoid include powders, chemicals, smelly substances, suspicious packages, chemical drums or containers, weapons, syringes or hypodermic needles, dead animals and broken glass. Notify the Department or law enforcement (California Highway Patrol, Sheriff, etc) of the location of weapons or suspected toxic substances immediately.
- Do not compact trash bags. Injuries from broken or jagged objects may occur.
- Wear hard hats, either ANSI Class II or III compliant vests, safety glasses or goggles and other personal safety equipments as advisable.
- Wear long pants and substantial leather shoes or boots with ankle support.
- Watch your footing and stay off steep slopes, drainage facilities or places from which you might fall.
- Do not use portable music devices that require the use of headphones or earbuds
- Do not run, throw objects or engage in horseplay or any other activity which may distract drivers.
- Do not consume alcoholic beverages or drugs before entering or while on the roadside.
- Be alert where snakes may be located. Also be alert for stinging insects and poisoning plants (e.g. poison oak).

508.11B Removal of protected or sensitive vegetation

Only roadside vegetation/plant-life which has not been identified as environmentally protected/sensitive or roadside vegetation/plant-life within an area/location that has been identified as an Environmentally Sensitive Area (ESA) by Caltrans will be allowed to be removed.

508.11C Gathering by Research or Educational Groups

Research or Educational groups will be required to have a Caltrans representative in attendance at all times. Caltrans's representative will be the final authority as to specific work locations, vehicular parking, and time limitations for the removal of roadside vegetation/plant-life.

508.11D Gathering by Native Americans

Native Americans are permitted to gather roadside vegetation/plant-life for the purposes of religion or arts & crafts (basket weaving).

When there are less than five participants, a Caltrans representative may not be required. Discretion will depend upon the location requested for the gathering of the roadside vegetation/plant-life.

**509 OUTDOOR ADVERTISING VISIBILITY IMPROVEMENT
Permit Code OA****509.1 General**

Visibility improvements for legal outdoor advertising displays are permitted in accordance with Section 670 of the Streets and Highways Code. Section 5226 of the Business and Professions Code establishes outdoor advertising as a legitimate commercial use of property adjacent to roads and highways. Remedy is afforded a commercial establishment when foliage in the right-of-way obstructs the view of a building or sign from the adjacent highway (see Table 5.21).

509.2 Building Obscured From Highway Visibility

When a building, not an advertising sign, of a commercial enterprise (e.g. a restaurant) is obscured from highway visibility, the applicant applies directly to the District Permit Office for a Tree Trimming and Removal (LT) Permit. The Office of Outdoor Advertising is not involved; therefore, the applicant does not prepare a Visibility Improvement Request (VIR).

509.3 Advertising Display Obscured from Highway Visibility

Applicants desiring to modify highway planting for the purpose of improving or enhancing the traveling public's view of either an off premise or on premise advertising display, must first complete the "Visibility Improvement Request" (VIR) (form TR-0165). The District Outdoor Advertising Coordinator provides the initial review. If the display qualifies, the applicant prepares a "Standard Encroachment Permit Application" (form TR-0100).

509.4 Visibility Improvement Request (VIR)**Request for a VIR**

A VIR (form TR-0165) is used to obtain the consent of the local entity and Caltrans to provide for the pruning or removal of existing vegetation to improve or enhance the view of a legal outdoor advertising display. Generally, destruction or topping of healthy trees is not permitted, except as cited below.

As stipulated in the Streets & Highways Code, Section 670 (a) (4), a thirty-day (30) limit is set to obtain the response of the local entity; otherwise, no response deems their consent.

"The department [Caltrans] shall not issue a permit for, or take any other action to accomplish, the destruction, removal, or topping of any tree, unless the tree is dead or diseased, for the purpose of improving or enhancing the view from the highway of any advertising sign or device or any commercial activity, unless, for any project whose cost is more than five-hundred dollars (\$500), the permittee has obtained consent from the local entity."

An applicant's attainment of consent from the local entity does not guarantee approval by Caltrans for the issuance of an encroachment permit for the proposed project.

Should the request for consent by the local entity be denied (see Denial & Appeal section below), a brief explanation should be provided by the local entity, within the request.

If requested by the applicant, the District Office of Encroachment Permits will send a copy of the VIR (form TR-0165) via certified/registered mail to the local entity. The date the correspondence is received by the Local Entity establishes the start of the thirty-day (30) clock. The original VIR should be kept in the District Encroachment Permits Office, in the event there is no response.

The applicant has the option to expedite this process by obtaining the written consent themselves from the local entity on the bottom of a completed VIR.

Process

The District Encroachment Permits Office shall provide the proposed applicant with a VIR (form TR-0165).

The applicant is to be informed that they are to complete the top portion of the VIR (form TR-0165) and then it is to be taken to the local entity of responsibility for that specific geographical location, where the vegetation in question necessitates maintenance, for the purpose of improving or enhancing the view of the advertising sign.

The local entity is required to complete the bottom portion of the VIR (form TR-0165).

Submittal

In conjunction with a completed “Standard Encroachment Permit Application” (form TR-0100), any of the following actions begin the Encroachment Permit process for an “OA” permit:

1. Receipt of the written response mailed to the local entity giving consent,
2. Receipt of certified/registered mail delivery and no response has been received for 30 days,
3. Submittal of the completed VIR (form TR-0165) with local entity approval/denial.

The “OA” encroachment permit requests are reviewed by the following:

District Landscape Architect;
District Maintenance Landscape Specialist;
District Maintenance Landscape Supervisor responsible for that specific area;
District ODA Coordinator (verify that ODA permit is current);
District R/W (verify that land is not in the process of acquisition).

A VIR shall only be considered when the work to be performed is within 500' from the display, this limitation does not apply to median pruning (see Table 5.21).

For purposes of determined project costs, all VIR projects for one display that are received within a 12 month period will be considered as one project. Biennial (two year) visibility improvement permits may be issued.

No permit shall be issued for illegal displays, displays that do not conform to Federal standards or if Caltrans is in the process of acquiring the land where the display is located.

The permitted work shall be performed by a California Licensed Arborist Contractor under an encroachment permit at the permittees expense. Work shall be performed in accordance with current standards of the Western Chapter of the International Society of Arboriculture and as directed by a Caltrans representative. Mitigated requirements as a condition of the permit approval may be required as stipulated by Caltrans, such as for replanting, irrigation, and a plant establishment period.

Denial & Appeal

In the event that the VIR is denied by the local entity, there are no rights of appeal through Caltrans.

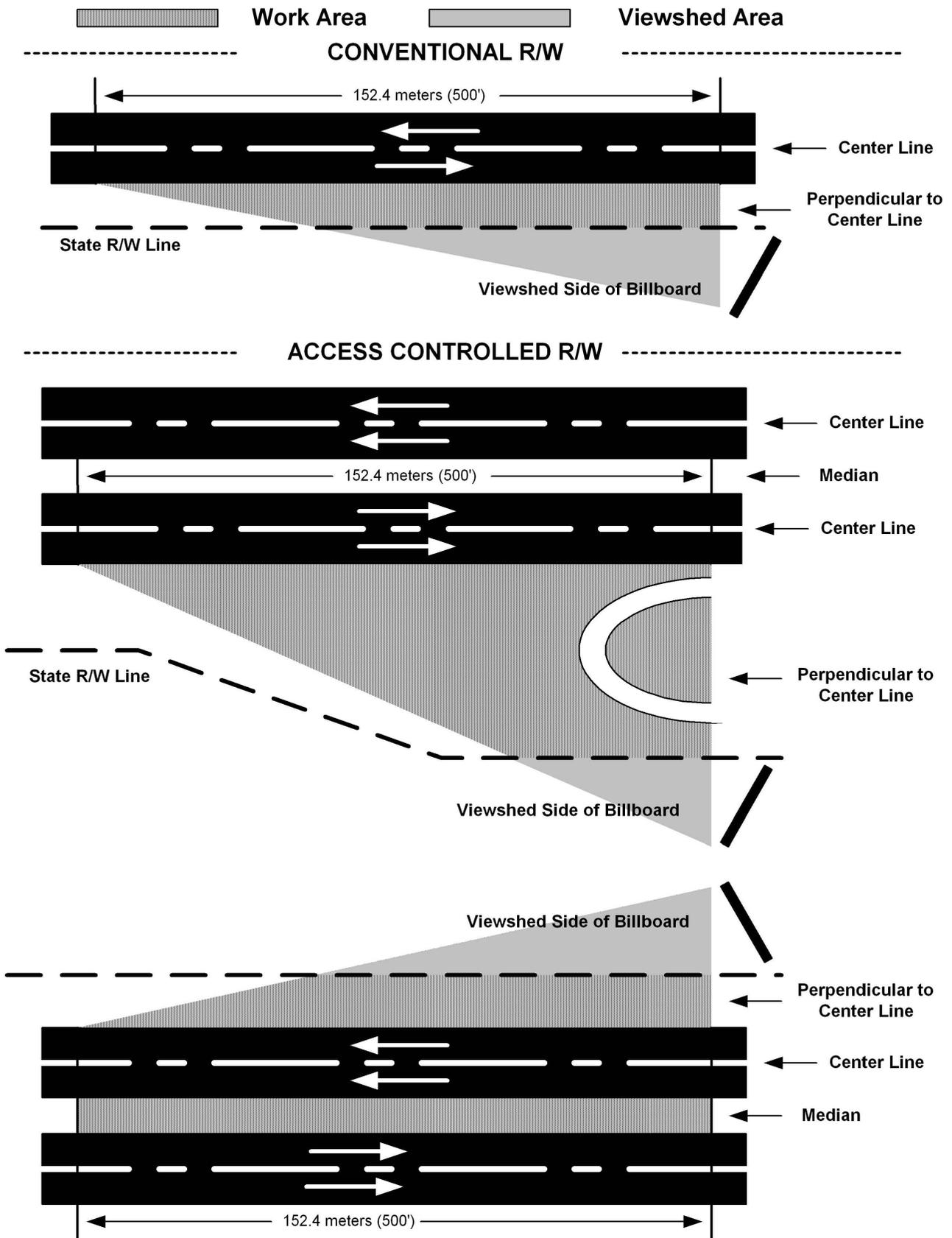
In the event that the VIR is denied by Caltrans, the applicant shall be provided an explanation of denial, a copy of their appeal rights and shall be notified via certified/registered mail to ensure that all time-lines of the appeal process are met.

The applicant has no right to a meeting with Caltrans staff in the appeal process; the applicant is solely responsible to ensure that all justification (i.e. information, pictures, etc.) is supplied to Caltrans for consideration through the appeal process.

The Headquarters Landscape Architecture Program reviews and comments on all appeals. If the Landscape Architecture Program denies the appeal, it will be the final decision by Caltrans and the applicant will have no further rights to appeal.

Typical Visibility Improvement Limits

Shared Areas Show Maximum Work Areas to be Considered for Visibility Improvement



**Table 5.21
Guidelines for VIRs**

General Guidelines

1. Work shall be performed in accordance with the guidelines of the International Society of Arboriculture--current ANSI A300 Standards.
2. Visibility improvement modification shall not detract from appearance, compromise function, or adversely affect the maintainability or longevity of the vegetation. Within these limitations, the intent is to maintain:
Visibility of off-premise displays; and,
Identity of on-premise business establishments adjacent to the freeway. Pruning or removal of vegetation to provide showroom visibility of businesses, being able to view window or exterior displays of merchandise or services, is not allowed.
3. Frequent light pruning of vegetation is the preferred method of achieving visibility improvement. Pruning shall not disfigure or compromise the plant's health.
4. Removal of more than 25% of the tree's canopy is not allowed.
5. Removal of obstructing vegetation will only be considered if replacement vegetation is installed and maintained by the permittee until Caltrans determines plants are established. Replacement vegetation may be installed in the location of the removed vegetation or at other locations in the vicinity as directed by Caltrans. Where replacement vegetation is to be installed, the overall aesthetic quality of the existing landscaping should not be changed. The District Landscape Architect will evaluate the need for coordination with the local community when vegetation is to be removed and replaced.
6. Installation of new irrigation systems or modification of existing systems necessary to accommodate a change in type of plant material, additional plants, or for relocated plants shall be considered as integral to the requested work.
7. Where planting is owned and maintained by the local jurisdiction, e.g., on a conventional highway, visibility pruning and replacement planting should comply with the requirements of the local jurisdiction.
8. For displays on Native American Reservations, Caltrans may issue permits for visibility improvement pruning according to these guidelines.
9. Pruning may be delayed until the horticultural appropriate time of year.
10. Bonding or a cash deposit may be required.
11. State agencies are required to preserve and protect native oak woodlands and to provide for replacement plantings whenever Blue, Engelmann, Valley, or Coast Live Oak is removed from native woodlands (Senate Concurrent Resolution No. 17, passed September 1989).

Basis for Denial

1. The VIR (TR-0165) was denied by the Local entity.
2. The display is illegally in place, is non-conforming to Federal standards or if Caltrans is in the process of acquiring the land where the display is located.
3. The scope of work involves destruction or topping of healthy trees.
4. The tree(s)/plant(s) have historical value.
5. The tree(s)/plant(s) are considered endangered.
6. The trimming/removal negatively impacts corridor continuity.
7. The trimming/removal negatively impacts local economic value.

Median Plant Pruning

1. Permits to prune plants in the median are intended to be used on sections of highway that are currently being pruned, or need pruning for safety.
2. Reasonable starting and stopping points for the median pruning should be considered, such as:
At overcrossings, undercrossings, bridges or similar structures.
Beginning or ending of a planting or breaks in the planting of 200 ft. or more.
3. The permit should specify traffic control and access requirements including access times, dates, and special access requirements. The permit should also include: the time of year to prune, the type of equipment to

use and any special treatment required shall be based on the types of plants, site conditions, and geographical location of the project.

4. Plants are to be side-pruned to a width sufficient to provide clearance required for the safety of the traveling public. Plants shall be top-pruned to a height not less than 5 ft. measured from the higher paved shoulder.

510 ROAD APPROACHES AND DRIVEWAYS

In granting a new public road connection, the California Transportation Commission action sets the terms and conditions of construction, which usually consist of specifying local and State responsibilities for right-of-way and construction costs of the new connection. These responsibilities usually are determined through negotiation, taking into consideration the California Transportation Commission's funding policy for interchanges adopted on April 26, 1984. New at-grade connections on existing expressways are approved only if the State pays no construction or right-of-way costs.

Cases will occur where it is not clear that a proposed connection would qualify as a "public road." Headquarters and the District make a determination after evaluating the circumstances in each case. Curb returns must have review consideration in a PEER or project report if the connection is not publicly owned and maintained.

Caltrans' policy is to use existing access safely and minimize the number of new access points to a State highway. Access on controlled access highways is limited by deed conditions. An increased use is not appropriate when the deed restricts access to a specific use. This usually applies to applicants wanting to use an agricultural or single-family access opening for commercial purposes.

The impacts of both initial and ultimate development must be assessed when a development requires a new connection to the State highway. The developer must mitigate adverse impacts on the State highway caused by the developer's initial and ultimate development. Add conditions to the permit that cause the developer to provide mitigation measures in a specific phase of future development if both initial and ultimate impacts are not mitigated in the first phase of development.

Growth inducement and its impact upon traffic generation must be evaluated. Environmental documents usually contain the information needed to make an evaluation. The permittee is responsible for mitigating conditions the proposal generates (such as increased traffic) which cause an existing private road approach to become unsafe. The permit may need to be updated and modified to address those unsafe conditions. Legal should be consulted to revoke the permit if the unsafe condition cannot be mitigated or the permittee fails to comply with the permit provisions. For information regarding unauthorized driveways, see Section 206.3.

**510.1 Commercial Driveways
Permit Code RC**

RC permits authorize driveways for service stations and other commercial establishments. Access from the highway also is discussed in the Highway Design Manual. A clear distance of at least 10' is required between a gasoline pump block and the right-of-way line (see the State Fire Marshal Administrative Code).

If the only project element is the driveway, then sidewalks directly adjacent to the driveway are considered to be out of the project scope. If other elements of the property frontage are being constructed or reconstructed, then all elements shall comply with the current Design Information Bulletin 82 (DIB 82). ADA certification is required (See Section 500 and Chapter 200).

Permits shall not be issued for servicing vehicles parked on State right-of-way. These establishments should be set back on private property to allow for service outside the right-of-way.

**510.2 Resurface/Reconstruct/Reissue Driveway Encroachments
Permit Code RM**

RM permits allow resurfacing or reconstruction of single family and agricultural driveways that were authorized by a previous permit. RM permits are also issued to new owners of existing driveway encroachments.

**510.3 Public or Private Road Approaches
Permit Code RP**

RP permits authorize construction and maintenance of a public or private road approach to a State highway facility.

City streets, county roads, and public highways are referred to collectively as public roads. A "public road" is defined to include:

- A road maintained for general public use that has dedicated right-of-way or easements and serves multiple property ownerships.
- A road maintained at public expense and that connects to a public agency facility serving the public, such as a State park, a Native American reservation, a county government center, a city landfill, etc.

A public road usually exceeds one-quarter mile in length. It functions as part of the local circulation system providing access to land uses indicated in local general plans. The California Transportation Commission may require that construction of a public road be started when Caltrans grants a permit for connection of the road to the State highway. The California Transportation Commission also may require that authorization for a new road connection be voided if construction of the public road is not undertaken within a specified period.

A private road connection to the State highway system is any connection other than public road connections and driveways. For example, a private road connection includes a stub connection,

which is a publicly used access opening. A stub connection usually is less than one-quarter mile in length, and serves privately-owned property which is (or is planned to be) used for commercial business or other development (for example, a shopping center, manufacturing plant, industrial park, condominium complex, etc.). This definition does not preclude a city or a county from having jurisdiction and maintenance responsibility over a proposed stub connection, but such would not relieve the property owners from paying compensation for the private access rights to be acquired from other private property owners.

New private road connections on controlled access highways are handled as right-of-way transactions using Director's Deeds, and are processed through the California Transportation Commission. Compensation is obtained for the enhancement of values, which is based on appraisals of the property with and without the new private connection less the appropriate costs of any required State highway modifications or mitigation. The compensation never is less than the value of State highway modifications or mitigation measures required for Caltrans to accommodate the new access.

Descriptions of road approaches in the Highway Design Manual are condensed. Complete and detailed procedures for review and approval by the California Transportation Commission are described in Caltrans' Project Development Procedures Manual.

510.4 Single Family and Agricultural Driveways Permit Code RS

RS permits authorize construction and maintenance of driveways that provide access to private single-family residential and agricultural properties along conventional highways. The driveway permit should be issued to the property owners responsible for continued maintenance. These driveways may serve more than one resident when an easement for joint use is established. However, districts may determine that a driveway serving more than three residents is a private road, and require the facility to meet higher design standards.

Driveway standards are described in Caltrans' Highway Design Manual. Proposals located in areas having curbs, gutters, and sidewalks shall conform to the Standard Plans. ADA certification is required if the driveway is part of an access route. If the only project element is the driveway, then sidewalks directly adjacent to the driveway are considered to be out of the project scope. Rural driveways shall meet the minimum standards shown in Appendix J, but districts can require additional standards to protect the highway and the public.

The portion of a permanent rural driveway located within Caltrans' right-of-way shall be surfaced with AC paving to the right-of-way line or 33' from the edge of traveled way, whichever is less. The remaining portion located on private property does not require AC surfacing.

Districts may encourage, but cannot require, additional paving beyond the maximum 33' from the edge of traveled way. Unless AC surfaces are required for safety of operation, districts may approve aggregate base driveways for intermittent farm field access for plowing and harvesting, or for construction, logging, and other driveways that are obliterated and removed after the work.

Before issuing an encroachment permit to establish a driveway for a logging operation, the permit engineer should review the California Department of Forestry's (CDF) timber harvest plans. These plans are sent from the IGR Coordinator to the permit office.

510.5 Standards for Road Approaches and Driveways

Any issued permit that does not meet the minimum standards shown in Table 5.22 must include written documentation from the District Traffic or Project Development Engineer explaining the reasons for allowing any deviation. The permanent file for the permit shall include such written documentation.

Fire Safe Regulations adopted by the California Board of Forestry affect construction along roadways in unincorporated State Responsibility Areas. These regulations affect encroachment permit work on some State highways. Except for signs, Caltrans' standards for driveway and roadway connections exceed the standards in the Fire Safe Regulations and must be maintained. The regulations include mandatory signing standards, which Caltrans has approved, and Caltrans will authorize the permittee to install and maintain signs mandated by the regulations.

Table 5.22
Minimum Standards for Road Approaches and Driveways

Road approaches and driveways generally must comply with these minimum standards:

1. Standard private and commercial road approaches in rural areas with unimproved frontage on conventional State highways shall conform to requirements shown in Appendix J.

Exceptions may be made on low-traffic highways or where a highway is non-standard or is to be soon abandoned. Such exceptions are approved by Division of Design, Chief.

2. Design of urban driveways with improved frontage, and design of access openings on expressways, shall be in conformance with Caltrans' Highway Design Manual.
3. Public road connections to freeways, and the crossing of freeways, must conform to the provisions of Caltrans' Project Development Procedures Manual.
4. Curb ramps at curbed public road connections must conform to Caltrans' Standard Plans.
5. ADA certification is required if the driveway is part of an access route or pedestrian facility.

511 RIDER

A permit rider is issued to amend an approved encroachment permit. Districts may issue a rider if the permittee seeks to modify authorized work or cannot complete the authorized work by the permit's expiration date. Caltrans also may initiate a rider to modify permit requirements.

Regardless of who requests the rider, a complete accounting review of the permit should be performed to determine if additional fees are required. Applicants amending their approved encroachment permit must comply with Caltrans' requirements and pay additional fees as necessary for review, processing, and increased inspection.

The rider form must be Simplex-numbered and cross-referenced to the original permit.

**511.1 Rider Initiated by Caltrans
Permit Code RD**

RD permit riders may be initiated by Caltrans to modify permit requirements. The rider also can concurrently extend permit expiration. ADA certification is required if the proposed work modification creates, alters or affects any pedestrian facilities (See Section 500 and Chapter 200). Riders should not be initiated solely to change the name of a permit inspector; that change is made by letter.

When a permittee cancels a permit before starting work, Caltrans should issue a RD rider to terminate the permit and close the file. Inspection costs are refunded according to accounting procedures described in Chapter 200.

**511.2 Rider for Time Extension
Permit Code RT**

RT permit riders are issued for time extensions that commonly are requested by the permittee. A maximum of two time extension riders may be issued; each extension should be for a maximum of 90 days. The District Permit Engineer may consider exceptions to the number and length of time extensions at his or her discretion on a case by case basis.

Riders are issued after payment of a fee, normally a minimal two-hour charge.

The permits office should ensure that the requested time extension would not affect planned maintenance or construction by Caltrans. Also, projects with a U. S. EPA Rainfall Erosivity Waiver certification require a new certificate or a SWPPP. Do not issue the time extension until a WDID is submitted (see Chapter 400). Time expended to coordinate a permittees request when it affects Caltrans' work is charged to the permittee before the rider is issued.

Caltrans may initiate time extension riders to extend a contractor's permit when the owner's permit has been extended at the owner's request; this action ensures that the contractor has a valid permit for the approved work. Caltrans also may initiate time extension riders to correct errors.

**511.3 Rider to Modify Work
Permit Code RW**

RW permit riders are issued at the permittees request to modify work and only after review and approval by appropriate Caltrans' units. Generally, the modification must be an integral part of work authorized under the original permit. Reviews for modified work are coordinated in the same way as permit applications and are not started until the permittee provides a deposit to cover estimated review costs. ADA certification is required if proposed work modification creates, alters, or affects any pedestrian facilities (See Section 500 and Chapter 200).

After plan approval, the permittee must submit a fee to cover any additional review and estimated inspection costs associated with new work. When the new work is substantial and may require extensive inspection, the permit engineer has the option of changing an "As Set" permit to "Actual Cost" inspection when the rider is issued.

**512 RAILROAD GRADE CROSSING
Permit Code RX**

Fee-exempt permits are issued to railroad companies for constructing or maintaining their existing grade crossings even though the work impacts the highway. In almost all cases where railroad bridges cross State highways, Caltrans does not own the right-of-way but crosses the railroad property by easement or agreement. These agreements control how Caltrans can utilize railroad property for highway purposes. However, State statutes also give Caltrans authority to permit activities within the area dedicated to highway use, including railroad maintenance operations that affect the highway or traveling public.

Standard Special Provisions (SSP) for fee-exempt RX annual maintenance permits issued to railroads are included in Appendix K. Districts may issue these permits for effective periods up to two years.

When a railroad company works in, under, or over a highway easement, e.g. adds new tracks within the easement, the railroad company or its subsidiaries or affiliated companies shall be issued an encroachment permit. The permit provides Caltrans with notice, a record of work, and a description of terms and conditions relating to public safety and compatibility with highway purpose.

Encroachment permits issued to railroads or its subsidiary or affiliated companies shall have designated across its face the words "For Notice and Record Purposes Only," which approval shall not be unreasonably withheld. The requirement for placing this statement on the encroachment permit is found in the Indenture. The Indenture is an easement agreement between Caltrans and the railroad company. The railroad right-of-way agent in each District negotiates these easement agreements.

Guides for issuing encroachment permits to railroad companies and providing inspection are listed as follows:

1. Permits issued to railroad companies performing construction or maintenance work, whether or not the work is limited to within the easement, shall be fee exempt. Fee exemption pertains to permit preparation and inspection.
2. Railroad companies performing work that impacts the right-of-way, e.g., the traveled way, will be exempt from application and inspection fees.
3. Permit inspection may be provided, without fee, to insure compliance with traffic control and roadway construction.

Additionally, railroad companies enter into lease agreements with communication service providers to install fiber optic cables within their right-of-way. Some of these cables pass through easements (e.g., grade crossings or grade separations) acquired by Caltrans from the railroads. Although Caltrans is under an easement agreement to use their property for highway purposes, the railroad retains the right to allow other uses of their property provided the lessee's activities do not conflict with highway safety or operation.

A fee exempt encroachment permit should be issued to the provider for installing fiber optic cable within Caltrans's easement. Permits are marked "For Record Purposes Only." The railroad company controls the location and inspection of the cable installation while the District performs inspection to mitigate potential highway and traffic impact.

Send new railroad grade crossing applications to Headquarters Division of Rail, Division of Design, Chief, and Structures for review. They must include full details and the District's recommendation. Details include:

1. Service to be rendered.
2. Commercial development dependent on proposal.
3. Engineering features.
4. Railroad operation.
5. Volumes of traffic.
6. Description and sketch of crossing location.
7. Effect on highway operation.
8. Railroads property rights and CPUC action.
9. Construction requirements, traffic handling plans, etc., considered necessary by the District for protection of public traffic.

These details are incorporated in special provisions for railroad construction projects.

513 **CALTRANS CONSTRUCTION CONTRACT (EARLY ENTRY)**
Permit Code SC

On rare occasions, District Construction allows a contractor to start work before signing a State highway contract. An encroachment permit must cover this early entry into the right-of-way. As a condition of early entry, a contractor shall have bonds and insurance policies in force before permit issuance.

A contractor on a State highway contract must file a statement regarding workers' compensation insurance before starting work (see Appendix D). All Caltrans construction contracts contain this statement, so that compliance is met upon receipt of an executed contract. The contractor must sign and submit the form with the permit application. The form reads:

“ATTACHMENT NO. 1 TO APPLICATION FOR ENCROACHMENT PERMIT
CERTIFICATION BY CONTRACTOR FOR CONTRACT NO. _____

I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for worker's compensation or to undertake self-insurance in accordance with the provisions of that code, and I will comply with such provisions before commencing the performance of the work of this contract.

Contractor

Licensed in accordance with an act providing for the registration of contractors
License No. _____.”

The permit engineer must contact District Construction before issuing the permit to ensure the contractor's request is acceptable and obtain the resident engineer's name for inspection purposes.

Encroachment permits issued to State contractors for borrow or disposal areas outside the contract limits are similar to a Notice to Relocate and are exempt from permit fees when those locations are designated in the contract. If locations are not designated in the contract, the contractor must obtain a lease from Right of Way and an encroachment permit.

514 **SPECIAL EVENTS** (this section contains the pre July 2013 language and is currently being reviewed)
Permit Code SE

The term “special events” as used in this Section refers to a marathon, bike-a-thon, walk-a-thon, parade, or other local celebration to be held on a State highway facility in such a way as to directly impact vehicular traffic on a State highway facility. Generally, a special event is an activity that is not consistent with the primary use of the State highway system and, therefore, closing a portion of a State highway and/or using special traffic control by Caltrans is necessary. However, the definition of what is (and what is not) a special event is subject to interpretation.

Because of the wide variety of requests that may be received, no attempt is made to develop a definition of “special event” that could cover all possible situations. In most cases, the District Permit Engineer should be able to decide if a proposed event falls within the above definition of “special event.” If a proposed event does not clearly fall within the definition in this Section, the District Permit Engineer should discuss the proposal with the Headquarters Permit Engineer.

Hundreds of permits are issued each year throughout the State for special events. Special events can cover a wide range of activities and may involve one or more districts. Typical events include parades, marches, bicycle events, running events, sidewalk sales, and other activities. When several districts are involved, a lead district is designated by headquarters Permits and a single permit is issued by the lead district after coordination with the other district(s).

Not more than 4 (four) permits for the same activity at the same location shall be issued in any calendar year (Section 682.5 of the Streets and Highways Code).

Permittees are responsible for all traffic control and fees for special events, and shall independently coordinate all activities with other affected jurisdictions.

Special event activities that conform to the California Vehicle Code and do not interfere with public traffic do not require a permit, or are handled by the Traffic unit as an incident-response, as for example, high-density traffic before and after a major football game.

Whenever a special event is allowed, the Department may restrict the use of or close any State highway whenever the Department considers such closing or restriction of use necessary (Streets & Highway Code Section 124):

- (a) For the protection of the public.
- (b) For the protection of such highway from damage during storms or during construction, improvement, or maintenance operations thereon.

The Department's authority to issue encroachment permits for special events on State highways is derived from Streets and Highways Code Section 124, 670, and 682.5.

Legal authority for a local legislative body, e.g., city or county to close portions of State highways for special events comes from Sections 21101 and 21104 of the California Vehicle Code. These sections read in part:

Section 21101 Local authorities may adopt rules and regulations by ordinance or resolution on the following matters:

(e) Temporarily closing a portion of any street for celebrations, parades, local special events, and other purposes when in the opinion of local authorities having jurisdiction such closing is necessary for the safety and protection of persons who are to use that portion of the street during the temporary closing.

Section 21104 No ordinance or resolution proposed to be enacted under Section 21101 or subdivision (d) of Section 21100 is effective as to any highway not under the exclusive jurisdiction of the local authority enacting the same, except that an ordinance or resolution which is submitted to the Department of Transportation by a local legislative body in complete draft form for approval prior to the enactment thereof is effective as to any State highway or part thereof specified in the written approval of the Department.

In addition, districts should consider the following questions before deciding to issue or deny an encroachment permit for a special event. At the discretion of the District Permit Engineer, issued permits may include provisions to resolve these questions:

- Is there a staging area for event participants, and is there the potential for traffic operational problems at the staging area?
- Has the applicant obtained the cooperation of local law enforcement?

- Has the applicant made arrangements for emergency services for participants if needed?
- Has the applicant established clear rules for event participants, and have these been communicated to the participants?
- Are pets allowed in the event?
- Are sweep vehicles needed to pick up any stragglers at the end of the event?
- Are there any restrictions such as no bicycles, no skates, or other wheeled contrivances?
- Are there any restrictions on the age and physical condition of the participants?
- Have public transit agencies been notified of the event if it might affect transit operations or schedules?
- Is it necessary to notify emergency services such as police and fire departments? Have arrangements been made for passage of these vehicles through or around an event?
- Clean up

514.1 Conditions and General Requirements for Special Events

Unsafe special event activities are not permitted on State highways. Caltrans approves specific events only when all concerns are mitigated.

Caltrans' general policy requires traffic control for permitted special events to be provided by a competent traffic control specialist retained by the permittee. The District Director is authorized to specify State personnel for traffic monitoring and control.

Permit Standard Special Provisions require notification of State legislators and local elected officials that serve the area affected by special events having significant traffic impacts.

Each special event permit shall include the General Provisions, which are attached to all SE encroachment permits.

An event may be canceled, postponed, or terminated at any time if, in the opinion of Caltrans, weather or other conditions present unacceptable hazards. This clause shall be included in the permit:

“If rain, fog, or other elements significantly affect safety for event participants or vehicular traffic, Caltrans may take whatever action is necessary to protect the public. Also, if for some unforeseen reason the traffic demand for the State facility significantly exceeds the anticipated demand, it may be necessary to terminate the event.”

The permittee shall pay required fees and charges. These fees include review and analysis of traffic handling proposals, answering correspondence, coordinating with law enforcement agencies, etc. In addition, the California Transportation Commission has established the following requirement by Resolution G-18 (8-25-78):

“ . . . that a toll charge equal to that charged for a 7-axle truck be and it is hereby established for each such event involving the use of a state-owned toll bridge . . .” The event sponsor shall provide a bridge toll receipt as proof of payment prior to permit issuance.

Encroachment permit fees are not required of nonprofit organizations possessing a resolution for conducting municipal parades that are considered a civic event. For example, to qualify for fee exemption, parades are held on legal holidays such as: Independence Day, Veterans Day, etc., and conducted by veterans' organizations, schools, and youth organizations.

The applicant shall provide proof that the responsible enforcing agency is aware of the special event and that special enforcement will be provided if it is necessary. This proof shall be documented.

Caltrans issues encroachment permits to cities, counties, and nonprofit organizations for special events and cooperates with a special event sponsor, but shall not be considered a sponsor or cosponsor of any event. Permits are issued only when:

1. The event is sponsored by a nonprofit organization.
2. Local interest and support for the activity is evidenced by an ordinance, resolution, or written consent (see Appendix I) from all local governments impacted directly. Local resolutions are required for all special events unless a prior resolution clearly shows the intent to cover repeat events. For example:
 - If a previously-adopted resolution (still in effect) shows the intent to hold the special event on an annual basis, or
 - Written approval is provided from an individual delegated authority by the elected body by ordinance (see Appendix I).
3. The time and date of the event are acceptable to Caltrans and are specified on the permit to maximize safety and minimize traffic disruption. Event sponsors are required to schedule events at a time when traffic volumes are low. If the event requires lane closures, an analysis must be made to determine whether remaining lanes can carry expected traffic volumes. A lane closure shall be limited to the shortest period of time necessary to hold the event.
4. The proposed use will not significantly detract from the safe operation of the highway, unreasonably delay or inconvenience the traveling public, or expose participants to unusual hazards. Safe operation for the motoring public and the event participants is a primary concern when planning special events. If the event requires using a lane next to high-speed traffic, it is desirable to provide a buffer lane between the event lane and live traffic lanes.

When a buffer lane cannot be provided, detouring traffic around the event should be considered. A detour route should take into account traffic volumes, length of detour, and impact on emergency vehicles. The encroachment permit shall define the route for event participants and include the detour plan.

5. The applicant provides insurance to cover the State's potential liability.

514.2 Nonprofit Organizations

For the purpose of allowing special events on State highways, Caltrans issues encroachment permits only to nonprofit organizations as defined in Title 26, United States Code under Section 501(c)(3), (4), (6), (7), (8), and 501 (d) [IRS Publication 557]. Political organizations and other special interest groups **do not** qualify as nonprofit.

A nonprofit organization must satisfy all of the 5 categories listed as follows:

1. Is the applicant one of the following?
 - A corporation
 - A community chest
 - A fund or foundation
 - A civic league or organization (boy scouts, veteran's organization, etc.)
 - A chamber of commerce or a business league
 - A recreational club
 - A fund or foundation, a fraternal beneficiary society, order or association (lodges--Elks, Moose, etc.)
2. Is the organization formed and operated exclusively for one or more of the following purposes?
 - Charitable
 - Religious
 - Scientific
 - Testing for public safety
 - Literary
 - Educational
 - The prevention of cruelty to children and animals
 - National or international amateur sports competition (only if none of its activities provide athletic facilities or equipment)
3. None of the organization's net earnings benefit private shareholders or individuals.
4. None of the organization's activities is propaganda, influencing legislation, or a political campaign.
5. None of the proposed activities can include vending within the State right of way (see Section 514.6) unless vending is an incidental part of the special event (authorized under Section 682.5 of the Streets and Highways Code).

514.3 Categories of Special Events

Special events are classified in one of the two following categories:

Category 1 —Events held on freeways, expressways, or toll bridges.

Written approval by the Program Manager Traffic Operations Program is required before issuing a permit for Category 1 events. Headquarters

Permits obtains approvals, denials, or modifications with justification for new special events.

Headquarters approval is required for any event or activity on controlled access or toll facilities. Once an event or activity has been approved, subsequent approvals are not required unless the event or activity changes significantly or if operational conditions on the facility change considerably.

Category 2 —Events held on conventional State highway facilities or local facilities where special traffic control on a State highway is necessary.

The District Director or his representative may approve encroachment permits on conventional highways--Category 2.

514.4 Special Events on Freeways, Expressways, Toll Bridges, and the Interstate System

Special events are normally banned from freeways, expressways, and toll bridges. However, some events, such as marathons or nationwide events requiring lane closures, ramp closures, and traffic control are allowed under an encroachment permit. In some cases, e.g., the Olympic Torch Run and activities on toll bridges, the event moves over portions of controlled access highways.

FHWA approval is required for special events on the Interstate system and not required for non-interstate highways. The permit engineer should obtain FHWA approval when the event is defined sufficiently to establish impact on the Interstate facility.

The policy of the Federal Highway Administration (FHWA) is to ensure that operation and maintenance of the Interstate system enhances safety and minimizes disruptions. To ensure FHWA is aware of special events that affect the Interstate system, Caltrans' normal operating procedure is to provide information to FHWA by telephone at the earliest possible date.

Exchanging information regarding the event provides FHWA an opportunity for input and approval plus background for response to any inquiries it receives. FHWA engineers are assigned to districts and their names are available from district Project Development.

514.5 Joint Policy Guidelines for Special Events

Caltrans and the CHP have adopted joint policy guidelines for special events on conventional State highways to ensure consistent Statewide treatment of events and to provide criteria that can aid local agencies in their planning for similar activities (see Appendix E).

The guidelines apply only to highways over which both CHP and Caltrans have jurisdiction. The guidelines do not preclude the development of additional guideline criteria by local CHP commands and Caltrans districts covering specific problems of mutual concern or interest.

The applicant shall submit a completed encroachment package for a special event permit to Caltrans for review and approval. The package shall include the materials listed in Table 5.18.

Table 5.18
Encroachment Package for Special Events Permits

The final encroachment package submitted to Caltrans by the applicant shall include these materials:

1. A completed and signed application for an encroachment permit and the appropriate fee.
2. Traffic control plans.
3. Detour plans approved by all affected Local entities (cities, counties and Tribal governments).
4. Resolutions or approvals from all impacted governments indicating formal approval of the special event and detour plans. Resolutions should conform to Caltrans' sample format (Appendix I).
5. A certificate of liability insurance naming the State of California, its officers and employees as additional insured and in an amount determined by Caltrans to be appropriate for the event.

Cities, counties, public schools, local improvement districts, and other local or State agencies are exempt from insurance requirements.

514.6 Special Events Involving Vending

Street festivals involving vending and sidewalk sales within State highway right of way is allowable with city or county sponsorship or approval under Streets and Highway Code, Section 682.5.

Encroachment permits may be issued to cities and counties (not to the nonprofit organization) for the use of highways within their boundaries or to community-based nonprofit corporations for special events involving vending. A community-based nonprofit corporation is a corporation formed under the Nonprofit Corporation Law (Division 2, commencing with Section 5000, of the California Corporation Code) having an office located within the county where the special event is held.

A community-based nonprofit corporation must obtain an acknowledgment from the city or county before permit issuance. Acknowledgment refers to a city or county issued special event permit, road closure or detour permit, or letter of permission authorizing the special event for which an encroachment permit from the Department is sought.

Caltrans' permits for special events are issued in accordance with current Joint Operational Policy Statement adopted by the California Highway Patrol and Caltrans.

514.7 Liability Insurance for Special Events

The General Provisions that accompany the encroachment permit hold the permittee responsible for all liability for personal injury and property damages (see Section 203.3 and Appendix K).

Special events are classified as low, medium, or high risk and categorized as follows:

1. Low Risk Events

- The event is held on a conventional highway with low traffic volume.
- Traffic control is provided by: a law enforcement agency having jurisdiction, or by a professional traffic control company hired by the event sponsor.
- An approved detour is available.
- Event participants number less than 250.
- Expected spectator draw is less than 2,000.
- Event duration is normally one day.
- The duration of the event is normal for that type of event.

2. Medium Risk Events

- The event is held on a conventional highway with moderate traffic volume.
- Traffic control is provided by: a law enforcement agency having jurisdiction, or by a professional traffic control company hired by the event sponsor.
- An approved detour is available.
- Event participants number between 250 and 500.
- Expected spectator draw is between 2,000 and 5,000.
- Event duration is one or two days.
- The event's duration is normal for that type of event.

3. High Risk Events

- The event is held on a conventional highway with high volume.
- Any event held on controlled access highways or toll bridges.
- The event requires rolling traffic closures.
Traffic control is provided by: a law enforcement agency having jurisdiction, or by a professional traffic control company hired by the event sponsor.
- The number of participants exceeds 500.
- Expected spectator draw is greater than 5,000.
- Grandstands, bleachers or other structures for spectators, participants, or officials are erected on State right of way.
- Event duration continues for three or more consecutive days.
- The duration of the event is **not** normal for that type of event.

Although an event may not fit specifically into one of these three categories, the district determines the appropriate risk category and establishes insurance coverage accordingly. Freeway ramp closures normally do not require insurance for special events occurring outside the right of way.

Table 5.19 indicates the general criteria for the three risk categories. When the risk of an event is believed to be unusual, the districts should contact Headquarters Permits to obtain an insurance amount beyond those indicated in Table 5.19. District permit engineers should review high-risk special events and present the information to Headquarters Permits. Caltrans Legal will establish an insurance amount.

Table 5.19
Insurance Requirements for Special Events

Coverage	Low Risk		Medium Risk		High Risk *
	Dual Limit	Single Limit	Dual Limit	Single Limit	
Bodily Injury					
Each Person	\$ 500,000	\$1,000,000	\$1,000,000	\$2,000,000	*
Each Occurrence	\$1,000,000	\$1,000,000	\$2,000,000	\$2,000,000	*
Property Damage					
Each Occurrence	\$ 250,000	\$1,000,000	\$ 500,000	\$2,000,000	*
Aggregate	\$ 500,000	\$1,000,000	\$1,000,000	\$2,000,000	*

**For high-risk events, consult Headquarters Permits regarding amounts for dual-limit and single-limit bodily injury and property damage.*

515 SIGNALS AND LIGHTING

Permit Code SN

Issue SN permits for new or modified traffic signals and street lighting. The Caltrans District shall prepare a Project Report of the investigation of conditions at locations where a new traffic signal is to be installed, an existing traffic signal is to be modified, or an existing traffic signal is to be removed on the State highway (Section 4B.102 (CA), CA-MUTCD). See the Project Development and Procedures Manual for project report requirements and format. A Permit Engineering Evaluation report (PEER) may be prepared in lieu of a Project Report for projects estimated to cost \$1 million or less.

ADA Certification is required (See Section 500 and Chapter 200).

515.1 New Facilities or Modifications to Existing Facilities

Local agencies and developers may propose new or modified traffic signal and street lighting facilities. New signals and State-owned safety lighting shall meet warrants and require agreements for cost and maintenance. Permits for these installations are issued only when a PEER or project report is approved and final plans are signed by a registered engineer and approved by Caltrans.

Local agencies, utilities, and developers often propose continuous lighting along improved highways for future ownership and maintenance by the local agency. Caltrans cannot authorize ownership by private entities and permits are not issued unless the application is made by a local agency. The permit to the agency either can mimic the permit issued to the private entity for the

installation, or it can include text stating “Own and maintain street lighting facilities installed by ‘X’ under Permit Number ____.”

Design and construction standards for signals and lighting shall conform to the Plans Preparation Manual, Standard Plans, Standard Specifications, 1996 Caltrans Traffic Manual (Sections 9-06 through 9-13) for lighting, California Manual on Uniform Traffic Control Devices (Part 4, Highway Traffic Signals) for signals, and the Signal, Lighting Electrical Systems Design Guide.

For continuous street lighting, the installations may conform to local standards, but Districts should ensure that the facilities meet minimum requirements for wind loading, breakaway, and location in the right-of-way. The District Traffic Electrical unit determines when lighting installations are considered safety lights that may require ownership by Caltrans.

When permit work for signals and State-owned lighting is completed, the as-built plans are signed by the appropriate inspector and copied for District Traffic Electrical and Maintenance. Permit inspectors and Maintenance electrical staff should ensure that copies of as-built plans for signals are placed inside traffic signal controller cabinets.

Plans for installation of traffic signals and lighting designed by private and local agency engineers should be reviewed by the District Traffic unit. If roadwork is involved, the entire package shall be reviewed by Traffic Electrical (i.e., signal and lighting plans, striping plans, roadway plans, and any contract specifications or special provisions).

Minimum plan requirements for work involving or affecting signals, lighting, and electrical systems are shown in Table 5.25. Caltrans will not accept the job as complete until the permittee provides the Office of Encroachment Permits with one (1) 20 ft (1: 240) scale reproducible film and an electronic copy of as-built plans within 30 days after completing authorized work.

Table 5.25
Minimum Plan Requirements for Signals, Lighting, and Electrical Systems

Plans for signals, lighting, and electrical systems must comply with these minimum requirements:

1. Separate 20 ft (1: 240) scale plans on standard layout sheets 22"x 34"
2. Reproducible film media and an electronic copy provided for review
3. Using an existing as-built reproduction as a plan base is not acceptable.
4. Design details (such as right-of-way lines, striping, crosswalks, and curb ramps) shall be shown.
5. All supporting documentation must be provided (for example, draft environmental impact reports, traffic studies, and traffic warrants)
6. These are general requirements; districts may require additional submittals for approval
7. ADA certification is required (See Section 500 and Chapter 200)

515.2 Traffic Signal Controllers

Caltrans provides Traffic Signal Controllers for encroachment permit projects on State highways. This policy applies to each new and existing traffic signal including those at the intersection of freeway ramps and local streets, whether they are maintained by the State or by a local agency.

Caltrans will, for cooperative agreement projects and other Oversight Projects involving signal systems on State highways, provide controllers to the local agency permittees as a part of the State's contribution to the project if that obligation is so stated in an executed agreement. Caltrans also supplies controllers as a Department Furnished Material when stated in the Permit Engineers Evaluation Report (PEER) or the Project Study Report/Project Report (PSR/PR). When projects are privately funded, the State shall be reimbursed for controller assembly, inspection, delivery, and installation costs (see Guidelines for Controller Assembly distribution - Appendix E).

515.3 Payment for Traffic Signal Control Equipment

When Caltrans supplies equipment for signalization projects, the cost of this equipment shall be shown in the "Equipment & Materials" section of the "fee calculation" sheet, page 3 of the application, and collected in full prior to issuance of the permit. The amounts charged shall coincide with the prices listed on the Guidelines for Controller Assembly distribution (See Appendix E).

**516 SURVEYS
Permit Code SV**

SV permits may be issued for property survey work, traffic counts, research and materials investigations, test wells, and preliminary surveys for highway improvements, depending upon accessibility, traffic conditions, available highway facilities, etc. Requests for survey assistance and an estimate of costs should be referred to the District Surveys Engineer or responsible unit.

516.1 Multi-year Survey Permits (Annuals)

Multi-year permits are issued for a two-year period only on conventional highways, for land surveys and research projects funded by FHWA. Districts may also issue multi-year permits for soil surveys, traffic counts, etc., when applicants have contracts for work District wide. Multi-year permits for individual companies with repeated permit violations will be canceled, therefore requiring individual permits for specific work locations.

516.2 Accident Reconstruction

Generally, Caltrans' policy is to prohibit accident reconstruction on State highways because of concerns about traffic impacts and liability. Encroachment permits shall not be issued for accident reconstruction except upon written recommendation by Caltrans Legal staff, or when required by court order. A court order allowing accident reconstruction does not exempt investigators from encroachment permit requirements. Table 5.26 outlines guidelines for issuing permits for accident reconstruction surveys.

Requests for accident reconstruction should not be referred to the California Film Commission.

Table 5.26
Guidelines for Issuing Permits for Accident Reconstruction Surveys

Permits authorizing accident reconstruction surveys shall conform to these guidelines:

1. Applications for accident reconstruction must supply:
 - Description of work.
 - Number of vehicles and support vehicles involved.
 - Number of persons involved in the investigation.
 - Filming or photography necessary.
 - Estimated time to complete the requested activity.
 - A certificate of liability insurance, as determined by Caltrans Legal, naming “The State of California, its officers and employees” as additionally insured.
2. Upon receipt of an application, the permit engineer shall request recommendations from District Legal.
3. Highway closures and detours shall be approved by Caltrans and the affected local agency. Closures not exceeding one hour are allowed if detours are unavailable and traffic volumes are low. Advance notification signs shall be placed a minimum of seven days before authorized closures.
4. Activities must be performed during daylight and conducted so that traffic in peak periods is not disrupted.
5. A preliminary meeting of Caltrans Encroachment Permits, Caltrans Legal, and the permittee must be held before permit issuance to discuss proposed activities, required personnel, traffic control, timing, and other considerations. Local agencies, law enforcement, and legal representatives should attend when appropriate.
6. An operational meeting between Caltrans, the permittee, the private traffic control vendor, the CHP, and others as appropriate is necessary before work begins to ensure that plans are finalized and participants are aware of individual responsibilities.
7. Reviews by District Traffic and Maintenance units are necessary to determine effects on State highway traffic, State-owned facilities, and the appropriateness of requested timing.
8. Unaltered accident reconstruction special provisions shall be attached to the permit, and permit text shall contain District special requirements. The accident reconstruction special provisions are located in Appendix K.
9. Estimated costs incurred by Caltrans shall be collected from the permittee before permit issuance.

516.3 Archaeological Surveys

Permits for archaeological surveys in State right-of-way are issued for site investigations at specific locations. Applicants usually are colleges, universities, public agencies, and archaeology study groups hired to investigate sites identified in environmental impact reports. All applications are reviewed by District Environmental staff, with Maintenance and Traffic units often involved also.

Traffic and pedestrian safety is provided by the permittee when open excavations are proposed. Excavations are managed and protected in the same way as trenches adjacent to the traveled way.

An archaeological survey sometimes is required because finds are unearthed during the course of other permitted work. These investigations are approved by the original permit, and no other permit is issued.

516.4 Land Surveys

Land surveys within the freeway and expressway right-of-way are authorized only for future highway improvements and only for specific projects and locations. Permits shall specify the work involved, list a specific location for the work, and are not issued to cover numerous, and varying work site locations. Multi-year (annuals) survey permits are not authorized for controlled access right-of-way, except for highway improvements funded by local agencies.

Permits for private surveys within controlled access right-of-way are issued only for proposed highway improvements or for data collection but only when District Surveys cannot provide the required information from within State right-of-way to the private surveyors within a reasonable amount of time. All survey permits on conventional highways must include unaltered Special Provisions. Districts shall cooperate with private surveyors by furnishing necessary information and survey reference points as needed to avoid work within controlled access right-of-way. Authorized surveys are restricted to areas of comparatively low traffic volume when the work can be performed safely and there is no interference to public traffic.

Surveys performed in areas of relatively heavy traffic volume, particularly in metropolitan areas, shall include a Traffic Management Plan measures approved by District Caltrans.

All encroachment permits involving land surveying shall contain the following statement:

“If feasible, monuments should not be set within the traveled way. All monuments that must be set or perpetuated in paved areas, shall be constructed in accordance with Caltrans Standard Specification Section 81, ‘Monuments’ and Standard Plan A74, Type D, or equal with prior approval of the District Surveys Engineer.”

516.5 Literature Distribution at Toll Bridges, On Ramps, etc.

The distribution of traffic questionnaires, e.g., origin and destination inquiries, to motorists at toll bridges, freeway on ramps, etc., is allowable provided the survey is beneficial to Caltrans. Surveys conducted for non-transportation purposes do not qualify. Organizations applying for a permit shall meet the conditions listed below (all exceptions are forwarded to Headquarters Office of Encroachment Permits):

1. The method of questionnaire distribution shall be such as to minimize traffic impact.
2. The applicant shall obtain a policy of liability insurance naming the State as additional insured before permit issuance. Headquarters Legal determines the policy amount.
3. Person(s) distributing questionnaires at toll bridges shall be positioned at a location designated by the toll sergeant or as described in the permit.
4. CHP shall be notified when surveys are conducted on freeway on ramps.
5. Distribution or collection is not allowed at off-ramps.

516.6 Research Projects Funded by FHWA

The Federal Highway Administration (FHWA) occasionally funds traffic research projects involving California highways. Contractors performing such research work are subject to the conditions listed in Table 5.27.

Encroachment permits are required for research work conducted by contractors within the freeway right-of-way when: any personnel or stopped vehicles are within the limits of the freeway right-of-way, any traffic control measures are needed, or any work will be done (such as placing traffic counters or markings on the pavement). Permits also are required for research work conducted on conventional State highways when traffic control measures are needed or when any work will be performed on the traveled way or shoulders. This permit may be issued as a biennial for long-term studies.

When there is a direct contract between FHWA and Caltrans to conduct federally funded research, all permit costs are waived and the contractor is not required to post a bond. When there is not a direct contract between FHWA and Caltrans, the contractor is required to pay all permit costs and to post a bond when there is a potential for damage to the highway.

Table 5.27
Conditions for Research Projects Funded by FHWA

Research projects funded by FHWA are subject to these conditions:

Safety Equipment

- Safety equipment shall conform to provisions of Caltrans' Safety Manual.

Traffic Operations

- The contractor, as part of the research project, shall not flag, direct, obstruct, or interfere with public traffic or close lanes or shoulders. Any such work that is necessary is done by State maintenance personnel. A Caltrans maintenance employee must be present at all times for research projects that involve traffic control, lane closures, or shoulder closures, or any work on lanes.
- The contractor's vehicles shall not have activated rooftop flashing lights. They shall not be parked on traffic lanes and shall be parked off the paved shoulder where practical.
- The contractor's work shall be done according to conditions of the Maintenance Manual, except when the encroachment permit provides other restrictions.
- Work on lanes and crossing of freeway lanes usually shall be prohibited unless the lane is closed. Caltrans' policies regarding limited-time work on lanes along highways that have low volumes apply only if authorized by the permit and only if traffic volumes are low.
- The contractor's personnel shall not be closer than six feet to moving traffic at any time.

Technical Equipment

- Caltrans cannot loan or rent to the contractor any equipment needed for research operations, such as time-lapse cameras, radar sets, etc.

Fires

- The contractor must comply with all local, State, and federal fire regulations. Open flames or fires are permitted only in vehicles parked over bare ground or pavement or when vegetation is wet and the appropriate officials have declared the fire season ended.
- The contractor shall have one shovel per vehicle when any work is performed in grass, brush, or forests during the dry season.
- Vehicles shall not be parked on tall, dry grass.

516.7 Soil Surveys

Soil surveys and material investigations are needed for the design of proposed structures, and are associated most often with future highway improvements. They generally are performed by core boring. Use of open trenching is limited by trench depth and is acceptable only in rural areas.

Districts can authorize core boring outside improved highway surfaces where equipment and work do not affect public highway use. Permit inspectors should monitor access to locations on freeways and require traffic control or shoulder closures for work next to shoulders or the traveled way. This permit may be issued as a biennial.

516.8 Traffic Counts

Permits for traffic counts are issued to public agencies and engineering firms for work on conventional highways and at freeway ramp terminals. District traffic staff can provide the most recent information available for State count locations, thereby avoiding excessive counting. Traffic reviews ensure that unsafe practices or locations are not used for counting traffic. The permit may be issued as a biennial.

Permittees must firmly anchor count tubes to the traveled way with tape. Anchor nails or bolts are acceptable at the edges of shoulders or at the lips of gutters. Placing anchors in the traveled way or in Portland Cement Concrete is not authorized, unless they are placed in a joint at the lip of a gutter or at the centerline. Permittees shall not place straps around State facilities to protect their equipment from theft, unless no other facility or location is available to which equipment can be secured.

**517 TRAFFIC CONTROL AND TEMPORARY SIGNALS AND SIGNS
Permit Code TK**

Traffic control measures (signing, temporary signals, ramp closures, etc.) are required when work is performed on or affects State highways to ensure the safety and convenience of the public and to protect highway workers.

ADA certification is required (See Section 500 and Chapter 200).

517.1 Traffic Control on Conventional Highways

Traffic control on State highways is performed for the safety of the traveling public even when the work is outside State right-of-way. Districts should not accept traffic disruptions solely for the applicant's convenience, and should suggest that an applicant perform work so that impacts on the highway are minimized. Signing standards for traffic control shall conform to the Standard Plans or to a special plan designed by the applicant and approved by District Traffic.

517.2 Temporary Signals

Temporary signal installations are requested when work outside the right-of-way disrupts State highway traffic. Such work often involves highway crossings or access by construction vehicles. District Traffic Electrical must review and approve proposals for temporary signals and recommend feasible alternatives.

Temporary signal systems should have a minimum impact on highway traffic. Their operation should be limited to the permittees work hours and hours approved by District Traffic Operations. When they are not in use, the permittee shall cover the signal faces and the advance warning signs or lock the signals on green for highway traffic.

517.3 Ramp Closures

Caltrans' policy is to provide for safety, convenience, and protection of public traffic and permittees. This policy is applied to requests for ramp closures as shown in Table 5.28. Ramp closures are not permitted solely for the convenience of the permittee. Traffic control is supervised by Caltrans, and the permittee is billed for Caltrans' costs.

**Table 5.28
Policy Regarding Ramp Closures**

High Volume Ramps	Avoid closure, if possible, to minimize disruption of traffic. Pipes should be bored and jacked in lieu of open cutting.
Low Volume Ramps	May be closed for the minimum amount of time required to perform the necessary work.

517.4 Planned Checkpoints on Conventional Highways

The California Highway Patrol (CHP) and other law enforcement agencies periodically conduct planned sobriety checkpoints on conventional State highways. Such checkpoints are considered planned work, similar to other work for which encroachment permits are issued and all law enforcement agencies, except CHP, must obtain permits. The CHP is exempt from permit requirements because it is authorized by statute to enforce laws on State highways.

In cooperation with other law enforcement agencies, Caltrans authorizes biennial (two-year) encroachment permits for planned sobriety checkpoints at pre-approved locations on conventional highways. Freeways are excluded from this surveillance. Planned checkpoints that have the potential of suspects attempting to avoid operations and eluding authorities thereby endangering public safety will not be permitted. Examples of such operations are drug interdiction and illegal immigration.

Permits require two days advance notice to the State's representative. If requested, checkpoint information furnished is confidential and the permit shall be stamped confidential.

Law enforcement agencies must first consult with the CHP and get their concurrence for the checkpoint operation before District Traffic review. In addition, the enforcement agency must supply a completed encroachment permit application and a list of locations for the various checkpoints. Districts should cooperate with law enforcement in identifying checkpoint locations and establishing safe, effective traffic control. The District Traffic Operations unit shall review the proposed locations for safety and suggest alternatives for unacceptable locations. Locations may be added by permit rider after permit issuance.

State Standard Plans T-11 governs the use and placement of traffic control devices, and provisions of Section 12 of the Standard Specifications are required. Sign messages shown in T-11 may be modified to address the operation.

517.4A Charitable Solicitations

SB-582 2007 modified section 17510.25 of the Business and Professions Code to authorize charitable solicitations on City and County public roadways. State Highways were not included in this legislation. The Department supports the intent of the legislation and may authorize the use of a State highway for charitable activities upon compliance with, and approval of the following:

1. A “Standard Encroachment Permit Application” (form TR-0100) from the local entities’ Fire Chief, Police Chief, or head of the Public Safety Section. The complete application package must be submitted to the Department a minimum of 40 days prior to the proposed solicitation.
2. A certificate of liability insurance naming the “State of California, its Officers, Agents and Employees” as additional insured in the amount determined by the District Permit Engineer (Minimum \$1 million).
3. A full explanation of alternative locations considered other than the State highway and reasons for not using them. The safety of the traveling public and event participants is our primary concern. The proposed solicitation shall not detract the safe operation of the highway, cause unreasonably delay or inconvenience to the traveling public, or expose participants to unusual hazards. Additional requirements may be imposed based on site specific conditions.
4. Resolutions or approvals from all impacted local entities indicating formal approval of the proposed solicitation and detour plans.
5. Only law enforcement personnel, firefighters, and other persons employed to protect the public safety that are in uniform with badge or insignia as public safety personnel will be allowed to perform the actual solicitation.
6. A Traffic Management Plan (TMP) prepared and signed by a registered engineer for review and approval. The TMP should discuss the location and method of collection.
7. A meeting with responsible agency personnel, the charity, the permittee, the California Highway Patrol (CHP), and the Department shall be held prior to the issuance of the permit to go over all issues, restrictions, time constraints and the TMP.
8. The District Permit Engineer may require CHP or other law enforcement personnel to assist the permittee with traffic control at the District Permit Engineer’s discretion.
9. A letter from the applicant stating that all of the above have been completed and acceptance of the provisions provided in same.
10. No more than 4 (four) permits for the same activity at the same location shall be issued in any calendar year (Section 682.5 of the Streets and Highways Code).
11. Charitable solicitation shall not be performed on Freeway or Expressway facilities.
12. Local agencies are exempt from encroachment permit fees for charitable solicitations.

517.5 Portable Changeable Message Signs

Portable Changeable Message Signs (PCMS) are used to inform motorists of unexpected conditions and should display only real-time information that conveys current traffic safety and congestion information. Public service messages are not permitted. For additional information, see publication titled, "Changeable Message Sign Guidelines," Division of Traffic Operations, Department of Transportation, December 2013.

517.6 Snow Closures

Certain State highway segments are normally closed (with barriers) to prevent public access during the high snow season. When Caltrans has fee title ownership, encroachment permits are not issued for recreational use of the State right-of-way or for using snow removal equipment to keep the highway traversable beyond the closure point.

When Caltrans has not obtained right-of-way by fee title but is occupying land owned by others, such as the U.S. Forest Service or the Bureau of Land Management, it does not object to the use of that portion of closed highway provided that:

- The Forest Service issues the permit;
- The special use permit issued by the Forest Service has a specific provision naming Caltrans as an additional insured on liability insurance policies; and
- Caltrans is entitled to review any permit issued for this activity to determine if appropriate liability clauses are included.

Property owners that are unable to access their land because of a snow closure (locked gate), may apply for a key through the encroachment permit process. Permits are issued fee exempt. The permittee shall assume responsibility for maintaining a secure gate and agrees to indemnify and hold harmless the State against any and all claims arising out of any activity for which the permit is issued.

517.7 Temporary Directional Signing

To maintain safe highway operations, Caltrans sometimes allows nonprofit organizations sponsoring attractions or events conducted for nonprofit purposes, to place directional signing in the right-of-way. To qualify for sign placement, the attraction or event must have significant traffic generation as determined by the permit engineer. Also, traffic patterns must have local agency approval before permits are issued.

Directional signs within the State highway right-of-way shall be reviewed and approved by the District Traffic unit. They shall be placed and removed by the permittee at no cost to Caltrans, and covered until they are needed for actual event traffic. They shall be removed immediately or under certain situations within a maximum of one week after the event.

Permanent directional signs for points of local interest and fire protection signs required by the State Board of Forestry are discussed in Section 521.

517.8 Project Construction Identification Signs

Project construction identification signs for State contracts are included in the Plans, Specifications, & Estimate.

Project construction identification signs may be provided when authorized and installed under permit for construction projects having an estimated contract cost of \$1,000,000 or more and contract duration of 50 or more working days. One sign in each direction shall be placed near the limits of each qualifying project. The sign format, message content, and letter size shall conform to standard sign detail sheets.

One or more of these local agency funding sources must be identified:

1. City or county road funds.
2. City or county traffic authority measure funds.
3. Private entity funding through a local agency.

The following information shall not be included on the sign:

1. Dollar cost figure.
2. Funding percentages of contributing sources.
3. Names of private firms, developers, or organizations.
4. Promotional information, such as identification of public officials, organizational affiliations, or related symbols or logos.

A State or local agency contractor is often required to post advance signs warning the traveling public of restricted clearances caused by falsework or other types of construction. Standard Specifications require these signs, and they are usually placed outside the project limits. Review by Transportation Permits Office staff is required to ensure that the signs direct vehicles exceeding the restricted clearance to an approved detour. Caltrans issues permits for these signs at no charge, and inspection is performed by the resident engineer. The contractor and resident engineer are responsible for notifying Permits and other District staff for implementing Standard Specifications, Section 7-1.04.

**518 TUNNEL UNDER ROAD
Permit Code TN**

A tunnel is defined as any jacked casing, liner plate, or wood lagging work that is 30" in diameter or larger. A Cal-OSHA permit and tunnel classification is required for tunnels.

Tunneling must conform to the requirements for bore and jacked pipe (Section 623) and the additional requirements listed in Table 5.29. All tunnels (except for jacked casings) shall be reviewed by Structures Maintenance. Two soils reports shall accompany the submittal.

Table 5.29
Requirements for Tunneling

Tunneling must satisfy the requirements for bore and jacked pipe (see Section 623) and these additional requirements:

1. Tunneling is authorized when the permittee provides full-time inspection and is monitored by a Caltrans representative.
2. The permittee shall set and check a survey grid over the centerline of the pipe jacking or tunneling operation. Copies of the survey notes should be submitted to the Caltrans representative at Caltrans's discretion.
3. Caltrans may require sand shields as ground conditions change.
4. The method used to check the grade and alignment shall be approved by Caltrans' representative before work begins.
5. Pressure grouting for liner plates, rib and spilling, or rib and lagging tunnels shall be at every 8' section or at the end of work shift before the next section is excavated. All grouting shall be completed by the end of each workday.
6. A method for securing the headway at the end of each workday is required. Breast plates shall be installed during working hours for running sand or super-saturated soil.

519 **WALL**
Permit Code WL

Retaining walls and soundwalls often are proposed by local agencies and developers as part of their work outside State right-of-way. Local agencies may perform advance construction of soundwalls inside State right-of-way when the project is in Caltrans' State Transportation Improvement Program (STIP) but funding is uncertain. In these cases, cooperative agreements between Caltrans and local agencies specify Caltrans' future participation in reimbursement, plan requirements, and construction standards.

The applicant is responsible for the design, construction, and future maintenance of walls constructed outside State right-of-way. Plans for construction inside the right-of-way are reviewed by District Project Development, Environmental, Landscape Architecture, Maintenance, and Headquarters Structures. Project plans should include access gates and fire hose openings. Caltrans shall maintain soundwalls built within the right-of-way. Structures Maintenance must approve plans for walls to be used for retaining purposes.

Applicants should store materials and provide access to the construction site from outside State right-of-way. When access from outside State right-of-way is limited, districts may allow work and materials storage within the right-of-way but must maintain the clear zone or require K-rail protection. Permittees may relocate access control fences to ensure continuity of the fencing and allow for permitted work.

Upon completion, permittees shall remove the fencing in front of the wall, set new end posts with bracing approximately 4" from the wall, and connect the remaining access fence. Salvaged fence is delivered to the nearest State maintenance facility. Retaining walls must have standard CL-6 fencing or a minimum 6' soundwall above ground surface (see Section 504).

520 **GROUNDWATER MONITORING WELLS**
Permit Code MW

Under State legislation, counties and regional water quality control boards may require the owners or operators of underground storage tanks and parties responsible for hazardous materials spills to test for groundwater and soil contamination. Monitoring wells are one of several methods used to determine contamination. In those situations where placement of monitoring wells in the right-of-way is unavoidable, the underground storage tank owner or operator shall apply for an encroachment permit. However, an engineer or other representative may apply when properly authorized by the owner or operator.

A copy of the approved site mitigation plan should be submitted along with the encroachment permit application. Any subsequent modifications to the mitigation plan shall be submitted when appropriate. A copy of the mitigation plan, permit, and all relevant information should be submitted to the District Hazardous Waste Coordinator.

The following policies apply to drilling wells, temporary conduits, and discharging treated water into State highway drainage facilities:

1. Permits may be issued for monitoring wells on conventional highways located safely outside the traveled way when no reasonable alternative exists outside the right-of-way.
2. Permits are **not** issued for drilling monitoring wells within freeway right-of-way to test for ground water pollution.*
3. Permits are **not** issued for discharging treated groundwater or effluent into the State drainage systems.*
4. Permits are **not** issued for temporary conduits or pipelines through culverts. A transverse underground crossing permit is required.*

* Requests for exceptions are submitted to the Division of Design, Chief

Regional water quality control boards and county representatives oversee the testing well operation, abandonment, and compliance with the Department of Water Resources' standards. Since cleanup and abandonment approval may take 5 years or more, the districts should approve permits of prolonged duration.

The owner of the required clean up must submit a minimum \$5,000.00 performance bond prior to permit issuance.

521 **SIGNS**
Permit Code SI

521.1 **Guide Signs to Points of Local Interest**

When State (conventional) highways also function as a community's "Main Street" local agencies may place supplemental guide signs to points of local interest when approved by District Traffic Operations. Policies governing placement of guide signs are located in the CA-MUTCD (Chapter 2D, Guide Signs). Signs may indicate directions to locations that do not meet Caltrans' minimum qualifications or to those places of community interest, which normally do not warrant signing by Caltrans. Examples of destinations that may receive signing include:

- | | | |
|----------------------------|-------------------|---------------------------------|
| * Business Districts | * Libraries | * Public Parking |
| * City Halls | * Museums | * Visitor Information Centers |
| * Civic Centers | * Parks and Zoos | * Hospitals (emergency service) |
| * Community Swimming Pools | * Police Agencies | |

Sign installation and maintenance must be by the local agency at no cost to the State. Sign locations must be limited to areas where they do not block or interfere with warning, regulatory, or other guide signs necessary for the safe and efficient operation of the highway. Signs must not be placed if more than one turn is required to reach the destination. Sign panels should be clearly marked as to city or county ownership. ADA certification may be required if supports are placed in an access route (See Section 500 and Chapter 200). Encroachment permits for placement of guide signs are issued as fee-exempt and may be biennial.

521.2 **Fire Hydrant Markers and Signs**

Placement of blue reflective markers and signs to identify fire hydrant locations shall conform to criteria described in "Guidelines for Fire Hydrant Markings Along State Highways and Freeways" (This publication was prepared by the Office of the Fire Marshal in cooperation with Caltrans for the Calif. State Board of Fire Services--May, 1988). Additional guidance is presented in the CA-MUTCD, Section 3B.11.

Encroachment permits for placing such markers and signs are issued at no cost to the fire agency.

521.3 **Fire Protection Signing**

Fire Safe Regulations adopted by the Board of Forestry establish requirements for roadway name and building address signs. Caltrans authorizes such signs under encroachment permits issued to property owners and developers when the signs are set outside the clear zone or as close to the right-of-way as possible. County sign standards for height, color, and reflectivity will be accepted, but breakaway sign posts conforming to current State Standard Plans are required.