

ENCROACHMENT PERMIT

DOT TR-0120 (REV 05/2023)

Permit No.
05-23-N-OP-0425In compliance with your application of July 27, 2023Dist/Co/Rte/PM
05/SLO/101/PM R20.9-R21.3-Var

Reference Documents:

- Utility Notice No. _____ of _____
- Agreement No. 05-0431 of _____
- R/W Contract No. _____ of _____
- Project code (ID): 0515000038 CFC #: _____
- Applicant's Reference/ Utility Work Order No. Avila Beach Drive R

Permit Approval Date
July 27, 2023

Performance Bond Amount (1)	Payment Bond Amount (2)
\$0	\$0

Bond Company
\$ N/A

Bond Number (1)	Bond Number (2)
\$ N/A	\$ N/A

TO: County of San Luis Obispo
C/O: Aaron Yonker Project Manager
976 Osos Street, Room 207
San Luis Obispo, CA 93408
(805)781-4644

, PERMITEE

and subject to the following, PERMISSION IS HEREBY GRANTED to:

The project is located in San Luis Obispo County at Route 101 intersection at Avila Beach Drive. The County of San Luis Obispo (County) in cooperation with the San Luis Obispo Council of Governments (SLOCOG) and the California Department of Transportation (Caltrans) propose to address traffic operational deficiencies and improve multimodal access at the US 101/Avila Beach Drive interchange. The project would replace the two-way Stop-controlled southbound (SB) ramp terminal intersection with a single-lane roundabout. The project would include roundabout warning signs towards the terminus of the northbound (NB) off-ramp as well as the eastbound roundabout approach and a park-and-ride lot at the southwest corner of Avila Beach Drive and Shell Beach Road. Shell Beach Road and the southbound ramps will be realigned to intersect in the roundabout. The roundabout design includes median islands with pedestrian refuges at the crosswalks and shared-use paths offset from the roundabout using a landscaped buffer. A central island in the center of the roundabout features a truck apron for the off-tracking of the back tires of truck trailers. Beneath the US 101 Freeway, the shared-use path will be separated from Avila Beach Drive behind the bridge support columns. The abutment fill will be retained with retaining walls. Between the southbound ramps and the US 101 mainline retaining walls will be required due to the realignment of the ramps. The park-and-ride lot will have access openings on Avila Beach Drive and Shell Beach Road and will provide multi modal accessibility. This lot will accommodate a transit stop for the Avila-Pismo Beach Trolley and a San Luis Obispo Reginal Transit Authority (SLORTA) bus. This improvement provides acceptable levels of service for the 20-year design life of the

THIS PERMIT IS NOT A PROPERTY RIGHT AND DOES NOT TRANSFER WITH THE PROPERTY TO A NEW OWNER.

The following attachments are also included as part of this permit (check applicable):

- YES NO General Provisions
- YES NO Utility Maintenance Provisions
- YES NO Storm Water Special Provisions
- YES NO Special Provisions
- YES NO A Cal-OSHA Permit, if required: Permit No. _____
- YES NO As-Built Plans Submittal Route Slip for Locally Advertised Projects
- YES NO Storm Water Pollution Protection Plan

In addition to fee, the permittee will be billed actual costs for:

- YES NO Review
- YES NO Inspection
- YES Field Work
(if any Caltrans effort expended)

As-built Plans are Required

- YES NO

 YES NO The information in the environmental documentation has been reviewed and considered prior to approval of this permit.This permit is void unless the work is completed before July 27, 2025

This permit is to be strictly construed and no other work other than specifically mentioned is hereby authorized.

No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

CC:
#1:
#2:
#3:
#4:

APPROVED:

Scott Eades, District Director

BY

Valerie Beard
Valerie Beard (Jul 27, 2023 15:01 PDT)

VALERIE BEARD, District Permit Engineer

ADA Notice

This document is available in alternative accessible formats. For more information, please contact the Forms Management Unit at (279) 234-2284, TTY 711, in writing at Forms Management Unit, 1120 N Street, MS-89, Sacramento, CA 95814, or by email at Forms.Management.Unit@dot.ca.gov.

California Department of Transportation

Encroachment Permits Office
50 HIGUERA STREET | SAN LUIS OBISPO, CA 93401-5415
PHONE (805) 549-3152 | FAX (805) 549-3062 | TTY 711
<http://www.dot.ca.gov/dist05>



7/27/2023

05-SLO-101-PM 20.9-21.3
05-23-N-OP-0435

County of San Luis Obispo
Attn: Aaron Yonker
976 Osos Street, Room 207
San Luis Obispo, CA 93408

Dear Aaron Yonker:

Attached is your encroachment permit that allows you to proceed with construction under Cooperative Agreement #05-0431. County of San Luis Obispo is responsible to administer the construction contract in accordance with the following publications:

CALTRANS CONSTRUCTION MANUAL: <http://www.dot.ca.gov/hq/construc/constmanual>

CONSTRUCTION MANUAL SUPPLEMENT FOR LOCAL AGENCY RESIDENT ENGINEERS:
<https://dot.ca.gov/-/media/dot-media/programs/construction/documents/policies-procedures-publications/construction-manual/cm-supplement-lare-a11y.pdf>

and the OVERSIGHT RESIDENT ENGINEER GUIDELINES: <https://dot.ca.gov/-/media/dot-media/programs/construction/documents/policies-procedures-publications/oversightguidelines.pdf>

Pursuant to the Executive Department, State of California, Proclamation of a State of Emergency, signed on October 27, 2019, and under the direction of the Office of Emergency Services and the State Emergency Plan, work authorized by this permit will be suspended when a planned Public Safety Power Shutoff (PSPS) notification is in effect. Unless Permittee has obtained special approval from the Director of Caltrans or his assigns to work during a PSPS event, Permittee must stop work and make all traveled ways and roadsides safe for public travel and emergency services if notified by the Director of Caltrans or his assigns.

DO NOT BEGIN WORK UNTIL YOU HAVE FIRST REVIEWED THE ENCROACHMENT PERMIT AND COOPERATIVE AGREEMENT CAREFULLY AND COMPLETELY AND HAVE CONTACTED THE STATE REPRESENTATIVE LISTED IN THE ENCROACHMENT PERMIT. If you have any questions or need assistance, please do not hesitate to contact the Caltrans Oversight Engineer listed in the encroachment permit, or me at (805) 549-3152.

Sincerely,

A handwritten signature in black ink that reads 'Alan Kwong'.

for
VALERIE BEARD, PE
District Permit Engineer

Caltrans District 5 Permit Provisions
County of San Luis Obispo
05-23-N-OP-0435
05-SLO-101-PM 20.9-21.3
Page 1 of 5

Work authorized under this permit:

The project is located in San Luis Obispo County at Route 101 intersection at Avila Beach Drive. The County of San Luis Obispo (County) in cooperation with the San Luis Obispo Council of Governments (SLOCOG) and the California Department of Transportation (Caltrans) propose to address traffic operational deficiencies and improve multimodal access at the US 101/Avila Beach Drive interchange. The project would replace the two-way Stop-controlled southbound (SB) ramp terminal intersection with a single-lane roundabout. The project would include roundabout warning signs towards the terminus of the northbound (NB) off-ramp as well as the eastbound roundabout approach and a park-and-ride lot at the southwest corner of Avila Beach Drive and Shell Beach Road. Shell Beach Road and the southbound ramps will be realigned to intersect in the roundabout. The roundabout design includes median islands with pedestrian refuges at the crosswalks and shared-use paths offset from the roundabout using a landscaped buffer. A central island in the center of the roundabout features a truck apron for the off-tracking of the back tires of truck trailers. Beneath the US 101 Freeway, the shared-use path will be separated from Avila Beach Drive behind the bridge support columns. The abutment fill will be retained with retaining walls. Between the southbound ramps and the US 101 mainline retaining walls will be required due to the realignment of the ramps. The park-and-ride lot will have access openings on Avila Beach Drive and Shell Beach Road and will provide multi modal accessibility. This lot will accommodate a transit stop for the Avila-Pismo Beach Trolley and a San Luis Obispo Reginal Transit Authority (SLORTA) bus. This improvement provides acceptable levels of service for the 20-year design life of the project, as documented in the traffic section of the project report. The project is implemented by the County, where they have consultants of choice for design (Wallace Group) and construction engineering/inspection (to be determined). The County will administer the construction advertising and contract. Caltrans has been involved throughout this project's time frame (Project Initiation Document (PSR-PDS)) to present) via the standard QMAP/Oversight EA 05-1G480 having reviewed and approved all interim/final submittals, including this 100% complete design package. As shown on the approved plans and as directed by the project specifications, cooperative agreement 05-0431, and permit provisions in US Highway 101 right of way between postmiles 20.9 and 21.3 in the County of San Luis Obispo.

Permit Distribution List:

Permit File
Al Reed - Inspector
Paul Valadao
Joshua Milton
Romano Verlengia
Ken Vomasse
Laura Ivey
Kevin Thorne
Saygunn Low

STATE OVERSIGHT ENGINEER

Permittee must contact the State Oversight Engineer listed below, no later than 30 days, or as noted in the project specifications, prior to commencing work.

Caltrans Oversight Engineer: Al Reed	Phone: (559) 977-4632
Email: al.reed@dot.ca.gov	Fax:

Notification requirements that will impact your work schedule:

1. **Changes to horizontal or vertical clearances;** minimum of 25-day advance notification.
2. **Lane closures:** completed "Weekly Traffic Update" form must be submitted by noon the Tuesday prior to date of proposed lane closure.
3. **Public Affairs:** completed "Public Affairs – Permitted Activity Notification"

form must be submitted by noon the Wednesday prior to begin activity date.

4. When work has been interrupted for more than five working days, the Permittee must notify the Caltrans Oversight Engineer a minimum of two working days prior to **restarting work**.

This issued encroachment permit is void unless the permitted activity or construction is completed by the void date shown on page 1 of this encroachment permit. The Permittee is solely responsible to keep track of the permit void date. All requests to extend this void date must be received by the District 5 Encroachment Permits Office while the encroachment permit is valid. Request for an extension received after the permit void date cannot be processed.

Pursuant to the Executive Department, State of California, Proclamation of a State of Emergency, signed on October 27, 2019, and under the direction of the Office of Emergency Services and the State Emergency Plan, work authorized by this permit will be suspended when a planned Public Safety Power Shutoff (PSPS) notification is in effect. Unless Permittee has obtained special approval from the Director of Caltrans or his assigns to work during a PSPS event, Permittee must stop work and make all traveled ways and roadsides safe for public travel and emergency services if notified by the Director of Caltrans or his assigns.

PLANS AND SPECIFICATIONS

The issuance of this permit by the District Encroachment Permit Office is based on an alternative Caltrans approval process documenting that this permit project has been reviewed by the applicable Caltrans functional units, is in compliance with Caltrans policies and guidelines, and the plans have been approved for construction. Any questions about the permitted plans or specifications should be directed to the California Licensed Engineer noted on the plans in coordination with the Caltrans Project Manager, Paul Valadao, (916) 764-9123.

CONDITIONS OF APPROVAL

1. All utility companies performing utility relocations associated with this permit are required to obtain individual utility relocation encroachment permits prior to performing any work. Utility relocation encroachment application package should be coordinated with the Permittee and/or Caltrans Right of Way Utilities.

2. The Caltrans Oversight Engineer has the authority to control all work within the State right of way or project scope to minimize conflicts and expedite the construction of the project. Confirm acceptable hours of operation with the Oversight Engineer before planning work or bidding the work to avoid conflicts, delays, or additional costs.
3. A new or amended freeway maintenance agreement (FMA) must be finalized prior to the acceptance of the completed project.
4. Caltrans acceptance of the payment and performance bonds, naming Caltrans as additional obligee, prior to starting construction.
5. Caltrans acceptance of the Construction Quality Management Plan prior to starting construction.
6. Caltrans acceptance of Form TR-0429, Encroachment Permit Applicant: Contractor(s) Authorization Form (Double Permit replacement) prior to starting construction.

PERMITEE AND PERMITEE'S PRIME CONTRACTOR(S)

Notwithstanding Encroachment Permit General Provision #4, the Permittee and Permittee's prime contractor(s) are required to complete, sign, and submit the attached **Encroachment Permit Applicant: Contractor(s) Authorization Form DOT TR-0429**, prior to the pre-construction meeting, to the Caltrans Oversight Engineer.

1. The form must reference permit number **05-23-N-OP-0425**.
2. A California licensed contractor, individual, or company under contract directly with the Permittee is considered a prime contractor for this encroachment permit.
3. **Each prime contractor must carry liability insurance in accordance with 2023 Caltrans Standard Specifications.**
4. If prime contractor(s) are replaced or added after the initial submission of Form DOT TR-0429, Permittee and Permittee's new prime contractor(s) must complete, sign, and submit another form with signatures to the Caltrans District 5 Encroachment Permits Office.
5. Work within the State right of way may not begin until the receipt and

approval of Form DOT TR-0429 by the Caltrans Oversight Engineer.

REQUIREMENT FOR INDEPENDENT RESIDENT ENGINEER

The Permittee must furnish a qualified field site engineer, subject to approval of Caltrans Oversight Engineer, independent of Permittee, design engineering company, and construction contractor to perform the function of Resident Engineer.

The Resident Engineer must be or possess:

- A State of California Licensed Civil Engineer.
- Responsible for inspection of all nighttime work hour phases of this project in accordance with this permit or as coordinated with the Caltrans Oversight Engineer.
- In control of construction work as shown on the approved plans and as directed by the encroachment permit provisions.
- Personally available, whenever construction work is in progress.
- Demonstrated experience in traffic safety, construction area traffic control, Caltrans highway design, and Caltrans highway operations.

The Permittee must provide a qualified Resident Engineer and/or consultant forces to administer the construction contract regulations, policies, procedures, manuals, standard plans and specification, and other standards including compliance with any Federal Highway Administration (FHWA) requirements. Said Resident Engineer is to be subject to ongoing review and approval by Caltrans. Permittee's inspection duties may include, but not limited to, construction surveys, soils and foundation tests, measurement, and computation of quantities, testing of construction materials, checking shop drawings, preparation of estimates and reports, preparation of "as-built" drawings, and other inspection and staff services necessary to assure that the construction is being performed in accordance with the plans and specifications.

The State reserves the right to review and oversee all operations. The Resident Engineer must be responsible and must fully cooperate with the State's Inspector in assuring compliance of the Permittee's Contractor with Caltrans specifications, standards, manuals, and temporary traffic control.

The Resident Engineer must use the attached ENCROACHMENT PERMIT REPORT, form TR-0130 (5/94), and PROGRESS BILLING/PERMIT CLOSURE, form TR-0129 (7/2013), to report on the work progress. Similar forms may be used in lieu of the Caltrans forms if approved by the State Permit Inspector. These forms must be submitted to the State Permit Inspector along with the Completion Card, form FM 92 1546 M, any inspection tags, geotechnical test records, or Certificates of Compliance, at the end of the project.

PROJECT COMPLETION

As-Built Requirement

Upon completion of the project, the Permittee must submit "As-Built" plans to the Caltrans Oversight Engineer.

Immediately following completion of the work permitted herein, the Permittee must fill out and send by email the Notice of Completion attached to this permit.

THANK YOU!

At the completion of the permitted work, please complete the form below and submit an electronic copy of this page sent by email to alan.kwong@dot.ca.gov.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION

NOTICE OF COMPLETION

TR-0128 (REV. 6/2001) CT #7541-5529-1

PERMIT # 05-23-N-OP-0435

Caltrans Oversight Engineer: Al Reed

Dear Sir or Madam:

All work authorized by the above numbered permit was completed on:

DATE: _____

SIGNATURE OF PERMITTEE: _____

County of San Luis Obispo

FM 92 1546 M

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For alternate format information, contact the Forms Management Unit at (916) 445-1233, TTY 711, or write to Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814

Memorandum

To: Al Reed

Date: July 27, 2023

File: Permit #05-23-N-OP-0435
05-SLO-101-PM 20.9-21.3



for

VALERIE BEARD, PE

From: DEPARTMENT OF TRANSPORTATION
Encroachment Permits Office

Subject: **Permit Inspection**

Attached is the encroachment permit issued to allow the County of San Luis Obispo to conditionally begin work under Cooperative Agreement #05-0431. Caltrans Construction Department is responsible for construction Independent Quality Assurance - oversight (IQA) activities as specified in the Cooperative Agreement and per the Oversight Resident Engineer Guidelines, Caltrans Construction Manuals, policies, and directives."

All IQA (oversight and inspection) activities must be charged to the project expense authorization (E.A.), #05-1G480, 0515000038. Any questions concerning the appropriate E.A. phase for this project should be addressed to the Caltrans Project Manager, Paul Valadao, (916) 764-9123.

The County of San Luis Obispo per Cooperative Agreement #05-0431 is responsible to administer the construction contract in accordance with Construction Manual Supplement for Local Agency Resident Engineers. Please make sure the local agency's resident engineer receives a copy at your pre-construction conference with them.

Construction Department is responsible for filing all project records, including As-Built Plans (Record Drawings) in accordance with Chapter 5 of the Construction Manual (Project Records and Reports) and Chapter 7, Section 1) of the Project Procedures Manual (Uniform File System).

Please fill out and sign the attached COMPLETION NOTICE and send in all DAILY PERMIT REPORT (Form TR 0130) forms, as soon as the work is satisfactorily completed, and the requirements of the Cooperative Agreement have been satisfied. Please do not hesitate to contact my staff or me if there is anything we can assist with.

PROGRESS BILLING/PERMIT CLOSURE

TR-0129 (REV. 07/2013)

UNIT NUMBER 1245	PERMIT NUMBER 05-23-N-OP-0435
DIST/CO/RTE/PM 05-SLO-101-PM 20.9-21.3	

WORK ORDER/REFERENCE NUMBER	RELATED PERMITS
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PERMITEE NAME
County of San Luis Obispo

DESCRIPTION OF WORK
The project is located in San Luis Obispo County at Route 101 intersection at Avila Beach Drive. The County of San Luis Obispo (County) in cooperation with the San Luis Obispo Council of Governments (SLOCOG) and the California Department of Transportation (Caltrans) propose to address traffic operational deficiencies and improve multimodal access at the US 101/Avila Beach Drive interchange. The project would replace the two-way Stop-controlled southbound (SB) ramp terminal intersection with a single-lane roundabout. The project would include roundabout warning signs towards the terminus of the northbound (NB) off-ramp as well as the eastbound roundabout approach and a park-and-ride lot at the southwest corner of Avila Beach Drive and Shell Beach Road. Shell Beach Road and the southbound ramps will be realigned to intersect in the roundabout. The roundabout design includes median islands with pedestrian refuges at the crosswalks and shared-use paths offset from the roundabout using a landscaped buffer. A central island in the center of the roundabout features a truck apron for the off-tracking of the back tires of truck trailers. Beneath the US 101 Freeway, the shared-use path will be separated from Avila Beach Drive behind the bridge support columns. The abutment fill will be retained with retaining walls. Between the southbound ramps and the US 101 mainline retaining walls will be required due to the realignment of the ramps. The park-and-ride lot will have access openings on Avila Beach Drive and Shell Beach Road and will provide multi modal accessibility. This lot will accommodate a transit stop for the Avila-Pismo Beach Trolley and a San Luis Obispo Regional Transit Authority (SLORTA) bus. This improvement provides acceptable levels of service for the 20-year design life of the project, as documented in the traffic section of the project report. The project is implemented by the County, where they have consultants of choice for design (Wallace Group) and construction engineering/inspection (to be determined). The County will administer the construction advertising and contract. Caltrans has been involved throughout this project's time frame (Project Initiation Document (PSR-PDS)) to present) via the standard QMAP/Oversight EA 05-1G480 having reviewed and approved all interim/final submittals, including this 100% complete design package. As shown on the approved plans and as directed by the project specifications, cooperative agreement 05-0431, and permit provisions in US Highway 101 right of way between postmiles 20.9 and 21.3 in the County of San Luis Obispo.

INSPECTOR'S COMMENTS

ACTUAL INSPECTION HOURS BY	PERMIT INSPECTOR AI Reed	CONSTRUCTION R.E.	OTHER CALTRANS UNITS
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- Completion Notice. To the best of my knowledge all work has been completed on (date) _____ in compliance with this permit.
- Y N N/A Required final project completion records for structures. Y N N/A Structure As-Built plans
- Y N N/A Required final project completion records for roadway. Y N N/A Roadway As-Built plans
- Progress Bill Quarter No.: _____
- Emailed **D5 Asset Manager** with Number of New or Reconstructed Curb Ramp(s)
- Permit Cancelled Work is not complete (explain) _____

INSPECTOR'S SIGNATURE	DATE
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FOR PERMIT OFFICE USE

- FINAL BILL RELEASE CASH DEPOSIT PERFORMANCE BOND ATTACHED
- PROGRESS BILL OTHER

Issue Date: July 27, 2023 **AK**

ACTUAL HOURS (NOT FOR BILLING)	BILLING / REFUND INFORMATION		
Review Hours	FEE TYPE: <input type="checkbox"/> SF <input type="checkbox"/> AX	Review	Hours @ \$ 0.00 = \$ 0.00
Inspection Hours	Inspection	Hours @ \$ 0.00 = \$ 0.00	
Field Work Hours	Field work	Hours @ TBD = \$	
COMMENTS:	Equipment / Materials = \$		
	TOTAL FEES = \$ 		
	FEE DEPOSIT PAID ON (Date)	\$	
	<input type="checkbox"/> Cash <input type="checkbox"/> Credit Card <input type="checkbox"/> Check (Check No.)		
	FEE DEPOSIT PAID ON (Date)	\$	
	<input type="checkbox"/> Cash <input type="checkbox"/> Credit Card <input type="checkbox"/> Check (Check No.)		
	TOTAL DEPOSITS = \$ 0.00		
	<input type="checkbox"/> Final Bill <input type="checkbox"/> BALANCE DUE	\$	
	<input type="checkbox"/> Progress Bill <input type="checkbox"/> REFUND	\$	
COPIES TO:	REFUND OF CASH DEPOSIT IN LIEU OF BOND \$ _____		
<input type="checkbox"/> Accounts Receivable	CASH DEPOSIT PAID ON (Date)		
<input type="checkbox"/> Local Agency (Agreement Work)	<input type="checkbox"/> Cash <input type="checkbox"/> Credit Card <input type="checkbox"/> Check (Check No.)		
<input type="checkbox"/> Maintenance			

NAME AND ADDRESS TO BE USED FOR BILLING/REFUND
County of San Luis Obispo, Attn: Aaron Yonker, 976 Osos Street, Room 207, San Luis Obispo, CA 93408

PERMIT ENGINEER for VALERIE BEARD, PE	PHONE NUMBER (805) 549-3206	DATE
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ENCROACHMENT PERMIT REPORT

TR-0130 (Rev 5/94)

Page of

Permit No. 05-23-N-OP-0435	YR - MO - DA
Dist/Co/Rte/PM 05-SLO-101-PM 20.9-21.3	Total Hours in This Report

SIGNATURE OF STATE REPRESENTATIVE

DATE

ADA Notice

For individuals with sensory disabilities, this document is available in alternate formats. For information call (916) 654-6410 or TDD (916) 654-3880 or write Records and Forms Management, 1120 N Street, MS-89, Sacramento, CA 95814.

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
STANDARD ENCROACHMENT PERMIT APPLICATION
 DOT TR-0100 (REV 05/2023)

Complete ALL fields, write "N/A" if not applicable. Type or print clearly.
 This application is not complete until all requirements have been approved.

Permission is requested to encroach on the State Highway right-of-way as follows:

1. COUNTY San Luis Obispo			2. ROUTE US 101		3. POST MILE 20.9/21.3	
4. ADDRESS OR STREET NAME On SHS via Oversight Project EA 05-1G480			5. CITY Avila Beach			
6. CROSS STREET (Distance and direction from project site) Avila Beach Drive Southbound Ramps with US 101						DATE OF SIMPLEX STAMP 07/26/2023
7. WORK TO BE PERFORMED BY <input checked="" type="checkbox"/> APPLICANT <input type="checkbox"/> CONTRACTOR			8. IS THIS APPLICATION FOR A RIDER? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES. If "YES", provide the Parent Permit Number			
9. ESTIMATE START DATE 9/1/2023 (EP needed by SLO Co. as to Advertise)			10. ESTIMATED COMPLETION DATE 09/01/2025			
11. ESTIMATED NUMBER OF WORKING DAYS WITHIN STATE HIGHWAY RIGHT-OF-WAY 250						
12. ESTIMATED CONSTRUCTION COSTS WITHIN STATE HIGHWAY RIGHT-OF-WAY \$7,500,000						
13. HAS THE PROJECT BEEN REVIEWED BY ANOTHER CALTRANS BRANCH? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES. If "YES", which branch? The entire Project Development Team as part of a Standard QMAP Project EA 05-1G480.						
14. FUNDING SOURCE(S) <input checked="" type="checkbox"/> FEDERAL <input checked="" type="checkbox"/> STATE <input checked="" type="checkbox"/> LOCAL <input type="checkbox"/> PRIVATE <input type="checkbox"/> SB 1 (ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017)						
15. CALTRANS PROJECT CODE (ID) 515000038 (EA 05-1G480, Caltrans Project Manager Paul Valadao)				16. APPLICANT'S REFERENCE / UTILITY WORK ORDER NUMBER N/A		

17. DESCRIBE WORK TO BE DONE WITHIN STATE HIGHWAY RIGHT-OF-WAY (in 20 lines or less)
 Attach 6 complete sets of plans (folded to 8.5" x 11") and any applicable specifications, calculations, maps, traffic control plans, etc.
 The project is located in San Luis Obispo County at Route 101 intersections at Avila Beach Drive. The County of San Luis Obispo (County) in cooperation with the San Luis Obispo Council of Governments (SLOCOG) and the California Department of Transportation (Caltrans) propose to address traffic operational deficiencies and improve multimodal access at the US 101/Avila Beach Drive interchange. The project would replace the two-way stop-controlled southbound (SB) ramp terminal intersection with a single-lane roundabout. The project would also include roundabout warning signs towards the terminus of the northbound (NB) off-ramp as well as the eastbound roundabout approach and a park-and-ride lot at the southwest corner of Avila Beach Drive and Shell Beach Road. Shell Beach Road and the southbound ramps will be realigned to intersect in the roundabout. The roundabout design includes median islands with pedestrian refuges at the crosswalks and shared-use paths offset from the roundabout using a landscaped buffer. A central island in the center of the roundabout features a truck apron for the off-tracking of the back tires of truck trailers. Beneath the US 101 freeway, the shared-use path will be separated from Avila Beach Drive behind the bridge support columns. The abutment fill will be retained with retaining walls. Between the southbound ramps and the US 101 mainline retaining walls will be required due to the realignment of the ramps. The park-and-ride lot will have access openings on Avila Beach Drive and Shell Beach Road and will provide multi-modal accessibility. This lot will accommodate a transit stop for the Avila-Pismo Beach Trolley and a San Luis Obispo Regional Transit Authority (SLORTA) bus. This improvement provides acceptable levels of service for the 20-year design life of the project, as documented in the traffic section of this report.

The project is implemented by the County, where they have consultants of choice for design (Wallace Group) and construction engineering/inspection (to be determined). The County will administer the construction advertising and contract. Caltrans has been involved throughout this project's time frame (Project Initiation Document (PSR-PDS)) to present) via the standard QMAP/Oversight Project EA 05-1G480 having reviewed and approved all interim/final submittals, including this 100% complete design package.

18 (a). PORTION OF STATE HIGHWAY RIGHT-OF-WAY WHERE WORK IS BEING PROPOSED (check all that apply)
 Traffic lane Shoulder Sidewalk Median At or near an intersection Mobile work
 Outside of the shoulder, _____ feet from edge of pavement Other _____

18 (b). PROPOSED TRAFFIC CONTROL PLANS AND METHOD
 No traffic control needed State Standard Plans (T-Sheets) # _____
 Project specific Traffic Control Plans included To be submitted by contractor

TRACKING NO. **05-23-N-OP-0425**

19. EXCAVATION	MAX. DEPTH (in) 48	MIN. DEPTH (in) 6	AVG. WIDTH (in) See Drawings	LENGTH (ft) See Drawings	SURFACE TYPE (e.g. Asphalt, concrete, soil, etc.) Asphalt
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20. PIPES	PRODUCT BEING TRANSPORTED See Drainage System Qty. Sheets	CARRIER PIPE DIAMETER (in.) MATERIAL	CASING PIPE DIAMETER (in.) MATERIAL
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PROPOSED INSTALLATION METHOD (e.g. HDD, Bore & Jack, Open Cut, etc.) Open Cut, conventional installation of Drainage and Lighting infrastructure.	VOLTAGE / PSIG N/A
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DOES THE PROPOSED PROJECT INVOLVE THE REPLACEMENT AND/OR ABANDONMENT OF AN EXISTING FACILITY?
 NO YES. If "YES", provide a description Remove and replace existing Roadway and Drainage infrastructure. See approved drawings.

21. IS A CITY, COUNTY OR OTHER PUBLIC AGENCY INVOLVED IN THE APPROVAL OF THIS PROJECT?
 YES (if "YES", check the type of project AND attach the environmental documentation and conditions of approval)

- COMMERCIAL DEVELOPMENT BUILDING GRADING OTHER
- CATEGORICALLY EXEMPT NEGATIVE DECLARATION ENVIRONMENTAL IMPACT REPORT OTHER Cty CEQA Lead
- NO (if "NO", check the category below which best describes the project AND answer questions A-K)
 - DRIVEWAY OR ROAD APPROACH, RECONSTRUCTION, MAINTENANCE OR RESURFACING
 - PUBLIC UTILITY MODIFICATION, EXTENSIONS, HOOKUPS
 - FLAGS, SIGNS, BANNERS, DECORATIONS, PARADES AND CELEBRATIONS
 - FENCE EROSION CONTROL
 - MAILBOX LANDSCAPING
 - OTHER

The following questions must be answered when a City, County or other public agency IS NOT involved in the approval of this project.

Your answers to these questions will assist Caltrans staff in identifying any physical, biological, social or economic resources that may be affected by your proposed project within State Highway right-of-way and to determine which type of environmental studies may be required to approve your application for an encroachment permit. It is the applicant's responsibility for the production of all required environmental documentation and supporting studies and in some cases this may be costly and time consuming. If possible, attach photographs of the location of the proposed project. Answer these questions to the best of your ability. Provide a description of any "YES" answers (type, name, number, etc.).

- A. Will any existing vegetation and/or landscaping within State Highway right-of-way be disturbed?

- B. Are there waterways (e.g. river, creek, pond, natural pool or dry streambed) adjacent to or within the limits of the proposed project?

- C. Is the proposed project located within five miles of the coast line?

- D. Will the proposed project generate construction noise levels greater than 86 decibels (dBA) (e.g. Jack-hammering, pile driving)?

- E. Will the proposed project incorporate land from a public park, recreation area or wildlife refuge open to the public?

- F. Are there any recreational trails or paths within the limits of the proposed project?

- G. Will the proposed project impact any structures, buildings, rail lines or bridges within State Highway right-of-way?

- H. Will the proposed project impact access to any businesses or residences?

- I. Will the proposed project impact any existing public utilities or public services?

- J. Will the proposed project impact any existing pedestrian facilities, such as sidewalks, crosswalks or overcrossings?

- K. Will new lighting be constructed within or adjacent to State Highway right-of-way?

22. Will the proposed project cause a substantial change in the significance of a historical resource (45 years or older), or cultural resource? YES NO (if "YES", provide a description)

23. Will the proposed project be on an existing State Highway or street where the activity involves removal of a scenic resource? (e.g. A significant tree or stand of trees, a rock outcropping or a historic building) YES NO (if "YES", provide a description)

24. Is work being done on the applicant's property in addition to State Highway right-of-way? YES NO
(If "YES", attach 6 complete sets of site and grading plans)

25. Will the proposed project require the disturbance of soil? YES NO
If "YES", estimate the area of disturbed soil within State Highway right-of-way in acres: DSA: 4.2 Acres
and estimate the area of disturbed soil outside State Highway right-of-way in acres: DSA: 1.4 Acres

26. Will the proposed project require dewatering? YES NO
If "YES", estimate Total gallons AND gallons/month. _____ (Total gallons) AND _____ (gallons/month)
SOURCE*: STORMWATER NON-STORMWATER
(*See Caltrans SWMP for definition of non-storm water discharge:
<https://www.dot.ca.gov/programs/environmental-analysis/stormwater-management-program>)

27. How will any storm water or ground water be disposed?
 Storm Drain System Combined Sewer / Stormwater System Stormwater Retention Basin N/A
 Other (explain) _____

READ THE FOLLOWING CLAUSES PRIOR TO SIGNING THIS ENCROACHMENT PERMIT APPLICATION.

The applicant's submission of this application to the California Department of Transportation constitutes the applicant's agreement and representation that the work or other activity contemplated by the encroachment permit application shall comply with all applicable standards, specifications, policies, requirements, conditions, and regulations of the California Department of Transportation, and the applicant understands the application may be denied if there is non-compliance with any of the above. An exception process exists and may result in approval of a non-compliant encroachment, in the discretion of the California Department of Transportation, but the exception process may require additional time to complete. The applicant understands and agrees all work or other activity contemplated by the encroachment permit application is subject to inspection and oversight by the California Department of Transportation. The applicant understands and agrees encroachment permit fees must still be paid if an application is withdrawn or denied. The applicant understands a denial may be appealed, in accordance with California Streets and Highways Code, Section 671.5, and the related regulations found in California Code of Regulations, Title 21, Division 2, Chapter 8, Article 2.

The applicant understands and agrees that immediately upon issuance of the encroachment permit the applicant is bound by, subject to, and must comply with the "Encroachment Permit General Provisions" (TR-0045), "Stormwater Special Provisions" (TR-0400) and any other applicable Special Provisions and Conditions of the encroachment permit. The "Encroachment Permit General Provisions" (TR-0045), and the Stormwater Special Provisions (TR-0400) are available at: <https://dot.ca.gov/-/media/dot-media/programs/traffic-operations/documents/encroachment-permits/appendix-k-ada-a11y.pdf>. If a paper copy is needed of the "Encroachment Permit General Provisions" (TR-0045) and/or "Stormwater Special Provisions" (TR-0400), please contact the District Office of Encroachment Permits. Their contact information is available at: <https://dot.ca.gov/programs/traffic-operations/ep/district-contacts>. The "Encroachment Permit General Provisions" (TR-0045) and any other applicable Special Provisions and Conditions will be provided as part of the encroachment permit. Information about Stormwater requirements is available at the Internet address: <https://dot.ca.gov/programs/environmental-analysis/stormwater-management-program>.

The applicant understands an encroachment permit may be denied, revoked, and/or a bond may be required, for non-payment of prior or present encroachment permit fees. An encroachment permit is not a property right and does not transfer with the property to a new owner.

Each of the persons purporting to execute this application on behalf of the applicant and/or on behalf of the applicant's authorized agent or engineer represents and warrants such person has full and complete legal authority to do so and to thereby bind applicant to the terms and conditions herein and to the terms and/or conditions of the encroachment permit. Applicant understands and agrees this application may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. Executed copies of this application and/or its counterparts may be reproduced and/or exchanged by copy machine, mailing, facsimile, or electronic means (such as e-mail), and such copies shall be deemed to be effective as originals.

28. NAME OF APPLICANT (Project or Property Owner or Organization) County of San Luis Obispo, Public Works Department (c/o Aaron Yonker, Project Manager)		
ADDRESS OF APPLICANT (Include City, State and Zip Code) 976 Osos Street, Room 207, San Luis Obispo, CA 93408		
E-MAIL ADDRESS ayonker@co.slo.ca.us	PHONE NUMBER (805) 781-4644	FAX NUMBER (805) 781-1229
29. NAME OF AUTHORIZED AGENT / ENGINEER (A "Letter of Authorization" is required if different from #28) N/A		IS A LETTER OF AUTHORIZATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO
ADDRESS OF AUTHORIZED AGENT / ENGINEER (Include City, State and Zip Code)		
E-MAIL ADDRESS	PHONE NUMBER	FAX NUMBER
30. NAME OF BILLING CONTACT (Same as #28 <input checked="" type="checkbox"/> Same as #29 <input type="checkbox"/>)		
BILLING ADDRESS WHERE INVOICE(S) IS / ARE TO BE MAILED (Include City, State and Zip Code)		
E-MAIL ADDRESS	PHONE NUMBER	FAX NUMBER

* I hereby certify under penalty of perjury under the laws of the State of California that the information in this application and any document submitted with or in support of this application are true and correct to the best of my knowledge and belief, and that copies of any documents submitted with or in support of this application are true and correct copies of unaltered original documents. I further understand that if I have provided information that is false, intentionally incomplete, or misleading I may be charged with a crime and subjected to fine or imprisonment, or both fine and imprisonment. (Penal Code Section 72)

31. SIGNATURE OF APPLICANT OR AUTHORIZED AGENT* 	32. PRINT OR TYPE NAME Aaron Yonker
33. TITLE Project Manager	34. DATE 07/17/2023

**COUNTY OF SAN LUIS OBISPO
PUBLIC WORKS DEPARTMENT**

CALTRANS PERMIT PLANS
PERMIT No. 05-23-N-OP-0425
PLAN No. _____
PAGE 1 of 154 7/27/2023

**PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY AND COUNTY ROAD
IN SAN LUIS OBISPO COUNTY NEAR AVILA BEACH
FROM 0.2 MILE SOUTH TO 0.2 MILE NORTH
OF AVILA BEACH DRIVE SEPARATION**

TO BE SUPPLEMENTED BY STATE OF CALIFORNIA STANDARD PLANS DATED 2022



APPROVED AS TO IMPACT ON STATE FACILITIES AND CONFORMANCE WITH APPLICABLE STATE STANDARDS AND PRACTICES AND THAT TECHNICAL OVERSIGHT WAS PERFORMED.

DATE SIGNED
July 14, 2023

LICENSE Exp DATE
12/31/23

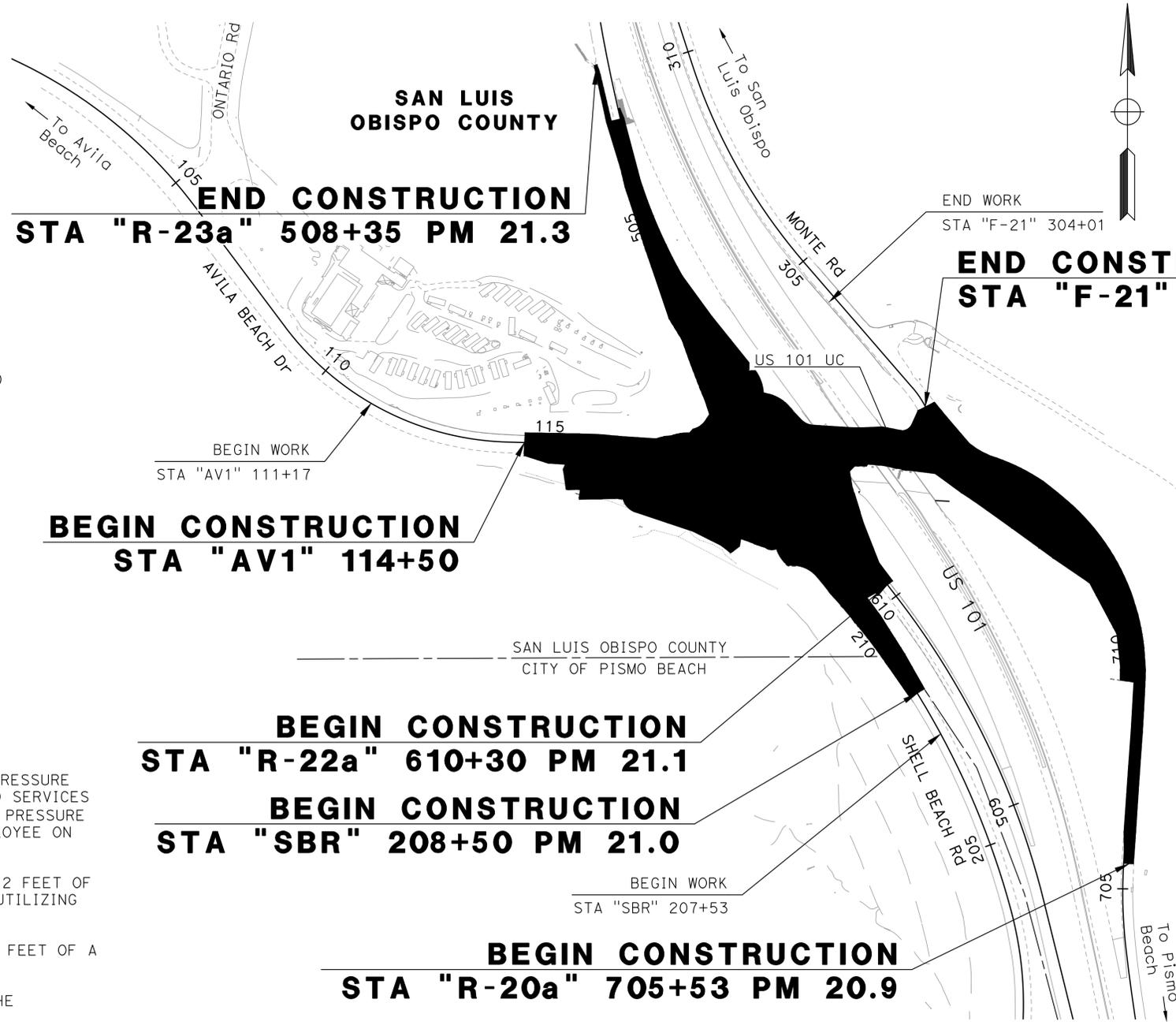
REGISTRATION No.
74994

CALTRANS DESIGN OVERSIGHT APPROVAL
KYLE BIRCH
Kyle Birch

CONSULTANT DESIGN MANAGER
JORGE AGUILAR

INDEX OF PLANS

SHEET No.	SHEET ID	DESCRIPTION
1	T-1	TITLE SHEET
2	K-1	KEY MAP AND LINE INDEX
3-4	PC-1 TO PC-2	PROJECT CONTROL
5-10	X-1 TO X-6	TYPICAL CROSS SECTIONS
11-16	DM-1 TO DM-6	DEMOLITION PLAN
17-22	L-1 TO L-6	LAYOUTS
23-29	P-1 TO P-7	PROFILES AND SUPERELEVATION DIAGRAMS
30-41	C-1 TO C-12	CONSTRUCTION DETAILS
42-47	G-1 TO G-6	CONTOUR GRADING
48-52	D-1 TO D-5	DRAINAGE PLANS
53-58	DP-1 TO DP-6	DRAINAGE PROFILES
59-69	DD-1 TO DD-11	DRAINAGE DETAILS
70-71	DQ-1 TO DQ-2	DRAINAGE QUANTITIES
72	U-1	UTILITY PLAN
73	CS-1	CONSTRUCTION AREA SIGNS
74-77	MI-1 TO MI-4	MOTORIST INFORMATION PLAN
78-90	SC-1 TO SC-13	STAGE CONSTRUCTION AND TRAFFIC HANDLING PLANS
91-96	PD-1 TO PD-6	PAVEMENT DELINEATION PLAN
97-102	S-1 TO S-6	SIGN PLAN
103-104	SD-1 TO SD-2	SIGN DETAILS
105-108	SQ-1 TO SQ-4	SIGN QUANTITIES
109-113	E-1 TO E-5	MODIFYING LIGHTING SYSTEMS
114	E-6	REMOVING TRAFFIC MONITORING STATIONS
115	E-7	LIGHTING (PARKING LOT)
116	EQ-1	ELECTRICAL SYSTEM QUANTITIES
117-120	LL-1 TO LL-4	PLANTING PLAN & SCHEDULES, NOTES, AND DETAILS
121-125	IR-1 TO IR-5	IRRIGATION PLANS, NOTES, AND DETAILS
126-131	EC-1 TO EC-6	EROSION CONTROL PLANS
STRUCTURE PLANS		
132-152	RW-1 TO RW-21	RETAINING WALL PLANS
ADDITIVE BID NO. 1		
153-154	A-1 TO A-2	MODIFY WATER SYSTEM



- NOTES:**
- EXCAVATION WITHIN 10 FEET OF A SO CAL GAS HIGH PRESSURE PIPELINE MUST BE COORDINATED THROUGH UNDERGROUND SERVICES ALERT (811) WITH A SO CAL GAS CO. EMPLOYEE. HIGH PRESSURE PIPELINE EXCAVATIONS MUST HAVE A SO CAL GAS EMPLOYEE ON SITE.
 - EXCAVATION OR SUBGRADE REMOVAL PERFORMED WITHIN 2 FEET OF THE EDGE OF A SO CAL GAS PIPELINE MUST BE DONE UTILIZING HAND TOOLS PER USA LAW 4216.
 - MECHANICAL COMPACTION IS NOT ACCEPTABLE WITHIN 2 FEET OF A SO CAL GAS PIPELINE.
 - PROVIDE FOR MONUMENT PERPETUATION PURSUANT TO THE PROFESSIONAL LAND SURVEYOR'S ACT SECTION 8771.

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

NO SCALE



USERNAME => ETHANP
DGN FILE => 0019-0098 TTTL.DWG

ADOPTED & APPROVED: _____

JOHN WADDELL
DEPUTY DIRECTOR
PUBLIC WORKS, COUNTY OF SAN LUIS OBISPO

Jorge Aguilar 07/12/2023
JORGE AGUILAR DATE
REGISTERED CIVIL ENGINEER



07/14/2023
PLANS APPROVAL DATE

THE COUNTY OF SAN LUIS OBISPO & WALLACE GROUP OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF SCANNED COPIES OF THIS PLAN SHEET.

WALLACE GROUP
612 CLARION CT
SAN LUIS OBISPO, CA 93401
COUNTY OF SAN LUIS OBISPO
COUNTY GOVT CENTER, ROOM 206
SAN LUIS OBISPO, CA 93408

CONTRACT No. **05-1G480**
PROJECT ID **05150000381**

TECHNICAL SPECIFICATIONS
FOR
COUNTY OF SAN LUIS OBISPO
AVILA BEACH DRIVE INTERCHANGE
AT RAMP TERMINALS AT AVILA BEACH DRIVE
PROJECT



Under State of California Department of Transportation
Standard Specifications Dated 2022

Prepared by Sarro Associates, Inc.
July 14, 2023

CALTRANS PERMIT SPECIFICATIONS
PERMIT No. **05-23-N-OP-0425**
PLAN No.

PAGE **1** of **82**

7/27/2023

CERTIFICATION OF COMPLIANCE WITH AMERICANS WITH DISABILITIES ACT (ADA)

TR-0405 (REV 03/2015)

Permit No. 05-23-N-OP-0425
Dist/Co/Rte/PM 05-SLO-101-20.9/21.3

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). Certification of compliance must be submitted by the permittee or permittee's authorized representative prior to the issuance of an encroachment permit or rider AND after construction is completed. DIB 82 can be found at:

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

A separate TR-0405 form must be used for the Design and Post Construction Certifications. A California Licensed Professional Engineer, Licensed Architect or Licensed Landscape Architect's Stamp* is required except when (1) an authorized utility company representative or (2) an authorized Caltrans representative signs the form (at the discretion of the District Permit Engineer).

Design Certification (prior to issuance of encroachment permit)

- I, Paul Valadao a California Licensed Professional Engineer, Licensed Architect or Licensed Landscape Architect, do hereby certify that:
- I _____ an authorized Caltrans representative, do hereby certify that:
- I _____ an authorized representative of _____ (utility company only) do certify that:
- This project has been designed in accordance with DIB 82.
- An approved Exception to Accessibility Design Standards is attached.

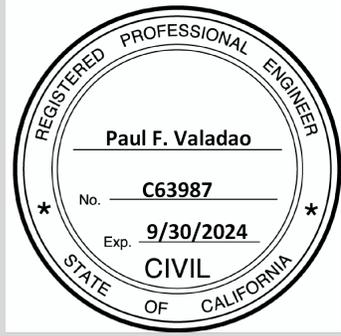
SIGNATURE 	TITLE Project Manager	DATE 07/14/2023
--	--------------------------	--------------------

Post Construction Certification

- I _____ a California Licensed Professional Engineer, Licensed Architect or Licensed Landscape Architect, do hereby certify that:
- I _____ an authorized Caltrans representative, do hereby certify that:
- I _____ an authorized representative of _____ (utility company only) do certify that:
- This project has been constructed in accordance with DIB 82.
- An approved Exception to Accessibility Design Standards is attached.

SIGNATURE	TITLE	DATE
-----------	-------	------

CA. LICENSED PROFESSIONAL ENGINEER, LICENSED ARCHITECT OR LICENSED LANDSCAPE ARCHITECT'S STAMP



REGISTERED PROFESSIONAL ENGINEER

Paul F. Valadao

No. **C63987**

Exp. **9/30/2024**

CIVIL

STATE OF CALIFORNIA

I attest to the technical information contained herein and have judged the qualifications of all technical specialists providing engineering data upon which recommendations, conclusions, and decisions were based.

*A Licensed Architect or Licensed Landscape Architect may prepare this document and sign and seal it in lieu of a Registered Civil Engineer, provided the same Licensed Architect or Licensed Landscape Architect designed the on-site improvements. Use the seal of the appropriate licensed person in responsible charge.

ENCROACHMENT PERMIT APPLICANT: CONTRACTOR(S) AUTHORIZATION FORM

DOT TR-0429 (NEW 12/2022)

The Permittee warrants and represents the Permittee has hired the following prime contractor(s) to perform the approved encroachment activities under Encroachment Permit # 05-23-N-OP-0425 on the Permittee's behalf as agents in accordance with Encroachment Permit General Provision #4 or Adopt-A-Highway Special Provision # 3, whichever is part of the Encroachment Permit. The Permittee warrants and represents the Permittee has provided a copy of the Encroachment Permit to the prime contractor(s) listed below, and further warrants and represents that the activities related to the Encroachment Permit, whether performed by the Permittee or by the prime contractor(s) below or by any person or entity acting for or on behalf of the Permittee, will be performed in compliance with all terms, conditions, specifications, standards, provisions, and other requirements of the subject Encroachment Permit. The person signing below warrants and represents such person has authority on behalf of the Permittee to make the warranties and representations contained herein, and to agree to and so bind the Permittee to this page.

List of authorized prime contractors for the encroachment permit:

Contractor Name	Scope of work (Traffic Control/civil work etc.)	Contact Person	Contact Person's Information (Phone # and E-mail)

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Permittee

Name and Title of Person
Signing for Permittee (Print)

Signature

Date

ENCROACHMENT PERMIT APPLICANT: CONTRACTOR(S) AUTHORIZATION FORM

DOT TR-0429 (NEW 12/2022)

By signing below, each prime contractor acknowledges that such prime contractor has received a copy of Encroachment Permit # 05-23-N-OP-0425 and agrees such prime contractor, and such prime contractor's employees, managers, officers, directors, agents, subcontractors, and suppliers, will comply with, and will perform all activities in accordance with, all terms, conditions, specifications, standards, provisions, and other requirements of the Encroachment Permit, including but not limited to notifying the permit inspector as required in the Encroachment Permit and reporting the lane closure notifications per the Encroachment Permit General Provisions (TR-0045). Each person signing on behalf of each prime contractor warrants and represents such person has the authority to make the acknowledgements, warranties, and representations contained herein on behalf of the named prime contractor, and has the authority to agree to and so bind the named prime contractor to this page.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____ Name of Prime Contractor	_____ Name and Title of Person Signing for Contractor (Print)	_____ Signature	_____ Date
_____ Name of Prime Contractor	_____ Name and Title of Person Signing for Contractor (Print)	_____ Signature	_____ Date
_____ Name of Prime Contractor	_____ Name and Title of Person Signing for Contractor (Print)	_____ Signature	_____ Date
_____ Name of Prime Contractor	_____ Name and Title of Person Signing for Contractor (Print)	_____ Signature	_____ Date

ENCROACHMENT PERMIT GENERAL PROVISIONS

TR-0045 (REV. 12/2022)

1. **AUTHORITY:** The California Department of Transportation (“Department”) has authority to issue encroachment permits under Division 1, Chapter 3, Article 1, Sections 660 through 734 of the Streets and Highways Code.
2. **REVOCACTION:** Encroachment permits are revocable on five (5) business days’ notice unless otherwise stated on the permit or otherwise provided by law, and except as provided by law for public corporations, franchise holders, and utilities. Notwithstanding the foregoing, in an emergency situation as determined by the Department, an encroachment permit may be revoked immediately. These General Provisions and any applicable Special Provisions are subject to modification or abrogation by the Department at any time. Permittees’ joint use agreements, franchise rights, reserved rights or any other agreements for operating purposes in State of California (“State”) highway right-of-way may be exceptions to this revocation.
3. **DENIAL FOR NONPAYMENT OF FEES:** Failure to pay encroachment permit fees when due may result in rejection of future applications, denial of encroachment permits, and revocation of the encroachment permit if already issued.
4. **PERMITTEE AUTHORIZATION FOR OTHERS TO PERFORM WORK:** This encroachment permit allows only the Permittee and/or Permittee’s authorized contractor or agent to work within or encroach upon the State highway right-of-way, and the Permittee may not assign or transfer this encroachment permit. Any attempt to assign or transfer this encroachment permit shall be null and void. Permittee shall provide to the Department a list of Permittee’s authorized contractors/agents, in the form and at the time specified by the Department but if no time is specified then no later than the pre-construction meeting. Permittee shall keep the list current and shall provide updates to the Department immediately upon any change to the list of authorized contractors/agents, including but not limited the addition, removal, or substitution of an authorized contractor/agent, or a new address or contact information for an existing authorized contractor/agent. Permittee is responsible for the acts and/or omissions of any person or entity acting on behalf of the Permittee, even if such person or entity is not included on Permittee’s list of authorized contractors and/or agents.
5. **ACCEPTANCE OF PROVISIONS:** Permittee, and the Permittee’s authorized contractors and/or agents, understand and agree to accept and comply with these General Provisions, the Special Provisions, any and all terms and/or conditions contained in or incorporated into the encroachment permit, and all attachments to the encroachment permit (collectively “the Permit Conditions”), for any encroachment, work, and/or activity to be performed under this encroachment permit and/or under color of authority of this encroachment permit. Permittee understands and agrees the Permit Conditions are applicable to and enforceable against Permittee as long as the encroachment remains in, under, or over any part of the State highway right-of-way. The Permittee’s authorized contractors and/or agents, are also bound by the Permit Conditions. Non-compliance with the Permit Conditions by the Permittee’s authorized contractor and/or agent will be deemed non-compliance by the Permittee.
6. **BEGINNING OF WORK:** When traffic is not impacted (see General Provision Number 35), the Permittee must notify the Department’s representative two (2) business days before starting permitted work. Permittee must notify the Department’s representative if the work is to be interrupted for a period of five (5) business days or more, unless otherwise agreed upon. All work must be performed on weekdays during regular work hours, excluding holidays, unless otherwise specified in this encroachment permit.
7. **STANDARDS OF CONSTRUCTION:** All work performed within State highway right-of-way must conform to all applicable Departmental construction standards including but not limited to: Standard Specifications, Standard Plans, Project Development Procedures Manual, Highway Design Manual and Special Provisions.
Other than as expressly provided by these General Provisions, the Special Provisions, the Standard Specifications, Standard Plans, and other applicable Departmental standards, nothing in these General Provisions is intended to give any third party any legal or equitable right, remedy, or claim with respect to the encroachment permit and/or to these General Provisions or any provision herein. These General Provisions are for the sole and exclusive benefit of the Permittee and the Department.
Where reference is made in such standards to “Contractor” and “Engineer,” these are amended to be read as “Permittee” and “Department’s representative,” respectively, for purposes of this encroachment permit.
8. **PLAN CHANGES:** Deviations from plans, specifications, and/or the Permit Conditions as defined in General Provision Number 5 are not allowed without prior approval from the Department’s representative and the Federal Highway Administration (“FHWA”) representative if applicable.
9. **RIGHT OF ENTRY, INSPECTION AND APPROVAL:** All work is subject to monitoring and inspection. The United States, the State, the Department, and the Directors, officers, employees, agents, and/or contractors of the State and/or of the Department, and other state, and federal agencies, and the FHWA, through their agents or representatives, must have full access to highway

ENCROACHMENT PERMIT GENERAL PROVISIONS

facilities/encroachment area, at any and all times for the purpose of inspection, maintenance, activities needed for construction/reconstruction, and operation of the State highway right-of-way.

Upon completion of work, Permittee must request a final inspection for acceptance and approval by the Department. The local public agency Permittee must not give final construction approval to its contractor until final acceptance and approval by the Department is obtained.

10. **PERMIT AT WORKSITE:** Permittee and Permittee's authorized contractors/agents must keep the permit package and current list of authorized contractors/agents, or copies thereof, at the work site at all times and must show such documents upon request to any Department representative or law enforcement officer. If the permit package or current list of authorized contractors/agents, or copies thereof, are not kept and made available at the work site at all times, then all work must be suspended.
11. **CONFLICTING ENCROACHMENTS:** Permittee must yield start of work to ongoing, prior authorized work adjacent to or within the limits of the Permittee's project site. When existing encroachments conflict with Permittee's work, the Permittee must bear all cost for rearrangements (e.g., relocation, alteration, removal, etc.).
12. **PERMITS, APPROVALS, AND CONCURRENCES FROM OTHER AGENCIES AND/OR ENTITIES:** This encroachment permit is invalidated if the Permittee has not obtained all permits, approvals, and concurrences necessary and required by law, including but not limited to those from the California Public Utilities Commission ("CPUC"), California Occupational Safety and Health Administration ("Cal-OSHA"), local and state and federal environmental agencies, the California Coastal Commission, and any other public agency and/or entity having jurisdiction. Permittee is responsible for providing notice of the encroachment to, and obtaining concurrence from, any person or entity (whether public or private) affected by the scope of work described in the encroachment permit, regardless of whether such notice or concurrence is required by law; the Department is not responsible to provide such notice or obtain such concurrence. Permittee warrants all such permits, approvals, and concurrences have been obtained before beginning work under this encroachment permit. The Department may, at the Department's discretion, require the Permittee to demonstrate that Permittee has obtained all such permits, approvals, and concurrences, and Permittee shall demonstrate this at the time and in the manner specified by the Department.
13. **PEDESTRIAN AND BICYCLIST SAFETY:** A safe continuous passageway must be maintained through the work area at existing pedestrian or bicycle facilities. At no time must pedestrians be diverted onto a portion of the street used for vehicular traffic. At locations where safe alternate passageways cannot be provided, appropriate signs and barricades must be installed at the limits of construction and in advance of the limits of construction at the nearest crosswalk or intersection to detour pedestrians to facilities across the street. Attention is directed to Section 7-1.04 "Public Safety," and to Section 12-4.04 "Temporary Pedestrian Access Routes," and to Section 16-2.02 "Temporary Pedestrian Facility," of the Department's Standard Specifications, and to California Vehicle Code section 21760, subdivision (c).
14. **PUBLIC TRAFFIC CONTROL:** The Permittee must provide traffic control protection, warning signs, lights, safety devices, etc., and take all other measures necessary for the traveling public's safety as required by law and/or the Department. While providing traffic control, the needs of all road users, including but not limited to motorists, bicyclists and pedestrians, including persons with disabilities in accordance with the Americans with Disabilities Act, must be an essential part of the work activity.
Lane, Bike Lane, Sidewalk, Crosswalk, and/or shoulder closures must comply with the Department's Standard Specifications and Standard Plans for Temporary Traffic Control Systems & Temporary Pedestrian Access Routes, and with the applicable Special Provisions. Where issues are not addressed in the Standard Specifications, Standard Plans, and/or Special Provisions, the California Manual on Uniform Traffic Control Devices (Part 6, Temporary Traffic Control) must be followed.
15. **MINIMUM INTERFERENCE WITH TRAFFIC:** Permittee must plan and conduct work so as to create the least possible inconvenience to the traveling public (motorized vehicles, unmotorized vehicles such as bicycles, pedestrians, person(s) with disabilities, etc.), such that traffic is not unreasonably delayed.
16. **STORAGE OF EQUIPMENT AND MATERIALS:** The storage of equipment or materials is not allowed within State highway right-of-way, unless specified within the Special Provisions of this encroachment permit. If encroachment permit Special Provisions allow for the storage of equipment or materials within the State highway right-of-way, the equipment and material storage must also comply with Section 7-1.04, Public Safety, of the Department's Standard Specifications.
17. **CARE OF DRAINAGE:** Permittee must provide alternate drainage for any work interfering with an existing drainage facility in compliance with the Department's Standard Specifications, Standard Plans, and/or as directed by the Department's representative.
18. **RESTORATION AND REPAIRS IN STATE HIGHWAY RIGHT-OF-WAY:** Permittee is responsible for restoration and repair of State highway right-of-way resulting from permitted work (Streets and Highways Code, section 670 et seq.).
19. **STATE HIGHWAY RIGHT-OF-WAY CLEAN UP:** Upon completion of work, Permittee must remove and dispose of all scraps, refuse, brush, timber, materials, etc. off the State highway right-of-way. The aesthetics of the highway must be as it was before work started or better.
20. **COST OF WORK:** Unless stated otherwise in the encroachment permit or a separate written agreement with the Department, the Permittee must bear all costs

ENCROACHMENT PERMIT GENERAL PROVISIONS

- incurred for work within the State highway right-of-way and waives all claims for indemnification or contribution from the United States, the State, the Department, and from the Directors, officers, and employees of the State and/or the Department. Removal of Permittee's personal property and improvements shall be at no cost to the United States, the State, and the Department.
21. **ACTUAL COST BILLING:** When specified in the permit, the Department will bill the Permittee actual costs at the currently set Standard Hourly Rate for encroachment permits.
22. **AS-BUILT PLANS:** When required, Permittee must submit one (1) set of folded as-built plans within thirty (30) calendar days after completion and acceptance of work in compliance with requirements listed as follows:
- a) Upon completion of the work provided herein, the Permittee must submit a paper set of As-Built plans to the Department's representative.
 - b) All changes in the work will be shown on the plans, as issued with the permit, including changes approved by Encroachment Permit Rider.
 - c) The plans are to be prominently stamped or otherwise noted "AS-BUILT" by the Permittee's representative who was responsible for overseeing the work. Any original plan that was approved with a Department stamp, or by signature of the Department's representative, must be used for producing the As-Built plans.
 - d) If construction plans include signing or striping, the dates of signing or striping removal, relocation, or installation must be shown on the As-Built plans when required as a condition of the encroachment permit. When the construction plans show signing and striping for staged construction on separate sheets, the sheet for each stage must show the removal, relocation, and installation dates of the appropriate staged striping and signing.
 - e) As-Built plans must contain the Encroachment Permit Number, County, Route, and Post Mile on each sheet.
 - f) The As-Built Plans must not include a disclaimer statement of any kind that differs from the obligations and protections provided by sections 6735 through 6735.6 of the California Business and Professions Code. Such statements constitute non-compliance with Encroachment Permit requirements and may result in the Department retaining Performance Bonds or deposits until proper plans are submitted. Failure to comply may also result in denial of future encroachment permits or a provision requiring a public agency to supply additional bonding.
23. **PERMITS FOR RECORD PURPOSES ONLY:** When work in the State highway right-of-way is within an area under a Joint Use Agreement (JUA) or a Consent to Common Use Agreement (CCUA), a fee exempt encroachment permit is issued to the Permittee for the purpose of providing a notice and record of work. The Permittee's prior rights must be preserved without the intention of creating new or different rights or obligations.
- "Notice and Record Purposes Only" must be stamped across the face of the encroachment permit.
24. **BONDING:** The Permittee must file bond(s), in advance, in the amount(s) set by the Department and using forms acceptable to the Department. The bonds must name the Department as obligee. Failure to maintain bond(s) in full force and effect will result in the Department stopping all work under this encroachment permit and possibly revoking other encroachment permit(s). Bonds are not required of public corporations or privately-owned utilities unless Permittee failed to comply with the provisions and/or conditions of a prior encroachment permit. The surety company is responsible for any latent defects as provided in California Code of Civil Procedure section 337.15. A local public agency Permittee also must comply with the following requirements:
- a) In recognition that project construction work done on State property will not be directly funded and paid by State, for the purpose of protecting stop notice claimants and the interests of State relative to successful project completion, the local public agency Permittee agrees to require the construction contractor to furnish both a payment and performance bond in the local public agency's name with both bonds complying with the requirements set forth in Section 3-1.05 Contract Bonds of the Department's Standard Specifications before performing any project construction work.
 - b) The local public agency Permittee must defend, indemnify, and hold harmless the United States, the State and the Department, and the Directors, officers, and employees of the State and/or Department, from all project construction related claims by contractors, subcontractors, and suppliers, and from all stop notice and/or mechanic's lien claimants. The local public agency also agrees to remedy, in a timely manner and to the Department's satisfaction, any latent defects occurring as a result of the project construction work.
25. **FUTURE MOVING OF INSTALLATIONS:** Permittee understands and agrees to relocate a permitted installation upon notice by the Department. Unless under prior property right or agreement, the Permittee must comply with said notice at the Permittee's sole expense.
26. **ENVIRONMENTAL:**
- a) **ARCHAEOLOGICAL/HISTORICAL:** If any archaeological or historical resources are identified or encountered in the work vicinity, the Permittee must immediately stop work, notify the Department's representative, retain a qualified archaeologist who must evaluate the site at Permittee's sole expense, and make recommendations to the Department's representative regarding the continuance of work.
 - b) **HAZARDOUS MATERIALS:** If any hazardous waste or materials (such as underground storage tanks, asbestos pipes, contaminated soil, etc.) are identified or encountered in the work vicinity, the Permittee must immediately stop work, notify the Department's representative, retain a qualified hazardous

ENCROACHMENT PERMIT GENERAL PROVISIONS

waste/material specialist who must evaluate the site at the Permittee's sole expense, and make recommendations to the Department's representative regarding the continuance of work.

Attention is directed to potential aerially deposited lead (ADL) presence in unpaved areas along highways. It is the Permittee's responsibility to take all appropriate measures to protect workers in conformance with California Code of Regulations Title 8, Section 1532.1, "Lead," and with Cal-OSHA Construction Safety Orders, and to ensure roadway soil management is in compliance with Department of Toxic Substances Control (DTSC) requirements.

- c) **BIOLOGICAL:** If any regional, state, or federally listed biological resource is identified or encountered in the work vicinity, the Permittee must immediately stop work, notify the Department's representative, retain a qualified biologist who must evaluate the site at Permittee's sole expense, and make recommendations to the Department's representative regarding the continuance of work.
27. **PREVAILING WAGES:** Work performed by or under an encroachment permit may require Permittee's contractors and subcontractors to pay appropriate prevailing wages as set by the California Department of Industrial Relations. Inquiries or requests for interpretations relative to enforcement of prevailing wage requirements must be directed to the California Department of Industrial Relations.
28. **LIABILITY, DEFENSE, AND INDEMNITY:** The Permittee agrees to indemnify and save harmless the United States, the State, the Department, and the Directors, officers, employees, agents and/or contractors of the State and/or of the Department, including but not limited to the Director of Transportation and the Deputy Directors, from any and all claims, demands, damages, costs, liability, suits, or actions of every name, kind, and description, including but not limited to those brought for or on account of property damage, invasion of privacy, violation or deprivation of a right under a state or federal law, environmental damage or penalty, or injury to or death of any person including but not limited to members of the public, the Permittee, persons employed by the Permittee, and/or persons acting on behalf of the Permittee, arising out of or in connection with: (a) the issuance and/or use of this encroachment permit; and/or (b) the encroachment, work, and/or activity conducted pursuant to this encroachment permit, or under color of authority of this encroachment permit but not in full compliance with the Permit Conditions as defined in General Provision Number 5 ("Unauthorized Work or Activity"); and/or (c) the installation, placement, design, existence, operation, and/or maintenance of the encroachment, work, and/or activity; and/or (d) the failure by the Permittee, or by anyone acting for or on behalf of the Permittee, to perform the Permittee's obligations under any part of the Permit Conditions as defined in General Provision Number 5, in respect to maintenance or any other obligation; and/or (e) any change to the Department's property or adjacent

property, including but not limited to the features or conditions of either of them, made by the Permittee or anyone acting on behalf of the Permittee; and/or (f) a defect or obstruction related to or caused by the encroachment, work, and/or activity whether conducted in compliance with the Permit Conditions as defined in General Provision Number 5 or constituting Unauthorized Work or Activity, or from any cause whatsoever. The duty of the Permittee to indemnify and save harmless includes the duties to defend as set forth in Section 2778 of the Civil Code.

It is the intent of the Department and the Permittee that except as prohibited by law, the Permittee will defend, indemnify, and hold harmless as set forth in this General Provision Number 28 regardless of the existence or degree of fault or negligence, whether active or passive, primary or secondary, on the part of: the United States, the State; the Department; the Directors, officers, employees, agents and/or contractors of the State and/or of the Department, including but not limited to the Director of Transportation and the Deputy Directors; the Permittee; persons employed by the Permittee; and/or persons acting on behalf of the Permittee.

The Permittee waives any and all rights to any type of expressed or implied indemnity from or against the United States, the State, the Department, and the Directors, officers, employees, agents, and/or contractors of the State and/or of the Department, including but not limited to the Director of Transportation and the Deputy Directors.

The Permittee understands and agrees to comply with the obligations of Titles II and III of the Americans with Disabilities Act in the conduct of the encroachment, work, and/or activity whether conducted pursuant to this encroachment permit or constituting Unauthorized Work or Activity, and further agrees to defend, indemnify, and save harmless the United States, the State, the Department, and the Directors, officers, employees, agents, and/or contractors of the State and/or of the Department, including but not limited to the Director of Transportation and the Deputy Directors, from any and all claims, demands, damages, costs, penalties, liability, suits, or actions of every name, kind, and description arising out of or by virtue of the Americans with Disabilities Act.

The Permittee understands and agrees the Directors, officers, employees, agents, and/or contractors of the State and/or of the Department, including but not limited to the Director of Transportation and the Deputy Directors, are not personally responsible for any liability arising from or by virtue of this encroachment permit.

For the purpose of this General Provision Number 28 and all paragraphs herein, "contractors of the State and/or of the Department" includes contractors, and their subcontractors, under contract to the State and/or the Department.

This General Provision Number 28 and all paragraphs herein take effect immediately upon issuance of this encroachment permit, and apply before, during, and after the encroachment, work, and/or activity

ENCROACHMENT PERMIT GENERAL PROVISIONS

contemplated under this encroachment permit, whether such work is in compliance with the Permit Conditions as defined in General Provision Number 5 or constitutes Unauthorized Work or Activity, except as otherwise provided by California law. The Permittee's obligations to defend, indemnify, and save harmless under this General Provision Number 28 take effect immediately upon issuance of this encroachment permit and have no expiration date, including but not limited to situations in which this encroachment permit expires or is revoked, the work or activity performed under this encroachment permit is accepted or not accepted by the Department, the encroachment, work, and/or activity is conducted in compliance with the Permit Conditions as defined in General Provision Number 5 or constitutes Unauthorized Work or Activity, and/or no work or activity is undertaken by the Permittee or by others on the Permittee's behalf.

If the United States or an agency, department, or board of the United States is the Permittee, the first two paragraphs of this General Provision Number 28 (beginning "The Permittee agrees to indemnify..." and "It is the intent of the parties...") are replaced by the following paragraph:

Claims for personal injury, death, or property damage allegedly caused by the negligent or wrongful act or omission of any employee of the United States acting within the scope of their official duties are subject to the Federal Tort Claims Act, as amended, 28 U.S.C. § 1346 and § 2671 et seq. (Chapter 171).

29. **NO PRECEDENT ESTABLISHED:** This encroachment permit is issued with the understanding that it does not establish a precedent.

30. **FEDERAL CIVIL RIGHTS REQUIREMENTS FOR PUBLIC ACCOMMODATION:**

a) As part of the consideration for being issued this encroachment permit, the Permittee, on behalf of Permittee and on behalf of Permittee's personal representatives, successors in interest, and assigns, does hereby covenant and agree that:

i) No person on the grounds of race, color, or national origin may be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.

ii) That in connection with the construction of any improvements on said lands and the furnishings of services thereon, no discrimination must be practiced in the selection and retention of first-tier subcontractors in the selection of second-tier subcontractors.

iii) That such discrimination must not be practiced against the public in their access to and use of the facilities and services provided for public accommodations (such as eating, sleeping, rest, recreation), and operation on, over, or under the space of the State highway right-of-way.

iv) That the Permittee must use the premises in compliance with all other requirements imposed pursuant to Title 15, Code of Federal

Regulations, Commerce and Foreign Trade, Subtitle A. Office of the Secretary of Commerce, Part 8 (15 C.F.R. Part 8) and as said Regulations may be amended.

b) That in the event of breach of any of the above nondiscrimination covenants, the State and the Department have the right to terminate this encroachment permit and to re-enter and repossess said land and the facilities thereon and hold the same as if said permit had never been made or issued.

31. **MAINTENANCE:** The Permittee is responsible at Permittee's sole expense for the encroachment, and the inspection, maintenance, repair, and condition thereof, and is responsible to ensure the encroachment does not negatively impact State highway safety, maintenance, operations, construction, State facilities, activities related to construction/reconstruction, or other encroachments. The Permittee's obligations in the preceding sentence take effect immediately upon issuance of this encroachment permit and continue until the encroachment is entirely and permanently removed. Additional encroachment permits or approval documents may be required authorizing work related to inspection, repair, and/or maintenance activities. Contact the Department for information.

32. **SPECIAL EVENTS:** In accordance with subdivision (a) of Streets and Highways Code section 682.5 and 682.7, the Department is not responsible for the conduct or operation of the permitted activity, and the applicant agrees to defend, indemnify, and hold harmless the United States, the State, the Department, and the Directors, officers, employees, agents, and contractors of the State and/or of the Department, including but not limited to the Director of Transportation and the Deputy Directors, from any and all claims, demands, damages, costs, liability, suits, or actions of every name, kind and description arising out of any activity for which this encroachment permit is issued.

The Permittee is required, as a condition of this encroachment permit, for any event that awards prize compensation to competitors in gendered categories, for any participant level that receives prize compensation, to ensure the prize compensation for each gendered category is identical at each participant level. (Streets and Highways Code, section 682.7.)

The Permittee understands and agrees to comply with the obligations of Titles II and III of the Americans with Disabilities Act in the conduct of the event, and further agrees to defend, indemnify, and save harmless the United State, the State and the Department, and the Directors, officers, and employees of the State and/or Department, including but not limited to the Director of the Department and the Deputy Directors, from any and all claims, demands, damages, costs, liability, suits, or actions of every name, kind and description arising out of or by virtue of the Americans with Disabilities Act.

33. **PRIVATE USE OF STATE HIGHWAY RIGHT-OF-WAY:** State highway right-of-way must not be used for private purposes without compensation to the State. The gifting

ENCROACHMENT PERMIT GENERAL PROVISIONS

of public property uses and therefore public funds is prohibited under the California Constitution, Article XVI, Section 6.

34. **FIELD WORK REIMBURSEMENT:** Permittee must reimburse the Department for field work performed by or on behalf of the Department to correct or remedy issues created by the Permittee or by others acting on behalf of the Permittee, including but not limited to hazards or damaged facilities, or to clear refuse, debris, etc. not attended to by the Permittee or by others acting on behalf of the Permittee.
35. **LANE CLOSURE REQUEST SUBMITTALS AND NOTIFICATION OF CLOSURES TO THE DEPARTMENT:** Lane closure request submittals and notifications must be in accordance with Section 12-4.02, and Section 12.4-04, of the Department's Standard Specifications or as directed by the Department's representative. The Permittee must notify the Department's representative and the Traffic Management Center ("TMC") before initiating a lane closure or conducting an activity that may cause a traffic impact. In emergency situations when the corrective work or the emergency itself may affect traffic, the Department's representative and the TMC must be notified as soon as possible.
36. **SUSPENSION OF TRAFFIC CONTROL OPERATION:** The Permittee, upon notification by the Department's representative, must immediately suspend all traffic lane, bike lane, sidewalk, crosswalk, and/or shoulder closure operations and any operation that impedes the flow of traffic. All costs associated with this suspension must be borne by the Permittee.
37. **UNDERGROUND SERVICE ALERT (USA) NOTIFICATION:** Any excavation requires compliance with the provisions of Government Code section 4216 et seq., including but not limited to notice to a regional notification center, such as Underground Service Alert (USA). The Permittee must provide notification to the Department representative at least five (5) business days before, and the regional notification center at least forty-eight (48) hours before, performing any excavation work within the State highway right-of-way.
38. **COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA):** All work within the State highway right-of-way to construct and/or maintain any public facility must be designed, maintained, and constructed strictly in accordance with all applicable Federal Access laws and regulations (including but not limited to Section 504 of the Rehabilitation Act of 1973, codified at 29 U.S.C. § 794), California Access laws and regulations relating to ADA, along with its implementing regulations, Title 28 of the Code of Federal Regulations Parts 35 and 36 (28 C.F.R., Ch. I, Part 35, § 35.101 et seq., and Part 36, § 36.101 et seq.), Title 36 of the Code of Federal Regulations Part 1191 (36 C.F.R., Ch. XI, Part 1191, § 1119.1 et seq.), Title 49 of the Code of Federal Regulations Part 37 (49 C.F.R., Ch. A, Part 37, § 37.1 et seq.), the United States Department of Justice Title II and Title III for the ADA, and California Government Code section 4450 et seq., which require public facilities be made accessible to persons with disabilities.
- Notwithstanding the requirements of the previous paragraph, all construction, design, and maintenance of public facilities must also comply with the Department's Design Information Bulletin 82, "Pedestrian Accessibility Guidelines for Highway Projects" and Standard Plans & Specifications on "Temporary Pedestrian Access Routes."
39. **STORMWATER:** The Permittee is responsible for full compliance with the following:
- For all projects, the Department's Storm Water Program and the Department's National Pollutant Discharge Elimination System (NPDES) Permit requirements under Order No. 2012-0011-DWQ, NPDES No CAS000003; and
 - In addition, for projects disturbing one acre or more of soil, with the California Construction General Permit Order No. 2009-0009-DWQ, NPDES No CAS000002; and
 - In addition, for projects disturbing one acre or more of soil in the Lahontan Region with Order No. R6T-2016-0010, NPDES No CAG616002.
 - For all projects, it is the Permittee's responsibility to install, inspect, repair, and maintain all facilities and devices used for water pollution control practices (Best Management Practices/BMPs) before performing daily work activities.