

Chapter 500 – Specific Encroachment Permits

Table of Contents

500A	Certification of Compliance with the Americans with Disabilities Act (ADA)	3
500B	Vertical and/or Horizontal Clearance Changes.....	6
500	ADMINISTRATIVE ENCROACHMENT PERMITS (Rev. 09/2023).....	6
500.1	Adopt-A-Highway (Rev. 09/2023).....	7
500.2	Landscape Administrative Permits.....	8
500.2A	Transportation Art.....	9
500.2B	Gateway Monuments.....	10
500.2C	Community Identification.....	10
500.2D	Blue Star Memorial Highways and Roadside Memorials.....	10
500.3	Airspace Development.....	11
500.3A	General Requirements.....	12
500.3B	Column Protection.....	13
500.3C	Fencing.....	13
500.3D	FHWA Approval on Interstate System.....	14
500.3E	Encroachment Permit Application.....	14
500.3F	Telecommunications (Wireless).....	14
500.3G	This section was left blank intentionally.....	15
500.3H	Permanent Record.....	15
500.3I	Parklets.....	16
500.4	Permits Issued by Cities and Counties.....	22
500.5	Chain Installer Operations (Rev. 09/2023).....	24
500.6	Commercial Use.....	25
500.6A	Newspaper Vending Machines.....	25
500.6B	Safety Roadside Rest Areas and Vista Points.....	26

500.6C Demonstration & Experimental Projects for Commercial Use of Right-of-Way 27

500.7 Active Transportation Infrastructure Projects 28

500.8-500.9 These sections were left blank intentionally 30

500.10 QMAP (Previously Oversight) Projects 30

501 GENERAL TYPES OF PERMITS..... 31

501.1 Litter, Vegetation, and Roadside Cleanup 32

501.2 Salvage Operations 33

501.3 Arcades, Awnings, and Marquees (Rev. 09/2023) 33

501.3A On-Premise Advertising Displays (Rev. 09/2023) 34

501.3B Arcades..... 34

501.3C Awnings..... 35

501.3D Marquees..... 35

501.4 – 501.6 These sections were left blank intentionally 35

501.7 Banners and Decorations (Rev. 09/2023) 35

501.7A Non-Decorative Banners (Rev. 09/2023) 36

501.7B Decorative Banners 37

501.7C Holiday Decorations 37

501.8 Bus Passenger Waiting Shelters and Benches 38

501.8A General Requirements 38

501.8B Advertising 38

501.8C Clearance 39

501.8D Construction Details..... 39

501.8E Telephones in Shelters..... 39

501.9 This section was left blank intentionally 39

501.10 Commercial Development 39

501.10A Dedication of Public and Private Property to Caltrans (Rev. 09/2023) 40

501.11 This section was left blank intentionally..... 41

501.12 Curb, Gutter, and Sidewalk 41

501.13 This section was left blank intentionally..... 41

501.14 Double Permit (Rev. 09/2023) 41

502 DRAINAGE (Rev. 09/2023) 43

502.1 Major Drainage Facilities 44

502.2 Minor Drainage Facilities 44

503 FILMING 45

503.1 Filming on the Interstate System 45

503.2 CHP/Caltrans/CFC Joint Policy Guidelines for Filming on State Highways
..... 46

503.3 Procedures for Reviewing and Issuing Filming Permits 47

503.4 Liability Insurance for Commercial Filming 49

503.5 Permit Types for Commercial Filming Activities 49

503.5A Intermittent Traffic Control/Driving Shot with CHP Escort 50

503.5B Traffic Control 50

503.5C No Moving Traffic 50

503.5D Film Rider 51

503.5E Special 51

503.5F Facilities (Rev. 09/2023) 51

503.6 Inspecting and Monitoring Filming Permits 52

504 FENCES (New or Modification) (Rev. 09/2023) 53

505 GEOPHYSICAL TESTING..... 55

505.1 Cable Crossing 55

505.2 Seismic Vibrator 56

505.2A Testing Method Allowed..... 56

505.2B Vibrators (Rev. 09/2023) 57

506 LANDSCAPE 57

506.1 Responsibilities 58

506.1A Maintenance, Replacement and Repairs 59

506.1B Pesticide Use..... 59

506.2 Standards for Conventional Highway and Access-Controlled Highway
Planting and Irrigation Plans 60

506.3 Landscape Permit Types 66

506.3A Conventional Highways 66

506.3B Access-Controlled Right-of-Way 66

506.3C Maintenance (Rev. 09/2023) 66

506.3D Tree Pruning (Trimming) and/or Removal (Rev. 09/2023) 67

507 MAILBOXES AND NEWSPAPER BOXES 73

508 MISCELLANEOUS..... 75

508.1 Contractor’s Yards and Plant Sites..... 75

508.2 – 508.4 These sections were left blank intentionally 76

508.5 Grading..... 76

508.6 Mowing Grass by Adjacent Property Owners..... 77

508.7 Removing Hay, Sand, and Other Materials of Commercial Value 77

508.8 Parking Meters..... 79

508.9 Structures - Engineering Services 79

508.10 Protection of Survey Monuments 80

508.11 Gathering of Roadside Vegetation Materials..... 81

508.11A Permission to Enter 81

508.11B Removal of Protected or Sensitive Vegetation 83

508.11C Gathering by Research or Educational Groups 83

508.11D Gathering by Native American Groups 83

508.12 Law Enforcement Surveillance Devices..... 83

509 OUTDOOR ADVERTISING VISIBILITY IMPROVEMENT..... 88

509.1 General 88

509.2 Commercial Buildings Obscured from Highway Visibility 88

509.3 Visibility Improvement Request (VIR) 89

510 ROAD APPROACHES AND DRIVEWAYS (Rev. 09/2023) 94

510.1 Commercial Driveways 95

510.2 Resurface/Reconstruct/Reissue Driveway Encroachments 95

510.3 Public or Private Road Approaches..... 96

510.4 Single Family and Agricultural Driveways 97

510.5 Standards for Road Approaches and Driveways..... 98

511 RIDER..... 99

511.1 Rider Initiated by Caltrans (Rev. 09/2023) 99

511.2 Rider for Time Extension 100

511.3 Rider to Modify Work (Rev. 09/2023) 100

512 RAILROAD GRADE CROSSING..... 101

513 CALTRANS CONSTRUCTION CONTRACT (Early Entry)..... 103

514 SPECIAL EVENTS 104

514.1 Conditions and General Requirements for Special Events..... 107

514.2 Nonprofit Organizations 109

514.3 Categories of Special Events..... 110

514.4 Special Events within Access-Controlled Right-of-Way, Toll Bridges, and
the Interstate System 111

514.5 Joint Policy Guidelines for Special Events..... 112

514.6 Special Events Involving Vending 113

514.7 Liability Insurance for Special Events..... 113

515 SIGNALS AND LIGHTING 116

515.1 New Facilities or Modifications to Existing Facilities 116

515.2 Traffic Signal Controller Assemblies 118

515.3 Payment for Traffic Signal Control Equipment 118

516 SURVEYS..... 118

516.1 Multi-Year Survey Permits (Annuals) 119

516.2 Traffic Collision Reconstruction 119

516.3 Archaeological Surveys..... 120

516.4 Land Surveys..... 121

516.5 Literature Distribution at Toll Bridges, On Ramps, etc. 122

516.6 Research Projects Funded by FHWA..... 122

516.7 Soil Surveys 124

516.8 Traffic Counts..... 124

516.9 Unmanned Aircraft Systems (UAS) 125

517 TRAFFIC CONTROL AND TEMPORARY SIGNALS AND SIGNS 126

517.1 Traffic Control on Conventional Highways..... 126

517.2 Temporary Signals 127

517.3 Ramp Closures 127

517.4 Planned Checkpoints on Conventional Highways..... 127

517.4A Charitable Solicitations..... 128

517.5 Portable Changeable Message Signs 130

517.6 Snow Closures..... 130

517.7 Temporary Directional Signing..... 131

517.8 Project Construction Identification Signs 131

518 TUNNEL UNDER ROAD 132

519 WALL 133

520 GROUNDWATER MONITORING WELLS 134

521 SIGNS 135

521.1 Signs to Local Interest 135

521.2 Fire Hydrant Markers and Signs..... 136

521.3 Fire Protection Signing 136

Chapter 500

Specific Encroachment Permits

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

Table 5.1A and Table 5.1B list encroachment permit types, codes, and sections that discuss their requirements.

Table 5.1A
Administrative Permit Codes

Section	Code	Description	Responsible Unit
500.1	AH	Adopt-A-Highway	Maintenance
500.2A	AP	Transportation Art	Landscape Architecture
500.2B	GM	Gateway Monuments	Landscape Architecture
500.2C	ID	Community Identification	Landscape Architecture
500.2D	MM	Blue Star Memorial Highways and Roadside Memorials	Landscape Architecture
500.3	AS	Airspace Development	Right-of-Way
500.4	CC	Permits Issued by Cities and Counties	City/County
500.5	CN	Chain Installer Operations	Maintenance
500.6	CU	Commercial Use	Landscape Architecture, Maintenance, Right-of-Way or Telecommunications
500.10	OP	QMAP (Previously Oversight) Projects	Project Development

Table 5.1B
Specific Permit Codes

Section	Code	Description	Section	Code	Description
501.3A	AD	On-Premise Advertising Displays	510.1	RC	Commercial Driveway
501.3B		Arcades	510.2	RM	Reconstruct Driveway
501.3C		Awnings	510.3	RP	Road Approach
501.3D		Marquees	510.4	RS	Single Family Driveways
501.7	BR	Banners & Decorations	511.1	RD	Rider Initiated by Caltrans
501.8	BS	Bus Shelters & Benches	511.2	RT	Rider for Time Extension
501.10	CD	Commercial Development	511.3	RW	Rider to Modify Work
501.12	CS	Curb, Gutter, & Sidewalk	512	RX	RR Grade Crossing Maintenance
502.1	DD	Major Drainage Facilities	513	SC	Early Entry
502.2	DM	Minor Drainage Facilities	514	SE	Special Events
503		Filming Permits	515	SN	Signal & Lighting
503.5A	FI	Intermittent Traffic Control	516	SV	Surveys
503.5B	FL	Traffic Control	516.1		Multi-Year Survey Permits
503.5C	FO	No Moving Traffic	516.2		Traffic Collision Reconstruction
503.5D	FR	Film Rider	516.3		Archaeological Surveys
503.5E	FS	Special	516.4		Land Surveys
503.5F	FF	Facilities	516.5		Literature Distribution
504	FN	Fence	516.6		Research Projects
505.1	GC	Cable Crossing	516.7		Soil Survey
505.2	GV	Seismic Vibrator	516.8		Traffic Counts
506		Landscape Permits	516.9		Unmanned Aircraft Systems
506.3A	LC	Conventional Highway	517	TK	Traffic Control
506.3B	LF	Access-Controlled Right-of-Way	517.1		Conventional Highway
506.3C	LM	Maintenance	517.2		Temporary Signals
506.3D	LT	Tree Trimming and/or Removal	517.3		Ramp Closures
507	MB	Mailboxes & Newspaper Boxes	517.4		Planned Checkpoints
508	MC	Miscellaneous	517.4A		Charitable Solicitations

508.1	Contractor's Yards & Plant Sites	517.5		PCMS
508.5	Grading	517.6		Snow Closures
508.6	Mowing Grass	517.7		Temporary Directional Signing
508.7	Material Removal	517.8		Construction Identification Signs
508.8	Parking Meters	518	TN	Tunnel Under Road
508.9	Engineering Services	519	WL	Wall
508.10	Survey Monument Protection	520	MW	Groundwater Monitoring Well
508.11	Gathering of Roadside Vegetation Materials	521	SI	Signs
508.12	Law Enforcement Surveillance Devices	521.1		Signs to Local Interest
509	OA ODA Visibility Improvement Request	521.2		Fire Hydrant Markers & Signs
		521.3		Fire Protection Signing

Section 500 describes administrative encroachment permit codes. These permit codes are reviewed and approved by Caltrans functional units other than the District Encroachment Permits Office. Subsequent sections describe categories of encroachment permits including those that are complex and often include descriptions of 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:

<https://dot.ca.gov/programs/design/design-information-bulletins-dibs>

For projects coordinated by the District 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:

<https://dot.ca.gov/programs/traffic-operations/ep/applications>

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 ADA certification is done by (1) an authorized utility company representative or (2) an authorized Caltrans representative (at the discretion of the District Permit Engineer) with direct knowledge of the entire project's pedestrian facilities.

The District Encroachment Permits Office must retain both forms (Design and Post Construction) in the encroachment permit file. To ensure that these forms are submitted, the District Permit Engineer may require the applicant to provide a bond (see Section 203.4).

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 certifications. The lead functional office must retain the ADA Design and Post Construction certifications 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. Table 5.2A and Table 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
500.2A	AP	Transportation Art	Landscape Architecture
500.2B	GM	Gateway Monument	Landscape Architecture
500.2C	ID	Community Identification	Landscape Architecture

500.3	AS	Airspace Development	Right-of-Way
500.4	CC	City and County Issued Permits	City or County
500.6B	CU	Safety Roadside Rest Areas & Vista Points	Landscape Architecture
500.6C	CU	Demonstration & Experimental Projects	Right-of-Way
500.10	OP	QMAP (Previously Oversight) Projects	Project Delivery
510.3	RP	Road Approach	Project Delivery

Table 5.1B
ADA Certification Administred by the District Encroachment Permits Office

Section	Permit Code	Description
501.3B	AD*	Arcades
501.8	BS	Bus Shelters and Benches
501.10	CD	Commercial Development
501.12	CS	Sidewalks
504	FN	Fence
506.3A	LC*	Landscaping - Conventional Highway
506.3B	LF*	Landscaping - Access-Controlled Right-of-Way
508.8	MC	Miscellaneous - Parking Meters
510.1	RC	Commercial Driveway
510.2	RM	Reconstruct Driveway
510.4	RS	Single Family Driveways
511.1	RD*	Rider Initiated by Caltrans
511.3	RW*	Rider to Modify Work
515	SN	Signal and Lighting
517	TK*	Traffic Control
601.3	US	SAFE Telephones

603.4A	UC*	Utility Aerial Crossings - Conventional
--------	-----	---

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

500B Vertical and/or Horizontal Clearance Changes

The Headquarters (HQ) Division of Traffic Operations, Transportation Permits (Oversize/Overweight Vehicles) Branch maintains a current listing of vertical and horizontal clearances along the State highway right-of-way. The listing includes both temporary and permanent changes to vertical and/or horizontal clearances.

Temporary changes include falsework installations; lane ramp collector, and road closures; detours and stage construction; temporary structures; K-rail installation; lane width and number reductions; and lane realignments.

Permanent changes include pavement overlays under structures; installations and modifications of sign structures; and modifications to existing structures (e.g., seismic retrofit, widening).

The District Permit Engineers are responsible to notify the Caltrans Construction Liaison of proposed changes to vertical and/or horizontal clearances caused by encroachment permit projects at least fifteen (15) calendar days prior to the change via the appropriate form:

- “Notice of Change of Clearance or Bridge Weight Rating” (form TR-0019),
- “Notice of Change in Vertical or Horizontal Clearance” (form TR-0020), or
- “Notice of Change of Clearance or Bridge Weight Rating” (form TR-0029)

The Caltrans Construction Liaison contact list and additional information are available at:

<https://dot.ca.gov/programs/traffic-operations/transportation-permits/liaisons>

500 ADMINISTRATIVE ENCROACHMENT PERMITS (Rev. 09/2023)

The District Encroachment Permits Office issues administrative encroachment permits for projects reviewed and approved by other Caltrans functional units such as Design, Maintenance, Landscape, Traffic Operations, Right-of-Way, etc. The applicant works with the responsible functional unit to ensure the proposed encroachment complies with all applicable guidelines, procedures, Standard Plans, Standard Specifications, Design Information Bulletin 82 (DIB 82):

“Pedestrian Accessibility Guidelines for Highway Projects,” Director’s Policy 37 (DP-37): “Complete Streets,” etc.

Once all reviews and approvals have been obtained by the responsible functional unit, a complete Encroachment Permit Application Package along with an “Encroachment Permit Administrative Route Slip” (form TR-0154) is forwarded to the District Encroachment Permits Office to request the issuance of an administrative encroachment permit. This certifies that the project has been reviewed and approved and does not require any further coordination.

Encroachment permit 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 (Rev. 09/2023)

Permit Code AH

A fee-exempt encroachment 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, within the State highway 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.

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 District 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. If a contractor or other entities will be performing the authorized activities pursuant to the issued permit, the permittee must submit along with their “Adopt-A-Highway Permit Application” a list of the permittee’s authorized contractors/agents, using the “Contractor Authorization Form” (form TR-0429). The form can be submitted anytime during the permitting process but no later than the safety orientation.

The permittee must keep the list current for the life of the permit and must provide any updates to the District AAH Coordinator immediately upon any change to the list of authorized contractors/agents, including but not limited to the addition, removal, or substitution of an authorized contractor/agent, or a new address or contact information.

Any changes to the list or permit terms and conditions that occur after the permit has been issued require a rider.

Additional documents (plans and schedules, recognition panel design proof, etc.) may also be required. Applicants are also given a deadline for returning the documents.

Once the TR-0103 form 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 must 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:

<https://dot.ca.gov/programs/maintenance/adopt-a-highway>

500.2 Landscape Administrative Permits

Caltrans supports enriching the cultural and visual environment of the transportation system and local communities by facilitating the placement of Transportation Art, Gateway Monuments, and Community Identification within the State highway right-of-way. These projects are proposed, provided, funded, installed, maintained, removed, and/or restored by the public agency

representing the area in which the project will be installed. A Maintenance Agreement may be required for the ongoing maintenance of the project. The public agency may be a city, county, tribal government, or non-federally recognized tribe.

The Caltrans 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 District Landscape Architect oversees these encroachment permits.

District Landscape Architects, or Permits Landscape Architects, evaluate proposals and coordinate these proposed activities. Landscape Administrative Permits do not have associated permit fees. The District Encroachment Permits Office will issue an administrative permit upon receiving the approved application package along with the "Encroachment Permit Administrative Route Slip" (form TR-0154) authorizing issuance of a permit from the District Landscape Architect or Encroachment Permits Landscape Architect.

Permit applicants must follow the procedures and comply with the requirements established in the applicable sections of Chapter 29 of the Project Development Procedures Manual for Transportation Art, Gateway Monuments, Community Identification and Blue Star Memorial Highways.

<https://dot.ca.gov/programs/design/manual-project-development-procedures-manual-pdpm>

500.2A Transportation Art

Permit Code AP

Additional information on Transportation Art is on the Caltrans Landscape Architecture Transportation Art website:

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-j-transportation-art>

All requests to wrap, decorate or install artwork on Caltrans equipment and/or structures, including but not limited to signal cabinets and electrical boxes, must be processed through the Transportation Art Program. If the requested proposal cannot be easily determined as Transportation Art, please contact your District Landscape Architect for determination.

500.2B Gateway Monuments

Permit Code GM

Additional information on Gateway Monuments is on the Caltrans Landscape Architecture Gateway Monuments website:

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-d-gateway-monuments>

500.2C Community Identification

Permit Code ID

Additional information on Community Identification is on the Caltrans Landscape Architecture Community Identification website:

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-c-community-identification>

500.2D Blue Star Memorial Highways and Roadside Memorials

Permit Code MM

Additional information on the Blue Star Memorial Highways Program is on the Caltrans Landscape Architecture Blue Star Memorial Highways website:

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-a-blue-star-memorial-highways>

Roadside memorials, such as white crosses, wreaths, flowers, personal items, etc. that commemorate the memory of loved ones that died while traveling on a particular State highway are not allowed unless required by specific legislation or approved via the Victims Memorial Sign Program (California Streets and Highways Code, Section 101.10).

Additional information on the Victims Memorial Sign Program is on the Victims Memorial Sign Program website:

<https://dot.ca.gov/programs/safety-programs/victims-memorial-signs>

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 access-controlled 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 Federal Highway Administration 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 access-controlled 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 must charge their time to their own program overhead Project Code.

Functional branches involved in the processing of Telecommunication Site License Agreement submittals must 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 investment during construction.

The permittee is responsible for coordinating all inspection activities with the Right-of-Way Airspace Manager, including notification to others that may be affected by the improvements. When construction is completed and accepted by Caltrans Right-of-Way 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" (form TR-0154) must 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 Site License Agreements (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 Federal Highway Administration

The Airspace Lessee must 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 must meet and confer with the District 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 must not be occupied or used by the lessee until all proposed improvements are completed to the satisfaction of Caltrans 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 Encroachment Permits Office and a copy to the District Airspace Manager.

Upon completion of the work and acceptance by Caltrans, the permittee must submit as-built plans to the District Permit Engineer, if an encroachment permit was issued. A full size, original quality as-built plan set must be forwarded to Structure Maintenance and Investigations.

500.3B Column Protection

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

500.3C Fencing

A Caltrans standard six (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 District Airspace Review Committee (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 Structure Maintenance & Investigations, 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 Federal Highway Administration (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 may be issued without FHWA approval, for short term airspace uses such as soil testing, Christmas tree lots, interim special event parking, donation collections, and highway contractor storage use.

500.3E Encroachment Permit Application

The District Airspace Manager must 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 Airspace Lease Agreement (ALA) or a Telecommunication Site License Agreement.

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

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

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

Districts may issue an annual “SV” or land survey 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 must be collected upon submittal.

Work within U.S. Forest Service property, other leased or prescriptive right-of-way are not authorized under Caltrans encroachment permit, approval must be obtained from that specific property owner by means of written permission or permit. A copy of authorization or issued permit must 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 within conventional and access-controlled right-of-way within the District. The permittee must 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. Maintenance requirements within access-controlled 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 This section was left blank intentionally

500.3H Permanent Record

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

500.31 Parklets

The term “parklet” refers to a small temporary constructed seating or community gathering area over an on-street parking space or an extension of the sidewalk into the operating State highway right-of-way. The purpose of a parklet is to create a safe, comfortable and inviting pedestrian experience for the general public where narrow sidewalks cannot accommodate the expansion of an area for seating or gathering without compromising pedestrian safety or walkway area. Wide sidewalks or future widening of the sidewalk may negate the need for a parklet. Parklets may be permitted to remain in place for a period of up to one year. Renewal requests will be considered and reviewed for any additional one-year period.

The local public entity representing the area in which the parklet is proposed is responsible for its proposal, application, installation, maintenance and removal. No other type of applicants will be accepted (i.e., businesses, individuals, organizations, etc.).

Parklet proposals are administered as “Parks” under the Division of Right-of-Way and Land Surveys Office of Real Property Services. Property Management, Airspace, Clearance & Demolition. A Right-of-Way Use Agreement is required per California Government Code, Section 14013 (Marler-Johnson Park Lease). The following requirements must be written into the ‘Use’ clause of the agreement.

- Parklets must be open for use by the general public.
- Parklets must support the needs of local communities.
- Parklets may include seating areas, benches, tables, bike racks, and planting areas.
- Parklets must be constructed and/or installed to conform with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG).
- Parklets are not intended to replace walkways.
- Parklets must be properly maintained and kept free of trash or nuisance.
- Parklets must include signage designating the parklet as a public space not reserved for patrons of adjacent businesses.
- Parklets may include a sign identifying the local public entity. No commercial advertising is permitted.
- Vending and/or table service on parklets is strictly prohibited.
- Tables and seating must be distinct from those of nearby businesses.

Parklet Proposal Package & Process

The parklet proposal package must include a project narrative, site plan, photos and comply with the parklet design requirements. It is initially submitted to the Region / District Division of Right-of-Way and Land Surveys Office of Real Property Services (Property Management, Airspace, Clearance & Demolition) to ensure that the parklet location and use will not risk public safety or interfere with the State highway's primary transportation use. If deemed acceptable, the proposal is then forwarded to the District Airspace Review Committee (DARC) for review.

Once a parklet proposal package has been approved by the Region / District Division of Right-of-Way and Land Surveys Office of Real Property Services - Property Management, Airspace, Clearance & Demolition unit, a complete application package along with an "Encroachment Permit Administrative Route Slip" (form TR-0154) is forwarded to the District Encroachment Permits Office to request the issuance of an administrative encroachment permit. This certifies that the project has been reviewed and approved and does not require any further coordination.

A complete application package must contain:

- A completed "Standard Encroachment Permit Application" (form TR-0100).
- "Encroachment Permit Administrative Route Slip" (form TR-0154).
- "Certification of Compliance with Americans with Disabilities Act" (form TR-0405).
- Copy of the fully executed Right-of-Way Use Agreement.
- Local interest and support for the parklet in the form of an adopted ordinance, resolution, or written consent from all the local public entities impacted directly.
- Approved Design Standard Decision Document for all Highway Design Manual design exceptions.

Project Narrative

The project narrative must include a short project description (800 words or less) which must include the following elements:

1. Identify the proposed parklet as an element of the Caltrans Complete Streets and Multi-Modal Transportation Plan.

2. Identify benefits from the parklet to the neighborhood in the immediate vicinity.
3. Identify how the community can participate in the creation and/or stewardship of the parklet.
4. Identify the proposed schedule for opening of the parklet.
5. Provide information of the parklet designer, including experience in the design of similar facilities.

Parklet Design Requirements

Structural plans, calculations and specifications are required when an elevated platform is proposed and must be prepared by a licensed California Civil or Structural Engineer. Drainage plans, calculations, and specifications are required when changes to the drainage system capacity are proposed and must be prepared by a licensed California Civil Engineer and in compliance with Chapter 800 of the Caltrans Highway Design Manual. A floodplain encroachment study must be completed in accordance with the Federal Highway Administration standards if drainage is changed within a federal highway facility.

1. Parklet location is evaluated using the current Caltrans Highway Design Manual policy for shoulder width, clear recovery zone, horizontal clearance and corner sight distance. A Design Standard Decision Document will be required for any deviations.
2. Parklets may be allowed on highways where the speed limit is 30 mph (Thirty Miles Per Hour) or less.
3. Parklets are located along the curb line on highways where on-street parking spaces exists (parallel, diagonal or perpendicular parking). Parklets may be considered in locations where marked parking spaces are not available if marking is provided by the local public entity.
4. For parallel parking, the parklet structure must be set back forty-eight (48) inches from adjacent marked parking spaces. For diagonal and perpendicular parking spaces, the edge of the parklet structure must be set back thirty-six (36) inches from the adjacent parking space on either side.
5. No portion of the parklet may extend more than thirty-six (36) inches above the surface of the roadway, except for landscape planting.
6. Landscape planting must be free from thorns. Trees must be small trees as defined in Chapter 900 of the Caltrans Highway Design Manual. Trees

must be single trunk. Select tree species that can be maintained with an eight (8) foot clearance from the surface of the roadway to the lowest branches and foliage. Select plant species, excluding trees, which can be maintained to not extend into the travelled way or adjacent parking space and with a maximum height of forty-two (42) inches above the road surface.

7. The local public entity must establish the location of a parking stall line/edge of travel way.
8. Parking spaces adjacent to parklets must have parking bumpers a minimum of four (4) feet from both sides of the parklet.
9. Space for curbside trash collection of adjacent property owners on both sides of the parklet must be considered.
10. Parklet railing opening must not exceed four (4) inches for visual identification and to keep children from leaving the parklet area and encroaching into the traveled way.
11. Parklet substructure must accommodate the crown of the road and provide a slip resistant level surface.
12. No bolting to the state highway or curb is allowed.
13. Parklets must
 - comply with the Americans with Disabilities Act (ADA) and Design Information Bulletin 82. ADA certification is required (see Section 500A and Chapter 200).
 - not be placed over ADA parking spaces or adjacent to red, yellow, white, or green curb zones, hydrants, newspaper vending machines, or postal collection boxes.
 - not restrict access to emergency vehicles, transit routes or public utilities.
 - not inhibit drainage capacity.
 - be located in well-lit areas.
 - be at least one (1) parking space distance from any intersection curb returns.
 - be a minimum of two (2) feet from the established parking stall line, edge of travel way, or bicycle lane, whichever allows for the greatest distance between the parklet and public traffic.
 - have a minimum height of twenty-four (24) inches for visual identification for approaching vehicles.

- have a flush transition at the sidewalk to avoid tripping hazards. Object markers and delineators must be used to enhance the visibility of the parklets.
- be closed off to pedestrians on three (3) sides, and open to the sidewalk side only. No pedestrian access will be allowed from the vehicular traffic side.

To avoid creating a distraction to the traveling public, parklets must not include the following elements:

1. Colors or combination of colors usually reserved for official traffic control devices described in the California Manual of Uniform Traffic Control Devices (CA MUTCD).
2. Illumination including blinking or intermittent lights.
3. Text that makes special interest, private, religious, or political statements.
4. Text that includes business names, trade names, jingles, or slogans.
5. Reflective glaring surface finishes.
6. Out of scale with its surroundings.
7. Seating that is not integrated into the design elements.
8. Interference with traffic control devices.
9. Moving elements (kinetic art) or simulated movement.
10. Symbols or icons, including flags and logos.

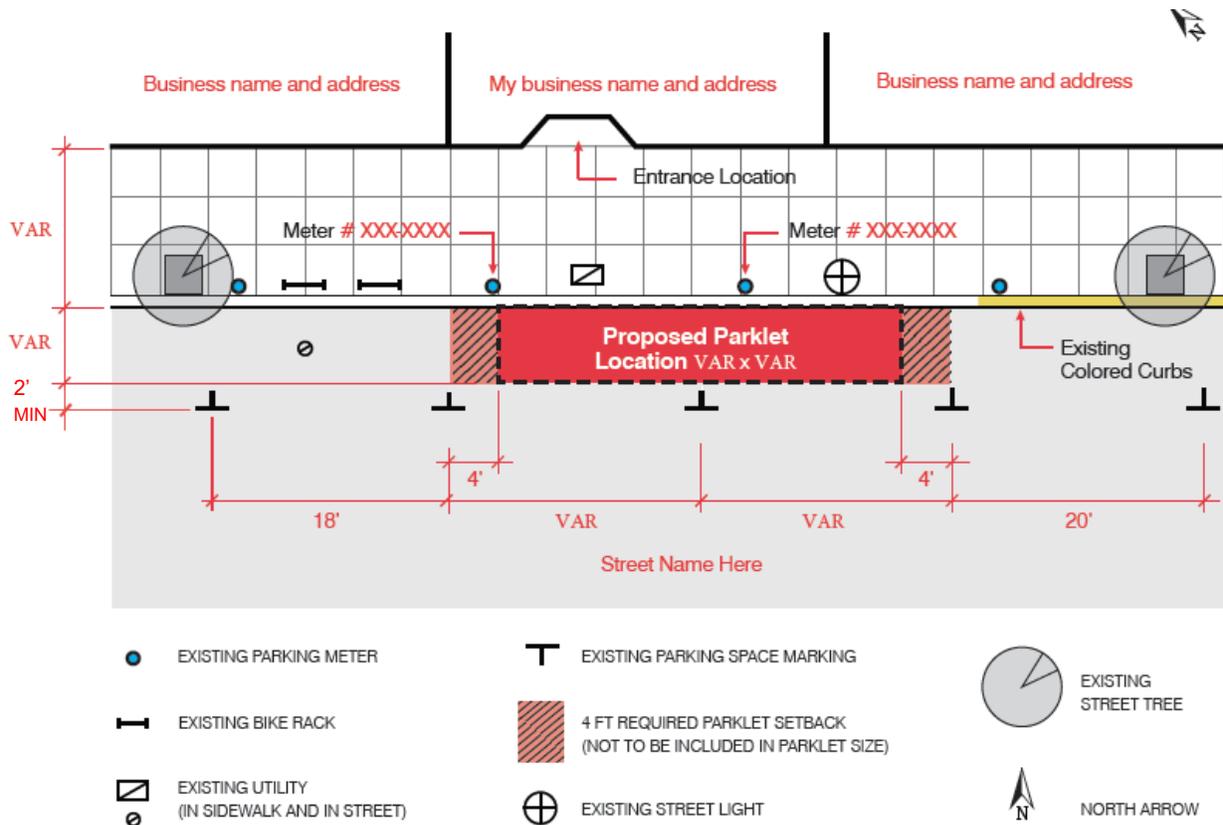
Site Plan and Photos

The site plan must be drawn to scale, with dimensions and show the parklet footprint and the following elements at least twenty (20) feet on both sides as shown in Figure 1: Site Plan Example.

1. Parklet location and adjacent properties (existing bridge number, building or property address).
2. Horizontal dimensions from bridge supports to proposed parklet (if located under an existing bridge).
3. Parklet setback dimensions from adjacent parking spaces [forty-eight (48) inches minimum] and from adjacent bicycle lane or edge of travel way [twenty-four (24) inches minimum].
4. Adjacent bicycle lane (if existing) or auto traffic lane(s).
5. Existing parking meters with numbers of all parking meters to be covered or removed.
6. Location of existing trees and tree pits.

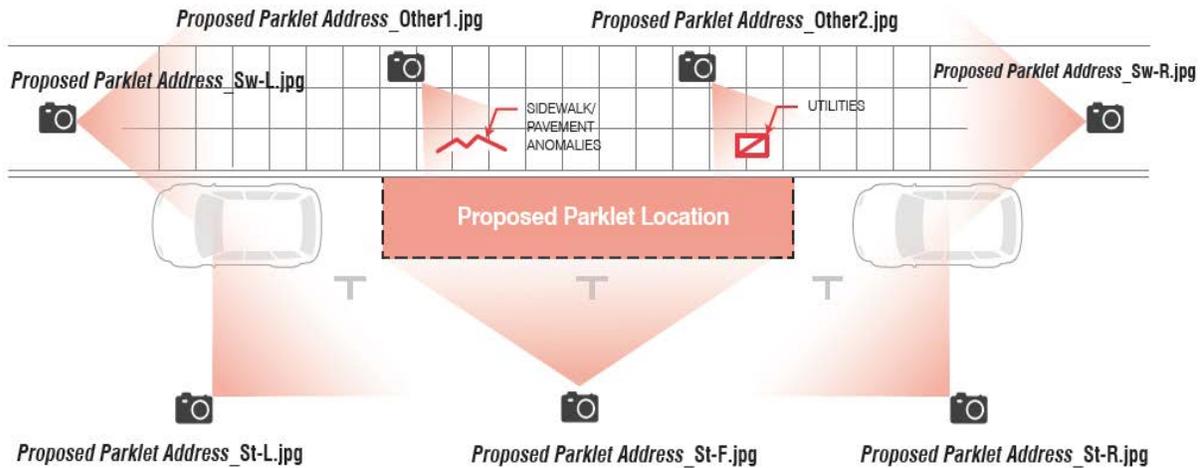
7. Existing sidewalk width(s).
8. Location of existing utilities in the street and sidewalk.
9. Location of other existing sidewalk features near proposed parklet area (fire hydrants, streetlights, utility poles and access panels, bicycle racks, etc.).
10. Existing curb ramps and driveways.
11. Location of existing drainage system.
12. All colored curb zones (red, yellow, green, white, blue).

Figure 1: Site Plan Example



Photograph by: City of San Francisco Planning Department

Photos must also be provided with the parklet submittal package and taken from specific angles around the proposed parklet site. Photos must depict existing conditions, drainage, utilities, sidewalk, curb and gutter, and pavement conditions. Image files are to be named using the conventions shown in Figure 2: Existing Conditions Photos: *Location and File Names*.

Figure 2: Existing Conditions Photos: *Location and File Names*

Photograph by: City of San Francisco Planning Department

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 must be on file in the District Encroachment Permits Office and a copy forwarded to HQ 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 must be utilized. All work must 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 5.3 lists the procedures that must be utilized by cities and counties in reviewing and processing permits issued on behalf of Caltrans.

Table 5.2
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 (Rev. 09/2023)

Permit Code CN

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

Districts issuing chain installer permits must institute a yearly training and testing program. Permit applicants must participate in an orientation session, pass both a written and a performance test during which snow chains must be installed properly within five minutes. Testing and administration of the chain installer program is conducted by the District Maintenance Regional Managers Office. Issuance of the chain installer permit is the responsibility of the District Encroachment Permits Office.

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 as needed by HQ Encroachment Permits Office.

All administrative work, permittee training, testing and inspection time associated with chain installer permits must be charged to the appropriate Maintenance Project Code. Encroachment permit staff must charge time spent with issuing the associated administrative permits (typically 2 hours or less) to the appropriate Encroachment Permits Project Code.

District Division of Maintenance staff is responsible for ordering sets of consecutively numbered chain installer safety vests from the California Prison Industry Authority (CALPIA). Each permittee receives one vest with their permit. A permittee may apply for a second chain installer permit in another District, provided there is no established waiting list.

Loss of a permit or vest must be immediately reported to the District Encroachment Permits Office that issued the permit. A no-cost replacement copy of the permit will be provided upon request by the permittee. A replacement vest will be issued upon payment of the cost of the vest.

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 must be given to prior applicants of the previous winter season, providing their permits

were not suspended for more than thirty (30) calendar 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 must be submitted in writing within five (5) business days to the District Permit Engineer.

A written decision must 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 must be rendered in writing within ten (10) business days from the receipt of the appeal, and this decision is final (There are no further administrative rights of appeal.).

Penalties noted in the TR-0106 and the 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 may remove existing newspaper vending machines placed without a permit and cite them as illegal encroachments. When vending machines obstruct pedestrians or present a traffic hazard, the news organization must relocate or remove the obstructing vending machines.

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

Newspaper vending machines must have a minimum two (2) feet horizontal clearance to the face of curb and provide four (4) feet of clear sidewalk. They must 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 must be removed.

Newspaper vending machines are not authorized, and permits are not issued, within access-controlled right-of-way except as provided in Section 500.6B. Maintenance will 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 D) 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 that require an encroachment permit will be reviewed and approved by the appropriate functional units coordinated by the appropriate coordinator and the project documents transmitted to the District Permits Engineer by an "Encroachment Permits Administrative Route Slip" (form TR-0154) authorizing the issuance of an encroachment permit.

The coordinator performs all reviews, field studies, and document preparation before sending the completed package to the District Permit Engineer for permit issuance. Applications for the placement of Newspaper vending machines require a completed Newspaper Distribution Agreement (form TR-0150) and a deposit/fee equal to four (4) hours times the Hourly Rate. Refer to "Newspaper Distribution Guidelines for Safety Roadside Rest Areas" in Appendix E for additional information.

Safety Roadside Rest Areas and Vista Points are not a public forum. These facilities are part of the State Highway System and are not intended for exercising First Amendment rights.

Solicitation, the distribution of goods or literature, the use as a public forum, and vending activities are not permitted in safety roadside rest areas and vista points except as described below.

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

- Newspaper Vending Machines Landscape Architecture
- Vending Machines Landscape Architecture
- Coin/Credit Card Telephones Telecommunications
- Coupon Distribution Maintenance

The California Streets and Highways Code, Section 220.5 authorize the placement of vending machines and any associated shelter or structure to house the vending machines at safety roadside rest areas. One permit is issued for each site to the California Department of Rehabilitation for construction and maintenance of vending machine and any associated shelter or structure to house the vending machines. The issued permit extends to the contractor installing and maintaining the vending machines and any associated shelter or structure to house the 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 HQ jurisdiction are listed below:

- Agricultural Displays Landscape Architecture
- Traveler Information Centers 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 HQ Encroachment Permits.

500.6C Demonstration & 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. The Division of Right-of-Way manages these programs and coordinates all reviews. Permits are issued when applications are approved by The Division of Right-of-Way.

500.7 Active Transportation Infrastructure Projects

Encouraging active transportation options, such as walking, biking and transit use, has become a critical strategy in combating climate impacts, improving livability and enhancing equity in transportation. Hence, California has made active transportation investments a top priority. Active transportation not only provides a clean and affordable mode of transportation, but also plays a vital role in improving public health, quality of life, and the environment.

This is further demonstrated through the California Transportation Plan (CTP) 2050, which establishes the vision for the California Transportation System moving into the future, recommending, “Expand Access to Safe and Convenient Active Transportation Options” to all, which aligns with all eight of CTP 2050 priority goals and is fundamental to achieving the CTP 2050 vision. CTP 2050 also identifies “Integrating and connecting multiple modes of transportation, as well as addressing gaps in the existing transportation network, is essential to improving the convenience and reliability of travel throughout the state.” Additional information on CPT 2050 can be found at the following link:

<https://dot.ca.gov/-/media/dot-media/programs/transportation-planning/documents/ctp-2050-v3-a11y.pdf>

Active transportation infrastructure projects on the State Highway System may be locally, state and/or federally funded and all such projects administered by non-Caltrans entities require an encroachment permit. Hence, the Encroachment Permits Program plays a key role in enabling the Active Transportation Infrastructure Projects by non-Caltrans entities on the State Highway System. Districts should provide all feasible support to enable these projects within the confines of the state and federal laws, requirements, and policies.

Active transportation infrastructure project proponents (encroachment permit applicants) should identify the applicable review process per guidance in Section 108 and engage Caltrans early in the project development process, for all stakeholders to explore feasibility of project, identify and understand the project specific challenges, requirements and impacts. This will help project proponents schedule and manage their project effectively.

In accordance with the California Streets and Highways Code, Section 671.5, projects must have environmental clearance and be design complete (at 100%) with all required supporting reports, analysis and documents (e.g., Traffic Studies,

Warrants, California Transportation Commission (CTC) approvals, etc.) to be accepted and managed through the Encroachment Permits Office Process (EPOP). Incomplete submittals lead to unnecessary delays, additional costs and incomplete feedback from Caltrans functional reviewing units. Subsequent submittals with additional information may lead to more comments resulting in multiple reviews and potential delay in processing the permit application.

Applicants should note that, project approvals are determined by subject matter experts from Design, Safety Programs, Traffic Operations, Maintenance, Environmental Analysis, Engineering Services and Right-of-Way programs reviewing the proposal and encroachment permit coordinates the reviews with applicable programs as a single point of contact for the applicant. Some projects may require approvals from Caltrans HQ and external agencies such as the Federal Highway Administration, which may lead to extended review timelines with Caltrans having limited influence on those. Project proponents are advised to identify and review applicable requirements and policies early in the planning or design phase enabling the development of a viable project proposal and timely delivery of the project.

Caltrans ATP Program:

The Caltrans Division of Local Assistance, Office of State Programs administers, funds and is the lead on Active Transportation Program (ATP) projects, which encourage increased use of active modes of transportation.

Additional general and technical information on ATP can be found on Local Assistance Division's website at the following link:

<https://dot.ca.gov/programs/local-assistance/fed-and-state-programs/active-transportation-program>

For State and Federal funded projects that are administered by Caltrans Local Assistance, The Encroachment Permits Program will facilitate project design reviews and construction oversight when the project qualifies to be managed through EPOP (see Section 108 for EPOP criteria and guidance), but the funding (related CTC approvals), invoicing, reimbursements and other funding associated requirements compliance is overseen by Local Assistance Division. All CTC approvals and project fiscal administration must be managed by project proponents in collaboration with Local Assistance Division independent of the encroachment permit process, to enable projects through EPOP in compliance with the governing statutes of the Encroachment Permits Program.

For projects managed through Quality Management Assessment Process (QMAP), the assigned Project Manager will oversee all aspects of the project, with the Encroachment Permits Program supporting with issuance of an Administrative Permit.

500.8-500.9 These sections were left blank intentionally

500.10 QMAP (Previously Oversight) Projects

Permit Code OP

A Quality Management Assessment Process (QMAP) Project (Permit Code OP) permit is issued for projects on the State highway right-of-way managed through the QMAP. See Section 202.3 for more information on the QMAP. A Caltrans functional unit (usually Project Management or Design), other than the District 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 applicable agreements (e.g., Cooperative Agreement, Highway Improvement Agreement, Joint Use and Maintenance Agreement, or Maintenance Agreement). The Project Development and Procedures Manual, Deputy Directive 23, and Deputy Directive 90 have further information on projects funded/administered by others on the State highway right-of-way.

The Caltrans Project Manager will develop a workplan and provide a Project Code. The Project Manager should consult with the District Permit Engineer during workplan development to ensure that the District Encroachment Permits Office is appropriately resourced. Time expended by encroachment permit staff on QMAP projects must be charged directly to the QMAP Project's Project Code.

Once all reviews and approvals have been obtained by the Caltrans Project Manager, a complete application package along with an "Encroachment Permit Administrative Route Slip" (form TR-0154) is forwarded to the District Encroachment Permits Office to request the issuance of an administrative encroachment permit. The signed TR-0154 form certifies that the project has been reviewed and approved and does not require any further coordination or approvals.

District Encroachment Permits Office does not collect any fee for these projects. Project Manager will manage any reimbursements and fees for the

Department's services provided on these projects in accordance with applicable Department policies. The applicant must comply with the bonding requirements in Section. 3-1.05 of Caltrans Standard Specifications.

Table 5.3
Application Package Submittal Requirements for QMAP Projects

The Encroachment Permit Application Package must contain the information listed below for permit issuance on QMAP projects:

1. A completed "Standard Encroachment Permit Application" (form TR-0100).
2. A completed "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 (e.g., DEER, PSR-PDS, PSR).
4. A copy of the fully executed agreements and exceptions to standards and policies.
5. A full set of project plans that have been reviewed and delineated "approved" by applicable functional units. Registered engineer's seal and stamp requirements are addressed in Sections 202.5 and 202.5A for plans and utility plan sheets, respectively.

501 GENERAL TYPES OF PERMITS

The types of encroachment permits listed in Table 5.1A and Table 5.1B 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 other than UEs may be issued as a two (2)-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 5.5

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

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 of Maintenance may approve multiple dates at his or her discretion (with a maximum of three (3) consecutive calendar 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 a traffic collision 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 Caltrans Transportation Permits Issuance Branch is required for oversize or overweight tows. For more information on Transportation Permits go to:

<https://dot.ca.gov/programs/traffic-operations/transportation-permits>

501.3 Arcades, Awnings, and Marquees (Rev. 09/2023)

Permit Code AD

AD permits authorize the installation and maintenance of arcades, awnings, and marquees (structure). Table 5.6 and the following sections describe both the general and specific requirements that apply to AD permits depending on the type of structure.

Table 5.6 (Rev. 09/2023)
Guidelines for Allowing a Structure to Overhang the Conventional Highway Right-of-Way

A structure may overhang State highway right-of-way if it satisfies **all** of these conditions:

1. Conforms to local building code.
2. Must be structurally adequate.
3. Structure's support is completely outside State highway right-of-way.
4. Minimum horizontal clearance from the curb face is two (2) feet. Exceptions may be allowed in historical districts where overhangs are permissible to the curb face. Curbs or other approved safety barriers should protect the structure.
5. Minimum vertical clearance from the sidewalk is twelve (12) feet. A minimum eight (8) feet clearance may be allowed when local building codes are satisfied.
6. Structures must not interfere with or hide traffic signals or traffic signs.
7. Flashing, rotating or intermittent lights are not allowed.
8. No wording on the structure is allowed within the limits of State highway right-of-way, including 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.

501.3A On-Premise Advertising Displays (Rev. 09/2023)

On-premise advertising is strictly prohibited within State highway right-of-way pursuant to State and Federal laws, statutes, and regulations. Any type of on-premise advertising must be completely within the property limits of the adjacent property owner, with no overhang or encroachment into State highway right-of-way.

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

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. Americans with Disabilities Act (ADA) certification is required if poles are proposed in the design.

Arcades must not be a structural part of the building roof trusses. They also must not interfere with traffic signals and traffic signs, nor have structural posts that

reduce horizontal sidewalk clearance to less than that required under the current Design Information Bulletin 82 (DIB 82).

501.3C Awnings

An awning is a temporary removable or retractable shelter supported entirely from the exterior wall of a building.

501.3D Marquees

A marquee is a canopy projecting over the entrance to a theater, hotel, or other building. A marquee must be supported entirely by the building. Any drainage from the marquee must not fall on or drain across the sidewalk.

501.4 – 501.6 These sections were left blank intentionally

501.7 Banners and Decorations (Rev. 09/2023)

Permit Code BR

Banners and decorations are permitted only on conventional highways—they are not allowed within access-controlled right-of-way.

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 California Business and Professions Code, Section 5405.3, and must be removed immediately.

Authorized banners and decorations over the roadway must have a clearance of at least eighteen (18) feet and be suspended securely from permanent structures or poles. Vertical clearance must be twenty (20) feet on Extralegal Load Network (ELLN) highways. No temporary supports are allowed, and use of State facilities is prohibited. In cases where the applicant is not the owner of the facility where the banner, decoration or signing will be erected (i.e., utility owned pole, city owned pole, etc.), they must obtain permission/approval from the facility owner and provide a copy of the approval if requested by a State representative.

501.7A Non-Decorative Banners (Rev. 09/2023)

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 within access-controlled right-of-way nor must 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 representative, and provides traffic control.

The restrictions for non-decorative banners are listed in Table 5.7 and apply to both individual banner permits and annual/biennial permits to local agencies.

Table 5.4 (Rev. 09/2023)**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 must determine the maximum number of banners allowed.
5. Rope must be without knots.
6. Banners must 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 must be at least eighteen (18) feet above the highway pavement and twenty (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. In cases where the applicant is not the owner of the facility where the banner, decoration or signing will be erected (i.e., utility owned pole, city owned pole, etc.), they must obtain permission/approval from the facility

owner and provide a copy of the approval to document approval if requested by a State representative.

10. Local police may provide traffic control while the banner is being installed or removed.
11. The display may be allowed two (2) 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 (6) 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 must:

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 (2) years—the normal biennial permit duration. However, at the end of the two (2) 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 within the right-of-way immediately fronting their property.

501.7C Holiday Decorations

Holiday decorations are permitted only on conventional highways—they are **not** allowed within access-controlled right-of-way.

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 must be at least fourteen (14) feet above the sidewalk. Decorations

attached to vertical structures that project beyond the curb line or cross the highway must have a minimum vertical clearance of eighteen (18) feet above the highway pavement and twenty (20) feet on Extralegal Load Network (ELLN) highways. Decorations must not be attached to State-owned facilities.

Decorative red, yellow, or green lights must 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. Americans with Disabilities Act (ADA) certification is required (see Section 500A and Chapter 200).

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 and to allow it could be a gifting of public funds. Specifically, it is prohibited by State statute (California Streets and Highways Code, Section 721 and Business and Professions Code, Section 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 (California Business and Professions Code, Section 5408.5) provided advertising displays are not within six hundred and sixty (660) feet of and visible from any roadway segment on the National Highway System. Advertising displays within six hundred and sixty (660)

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

Advertising displays must be placed only at approved passenger loading areas and must not extend beyond the exterior limits of the shelter or bench.

Advertising must not exceed two (2) display panels per shelter or bench.

501.8C Clearance

Complete State Americans with Disabilities Act (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 Caltrans Highway Design Manual. 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. **Approved permits will extend to the installing company (such as contractor installing on behalf of applicant) 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 (Rev. 09/2023)

A dedication is the setting aside of real property (in fee or easement) for public use without compensation, typically as a condition of the local agency approval of a development project (building permit, land use zoning variance or change, tentative subdivision or parcel map, etc.). Where development occurs or land use changes are proposed, the local agency, through its regulatory authority, may require dedications.

Typically, the property owner or their agent initiates the request that triggers the dedication. Caltrans may also request a dedication when an encroachment permit is requested through the district Encroachment Permits Office.

Dedications are not usually part of the project development process. Due to the complexity and time required to process real estate transactions, the applicant is encouraged to contact the Caltrans Transportation Planning Office early in the project development and prior to submitting an encroachment permit application.

For additional information on dedications, see Sections 8.29.00.00 and 6.20.00.00 of the Caltrans Right of Way Manual available at:

<https://dot.ca.gov/programs/right-of-way/right-of-way-manual>

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. Americans with Disabilities Act (ADA) certification is required (see Section 500A 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 (2) years. Should standards change during the term of the encroachment permit, the permittee must comply with current State standards and specifications. CS permits authorize reconstruction, repair, and replacement of existing curbs, gutters, curb ramps, and sidewalks. These structures must conform to existing dimensions, configurations, alignments, and grades. Drainage facilities must not be modified, and healthy trees must not be removed.

501.13 This section was left blank intentionally

501.14 Double Permit (Rev. 09/2023)

Double permits have been discontinued as of January 1, 2023 and are not required any more. The following process must be followed for all new permits issued:

The owner (Permittee) must obtain an encroachment permit. Prior to performing the authorized encroachment work by someone other than the Permittee, the Permittee must submit a completed and signed Contractor Authorization Form (form TR-0429) with information of all the Permittee's prime contractors who will be performing work under the permit. Permittee must also have all prime contractors complete their portion of the form and submit the final signed forms to Caltrans at or prior to the preconstruction meeting. All contractors that are under contract directly with the permittee are considered prime contractors.

For annual maintenance permits, applicant may submit the list of all the contractors that are identified to be working under that permit at the time of permit submittal and the list will be included in the permit when issued. If permittee wants additional contractors that are not on the list to work under the permit after the permit has been issued, applicant must submit signed form TR-0429 (with signatures from both the permittee and the new prime contractors). This exception is made for annual maintenance permits only, considering the long list of contractors that may work under the permit, and must not be used as an alternate to the form on other permits.

Permittee must provide a copy of the encroachment permit to all the contractors who will perform work on Permittee's behalf. The contractors must always have a copy of the encroachment permit on-site while performing work as required in the Encroachment Permit General Provisions (TR-0045).

Encroachment permits issued to public corporation projects remain exempt from fees for review and inspection, in accordance with the California Streets and Highways Code, Section 671.1.

Contractor's Submittals:

Local public agencies often request Caltrans to conditionally issue permits without construction traffic control plans, shoring plans, stormwater documents, etc. to enable advertising their project for bids and then hire a contractor and have the contractor submit those documents for Caltrans review and approval. Such contractor submittal reviews which were previously accomplished through double permits can still be facilitated through a rider permit. The contractor can submit a rider permit request as an authorized agent on behalf of the permittee, along with the submittals needing review and approval. A letter of authorization from the permittee, authorizing the contractor to act on behalf of the permittee, must also be submitted with the rider request.

In such conditional permits, the District Encroachment Permits Office must include a special provision which identifies the contractor submittals to be made via rider permit for Caltrans review and approval prior to initiating any construction activities. Here is a sample provision that can be used:

“1. Work may not start until the documents listed below have been submitted to, reviewed by, and approved by Caltrans. This permit is conditionally issued without the documents listed below, at the request of the Permittee. The Permittee acknowledges and will ensure that the following documents will be submitted to Caltrans via rider permit for review and approval prior to scheduling authorized work/activities:

- _____
- _____
- _____

Noncompliance with this provision may result in Caltrans taking actions including but not limited to canceling this permit without further notice, requiring bonds, and/or not providing such conditional approvals for the Permittee on future projects.”

If the permittee requests Caltrans to accommodate such preconstruction submittals in lieu of submitting at the time of permit issuance, the permittee must ensure adequate time is planned into the project schedule to enable those submittals and Caltrans reviews. Reviews of the rider applications submitted will involve same timelines pursuant to the California Streets and Highways Code, Section 671.5, and are also contingent on the quality of submittals. No work may begin until all approvals are obtained from Caltrans.

502 DRAINAGE (Rev. 09/2023)

Encroachment permits for constructing drainage facilities are classified as major or minor projects. Any diversion of drainage run-off onto State highway right-of-way is not allowed unless there is an approved exception from HQ Division of Design. A drainage facility built on the State Highway System which benefits an adjacent property or built at the request of or which benefits a person or entity other than Caltrans, (such as a conduit or culvert for a driveway) is the responsibility of the permittee, including but not limited to the responsibility for maintenance and for the repair or reconstruction of such a drainage facility.

502.1 Major Drainage Facilities

Permit Code DD

Large drainage projects located within State highway 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 highway right-of-way rather than enlarge the capacity of State facilities. However, no maintenance facilities (such as test holes, basins, etc.) are authorized within State highway 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 State highway 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 (Appendix K – Special Provisions).

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 District 7 Encroachment Permits Office (Los Angeles) 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 (California Government Code, Section 14998 et seq., 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 Permits 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 twenty-four (24) hours. If not feasible, the CSFC will contact the CFC within five (5) business days from the receipt of the application and provide an estimated approval/denial date. This date must be within ten (10) business 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. Hence, filming activities on interstate highway right-of-way (including any filming related activities on overcrossing/undercrossing on interstate highways) requires approval from FHWA prior to the issuance of a Caltrans encroachment permit. Caltrans does

not have the delegated authority to solely approve filming activities on locations involving interstate highway right-of-way on behalf of the FHWA.

However, Caltrans will facilitate the FHWA approvals. Caltrans statewide film coordinators located in the District 7 Encroachment Permits Office will be the lead and coordinate the FHWA approvals for all filming requests that involve interstate highway right-of-way. District film coordinators must support these efforts, as necessary.

Caltrans and FHWA are committed to expediting the review and approval process, as much as possible. However, filming permit applicants should anticipate longer processing timelines for permit requests requiring FHWA approval compared to the typical filming requests, when planning and scheduling activities involving interstate highway right-of-way. Permit review timeline will vary based on the complexity of proposed activities. Simpler permits like driving shots or equipment on overcrossings may take up to ten (10) business days and complex permits involving activities such as full closures may take significantly longer. Applicants are strongly encouraged to request a coordination meeting for complex activities prior to permit submittal. Advance planning for permit approval is necessary to ensure a proposed activity does not cause major disruption or negatively impact the safety and integrity of the system.

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

The California Highway Patrol (CHP), Caltrans, and the California Film Commission (CFC) have entered into an interagency Memorandum of Agreement (MOA), which defines the cooperative relationship and joint guidelines to assist the CFC in carrying out its duties and meeting its objectives. The MOA 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 Caltrans Statewide Film Coordinator and must include the items listed in Table 5.8.

Table 5.5
Permit Application Package for Filming Permits

The encroachment package submitted to Caltrans by the California Film Commission (CFC) must include:

1. A completed CFC 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, the District Permit Engineer should closely monitor the authorized activities associated with FL and FS permits. The District Permit Engineer should consider consulting the District Traffic Operations unit for locations with substantial traffic volumes before recommending approval of an application to the Caltrans Statewide Film Coordinator. As a minimum, consultation with Traffic Operations by telephone may be appropriate when the California Film Commission (CFC) requests review on short notice.

The procedures for reviewing and issuing filming permits are in Table 5.9.

Table 5.6
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**]

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, HQ Legal Division 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 California Highway Patrol's Media Relations Officer 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 must 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 collects fees for film permits and submits the collected fees monthly to Caltrans Division of Accounting. All collected fees are deposited into the State Highway Account.

503.4 Liability Insurance for Commercial Filming

The Caltrans Statewide Film Coordinator 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, California Department of Transportation, the directors, officers, employees, and/or agents of the State of California and/or of the California Department of Transportation as being additionally insured.

Insurance coverage required by the District Permit Engineer normally ranges between the following two extremes shown in Table 5.10, depending on the risk. Special filming activities involving stunts, pyrotechnics, and aircraft flying below an altitude of five hundred (500) feet may require additional insurance as set by HQ Legal Division.

Table 5.7
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 (see Table 5.1B Specific Permit Codes). FR (Film rider) permit riders are used to change permit conditions.

Special Provisions for all filming permits must 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 The California Highway Patrol (CHP) escort, intermittent traffic breaks, or rolling traffic breaks (the duration of a traffic break must not exceed five (5) minutes or as authorized) 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 (5) 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 California Film Commission (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 must 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 California Highway Patrol (rather than Caltrans) provides inspection.

503.5D Film Rider

Permit Code FR

FR permits (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 within an access-controlled right-of-way and filming activities requiring detours, stunts, pyrotechnics, aircraft flying below five hundred (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 California Film Commission (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 (Rev. 09/2023)

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 system. For intent of filming permits, 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 must not disrupt or interfere with any State business.

Access to the Caltrans facility must be coordinated with the Caltrans representative in charge of the facility. Permitted equipment interfering with

pedestrian access routes must be provided with devices for pedestrian protection. Production vehicles must not block access to driveways, mailboxes, bus stop, or fire hydrants. They must not block sight distance for vehicles exiting driveways.

If applicable to the Caltrans facility, it must be protected with some type of layout board from any possible spills (oil, food, etc.) from vehicles/catering trucks/equipment, etc. Permittee must provide a security guard at all times while a Caltrans facility (yard or lot) is being used for base camp and crew parking. 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 California Film Commission (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 California Highway Patrol (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 Memorandum of Agreement (MOA) (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 five hundred (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 FENCES (New or Modification) (Rev. 09/2023)

Permit Code FN

FN is for fences constructed within State highway right-of-way to serve the purposes of either establishing control of State highway access, providing visual demarcation or re-establishing property lines.

Typically, Caltrans owns and maintains all fences placed within the State highway right-of-way. Caltrans Highway Design Manual, Index 701.3(2) states, "Private fences may be constructed within the State right of way via Encroachment Permit to restrict access to facilities (e.g., canals) crossing under or through Department-owned property. A Maintenance Agreement must be executed to provide for future maintenance of the fence and allow access to the private utility." Fences generally are inset a half (0.5) foot to one (1) foot inside the State highway right-of-way. See Caltrans Highway Design Manual (HDM), Index 701 for more details on fence design standards, including type, placement location, etc.

To avoid a gap in the access control, standard fences should be securely joined to the existing fence or wall at its terminals, if the access control line extends beyond these points. When an unmaintainable gap of four (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. The adjacent private property owner will assume responsibility for the construction of any fencing or other facilities necessary to contain their personal property. 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.

Local fire protection, law enforcement, and other emergency service agencies frequently request planned emergency access to an access-controlled right-of-way. Caltrans policy is to prohibit this type of access for new or expanded land development projects. Emergency access must be planned and provided from local streets and conventional highways outside the access control limits of access-controlled State highway right-of-way.

This prohibition of emergency access must 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 State 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. Temporary fences are located where necessary in accordance with construction contractor activities and where the right-of-way rights have been acquired. Private property fences are not allowed in conventional State highway right-of-way unless to restrict access to a private facility crossing or as an aesthetic enhancement of a Caltrans fence, however this should be avoided.

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

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

Permittees conducting geophysical testing must be responsible for property damage inside or outside highway right-of-way. A certificate of liability insurance in the minimum amount of one million dollars (\$1,000,000) for property damage liability is required before permit issuance (see Section 203.3). 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

GC encroachment permits are issued for geophysical testing activities that use cables. Cables 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 5.11.

**Table 5.8
Requirements for Cable Crossings**

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

1. Equipment, work, or personnel must not be allowed within access-controlled right-of-way. One exception to this policy may be cable crossings required for continuity, in which case cables must cross access-controlled right-of-way in a culvert or on structures; on a temporary basis only and not in culverts during the rainy season.
2. Holes must not be drilled, and blasting is not allowed, within State right-of-way.
3. Nails, spikes, or other material must not be driven into the traveled way.
4. Nails or spikes driven into the paved shoulder area must be removed. Resulting holes must be filled with waterproof compound that blends with the original pavement in color and grade.
5. Paint must not be placed upon highway pavements, signs, or markers. Traffic tape, chalk, or crayon must be used if pavement markings are

necessary. All tape, stakes, and other obvious markers must be removed upon completion of permitted work.

6. All mud, dirt, or gravel tracked onto the highway pavement must be removed immediately and completely.
7. Personnel working within the State right-of-way must wear safety glasses, hard hats, warning garments, and other appropriate personal protective equipment per the Caltrans Safety Manual.
8. Standard signing and flagging procedures must be employed according to the California Manual on Uniform Traffic Control Devices.
9. Permittees must comply with all requirements of the California 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 access-controlled highway right-of-way.

Cables must be placed as close as possible to the right-of-way line and must be placed within 6 inches of the curb face or pedestrian sidewalk railing of an overcrossing structure. Longitudinal cables within an access-controlled right-of-way 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 the "P-wave" method is allowed for geophysical testing. Testing using the "Shear wave" method (S wave) is not allowed within State highway right-of-way because damage to State facilities and adjacent property may result.

Permittees may place sensors within 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 must be suspended immediately until satisfactory steps are taken to ensure compliance with the encroachment permit.

505.2B Vibrators (Rev. 09/2023)

A seismic vibrator is a truck-mounted or buggy-mounted device that is capable of injecting low-frequency vibrations into the earth used to generate test waves. They operate alone or in groups. seismic vibrator transforms the energy provided by a diesel engine into a vibration. It is performed by a shaker, a movable element that generates the vibration, the shaker is applied to the ground for each vibration, then raised up so that the seismic vibrator can move to another vibrating point.

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

Vibrators must 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

Highway planting may be provided by others, at their cost, within conventional State highway right-of-way and within access-controlled right-of-way.

Submit permit requests to install planting, irrigation systems, landscape features or to control roadside vegetation within the State highway right-of-way (including tree pruning and removal) to the District Encroachment Permits Office for review and approval by the District Landscape Architect or Permits Landscape Architect.

Trimming, pruning or removal of vegetation or trees to improve visibility to or from a commercial or residential development (e.g., improving views), is not allowed within the State right-of-way.

Requests to place irrigation facilities or vines on new and existing structures must be reviewed and approved by Structures Maintenance.

Planting within State highway right-of-way is allowed through:

1. The encroachment permit process: Landscape encroachment permits assist non-Caltrans entities to install landscaping within State highway

right-of-way. The encroachment permits process helps ensure that the planting work installed by others:

- Conforms to Caltrans policies, procedures and standards
 - Protects the traveling public, the public's investment, and the interests of adjacent landowners and businesses
 - Achieves a proper balance between safety, aesthetics, cost effectiveness, and resource conservation
 - Does not increase Caltrans roadside maintenance workload.
2. A Caltrans-administered contract that is funded partly or totally by others: The preferred method for handling participation by others is through an encroachment permit and an agreement with the local agency (see Project Development Procedures Manual, Chapter 16 Cooperative Agreements). In this case, a Right-of-Way Use Agreement is not required.
 3. Leasing the planting area to the owner of the abutting property: A Right-of-Way Use Agreement is required.

A Right-of-Way Use Agreement may also be required with the encroachment permit if the proposed project:

- Is unwarranted for highway planting (see Project Development Procedures Manual, Chapter 29, Section 2 for an explanation of warranted highway planting)
- The improvement to the property is solely to the benefit of the developer

The Right-of-Way Use Agreement will require the lessee to provide a plant establishment period and maintenance of plants and irrigation, including all water and utility costs, during the term of the lease. The District Landscape Architect or Permits Landscape Architect, in coordination with the District Airspace Manager, determines when a Right-of-Way Use Agreement is required.

506.1 Responsibilities

Some projects may be managed as a Quality Management Assessment Process (QMAP) project, see Section 202.3 for information regarding QMAP projects.

A Maintenance Agreement may be required, refer to Chapter 13 of the Project Development Procedures Manual for information regarding Maintenance Agreements.

Government agencies are exempt from the insurance requirement, but a bond (see Section 203.4) may be required under certain circumstances.

Table 5.9
Responsibilities – Highway Planting Funded by Others

Facility	New Landscape & Irrigation		Replacement of Existing Landscape	
	Permittee	Maintenance*	Permittee	Maintenance**
Conventional Highways	Project sponsor	Local Agency	Project sponsor	Local Agency
Access-Controlled Highways	Local Agency	Local Agency	Local Agency	Local Agency

* A maintenance agreement with the local agency is required to ensure maintenance in perpetuity. Maintenance includes all on-going water and electrical utility costs and all other maintenance expenses.

** If the replacement proposed is like to like, Caltrans will maintain the new installations once a three (3)-year plant establishment period is completed if it was maintained by Caltrans prior to the replacement.

506.1A Maintenance, Replacement and Repairs

The permittee is responsible to replace plants and repair irrigation systems originally installed by Caltrans or others that are damaged or removed by their construction activity, including plant establishment, if necessary.

Caltrans will replace or repair previously permitted highway planting installed by others that is damaged or removed by State highway construction activity, including irrigation modification and/or replacement. Replacement and repair work will be included in the State highway construction project altering the landscape or may take place as a separate construction project. Damaged or removed planting provided by others will be replaced at a rate and size determined by the District Landscape Architect.

Planting and irrigation maintained by the permittee, must be maintained in a healthy, attractive, functional, and safe condition.

506.1B 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.

506.2 Standards for Conventional Highway and Access-Controlled Highway Planting and Irrigation Plans

Planting and irrigation design must comply with the applicable policies and procedures in the Caltrans Highway Design Manual (Chapter 900) and the Project Development Procedures Manual (Chapter 29) unless exempted by the District Landscape Architect or Permits Landscape Architect.

The District Landscape Architect and/or Permits Landscape Architect must review all planting and irrigation plans. The permittee must submit a complete set of planting and irrigation plans, details, and specifications to the District Encroachment Permits Office for review. Projects over one million dollars (\$1,000,000) of constructed work within the State highway right-of-way are subject to the procedures outlined in Section 202.3 (Quality Management Assessment Process).

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

**Table 5.10
Requirements and Standards for Landscape Plans**

1. Plans must be prepared, signed and stamped by a California Licensed Landscape Architect. They must show the name, registration seal, expiration date, and phone number of the Landscape Architect, and the irrigation designer (if appropriate).
2. Plans must be drawn on twenty-four (24) inches by thirty-six (36) inches size sheets at one inch to fifty feet (1":50') scale (or 1":20' scale when more detail is required). Coordinate with the District Landscape Architect or Permits Landscape Architect for required print size and scale, reduced sized sets may be preferable. Scale and north arrow must be indicated on the plans.

3. A general location map must be provided with the plans. Show city limits, county lines, public roads, highways, limits of work, north arrow, scale, and other features.
4. Existing features must 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. Note existing features to be removed on the plans. The permittee is required to submit copies of correspondence with utility companies to verify utility information.
5. The State right-of-way (property line) and centerline of the highway must be shown and labeled. Indicate stations (on hundred (100) feet on center) on the centerline. All existing highway striping, except on access-controlled highways, must be shown.
6. Planting plans must indicate botanical names and common names, quantities, plant sizes (e.g., #1 (1-gallon) or flats), spacing (setbacks), and other planting descriptions.
7. Indicate electrical and water source locations on the irrigation plans with the name, address and phone number of the responsible utility service company. Minimum water connection information includes:
 - Source (potable, non-potable, or recycled water)
 - Available water pressure
 - Meter size
8. The permittee may be required to use Caltrans Standard Details and Standard Plans. The permittee must use Caltrans Standard Specifications and Standard Special Provisions as approved by the District Landscape Architect or Permits Landscape Architect.

Table 5.11
Design Guidelines for Conventional and Access-Controlled Highway Planting and Irrigation

General Design Guidelines

1. The District Landscape Architect or Permits Landscape Architect must approve all designs prior to permit issuance.
2. Disturbed areas within State right-of-way that are not planted must be treated with hydroseed or other erosion control materials.
3. Temporary Erosion control is required for stormwater pollution prevention and dust control during construction.

4. The District Landscape Architect or Permits Landscape Architect must approve all designs prior to permit issuance.
5. Disturbed areas within State right-of-way that are not planted must be treated with hydroseed or other erosion control materials.
6. Temporary Erosion control is required for stormwater pollution prevention and dust control during construction.
7. All erosion control work must be according to the Standard Specifications, Sections 13 and 21 and the Caltrans Storm Water Quality Handbooks (available at: <https://dot.ca.gov/programs/construction/storm-water-and-water-pollution-control/manuals-and-handbooks>)
8. Projects must be designed to comply with the Model Water Efficient Landscape Ordinance (MWELO).
9. Trenching and grading is not allowed within the dripline of the tree canopy and must be performed so tree roots are protected to the dripline of the canopy and must be as shown on a plan that is reviewed by the District Landscape Architect or Permits Landscape Architect.

Planting Design

1. Plants must be located so they do not obstruct motorists' clear vision of highway signs and signals.
2. Plants must be located so that they will not obscure existing billboards or on-premise business identification signs.
3. Plants must be selected and located so that future pruning will not be required.
4. Lighting directed at trees or plants is not allowed.
5. On conventional highways, install root barriers to prevent damage where trees are planted within five (5) feet of sidewalks, curbs, or pavement.
6. Plants with thorns or known to be poisonous to humans and animals must not be planted adjacent to areas used for grazing animals, equestrian activities, with high public exposure, and where children have access to the planting.
7. Edible fruit or nut bearing plants must not be planted.
8. Conform plant selection, spacing, and setbacks to the "Plant Setback and Spacing Guide" available at <https://dot.ca.gov/-/media/dot->

<media/programs/design/documents/1997-plant-spacing-and-setback-guide-a11y.pdf>.

9. Shrubs are woody, multi-stemmed plants with each stem having less than a four (4) inches diameter trunk ten (10) years after planting.
 - Plant shrubs so that at maturity they will not grow over the curb or right-of-way.
 - Shrubs or tall ground cover in sidewalk planter strip areas may be in beds no longer than fifty (50) feet in length with at least five (5) feet break between beds to allow pedestrian passage from curb to sidewalk.
 - Shrubs with a mature height over three (3) feet high are not allowed within twenty-five (25) feet of any driveway or intersection.
10. Ground cover includes low-growing plant material and inert materials such as crushed rock and wood mulch.
 - On conventional highways, grass or an approved ground cover may be installed under permit between the curb and right-of-way line, provided it is maintained for safe pedestrian traffic.
 - Loose un-grouted rock cobble, gravel or other inert ground cover material is not allowed within the clear recovery zone or, in areas where errant vehicles are expected or anticipated.

Irrigation Design

1. A separate water meter and separate electrical service for the proposed irrigation system is required.
2. Install a gate valve, with ID marker within State right-of-way where the supply line(s) enter the right-of-way. Install master valves and backflow preventers outside the right-of-way.
3. Irrigation lines under continuous pressure are not allowed. A normally closed master valve to shut off water when the irrigation system is not operating is required.
4. Provide gate valves or ball valves with ID markers, to isolate groups of remote-controlled valves or areas of the irrigation system.
5. Provide separate remote-controlled valves for supply lines operating overhead sprinklers at the top, intermediate, and toe of slopes.
6. Anti-siphon, anti-drain valves or check valves are required.
7. Trees must be irrigated by separate remote-controlled valves.

8. Irrigation lines proposed under paved surfaces must be installed in conduit or sleeves.
9. Design all irrigation systems with a water velocity of no higher than five (5) feet per second (fps).
10. Design and operate irrigation systems to minimize fogging and overspray of water onto paved surfaces.
11. Provide uniform water coverage when using overhead sprinklers.
12. Bubblers and sprinklers must be pressure-compensating or be equipped with pressure-compensating devices.
13. Drip irrigation or subsurface irrigation may be used if approved by the District Landscape Architect or Permits Landscape Architect.
14. When necessary, a subsurface drainage system must be provided in irrigated medians to prevent water flowing onto the roadway and to prevent lateral infiltration of water into the structural section of roadway and must be approved by the District Permit Engineer.

Table 5.12
Tree Wells

Tree wells are allowed on Conventional Highways only. The following conditions apply to tree wells:

1. Tree wells are allowed on Conventional Highways only. The following conditions apply to tree wells: Tree wells must allow for soil volume appropriate to the future tree size. Small trees require a minimum of two hundred (200) cubic feet, medium trees require a minimum of four hundred and fifty (450) cubic feet, and large trees require a minimum of seven hundred (700) cubic feet of soil volume.
2. Openings for tree wells in paved areas must have a minimum of three (3) feet by three (3) feet square or a three (3) feet radius circle.
3. If irrigation is not feasible, install two deep water pipes (vertical, four (4) inches diameter perforated plastic pipes filled with 1/2 inches to 3/4 inches crushed rock) in opposite corners of each tree well.
4. Plant trees in the center of the tree well.
5. Tree wells must be safe for pedestrians. Install tree well grates, where appropriate, that are flush with the adjacent pavement and comply with ADA requirements.

6. Tree guards may be provided to protect trees in tree wells from damage or where desirable for aesthetic purposes.
7. Trees and tree wells in parking lots should be given a minimum of sixty-four (64) square feet of opening in the pavement. If this requirement cannot be met, install deep water pipes and root barriers.
8. Root barriers must be installed to prevent tree roots from causing sidewalk and pavement damage.

Table 5.13
Plants in Containers

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

- The existing speed zone is thirty-five (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 the sight distance.

Additional requirements are:

1. Plant containers made of wood, brick, metal, concrete, ceramic, fired clay or other appropriate material may be used.
2. Plant containers located on sidewalks or on the roadside must be a minimum of two (2) feet back from the curb face. Plant containers must allow for a minimum five (5) feet walkway.
3. Plant containers on medians must be a minimum of six (6) feet back from the curb face and at least one hundred (100) feet from the longitudinal end of the median.
4. Plant containers must be secured to the sidewalk to prevent overturning or shifting and placed to avoid creating a pedestrian or vehicular hazard. The permittee is responsible for temporary relocation, when necessary, to install, repair, or replace facilities.
5. The proposed plant species for the container must be specified in the permit application.
6. Proper maintenance of the plant and container is required.
7. A minimum of ten thousand dollars (\$10,000) liability insurance is required when permits are issued to private entities for installing plant containers.

8. No advertisement, slogans or any text is allowed on or in plant containers.

506.3 Landscape Permit Types

Installation and maintenance of planting and irrigation within State highway right-of-way is authorized by LC, LF, LM, and LT encroachment permits.

506.3A Conventional Highways

Permit Code LC

LC encroachment permits authorize the placement of plants and groundcover and the installation of irrigation systems within non-access-controlled right-of-way. Guidelines for design and installation of landscaping including irrigation systems within non-access-controlled highway right-of-way are listed in Tables 5.13 through 5.17. Maintenance requirements are established in Section 506.1.

506.3B Access-Controlled Right-of-Way

Permit Code LF

LF permits authorize the placement of plants and groundcover and associated irrigation systems within access-controlled right-of-way. The distance between the edge of traveled way (clear recovery zone) and large trees must not be less than the minimum required; however, the Permit Engineer, District Landscape Architect, or Permits Landscape Architect may require clearances of a greater amount. Clear recovery zone requirements are specified in the Caltrans Highway Design Manual, Section 902.2.

A copy of each LF permit, including plans, bid date, and completion date, must be sent to the HQ Landscape Architecture Program, Landscape Classifications, for record keeping, determination, and designation of landscaped access-controlled right-of-way relative to the regulation of outdoor advertising displays.

506.3C Maintenance (Rev. 09/2023)

Permit Code LM

LM permits authorize limited term maintenance of planting and irrigation systems within the State right-of-way. Maintenance responsibilities in perpetuity must be authorized through a Maintenance Agreement. Only replacement and repairs are authorized by LM permits (no new planting).

Two (2)-year LM permits for landscape maintenance may be issued to local agencies (cities and counties). Refer to Section 510.14 if contractors will be performing the authorized work on behalf of the local agencies.

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 must be directed to the District Landscape Specialist.

California Food and Agriculture Code, Division 4, Part 1, Chapter 6.5, Roadside Vegetation Control, (5501 to 5509) 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, a maintenance encroachment permit (Code LM) is required for the work.

506.3D Tree Pruning (Trimming) and/or Removal (Rev. 09/2023)

Permit Code LT

LT permits authorize tree pruning (trimming) and/or removal within the State highway right-of-way, and access to the State highway right-of-way to prune or remove vegetation outside the State right-of-way. The removal of healthy trees requires written consent from the District Landscape Specialist, in coordination with the District Landscape Architect, and local agency. The planting of new trees may be required as mitigation for tree removal and will be determined on a case-by-case basis by the District Landscape Specialist in coordination with the District Landscape Architect.

The District Landscape Specialist, in coordination with the District Landscape Architect, must evaluate potential impacts to landscaped access-controlled right-of-way status prior to approving any Tree Pruning (Trimming) and/or Removal permit requests.

Pruning (Trimming) and/or Removal of vegetation to improve visibility to or from a residential development or commercial building is not allowed.

See Appendix K for "Tree Pruning (Trimming) and Chemical Application Special Provisions" and "Tree Removal Special Provisions."

This permit type does not restrict a utility company from complying with California Public Resources, California Public Utility Commission (CPUC) General Orders, and other Federal, State or local laws that require clearances between vegetation and gas lines or energized power lines.

Table 5.14
Consent Requirements for Tree Pruning and/or Removal

The following table explains property owner consent requirements for tree pruning and/or removal:

1. Trees with trunks located entirely within the State right-of-way may be pruned or removed without obtaining consent from the adjacent property owner.
2. Trees with trunks located entirely within the State right-of-way with limbs overhanging adjacent City or County property must not be pruned or removed without first receiving consent from the local agency. It is the permittee's responsibility to obtain the consent letter from the local agency.*
3. Trees with trunks located on the right-of-way line must not be pruned or removed without obtaining consent in advance from both Caltrans and the adjacent property owner – these trees are joint property. Trees which interfere with safe highway operations are exempt from this requirement.*
4. Trees with trunks located entirely outside the right-of-way that have limbs that overhang the right-of-way may be pruned without obtaining consent from the adjacent property owner if the tree interferes with safe highway operations.

* In some locations, local agency consent may be required for any tree pruning or removal work.

The applicants/contractors may place woodchips produced from tree pruning within the right-of-way after a Consent Letter is obtained from the Caltrans Maintenance Area Superintendent. Authorized disposals, under these conditions, must be accomplished within one working day. Disposals made without prior authorization are illegal.

Utility companies may apply for annual tree pruning (trimming) permits, issued directly to the utility companies involved, **not** to the company's contractors. Annual tree pruning permits are issued for conventional highways right-of-way and only in specific situations within access-controlled right-of-way. They are not

issued for access-controlled right-of-way. The utility company must furnish a list of contractors with its application. Additional agents can be included through "Contractor Authorization Form" (form TR-0429).

Tree Pruning:

Tree pruning requests by all applicants including electric utilities must consist of an aerial map identifying the specific trees to be pruned, photos of the trees, justification for pruning and amount of pruning. See Table 5.18 for additional permit requirements for electric utility. Written consent from local agency must be submitted for pruning in a Classified Landscape Area or Scenic Highway. District landscape Specialist/District Landscape Architect or designee will review the request and determine if the pruning can be authorized and the limits of pruning.

**Table 5.15
Permit Requirements for Electric Utility Tree Pruning**

1. Permit Requirements for Electric Utility Tree Pruning. The electrical utility permittee must verify that the height of the utility lines provides the minimum clearances necessary for trees that are maintained at a forty (40) feet height. This is especially true for utility lines over trees whose normal growth habit precludes pruning to less than forty (40) feet (e.g., conifers, single central leader trees of natural conical or pyramidal-type crown development). Exceptions to this requirement may be allowed when these trees:
 - Have a growth habit that can facilitate healthy growth and a natural form despite repeated pruning and thinning operations. Trees in this category include open, round crowned types, with several leaders or main branches forming their crown framework.
 - Allow utility lines to be placed through or below their crowns, minimizing pruning, maintaining main leader and limbs, avoiding permanent disfiguration of their crowns.
 - Have been top pruned for many years, and the reconditioning necessary to reestablish their natural growth habit is not cost effective.
 - Consist mainly of volunteer growth from roadside seedlings or stump sprouting and are determined by the District Landscape Architect to add little or no value to the desired condition of the roadside.

2. The District will notify the utility company if further tree pruning is not desired, either at forty (40) feet height, or at another height determined to be best for the tree species. This notification provides the utility company time to modify their facility, minimizing additional pruning that may harm the trees. The utility company is typically allowed two (2) growing seasons to complete these modifications, during which light pruning is permitted by Caltrans.

Tree Removals:

A completed “Encroachment Permit Tree Removal Request” (form TR-0168) must be submitted along with all permit requests that involve tree removals, for the District Landscape Specialist/ District Landscape Architect approval. Permittee and their agents must keep a copy of the signed Tree Removal Request at the work site along with the approved permit, during tree removal operations.

Tree removal requests by all applicants must comply with the requirements established in Table 5.19.

Table 5.19
Permit Requirements for Tree Removal

1. All tree removal requests must be reviewed by the District Landscape Architect or Permits Landscape Architect, District Landscape Specialist, District Environmental staff (biologists), local agencies, Native American tribes, home-owner associations, and others as applicable to determine if the unique value of the trees requires preservation or mitigation. When preservation is required, Caltrans will not approve the removal of the trees until alternatives have been discussed with the applicant.
2. Tree removal requests may include but not limited to the following:
 - Clear cutting of volunteer trees, stumps, or seedlings.
 - Removing groups of seedlings or volunteer trees that provide highway screening for adjacent property.
 - Removal of trees that require compensation, such as those that provide high species value, historic landscape value, highway screening, wildlife habitat, or other functional landscape benefit. Negotiating of replacement trees, compensation, or mitigation planting measures will first be required. Information on determining the fair value of an existing tree may be found in the most recent edition of the “Guide for Plant

Appraisal" available from the International Society of Arboriculture. Removal of trees that provide high species value, historic landscape value, highway screening, wildlife habitat or other functional landscape benefit requires a separate permit.

- Trees that pose a potential hazard, such as leaning, uprooted, or dead trees. Providing replacement trees, compensation, or mitigation planting will not be required.
 - Trees that are of low species value, in poor condition due to obvious poor health or severe structural defects, which do not provide highway screening, wildlife habitat or other functional landscape benefit. (Consult the Western Chapter, International Society of Arboriculture Species Classification and Group Assignment pamphlet as a reference to determine low species value.) Providing replacement, trees, compensation, or mitigation planting will not be required.
 - Trees that pose a potential hazard by being in the vicinity of electric or gas utility infrastructure. Providing replacement trees, compensation, or mitigation planting may be required.
3. The applicant must verify that removal of volunteer trees from stumps and seedlings provide little or no functional roadside value as determined by the District Landscape Architect, Permits Landscape Architect, District Landscape Specialist, or designee. Seedlings are defined as non-planted or volunteer trees with trunk less than four (4) inches in diameter, and under twenty (20) feet in height.
4. The permit request submittal must address the following:
- Include one or more photographs of each tree to be removed.
 - California Environmental Quality Act (CEQA) compliance
 - Mitigation requirements
 - Existing or potentially historic landscapes
 - Listed threatened and endangered plants or endangered species habitat per the United States Department of Agriculture, United States Fish and Wildlife Service, and the California Department of Fish and Wildlife.
 - Identify Blue Oak, Engelmann Oak, Valley Oak or Coast Live Oak trees proposed for removal, include replacement planting plans. 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 trees are removed from native woodlands (Senate Concurrent Resolution No. 17, passed September 1989).

- Spiritual or cultural value to Native Americans
 - Negative effects to classified landscape status (related to outdoor advertising)
 - Negative impacts to designated/eligible scenic highways
 - Negative impacts to trees that contribute significant landscape value, such as:
 - Wildlife or pollinator habitat
 - Visual highway screening (from adjacent land uses) benefit
 - Significant historic or local cultural benefit
 - Significant functional or aesthetic value
 - Contiguous street tree or right-of-way planting
 - Growth habits and root structure of the species
 - Age, depth and condition of the existing gas pipeline
 - Opportunities within and outside the right-of-way to realign the utility facility
5. The applicant must communicate and coordinate with Caltrans throughout the review process regarding the unique value of the trees designated for removal, evaluate viable alternatives, and develop an approach that meets both Caltrans requirements and the applicant's request.
 6. Upon completion of the review process, the applicant must document the agreed upon approach in writing and submit the document along with the tree removal permit application.
 7. When removing a tree as permitted, the entire stump must be taken out or at-least to a depth of twelve (12) inches below the ground surface if authorized by the permit engineer. All debris must be removed from the right-of-way. The hole left by the stump must be backfilled and thoroughly tamped and the site left in a safe presentable condition.
 8. In addition to all the above, the following applies for utilities: Utilities also must perform a review that identifies, maps, and locates (geo-referenced) "unacceptable" trees and shrubs proposed for removal. Removal is limited to trees defined as "unacceptable" by the utility and agreed upon by the District Landscape Architect, Permits Landscape Architect, District Landscape Specialist, or designee. Unacceptable trees include trees within fifteen (15) feet of the centerline of the utility. Trees in this zone potentially impair the function and required maintenance of the utility.

507 MAILBOXES 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 must provide suitable all-weather surfacing between the roadway and the mailbox. The surfacing must conform to the adjoining shoulder grade.

Curbside mailboxes are not permitted within new access-controlled right-of-way except within a rural access-controlled right-of-way with driveway access openings and no frontage road. Curbside mailboxes within new access-controlled right-of-way 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.

The American Association of State Highway and Transportation Officials' (AASHTO's) "Roadside Design Guide," 4th Edition, Chapter 11 "Erecting Mailboxes on Streets and Highways" (see Appendix H) 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 four (4) inches by four (4) inches square or four (4) inches diameter wooden post; or one and a half (1.5) inches to two (2) inches diameter standard steel or aluminum pipe posts, embedded no more than twenty-four (24) inches into the ground is considered acceptable as a mailbox support. A metal post must not be fitted with an anchor plate, but it may have an anti-twist device that extends no more than ten (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 must 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 Caltrans 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 USPS standards must 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. Some of 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 Office 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 the 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 Office 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

Caltrans will not approve requests to remove material from State highway right-of-way solely to benefit a developer or individual, such as to eliminate the need by the developer or individual to import material to their private property or to improve visibility to a development. The encroachment permit involving grading must include provisions to dispose of soil contaminated from air-borne lead, protect environmentally sensitive resources, protect historical and cultural resources, trees, and vegetation, and prevent erosion (see Caltrans publications on Stormwater Quality). Use permit code MC when a permit is issued solely for grading work.

Access Controlled Right-of-Way

Grading, placement, or removal of material by others within access-controlled State highway right-of-way is prohibited. The Division of Design, Chief may approve an encroachment policy exception to perform earthwork within access-controlled State highway right-of-way if the State benefits from one or more of the following: improved sight distance, increased clear recovery zone, improved drainage, or reduced maintenance.

Conventional Right-of-Way

Grading, placement, or removal of material by others within conventional State highways can be permitted by the District permit engineer without the need for an exception.

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 highway right-of-way, or in areas that pose a potential fire hazard to the permittee's property. This permit is available as a biennial permit.

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 calendar 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.

Protection of pollinator habitat may be required. To protect pollinator habitat limit mowing to a maximum of two (2) times per growing season, or in areas that typically receive an annual frost, delay mowing until after the first frost.

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 highway right-of-way is as follows:

1. Where the value of the service to Caltrans or the value of the product exceeds five hundred dollars (\$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 twenty (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 five hundred dollars (\$500), permits will be issued on a “first come, first served” basis. This would be the case with haying areas under twenty (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 within 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 State highway 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 twenty (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.

Competitive bids should be sought by Division of Right-of-Way for removing, harvesting, or pruning of State highway plants, with leases not to exceed twenty (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 (California Vehicle Code, Section 22508 and California Manual on Uniform Traffic Control Devices, 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 (California Vehicle Code, Section 22506).

Parking meter zone plans must be reviewed by District Traffic and Maintenance. The Americans with Disabilities Act certification is required (see Section 500A 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), must 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 Quality Management Assurance Process (QMAP) 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 must review all encroachment work not reviewed by Office of Special Funded Projects (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 must include the number of contract document sets as shown below:

Number of Sets	Send to:
Eleven (11) OR Thirteen (13) to seventeen (17) if specialties involved (contact OSFP Liaison Engineer)	Caltrans Engineering Service Center Structures, Office of Special Funded Projects 1801 30th 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 Permit Engineer.

Performance bonds (see Section 203.4) are required on all permits (except public agency permits) authorizing work on signals or structures. The bond must be a minimum of ten thousand dollars (\$10,000) and must 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 must be individually tagged as inspected by Caltrans or must be accompanied by a certificate indicating compliance with the permit. These must be furnished by the permittee on a timely basis. This requirement does not preclude Caltrans from testing materials when deemed necessary.

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

508.10 Protection of Survey Monuments

Pre-inspection by the District Encroachment Permits Office 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 must 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 must physically inspect the work site and locate survey monuments before work commencement. Monuments that might be disturbed must 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, must be constructed in accordance with Caltrans Standard Specification Section 78-2 ‘Survey 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 must 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 (California Public Resources Code, Section 5097.9).

Group participation must be limited to a maximum of twenty (20) people at a time and must have one (1) supervisor appointed.

All participants are required to wear safety equipment, hard hats, approved green or orange vests, 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 long or short sleeves, 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 (1) 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 (1) day [(or three (3) consecutive calendar 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 must be specific to cover the operational and safety aspects of the specific controlled access location. A copy of the Consent Letter must be sent to the HQ Office of Roadside Management.

- Do not work on the roadway or shoulders, on bridges, in tunnels or near railroad tracks.
- Do not cross access-controlled right-of-way 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 Caltrans 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 equipment 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 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 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 American Groups

Native American groups are permitted to gather roadside vegetation/plant-life for the purposes of religion or arts & crafts (such as 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.

508.12 Law Enforcement Surveillance Devices

Law Enforcement Surveillance Devices (LESDs), such as automated license plate readers and closed-circuit television cameras, are used by law enforcement agencies for surveillance and investigation of illegal activities that occur on or adjacent to the State highway right-of-way. The presence of LESDs is anticipated to deter illegal activities in the State highway right-of-way, leading to a safer, more efficient State highway system for the traveling public. Hence, LESD infrastructure (LESD along with all associated appurtenances) may be permitted to be installed in the State highway right-of-way as independent standalone infrastructure or attached to Caltrans infrastructure (including poles,

structures, or other Caltrans-owned facilities) in accordance with the criteria established in C below, existing encroachment permit policies and Caltrans standards.

Proposals for installing LESD infrastructure within access-controlled right-of-way must also comply with guidance and requirements established in Project Development Procedures Manual, Chapter 17.

Table 5.20
Law Enforcement Surveillance Devices (LESD) Permitting Criteria

1. Encroachment permits authorizing installation, ownership, and/or operation of LESD infrastructure within the State highway right-of-way can be issued only to local law enforcement agencies or the California Highway Patrol (CHP).
2. Annual maintenance permit(s) can be issued to the owner of the LESDs to maintain the LESD infrastructure installed within conventional highway right-of-way. Whenever maintenance of LESD infrastructure installed within access-controlled right-of-way is to be performed, a separate permit will have to be obtained.
3. See Section 501.14 if a contractor is installing or maintaining the LESD infrastructure for the primary Permittee (Law enforcement agency).
4. LESD infrastructure can be independent from or be allowed to be attached to Caltrans infrastructure (poles, structures, or other Caltrans-owned facilities) and may be connected to Caltrans utilities. A maintenance agreement will be required to cover several activities including cost sharing, if the LESD infrastructure is connected to and uses Caltrans utilities.
5. Poles or other fixed objects installed to independently mount LESD infrastructure must meet horizontal clear recovery zone requirements described in the Caltrans Highway Design Manual Topic 309-Clearances. These poles and other fixed objects are considered discretionary fixed objects and will be allowed only if shielded behind existing guardrail, barrier or another shielding device. If there are no existing shielding devices, the pole or other fixed object installed to independently mount the LESD infrastructure must be placed at least fifty-two (52) feet horizontally or eight (8) feet vertically up-slope from the edge of traveled way.
6. Attaching to Caltrans infrastructure (poles, structures, or other Caltrans-owned facilities) is contingent on such infrastructure's loading capacity, crashworthiness, and feasibility of LESD infrastructure operating without any

physical, operational, maintenance, or other impact to Caltrans infrastructure. Type I (1), Type 17-3, and Type XIV (14) poles; poles with aluminum transformers bases or aluminum bases similar to those used on Type XXV (21) poles; and poles that use slip-base inserts instead of integrated slip bases are examples for the poles that cannot accommodate additional attachments.

7. Modifying (welding, cutting, or drilling) existing Caltrans poles is prohibited. Attachments to Caltrans poles must be per Standard Plan ES-7R, except when using an available existing attachment point (such as an open tenon). All proposals with attachment to Caltrans poles must be reviewed and approved by the Office of Design and Technical services. See additional guidance below for attachments to Caltrans poles.
8. If attaching to Caltrans electrical services is proposed, the Permittee is fully responsible to ensure the electrical connections are designed to be compatible with Caltrans electrical infrastructure. Electrical circuit for LESDs has to be independent of Caltrans lighting circuits.
9. At a minimum, the LESD installation plans submitted with the application must do all the following:
 - a) Include all electrical, electronic, civil, and mechanical work pertaining to the LESD infrastructure.
 - b) Show the electrical installation, and how it operates independent of or together with Caltrans highway infrastructure.
 - c) Include the use of separate conduit with distinctively marked pull boxes for standalone LESD infrastructure.
 - d) Show wireless component specifications with information including transmit/receive frequency, radio frequency power output, type of antenna, antenna height etc., if the LESD includes a wireless component. LESDs with wireless component must be reviewed and approved by the HQ Office of Radio Communications, for interference impacts with State wireless equipment before the encroachment permit can be issued.
 - e) Include pictures of the poles to which attachments are proposed with luminaire clearly identifiable, total weight of attachments, square footage of the effective projected area on the pole and height at which the attachment is proposed, if attaching any LESD infrastructure to Caltrans pole is proposed.

- f) Be accompanied by structural calculations sealed by a California Registered Civil Engineer with structural design experience or a California Registered Structural Engineer, if attachments to Caltrans poles other than per Standard Plan ES-7R are proposed.
- 10. Caltrans must have no direct access to, or control of, the surveillance data collected by LESDs.
- 11. If the LESDs include a wireless component, Permittee must ensure that the wireless component complies with radiofrequency radiation human exposure limits and with all applicable Federal Communications Commission (FCC) rules, regulations, and requirements.
- 12. Permittee must cease operations and remove or relocate their wireless component if it interferes with State wireless equipment.
- 13. LESDs and associated infrastructure in the State highway right-of-way must not impact the operations of the highways or any associated infrastructure. When proposed to attach to Caltrans poles, Permittee must ensure there is no interference or impacts to Caltrans infrastructure and the operations of Caltrans infrastructure during and after installation.
- 14. If allowed to attach to Caltrans infrastructure (poles, structures, or other Caltrans-owned facilities), the Permittee acknowledges that:
 - a) Caltrans may remove the LESD infrastructure without first notifying the Permittee, if needed for the maintenance of Caltrans infrastructure or if the Caltrans infrastructure to which the LESDs are attached is damaged due to natural or human caused actions and Caltrans has to rehabilitate the damaged infrastructure to meet the State highway operational needs. Caltrans will make reasonable efforts under the circumstances to notify the Permittee using the contact information on the initial permit application under which it was originally permitted, and Permittee can reinstall the removed LESDs in coordination with Caltrans forces. A new encroachment permit is required for encroaching on to the State highway right-of-way for reinstalling the equipment unless the Permittee has an annual maintenance permit for that equipment and location.
 - b) Caltrans will store the removed LESD infrastructure in Caltrans maintenance yard for up to thirty (30) calendar days and if Permittee does not collect the LESD infrastructure within thirty (30) calendar days from initial notification, Caltrans reserves the right to dispose of the LESD

infrastructure without any further notification and Permittee waives any right to compensation for the disposed LESD infrastructure.

15. If the permit is issued to a law enforcement entity other than the CHP, the Permittee must notify and send a copy of each issued permit to the local CHP Office before operating the LESDs.
16. Upon ceasing of the operation of the LESDs, the Permittee must notify Caltrans District Encroachment Permits Office in writing within thirty (30) calendar days and remove all LESD infrastructure from Caltrans right-of-way. If the permittee fails to comply, Caltrans may remove the LESD infrastructure and the Permittee must reimburse Caltrans for all associated costs of removal and storage.

Guidance for attaching LESD infrastructure (LESD along with all associated appurtenances) to Caltrans signal and lighting pole(s):

- Attachment to Caltrans breakaway poles should be eighteen (18) feet to twenty-four (24) feet on the pole post above the slip base. Only wiring/cable can be attached below eighteen (18) feet. Attachments may be proposed to a weight of up to thirty (30) pounds at eighteen (18) feet to no more than twenty (20) pounds at twenty-four (24) feet, with maximum effective projected area of one point five (1.5) square feet at eighteen (18) feet to one (1) square feet at twenty-four (24) feet.
- Attachments to Caltrans non-breakaway poles can be proposed to maximum height of twenty-four (24) feet and up to a maximum weight of forty (40) pounds with an effective projected area of five (5) square feet or less.
- Attachments on signal and lighting mast arms on non-breakaway standards may be proposed when the total of attachments on each arm is less than ten (10) pounds and the maximum effective projected area is one point six (1.6) square feet or less. Miscellaneous attachments must be limited to two (2) per signal pole and one (1) per non-breakaway lighting pole.
- Do not route wiring/cable to the lighting pole except across the slip plane. These wiring/cables must include a release mechanism near the slip plane to ensure release of physical restraint on the pole and de-energization of the pole in the event pole breaking free from its supports.

For all proposals involving attaching LED infrastructure to Caltrans poles, a pre-permit meeting with Caltrans functional units including Office of Design and Technical services is recommended, to explore feasibility and applicable requirements based on the proposed type of pole.

509 OUTDOOR ADVERTISING VISIBILITY IMPROVEMENT

Permit Code OA

509.1 General

Section 5226 of the California Business and Professions Code establishes outdoor advertising as a legitimate commercial use of property adjacent to roads and highways.

When a legal outdoor advertising display is obscured from highway visibility, the applicant may apply to modify vegetation (including but not limited to tree pruning or removal) for the purpose of improving or enhancing the traveling public's view of the advertising display.

Visibility improvements for legal outdoor advertising displays are permitted in accordance with Section 670(a)(4) of the California Streets and Highways Code.

"... the department 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 an 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 city or county in which the tree is located. Nothing in this paragraph limits the department's authority to modify or deny any permittee's request. If the city or county does not respond within thirty (30) days to a request for a permit pursuant to this paragraph, the city or county is deemed to have given consent to the project."

509.2 Commercial Buildings Obscured from Highway Visibility

Modifying vegetation (including but not limited to tree pruning or removal) to improve visibility for a commercial building (e.g., car dealership, restaurant, store, etc.) is not allowed.

509.3 Visibility Improvement Request (VIR)

General

A “Visibility Improvement Request” (VIR) (form TR-0165) is used to obtain the consent from the local entity for the pruning or removal of vegetation to improve or enhance the traveling public’s view of a legal outdoor advertising display.

Consent from the local entity does not guarantee Caltrans approval of an encroachment permit for a VIR.

A VIR will only be considered when the work to be performed is within five hundred (500) feet from the advertising display (see Figure 3: Typical Visibility Improvement Limits).

The permitted work must be performed under an encroachment permit at the permittees expense.

Mitigation requirements as a condition of the permit approval may be required as stipulated by Caltrans, i.e., replanting, irrigation, and a plant establishment period.

Process and Submittal

The applicant completes the top portion of the VIR for review by the local entity having jurisdiction over the location of the advertising display.

The applicant will send a copy of the VIR via certified/registered mail to the local entity. The date the correspondence is received by the local entity establishes the start of the thirty (30) day clock. The applicant must provide the local entity approved VIR to the District Encroachment Permits Office. If the local entity does not respond to the VIR within thirty (30) calendar days, the applicant must provide proof of correspondence with the date of correspondence clearly shown, the local entity in this instance is deemed to have given consent to the VIR.

The local entity is required to complete the bottom portion of the VIR.

A brief explanation should be provided whenever a local entity denies a VIR.

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 thirty (30) calendar days,
3. Submittal of the completed VIR with local entity approval/denial.

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

- District Landscape Architect or District Encroachment Permits Landscape Architect.
- District Maintenance Landscape Specialist.
- District Maintenance Landscape Supervisor responsible for that specific area.
- District Right-of-Way Office (verify that land is not in the process of acquisition).
- Outdoor Advertising (ODA) Program (to verify the ODA permit is current).

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 must be provided an explanation of denial, a copy of their appeal rights and will be notified via certified/registered mail to ensure that all timelines 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 HQ 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.

Table 5.21
Guidelines for Visibility Improvement Requests (VIRs)

<p>General Conditions</p> <ol style="list-style-type: none">1. Work must be performed in accordance with the guidelines of the International Society of Arboriculture current ANSI A300 Standards.

2. The tree pruning contractor must be licensed by the California Contractors State License Board and hold a current C61 or D49 license.
3. Visibility improvement modification must not detract from appearance, compromise function, or adversely affect the maintainability or longevity of the vegetation. Within these limitations, the intent is to maintain:
 - a. Visibility of off-premise displays; and
 - b. Visibility of on-premise displays.
4. Pruning must not disfigure or compromise the plant's health.
5. Only one pruning per each twelve (12) month time period will be allowed.
6. Removal of more than fifteen percent (15%) of any tree's canopy within a twelve (12) month time period or more than twenty-five percent (25%) during any twenty-four (24) month time period is not allowed.
7. Apply supplemental water to pruned trees as recommended by the District Landscape Architect or District Maintenance Landscape Specialist. To conserve domestic potable water, water must be either recycled or non-potable. Comply with the requirements of non-potable and recycled water use in Section 10-6 "Watering" of the Standard Specifications.
8. Where planting is owned and maintained by the local entity, e.g., on a conventional highway comply with the pruning requirements of the local entity.
9. Pruning will only be allowed during a horticulturally appropriate time of year, based upon the tree species, solar exposure (to prevent sun scald), climate zone, and biological constraints (endangered species, nesting birds, etc.). The District Maintenance Landscape Specialist will evaluate and specify in the permit the required time to prune.
10. A bond or cash deposit may be required.
11. Pruning or removing Blue Oak, Engelmann Oak, Valley Oak or Coast Live Oak trees is not allowed. 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 trees are removed from native woodlands (Senate Concurrent Resolution No. 17, passed September 1989).
12. Place mulch beneath pruned trees. Mulch must be four (4) inches deep, not touch the trunk of the tree, and extend five (5) feet beyond the outer edge of the tree canopy (drip-line). Do not place mulch in drainage ditches, in paved areas, or closer than five (5) feet of the paved roadway

edge. An exception to required mulch placement may be granted by the District Landscape Architect or the District Maintenance Landscape Specialist if existing site conditions do not allow for mulch placement.

Median Plant Pruning

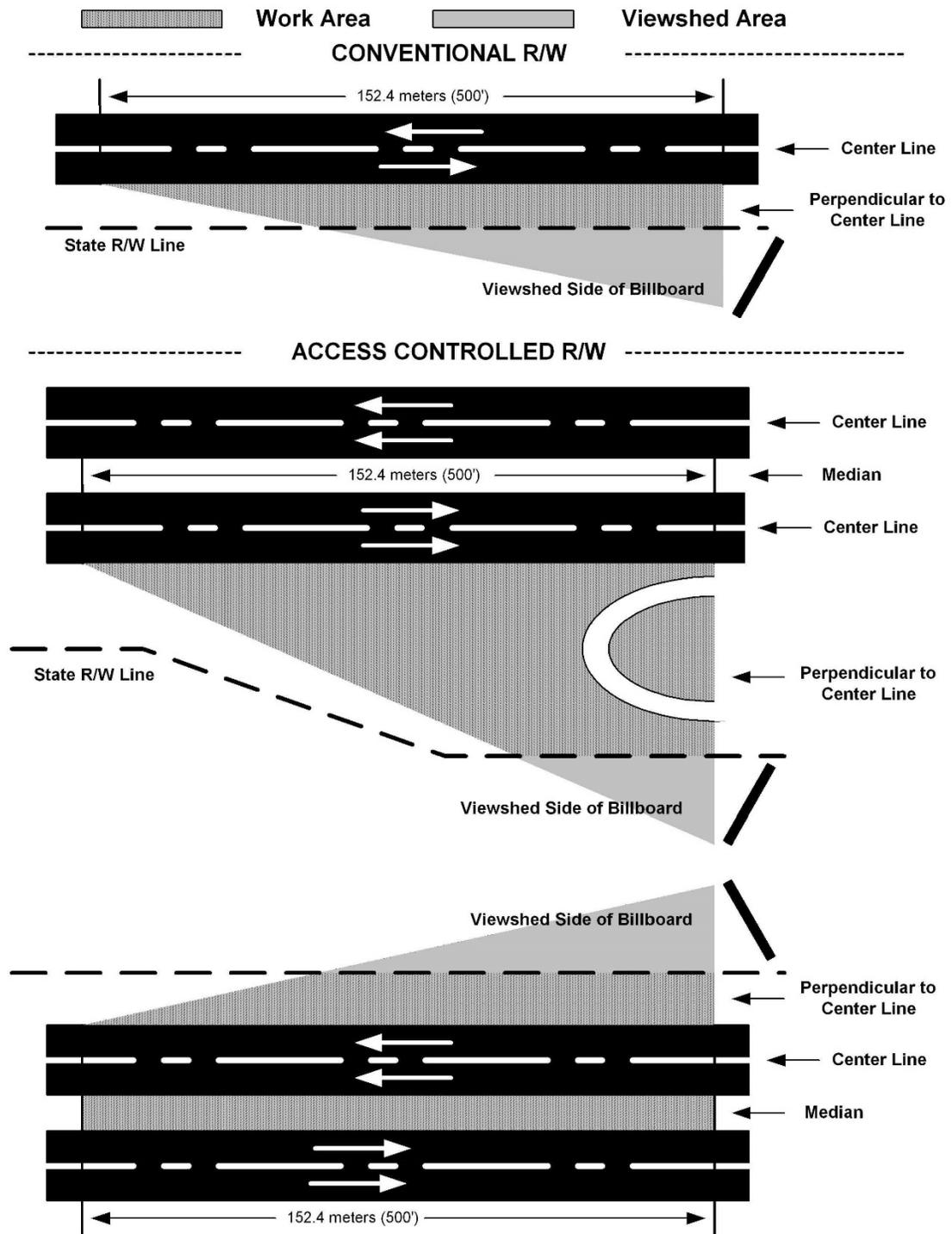
1. Permits to prune plants in the median are intended to be used on sections of highway that need pruning for safety.
2. Reasonable starting and stopping points for the median pruning should be considered, such as:
 - a. At overcrossings, undercrossings, bridges or similar structures.
 - b. Beginning or ending of a planting or breaks in the planting of two hundred (200) feet or more.
3. The permit will specify traffic control and access requirements including access times, dates, and special access requirements. The permit will also include: the time of year to prune, the type of equipment to use and any special treatment required must 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 must not be pruned to a height under five (5) feet measured from the highest paved shoulder.

Basis for Denial

1. The VIR (form 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 removal of obstructing vegetation and/or destruction or topping of healthy trees.

Figure 3: Typical Visibility Improvement Limits

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



REV. 5/05

510 ROAD APPROACHES AND DRIVEWAYS (Rev. 09/2023)

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 to existing access-controlled right-of-way 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." HQ and the District make a determination after evaluating the circumstances in each case. Curb returns must have review consideration in a Permit Engineering Evaluation Report 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 access-controlled 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 initial and ultimate development. Conditions should be added to the permit that require 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 this 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. Caltrans 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.

For an authorized driveway or private road approach encroachment, it is the responsibility of the permittee to maintain the authorized encroachment including but not limited to any associated facilities installed or constructed to meet their access needs such as conduits, culverts, other drainage facilities, retaining walls, curb, gutter, sidewalks, etc. If the permittee sells the property to which driveway or private road approach encroachment was authorized, the new property owner must apply for and obtain their own encroachment permit. Please refer to Volume I, Chapter Y of the Caltrans Maintenance Manual for additional information regarding privately-owned and public road approaches.

510.1 Commercial Driveways

Permit Code RC

RC permits authorize driveways for service stations and other commercial establishments. Access from the State highway also is discussed in the Caltrans Highway Design Manual. A clear distance of at least ten (10) feet 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 must comply with the current Design Information Bulletin 82 (DIB 82). Americans with Disabilities Act (ADA) certification is required (see Section 500A and Chapter 200).

Permits must not be issued for servicing vehicles parked within State highway right-of-way. These establishments should be set back on private property to allow for service outside the State highway 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 (CTC) 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 CTC 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 access-controlled highways are handled as State highway 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 Caltrans Highway Design Manual are condensed. Complete and detailed procedures for review and approval by the CTC are described in Caltrans Project Development Procedures Manual.

510.4 Single Family and Agricultural Driveways

Permit Code RS

RS permits authorize the 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 the Caltrans Highway Design Manual. Districts can require additional standards to protect the highway and the public. Proposals located in areas having curbs, gutters, and sidewalks must conform to the Standard Plans. The Americans with Disabilities Act (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 out of the project scope.

Rural driveways connecting to State highways must be paved a minimum of twenty (20) feet from the edge of shoulder or to the edge of State right-of-way, whichever is less to minimize or eliminate gravel from being scattered on the highway and to provide a paved surface for vehicles and bicycles to accelerate and merge. Where larger design vehicles are using the driveway (e.g., dump trucks, flatbed trucks, moving vans, etc.), extend paving so the drive wheels will be on a paved surface when accelerating onto the roadway.

Districts may encourage but cannot require additional pavement. Unless asphalt concrete 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 Intergovernmental Review Coordinator to the District Encroachment Permits 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 must 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. Typical rural driveways with unimproved frontage on conventional State highways must conform to guidelines 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. Approval of exceptions for responsibilities that have not been delegated to the districts will be made by the Chief, Office of Project Support. Approval of exceptions for responsibilities that have been delegated to the districts will be made by the appropriate district representative as outlines in the district's design delegation agreement.

2. Design of urban driveways with improved frontage and access openings on expressways must 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. Americans with Disabilities Act (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.

Riders to modify authorized work or for time extensions must be requested by the permittee and issued by Caltrans prior to the expiration date of the original permit. Similarly, Caltrans initiated riders must be issued prior to the expiration date of the original permit. If a permit has expired, the permittee is required to stop all work and must obtain a new permit prior to resuming work.

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 have a tracking number and be cross-referenced to the original permit.

511.1 Rider Initiated by Caltrans (Rev. 09/2023)

Permit Code RD

RD permit riders may be initiated by Caltrans to modify permit requirements. The rider also can concurrently extend permit expiration. Americans with Disabilities Act (ADA) certification is required if the proposed work modification creates,

alters, or affects any pedestrian facilities (see Section 500A and Chapter 200). Riders should not be initiated solely to change the name of a permit inspector; that change is made in CEPS and emailed to the permittee.

When a permittee requests to cancel a permit before starting work, the permit file should be reviewed, final bill or refund should be sent (if required), and then 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 (2) time extension riders may be issued; each extension should be for a maximum of ninety (90) calendar 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 District Encroachment Permits Office should ensure that the requested time extension would not affect planned maintenance or construction by Caltrans. Also, projects with a U. S. Environmental Protection Agency Rainfall Erosivity Waiver certification require a new certificate or a Storm Water Pollution Prevention Plan. Do not issue the time extension until a Waste Discharger Identification is submitted (see Chapter 400). Time expended to coordinate a permittee's request when it affects Caltrans work is charged to the permittee before the rider is issued.

511.3 Rider to Modify Work (Rev. 09/2023)

Permit Code RW

RW permit riders are issued at the permittee's request to modify work and to allow contractor's submittals (see Section 501.14) only after review and approval by appropriate Caltrans units. To apply for a rider to modify work, follow the same process as applying for the original permit: submit a completed and signed "Standard Encroachment Permit Application" (form TR-0100), supporting documentation, and applicable fees.

Generally, the modification must be an integral part of work authorized under the original permit. Reviews for modified work or contractor's submittals are coordinated in the same way as permit applications. American with Disabilities Act (ADA) certification is required if proposed work modification creates, alters, or affects any pedestrian facilities (see Section 500A 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 for permits that are not fee exempt by law or Caltrans policy. 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

RX permits are fee-exempt permits 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 railroad 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 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 State highway easement, e.g., adds new tracks within the easement, the railroad company or its subsidiaries or affiliated companies must 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 must have designated across its face the words "For Notice and Record Purposes Only," which approval must 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, must 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 ensure 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 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 Design 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 State highway right-of-way. As a condition of early entry, a contractor must have bonds (see 203.4 Surety Bonds for explanation on accepted 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 (form TR-0113). 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 California 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 Division of Right-of-Way with an encroachment permit.

514 SPECIAL EVENTS

Permit Code SE

SE permits are permits for "special events." 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 definitive 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 HQ Encroachment Permits.

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 HQ Encroachment Permits and a single permit is issued by the lead District after coordination with the other district(s).

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

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

For special events happening outside the state highway but require traffic control on the state highway system, a traffic control permit needs to be obtained from Caltrans. See Section 517 for more information on Traffic Control permit.

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 Caltrans Traffic Operations unit as an incident-response, as for example, high-density traffic before and after a major football game.

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

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

Caltrans authority to issue encroachment permits for special events on State highways is derived from the California Streets and Highways Code, Sections 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 [Caltrans] 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 [Caltrans].

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?
- Is this a competitive event based on gender? Is there any prize compensation for participants? Is the compensation identical for each gendered category at each participant level?
- 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

The applicant is encouraged to consult with District encroachment permit staff as early as possible. For events restricted to one or two districts, the applicant must apply at least eight weeks prior to the event date. Events encompassing more than two districts, the applicant should submit the complete package for review and approval at least sixteen (16) weeks prior to the event date to facilitate timely approval. Lack of *early* coordination with Caltrans and the California Highway Patrol (CHP) could result in the denial of an applicant's encroachment permit for the special event.

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 must 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. The following clause must 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 must 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 seven (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 must 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 must 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 must be documented.

Caltrans issues encroachment permits to cities, counties, and nonprofit organizations for special events and cooperates with a special event sponsor but must 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 - Resolutions).
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 must 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 must define the route for event participants and include the detour plan.

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

Prize Compensation Requirements:

If the event awards prize compensation to competitors in gendered categories, the Permittee is required to ensure and certify that the prize compensation is identical for each gendered category at each participant level (California Streets and Highways Code, Section 682.7).

The Permittee is responsible for responding to all claims and/or complaints related to prize compensation for all gendered categories at each participant level. The Permittee must substantiate and show that the prize compensation for each gendered category was identical for the competitors at each participant level receiving prize compensation upon request. Should the Permittee fail to demonstrate compliance with gender equity, the subsequent event permit requests will be denied until demonstration of compliance is satisfactory.

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 Sections 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 five (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 highway right-of-way (see Section 514.6) unless vending is an incidental part of the special event (authorized under Section 682.5 of the California 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 within access-controlled right-of-way or on toll bridges.

Written approval by the Chief or delegated representative, Division of Traffic Operations is required before issuing a permit for Category 1 events. HQ Encroachment Permits obtains

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

Headquarters approval is required for any event or activity on access-controlled 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 delegated representative may approve encroachment permits on conventional highways.

514.4 Special Events within Access-Controlled Right-of-Way, Toll Bridges, and the Interstate System

Special events are normally banned from access-controlled State highway right-of-way 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 access-controlled State highways.

The Federal Highway Administration (FHWA) approval is required for special events that encroach within interstate highway right-of-way and not required for non-interstate highways. The permit engineer should obtain FHWA approval for all such permit requests after obtaining all necessary internal Caltrans approvals (see Section 205.3).

The policy of the 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 at:

<https://www.fhwa.dot.gov/cadiv/directory.cfm>

514.5 Joint Policy Guidelines for Special Events

Caltrans and the California Highway Patrol (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 – Special Provisions).

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 must submit a completed encroachment package for a special event permit to Caltrans for review and approval. The package must include the materials listed in Table 5.23.

Table 5.23
Encroachment Package for Special Events Permits

Encroachment Package for Special Events Permits. The final encroachment package submitted to Caltrans by the applicant must 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. Fully completed and signed "Encroachment Permit Application Checklist – Special Events" (form TR-0410).
6. A certificate of liability insurance naming the State of California, California Department of Transportation, the directors, officers, employees, and/or

agents of the State of California and/or of the California Department of Transportation 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 for Low and Medium Risk events (as defined in Section 514.7 below). Insurance requirements for “High Risk” events will be determined by HQ Legal on a case-by-case basis.

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 California Streets and Highways 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 Caltrans is sought.

Caltrans encroachment 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 two-hundred fifty (250) people.
- Expected spectator draw is less than two thousand (2,000) people.
- 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 two-hundred fifty (250) and five hundred (500) people.
- Expected spectator draw is between two thousand (2,000) and five thousand (5,000) people.
- 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 access-controlled 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 five hundred (500) people.
- Expected spectator draw is greater than two thousand (5,000) people.

- Grandstands, bleachers or other structures for spectators, participants, or officials are erected within State highway 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. Access-controlled State highway right-of-way ramp closures normally do not require insurance for special events occurring outside the State highway right-of-way.

Table 5.24 indicates the general criteria for the three risk categories. When the risk of an event is believed to be unusual, the Districts should contact HQ Legal Division to obtain an insurance amount beyond those indicated in Table 5.24. District Permit Engineers should review high-risk special events and present the information to HQ Legal Division. Caltrans Legal will establish an insurance amount.

**Table 5.24
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 HQ Legal Division regarding amounts for dual-limit and single-limit bodily injury and property damage.

515 SIGNALS AND LIGHTING

Permit Code SN

SN permits are for new or modified traffic signals and street lighting. The Caltrans District must 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 one million dollars (\$1,000,000) or less.

Americans with Disabilities Act (ADA) certification is required (see Section 500A 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 must meet warrants and require agreements for cost and maintenance. Permits for these installations are issued only when a Permit Engineering Evaluation Report or project report is approved, and final plans are signed by a California 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 must conform to the latest 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 within the State highway 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 Operations 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 Operations unit. If roadwork is involved, the entire package must be reviewed by Traffic Operations 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 District Encroachment Permits Office with one (1) twenty (20) feet (1: 240) scale reproducible film and an electronic copy of as-built plans within thirty (30) calendar days after completing authorized work.

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

Minimum Plan Requirements for Signals, Lighting, and Electrical Systems. Plans for signals, lighting, and electrical systems must comply with these minimum requirements:

1. Separate twenty (20) feet (1: 240) scale plans on standard layout sheets twenty-two inches by thirty-four inches (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) must 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. Americans with Disabilities Act (ADA) certification is required (see Section 500A and Chapter 200).

515.2 Traffic Signal Controller Assemblies

Caltrans provides Traffic Signal Controllers Assemblies for encroachment permit projects on State highways. This policy applies to each new and existing traffic signal including those at the intersection of access-controlled State highway right-of-way 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 must be reimbursed for the controller assembly, inspection, delivery, and installation costs. For additional information, see "Guidelines for Traffic Signal Controllers and Inspection" in Appendix E and "Traffic Signal Controller Assembly" Special Provisions in Appendix K.

515.3 Payment for Traffic Signal Control Equipment

When Caltrans supplies equipment for signalization projects, the cost of this equipment must 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. For additional information, see the "Guidelines for Traffic Signal Controllers and Inspection" in Appendix E and "Traffic Signal Controller Assembly" Special Provisions in Appendix K.

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 Federal Highway Administration. 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 Traffic Collision Reconstruction

Generally, Caltrans policy is to prohibit traffic collision reconstruction on State highways because of concerns about traffic impacts and liability.

Encroachment permits must not be issued for traffic collision reconstruction except upon written recommendation by Caltrans Legal staff, or when required by court order. A court order allowing traffic collision reconstruction does not exempt investigators from encroachment permit requirements. Table 5.26 outlines guidelines for issuing permits for traffic collision reconstruction surveys.

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

Table 5.26

Guidelines for Issuing Permits for Traffic Collision Reconstruction Surveys

Permits authorizing traffic collision reconstruction surveys must conform to these guidelines:

1. Applications for traffic collision 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, California Department of Transportation, the directors, officers, employees, and/or agents of the State of California

and/or of the California Department of Transportation as additionally insured.

2. Upon receipt of an application, the permit engineer must request recommendations from District Legal.
3. Highway closures and detours must 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 must be placed a minimum of seven (7) calendar 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 traffic collision reconstruction special provisions must be attached to the permit, and permit text must contain District special requirements. The traffic collision reconstruction special provisions are located in Appendix K.
9. Estimated costs incurred by Caltrans must be collected from the permittee before permit issuance.

516.3 Archaeological Surveys

Permits for archaeological surveys within State highway 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 Operations units often involved also.

Traffic and pedestrian safety are 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 ancient artifacts 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 access-controlled State highway right-of-way are authorized only for future State highway improvements and only for specific projects and locations. Encroachment permits must specify the work involved and list a specific location for the work. Encroachment permits are not issued to cover numerous, and varying work site locations. Multi-year (annuals) survey encroachment permits are not authorized for State highway access-controlled right-of-way, except for State highway improvements funded by local agencies.

Encroachment permits for private surveys within access-controlled State highway right-of-way are issued only for proposed State highway improvements or for data collection but only when District Land Surveys cannot provide the required information from within State highway right-of-way to the private surveyors within a reasonable amount of time. All survey encroachment permits on conventional State highways must include unaltered Special Provisions. Districts must cooperate with private surveyors by furnishing necessary information and survey reference points as needed to avoid work within access-controlled State highway 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, must include a Traffic Management Plan measures approved by District Caltrans Traffic Operations.

All encroachment permits involving land surveying must 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, must be constructed in accordance with Caltrans Standard Specification Section 78-2,

'Survey 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, access-controlled right-of-way on ramps, etc.) is allowable provided the survey is beneficial to Caltrans. Surveys conducted for non-transportation purposes do not qualify. Organizations applying for an encroachment permit must meet the conditions listed below (all exceptions are forwarded to HQ Encroachment Permits):

1. The method of questionnaire distribution must be such as to minimize traffic impact.
2. The applicant must obtain a policy of liability insurance naming the State as additional insured before permit issuance. HQ Legal Division determines the policy amount.
3. Person(s) distributing questionnaires at toll bridges must be positioned at a location designated by the toll sergeant or as described in the encroachment permit.
4. The California Highway Patrol must be notified when surveys are conducted within access-controlled State highway right-of-way on ramps.
5. Distribution or collection is not allowed at State highway 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 access-controlled State highway right-of-way when: any personnel or stopped vehicles are within the limits of the access-controlled State highway 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). Encroachment 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 encroachment 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 encroachment permit costs and to post a bond (see 203.4 Surety Bonds for explanation on accepted bonds) when there is a potential for damage to the highway.

Table 5.27
Conditions for Research Projects Funded by FHWA

Conditions for Research Projects Funded by FHWA. Research projects funded by FHWA are subject to these conditions:

Safety Equipment

- Safety equipment must conform to provisions of Caltrans Safety Manual.

Traffic Operations

- The contractor, as part of the research project, must 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 must not have activated rooftop flashing lights. They must not be parked on traffic lanes and must be parked off the paved shoulder where practical.
- The contractor's work must be done according to conditions of the Maintenance Manual, except when the encroachment permit provides other restrictions.
- Work on lanes and crossing of access-controlled right-of-way lanes usually must 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 must not be closer than six (6) 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 must have one shovel per vehicle when any work is performed in grass, brush, or forests during the dry season.
- Vehicles must 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 State highway surfaces where equipment and work do not affect public State highway use. Encroachment permit inspectors should monitor access to locations within access-controlled State highway right-of-way and require traffic control or shoulder closures for work next to shoulders or the traveled way. This encroachment permit may be issued as a biennial.

516.8 Traffic Counts

Encroachment permits for traffic counts are issued to public agencies and engineering firms for work on conventional State highways and at State highway access-controlled right-of-way ramp terminals. District Traffic Operations staff can provide the most recent information available for State count locations, thereby avoiding excessive counting. Traffic Operations reviews ensure that unsafe practices or locations are not used for counting traffic. The encroachment permit may be issued as a biennial (every two years).

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 must 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.

516.9 Unmanned Aircraft Systems (UAS)

The use of UAS is authorized within the State Highway System (SHS) right-of-way under Deputy Directive 118 (DD-118). In this manual an UAS is an all-encompassing term that refers to an unmanned aircraft, its ground-based controller, and the system of communication connecting the two. It is defined by statute as an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft (Public Law 112-95, Section 331(8)). Only small UAS (weighing less than fifty-five (55) pounds on takeoff, including everything that is on board or otherwise attached to the aircraft) may be permitted for use within the SHS.

While the Federal Aviation Administration (FAA) has exclusive regulatory authority over UAS operations, as well as civilian airspace, (which includes the airspace over the SHS right-of-way), an encroachment permit from Caltrans is required before launching from or landing a UAS within the SHS right-of-way, and before entering the SHS right-of-way to operate or participate in UAS related activities. Regardless of where the operators (remote pilot, visual observer, support personnel) are physically located or where the UAS is flown, operators are required to comply with all federal and State laws, and local ordinances. An encroachment permit is not required for flying a UAS over the SHS right-of-way if operators, launching, and landing, are all outside the SHS right-of-way.

To mitigate driver distraction, UAS should not be flown lower than one hundred (100) feet above the ground. Launching and landing must be at least fifty (50) feet from the edge of State highway traveled way unless Intermittent Traffic Control (rolling break) closure is implemented. UAS operators should be as far as possible from the edge of State highway travelled way while operating UAS and as close to the right-of-way property line as possible.

UAS operations within SHS right-of-way may be permitted only when associated with authorized construction work or other permitted activities such as filming, special events, surveys, or traffic collision reconstruction work. UAS operations for other purposes, such as recreation, private, or business uses are prohibited within the SHS right-of-way.

UAS encroachment permit requests associated with Caltrans capital projects or Architectural & Engineering (A&E) contracts are to be managed as administrative permits (see Section 500 Administrative Encroachment Permits) with respective project leads (Design, Construction, or A&E Contract Manager) providing oversight responsibilities.

All permitted UAS operation activities must comply with the Caltrans UAS Operations Handbook (Handbook), which provides procedures and requirements to conduct UAS operations within the SHS right-of-way. The Handbook can be accessed at the Division of Aeronautics internal website. The Encroachment Permit Special Provisions for Unmanned Aircraft Systems (UAS) Operation must be attached to every encroachment permit issued for UAS operations.

In addition to supporting documents, applicants must provide a completed Unmanned Aircraft Systems (UAS) Operation Data (form TR-0414) and proof of insurance (see the Handbook) with their Encroachment Permit Application Package. After the project is complete, the permittee must provide an UAS Post Operation Data (form TR 0415) before the project can be accepted as complete by the State representative.

517 TRAFFIC CONTROL AND TEMPORARY SIGNALS AND SIGNS

Permit Code TK

TK permits are issued for traffic control measures (signing, temporary signals, ramp closures, etc.). These 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.

Americans with Disabilities Act (ADA) certification is required (see Section 500A 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 highway 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 State highway are minimized. Signing standards for traffic control must conform to the Caltrans

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 State highway 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 State 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 must 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 jacked and bored 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. Access-controlled right-of-way is 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 (2) business days advance notice to the State representative. If requested, checkpoint information furnished is confidential and the encroachment permit must be stamped confidential.

Law enforcement agencies must first consult with the CHP and get their concurrence for the checkpoint operation before District Traffic Operations 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 must 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 Caltrans Standard Specifications are required. Sign messages shown in T-11 may be modified to address the operation.

517.4A Charitable Solicitations

The Senate Bill (SB) 582 in 2007 modified the California Business and Professions Code, Section 17510.25 to authorize charitable solicitations on City and County public roadways. State highways were not included in this legislation. Caltrans 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 Caltrans a minimum of forty (40) calendar days prior to the proposed solicitation.
2. A certificate of liability insurance naming the State of California, California Department of Transportation, the directors, officers, employees, and/or agents of the State of California and/or of the California Department of Transportation as additional insured in the amount determined by the District Permit Engineer (minimum one million dollars (\$1,000,000)).
 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 must 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 California 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 Caltrans must be held prior to the issuance of the encroachment 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 four (4) permits for the same activity at the same location must be issued in any calendar year (California Streets and Highways Code, Section 682.5).
 11. Charitable solicitation must not be performed within access-controlled highway right-of-way 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 highway right-of-way or for using snow removal equipment to keep the State 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 encroachment 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 must 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 encroachment 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 within the State highway 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 must be reviewed and approved by the District Traffic Operations unit. They must be placed and removed by the permittee at no cost to Caltrans and be covered until they are needed for actual event traffic. They must 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 one million dollars (\$1,000,000) or more and contract duration of fifty (50) or more working days. One sign in each direction must be placed near the limits of each qualifying project. The sign format, message content, and letter size must 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 must 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. Caltrans 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 encroachment permits for these signs at no charge, and inspection is performed by the resident engineer. The contractor and resident engineer are responsible for notifying the District Encroachment Permits Office and other District staff for implementing Caltrans Standard Specifications, Section 7-1.04.

518 TUNNEL UNDER ROAD

Permit Code TN

TN permits are issued for the purpose of tunneling. A tunnel is defined as any jacked casing, liner plate, or wood lagging work that is thirty (30) inches in diameter or larger. The Division of Occupational Safety and Health (DOSH), better known as Cal/OSHA is a permitting agent. A Cal-OSHA permit and tunnel classification is required for tunnels.

Tunneling must conform to the requirements for jacked and bored pipe (Section 603.6A) and the additional requirements listed in Table 5.29. All tunnels (except for jacked casings) must be reviewed by Structure Maintenance & Investigations. Two soils reports must accompany the submittal.

Table 5.29
Requirements for Tunneling

Requirements for Tunneling: Tunneling must satisfy the requirements for jacked and bored pipe (see Section 603.6A) 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 must 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 discretion.
3. Caltrans may require sand shields as ground conditions change.

4. The method used to check the grade and alignment must be approved by Caltrans representative before work begins.
5. Pressure grouting for liner plates, rib and spilling, or rib and lagging tunnels must be at every eight (8) feet section or at the end of work shift before the next section is excavated. All grouting must 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 must be installed during working hours for running sand or super-saturated soil.

519 WALL

Permit Code WL

WL permits are issued for the purpose of constructing retaining walls and soundwalls. Retaining walls and soundwalls often are proposed by local agencies and developers as part of their work outside State highway right-of-way. Local agencies may perform advance construction of soundwalls within 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 highway right-of-way. Plans for construction within the State highway right-of-way are reviewed by District Project Development, Environmental, Landscape Architecture, Maintenance, and HQ Structures. Project plans should include access gates and fire hose openings. Caltrans must maintain soundwalls built within the State highway right-of-way. Structure Maintenance & Investigations 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 highway right-of-way. When access from outside State highway right-of-way is limited, Districts may allow work and materials storage within the State highway 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 must remove the fencing in front of the wall, set new end posts with bracing approximately four (4) inches 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 six (6) feet soundwall above ground surface (see Section 504).

520 GROUNDWATER MONITORING WELLS

Permit Code MW

WL permits are issued for the purpose of well monitoring. 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 within the State highway right-of-way is unavoidable, the underground storage tank owner or operator must 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 must 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. Encroachment permits may be issued for monitoring wells on conventional State highways located safely outside the traveled way when no reasonable alternative exists outside the right-of-way.
2. Permits may be issued for monitoring wells on access-controlled highway right-of-way if alternate locations or means of access are unavailable or impractical due to terrain or environmental constraints and where such use will not adversely affect safety or cause damage to the State highway. Temporary wells must be located such that access to the facility can be obtained by entering from a local road or private property. The

intent of this requirement is for the service vehicle to park outside of the State highway right-of-way.*

3. Encroachment permits are not issued for discharging treated groundwater or effluent into the State drainage systems*.
4. Encroachment 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.

Regional water quality control boards and county representatives oversee the testing well operation, abandonment, and compliance with the California Department of Water Resources' standards.

A maximum expiration date of five (5) years is to be used for MW permits. The permittee will need to reapply for a new MW permit (not a rider) as needed.

The owner of the required clean up must submit a minimum five thousand dollars (\$5,000) performance bond (see Section 203.4) prior to permit issuance.

See the following sections for Signs that are installed through encroachment permits but not covered in this section:

- Adopt-A-Highway sign (see Section 500.1)
- Gateway Monument or Community Identification (see Section 500.2)

521 SIGNS

Permit Code SI

521.1 Signs to Local Interest

Destinations Signs to a public or nonprofit facility; Community Wayfinding Signs that direct tourists and other road users to key civic, cultural, visitor, and recreational attractions and other destinations within a city or a local urbanized or downtown area; distinctive type city limits or "Welcome" signs; "Radio Information Signing;" "Recreational and Cultural Interest Area Signs" to major rural recreational areas can be facilitated through encroachment permits.

Policies governing placement of such signs are located in the California Manual on Uniform Traffic Control Devices (CA MUTCD) and only agencies specified in CA MUTCD for each type of such signs can apply for an encroachment permit. 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.

All above signs must meet the color, size, shape, text, symbol, and construction requirements listed on the California Sign Specification Drawings or Standard Highway Signs published by Federal Highway Administration (FHWA). Details can be found at:

<https://dot.ca.gov/programs/safety-programs/sign-specs>

https://mutcd.fhwa.dot.gov/ser-shs_millennium.htm

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. Sign panels should be clearly marked as to city or county ownership. Americans with Disabilities Act (ADA) certification may be required if supports are placed in an access route (see Section 500A 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 must 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 California State Board of Fire Services - May 1988). Additional guidance is presented in the California Manual on Uniform Traffic Control Devices, Section 3B.11 and 2I.03.

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 signposts conforming to current State Standard Plans are required.