

DOCKETED

Docket Number:	26-OPT-01
Project Title:	Vaca Dixon Power Center Project
TN #:	270885
Document Title:	Caltrans Encroachment Permit
Description:	Caltrans Encroachment Permit for new overhead crossing
Filer:	Adam Morrison
Organization:	Rincon Consultants, Inc.
Submitter Role:	Applicant Consultant
Submission Date:	6/19/2026 3:19:11 PM
Docketed Date:	6/19/2026

ENCROACHMENT PERMIT

DOT TR-0120 (REV 05/2023)

Permit No.
04-26-6-UJ-1151In compliance with your application of May 8, 2026Dist/Co/Rte/PM
04/SOL/080/PM 30.53

Reference Documents:

Permit Approval Date
May 18, 2026

- Utility Notice No. _____ of _____
- Agreement No. _____ of _____
- R/W Contract No. _____ of _____
- Project code (ID): _____ CFC #: _____
- Applicant's Reference/ Utility Work Order No. N/A

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: Middle River Power
C/O: Alyssa Kibbe
3 Centerpointe Dr, Suite 500
Lake Oswego, OR 97035
Email: alyssa.kibbe@powereng.com
Phone: (714)507-2770

, PERMITEE

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

Install, own, and operate new overhead crossings, on State Highway 04-SOL-80, at Post Mile 30.53, in the City of Vacaville, Solano County.

A minimum of 15 business days prior to the start of work under this encroachment permit, notice must be given to State Representative Soratha Sing, 2019 West Texas Street, Fairfield, CA 94533, at or (510) 520-0853, weekdays between 7:00 a.m. and 3:30 p.m., excluding holidays.

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 May 31, 2027

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

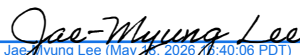
No project work shall be commenced until all other necessary permits and environmental clearances have been obtained.

CC:
#1: CHAD C KLEIN
#2: SORATHA SING
#3: Manar Altameemi
#4: Jeffrey Leung

APPROVED:

David Ambuehl, Acting, District Director

BY



Jae-Myung Lee (May 17, 2026 7:40:06 PDT)

JAE-MYUNG LEE, District Permit Engineer

In addition to the 2025 Standard Specifications and Standard Plans (available at <https://dot.ca.gov/programs/design/ccs-standard-plans-and-standard-specifications>), the attached "Encroachment Permit General Provisions" (TR-0045), "Stormwater Special Provisions for Minimal or No Impact (SWSP)" (TR-0400), "Hazardous Materials and Hazardous Waste Management Special Provisions" (TR-0408), "Rolling Traffic Breaks" (TR-0407), "Utility Overhead Provisions (OH)" (TR-0162), and "Encroachment Permit Special Provisions: H-Support Diagram for Aerial Crossings" (TR-0108) available at <http://dot.ca.gov/programs/traffic-operations/ep/ep-manual/>) all work permitted herein must comply with the following provisions:

The Permittee must give the State Representative at least 14 business days advance notice for lane, ramp, or shoulder closure requests.

Notwithstanding General Provisions #35, lane closures and other activities that may cause traffic impacts that require the Permittee to apply for and obtain a closure ID prior to the start of work. Requests must be submitted electronically through the Lane Closure System (LCS). Notifications to Traffic Management Center (TMC) must be submitted timely including 1097, 1098, and 1022 codes.

- In the event of noncompliance with the State's requirements and provisions including LCS requirements, the Permittee's future lane closures may not be granted and/or authorized.
- Cancel closure requests using LCS at least 48 hours before the start time of the approved closure.
- When your closure request is rejected, you must resubmit your revised closure request, and you may consult with the State Representative as needed.

The following codes are used when reporting your intended closure status to TMC:

- Use "1097" code, at the start of a lane and shoulder or ramp closures (dropping off the first cone).
- Use "1098" code, after the lane and shoulder or ramp is open to traffic (picking up the last cone).
- Use "1022" code, if cancelling an approved closure.

Traffic control must comply with the 2025 Caltrans Standard Plans T9 through T22 (available at <https://dot.ca.gov/programs/design/ccs-standard-plans-and-standard-specifications>), and the California Manual on Uniform Traffic Control Devices (MUTCD), Part 6, "Temporary Traffic Control" (available at <https://dot.ca.gov/programs/safety-programs/camutcd>) (refer to "Encroachment Permit General Provisions" (TR-0045)).

All traffic control devices must be installed, maintained, and removed by a qualified traffic control contractor.

Construction activities must not inconvenience the public or abutting property owners. Maintain access to driveways, houses, and buildings.

The State Representative and California Highway Patrol (CHP) reserve the right to require reopening the highway at any time, as necessary. All cost must be borne by the Permittee.

No lane must be closed or obstructed at any time, unless specifically allowed elsewhere in this encroachment permit, shown in approved traffic control plans, and/or as directed by the State Representative or California Highway Patrol (CHP).

Traffic Control is authorized only from 9 p.m. to 5 a.m. (Sunday through Thursday), excluding holidays in accordance with the 2025 Caltrans Standard Specifications, Section 12 (available at <https://dot.ca.gov/programs/design/ccs-standard-plans-and-standard-specifications>) and the approved traffic control plans. Shoulder closure is authorized while work is actively in progress.

Notwithstanding provision #5 of the "Rolling Traffic Breaks" (TR-0407), intermittent traffic control that impedes or stops the flow of public traffic is authorized only from 5 a.m. to 9 a.m. on Sunday mornings (excluding holidays).

Notwithstanding provision #2 of the "Rolling Traffic Breaks" (TR-0407), the duration of a planned traffic break must not exceed five (5) minutes. If additional traffic breaks are required, traffic backup must be cleared before performing another break.

Works involving new or additions to existing aerial crossings must not be performed in rainy, foggy or inclement weather which creates hazardous conditions for highway users.

Except for installing, maintaining, and removing traffic control devices, any work encroaching within three (3) feet of the edge of a travel lane for areas with a posted speed limit below 45 mph, or six (6) feet of the edge of a travel lane, for areas with a speed limit posted at 45 mph or higher, requires closing of that travel lane. Any work encroaching within six (6) feet of the edge of the shoulder requires closing of that shoulder.

Do not reduce an open traffic lane width to less than 11 feet. If traffic cones or delineators are used for temporary edge delineation, the side of the base of the cones or delineators nearest traffic is considered the edge of the traveled way

Traffic control using flagging must comply with the California Manual on Uniform Traffic Control Devices (MUTCD), Chapter 6E, "Flagger Control" (available at <https://dot.ca.gov/programs/safety-programs/camutcd>) and Cal/OSHA Title 8 Regulations Subchapter 4. Construction Safety Orders, Section 1599, "Flaggers" (available at <https://www.dir.ca.gov/title8/1599.html>).

Portable changeable message signs (PCMS) must comply with the California Manual on Uniform Traffic Control Devices (MUTCD), Chapter 2L, "Changeable Message Signs" and Chapter 6F.60, "Portable Changeable Message Signs" (available at <https://dot.ca.gov/programs/safety-programs/camutcd/camutcd-2026>).

Changes to the provisions herein require an Encroachment Permit Rider, except for minor changes authorized by the State Representative.

Additional review or inspection hours will be charged at the current State hourly rate.

The Permittee must coordinate all construction, maintenance, and other operational activities which are in progress in the same general area, if any, with the permitted work.

A pre-job meeting with the State Representative is required at least seven (7) business days prior to the start of any work under this encroachment permit. Failure to do so may result in encroachment permit revocation with no prejudice.

The Permittee must provide stage construction plans, traffic handling plans, work schedule, and a list of all sub-contractors, if any, to the State Representative at or prior to the pre-job meeting.

Time extension requests must be submitted to the State Representative a minimum two (2) weeks prior to permit expiration, with justification(s) and new completion date, in an official letter format.

The State Representative or California Highway Patrol (CHP) may stop work not being performed in compliance with this encroachment permit.

All mud, dirt, and gravel tracked onto the roadway must be immediately removed.

All the Permittee's personnel must wear appropriate and approved personal protective equipment, per Chapter 12 of Caltrans Safety Manual, including hard hats and bright-colored safety vests, shirts or jackets with retro-reflective material, while on the State highway right-of-way.

Signs, lights, flags, or other protective devices must not obscure the visibility of, nor conflict in intent, meaning, and function of existing signs, lights and traffic control devices, or any construction area signs.

Vehicle or equipment must not be stored overnight within the State highway right-of-way. All vehicles and equipment must be removed immediately at the completion of the day's work. Refueling of vehicle or equipment within the State highway right-of-way is strictly prohibited.

On conventional highways, the Permittee's vehicles and equipment not involved in the permitted activities must be legally located off the traveled way and not interfere with free traffic and pedestrian flow.

On freeways and expressways, the Permittee's vehicles and equipment not involved in the permitted activities must be legally located outside the State highway right-of-way.

Upon completion of work authorized by this encroachment permit, the Permittee must provide the State Representative with "Notice of Completion" (TR-0128) (available at <https://dot.ca.gov/programs/traffic-operations/ep/applications>).

Conditional Requirement(s):

Non-compliance with the provision(s) below may result in Caltrans taking actions including but not limited to canceling this encroachment permit without further notice, requiring bonds, and/or not providing such conditional approvals for the Permittee on future projects.

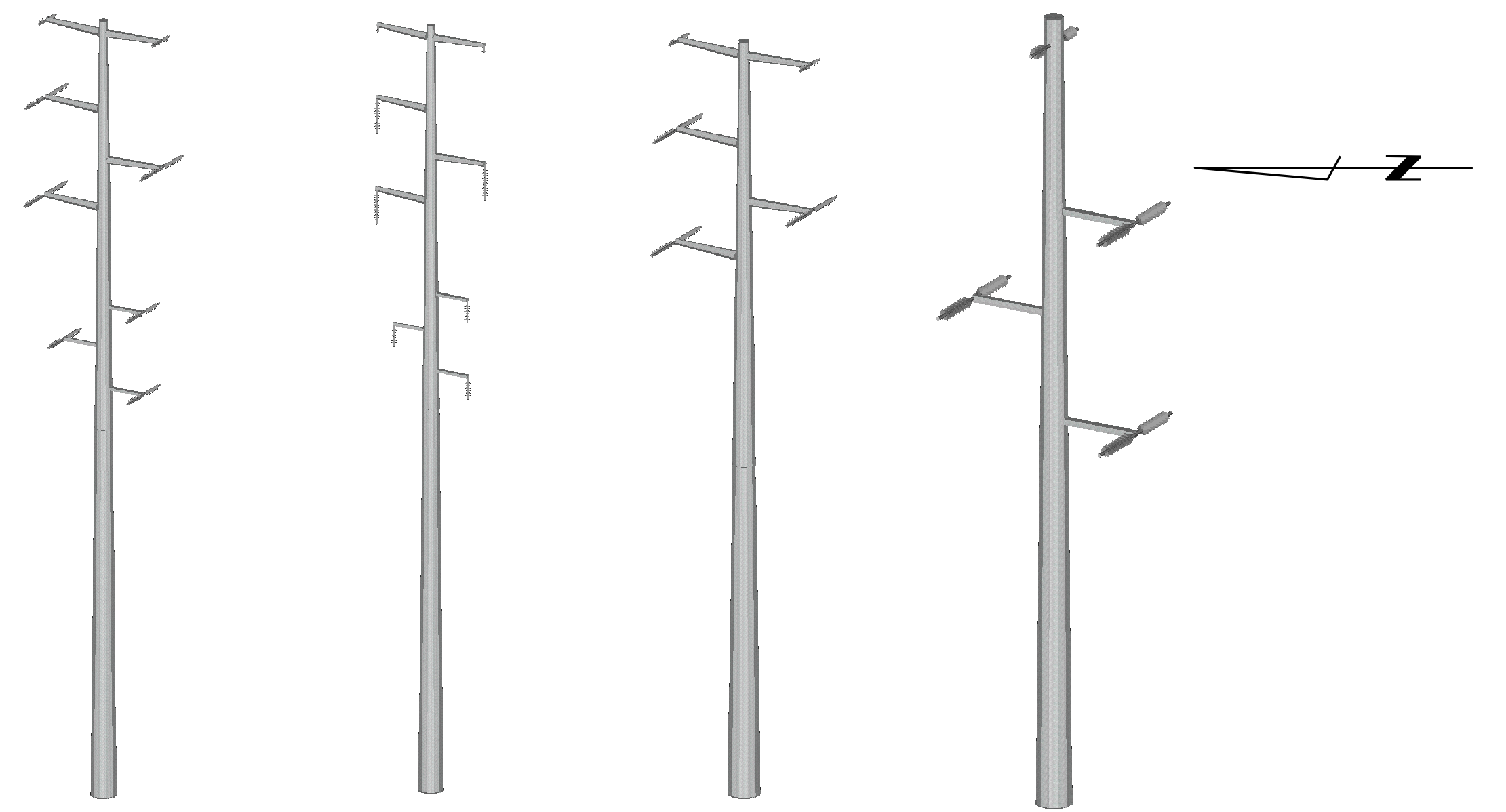
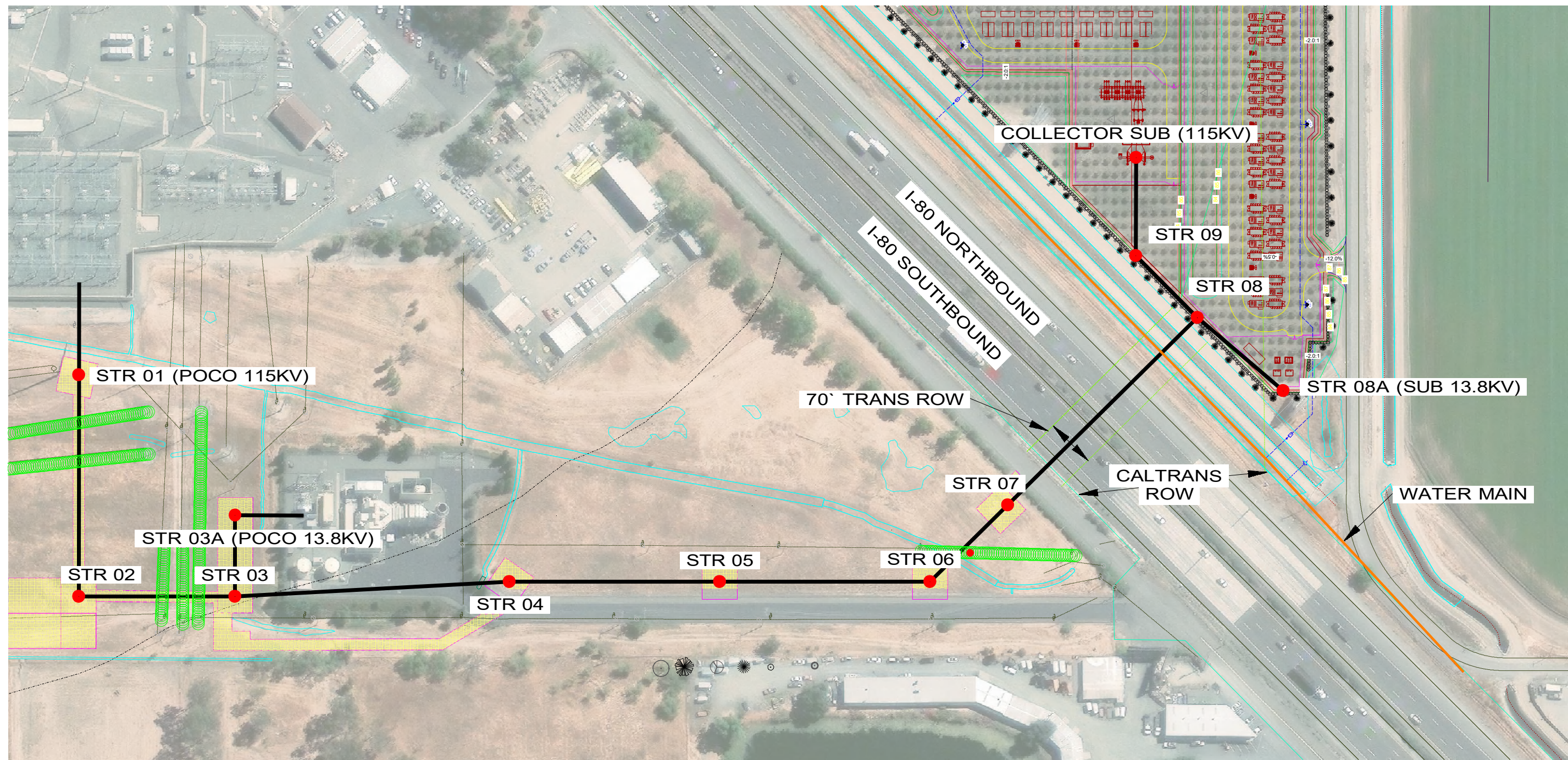
Work must not start until the documents listed below have been submitted to, reviewed by, and approved by Caltrans. This encroachment permit is conditionally issued without the documents listed below at the request of the Permittee. The Permittee acknowledges and will ensure that the following documents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

- “Encroachment Permit Applicant: Contractor(s) Authorization Form” (TR-0429) (available at <https://dot.ca.gov/programs/traffic-operations/ep/applications>). Submit the final signed form to the State Representative at or prior to the pre-job meeting. Changes to the Permittee’s prime contractor(s) requires another TR-0429 form.

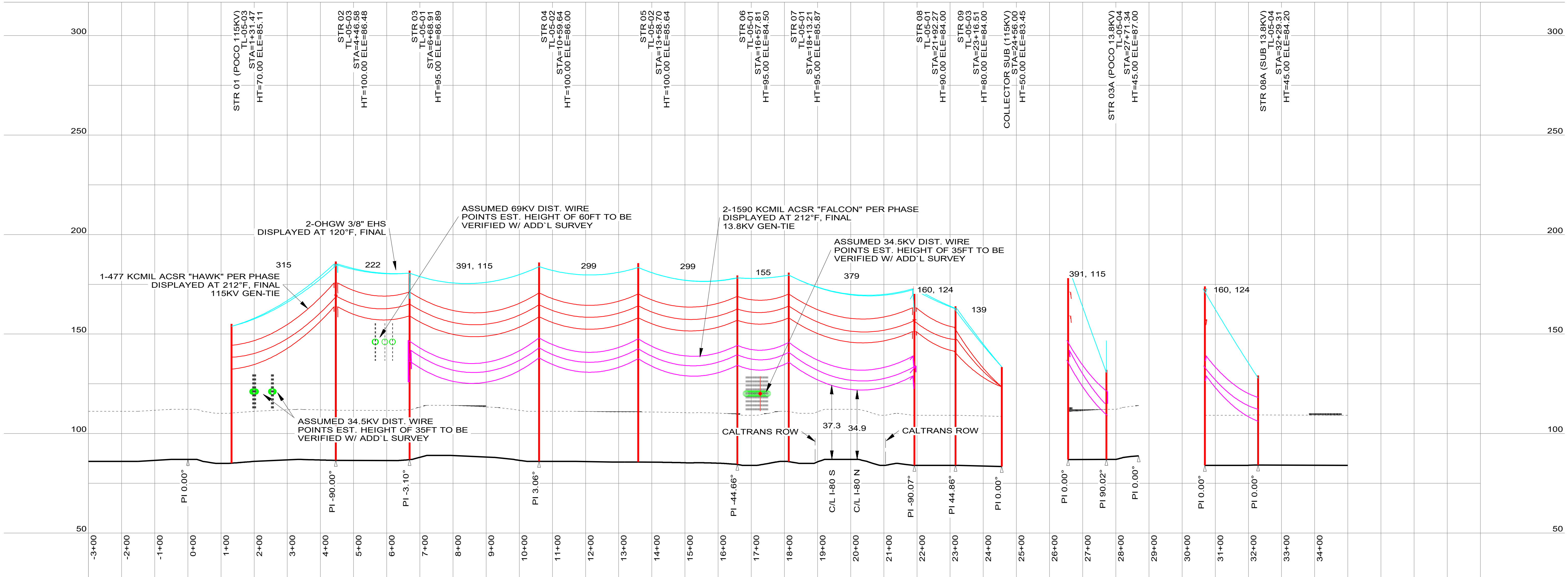
Additional Enclosure(s):

1. Project Documents
2. Contractor(s) Authorization Form (TR-0429)
3. Notice of Completion (TR-0128)

1 2 3 4 5 6 7 8



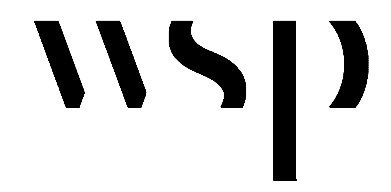
TL-05-01 TL-05-02 TL-05-03 TL-05-04



BORDER_PLS.DXF
THIS DRAWING WAS PREPARED BY WSP USA, INC. FOR A SPECIFIC PROJECT. TAKING INTO CONSIDERATION THE SPECIFIC AND UNIQUE REQUIREMENTS OF THE PROJECT, REUSE OF THIS DRAWING OR ANY INFORMATION CONTAINED IN THIS DRAWING FOR ANY PURPOSE IS PROHIBITED UNLESS WRITTEN PERMISSION FROM BOTH WSP AND WSP'S CLIENT IS GRANTED.

STR 01 (POCO 115KV) TL-05-03 STA=1+31.47 HT=70.00 ELE=85.11	STR 02 TL-05-03 STA=4+46.58 HT=100.00 ELE=86.48	STR 03 TL-05-01 STA=6+68.91 HT=95.00 ELE=86.89	STR 04 TL-05-02 STA=10+59.64 HT=100.00 ELE=86.00	STR 05 TL-05-02 STA=13+58.70 HT=100.00 ELE=85.64	STR 06 TL-05-01 STA=16+57.81 HT=95.00 ELE=84.50	STR 07 TL-05-01 STA=18+13.21 HT=95.00 ELE=83.87	STR 08 TL-05-01 STA=21+92.27 HT=90.00 ELE=84.00	STR 09 TL-05-03 STA=23+16.51 HT=80.00 ELE=84.00	COLLECTOR SUB (115KV) STA=24+56.00 HT=50.00 ELE=83.45	STR 03A (POCO 13.8KV) TL-05-04 STA=27+71.34 HT=45.00 ELE=87.00	STR 08A (SUB 13.8KV) TL-05-04 STA=32+29.34 HT=45.00 ELE=84.20
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DSGN	EJF	04/14/2026
DRN	EJF	04/14/2026
CKD	CAS	04/14/2026



GOLDEN DEVELOPMENT
VACA+ARGES BESS
GEN-TIE TRANSMISSION LINE
PLAN AND PROFILE

JOB NUMBER	REV
0256726	A
DRAWING NUMBER	
TL-01-01	

A	CONCEPTUAL	4/14/2026	EJF	EJF	CAS	TWH
REV	REVISIONS	DATE	DRN	DSGN	CKD	APPD

150.0 FT. HORIZ. SCALE
25.0 FT. VERT. SCALE
FOR 22X34 DWG ONLY

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 # _____ 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 # _____ 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.

NOTICE OF COMPLETION

DOT TR-0128 (REV 03/2026)

PERMIT NO.

To whom it may concern:

*All work authorized by the above-numbered permit was
completed on _____*

By providing my electronic signature for this form, I agree to conduct business transactions by electronic means and that my electronic signature is the legal binding equivalent to my handwritten signature. I hereby agree that my electronic signature represents my execution or authentication of this form, and my intent to be bound by it.

SIGNATURE OF PERMITTEE

FM 92 1546 M

ENCROACHMENT PERMIT SPECIAL PROVISIONS

UTILITY OVERHEAD PROVISIONS (OH)

TR – 0162 (Rev. 07/2023)

In addition to the attached Encroachment Permit General Provisions (TR-0045), the following special provisions are also applicable:

OH1. LOCATION POLE LINES, ETC.: Pole lines shall be located as specifically directed in the provisions of the permit.

OH2. INSTALLATIONS AND CLEARANCES: Horizontal clearance, as measured from the edge of traveled way to the installation must be in accordance with the minimum clearance required for Discretionary Fixed Objects. According to Caltrans' Highway Design Manual (309.1) The installation should be located beyond the clear recovery zone at a minimum of 52 feet horizontally or 8 feet vertically up-slope from the edge of traveled way, unless they are made breakaway or shielded behind existing guardrail, barrier or other safety devices. In no case is a pole allowed closer than 1.5 feet behind a curb face or less than 2 feet from the edge of a slope catch point or 3 feet from the curb returns of intersections and near the edges of driveways, or within a drainage ditch. New installations should adhere to setback limits or should be protected. Consideration should be given to placing such encroachments underground in shoulder or parking areas. Also, installations and clearances must comply with applicable orders of the California Public Utilities Commission (CPUC), or the Division of Occupational Safety and Health (Cal/OSHA) Safety Orders, whichever is more restrictive.

OH3. PERMISSION FROM PROPERTY OWNERS: When necessary, permission must be secured from the abutting property owner(s) in written form by the permittee before starting work.

OH4. CLEARANCE OF TREES: Unless otherwise specifically required by the Department, protected cables, tree wires or plastic tree wire guards used for communication lines may be used through trees where necessary, provided the installation and any necessary pruning does not damage or affect the appearance of the tree or the tree itself will not be damaged. This allowance does not apply to scenic highways.

OH5. GUY WIRES: No guy wires are to be attached to trees except as may be specified in the permit and in no event must they be so attached as to girdle the tree or interfere with its growth. Guy wires must be kept to a minimum elevation above ground as directed.

OH6. ANCHOR: In general, anchor must not be placed closer to the traveled way than the pole itself.

OH7. REMOVE OLD POLES, GUY, and STUBS: The entire length of poles and stubs must be removed from the ground and the holes backfilled. Guy rods must be removed to a minimum depth of 3 feet below original ground.

OH8. AERIAL CROSSING: Work involving new or additions to existing aerial crossings must not be performed in rainy, foggy or inclement weather which creates hazardous conditions for highway users.

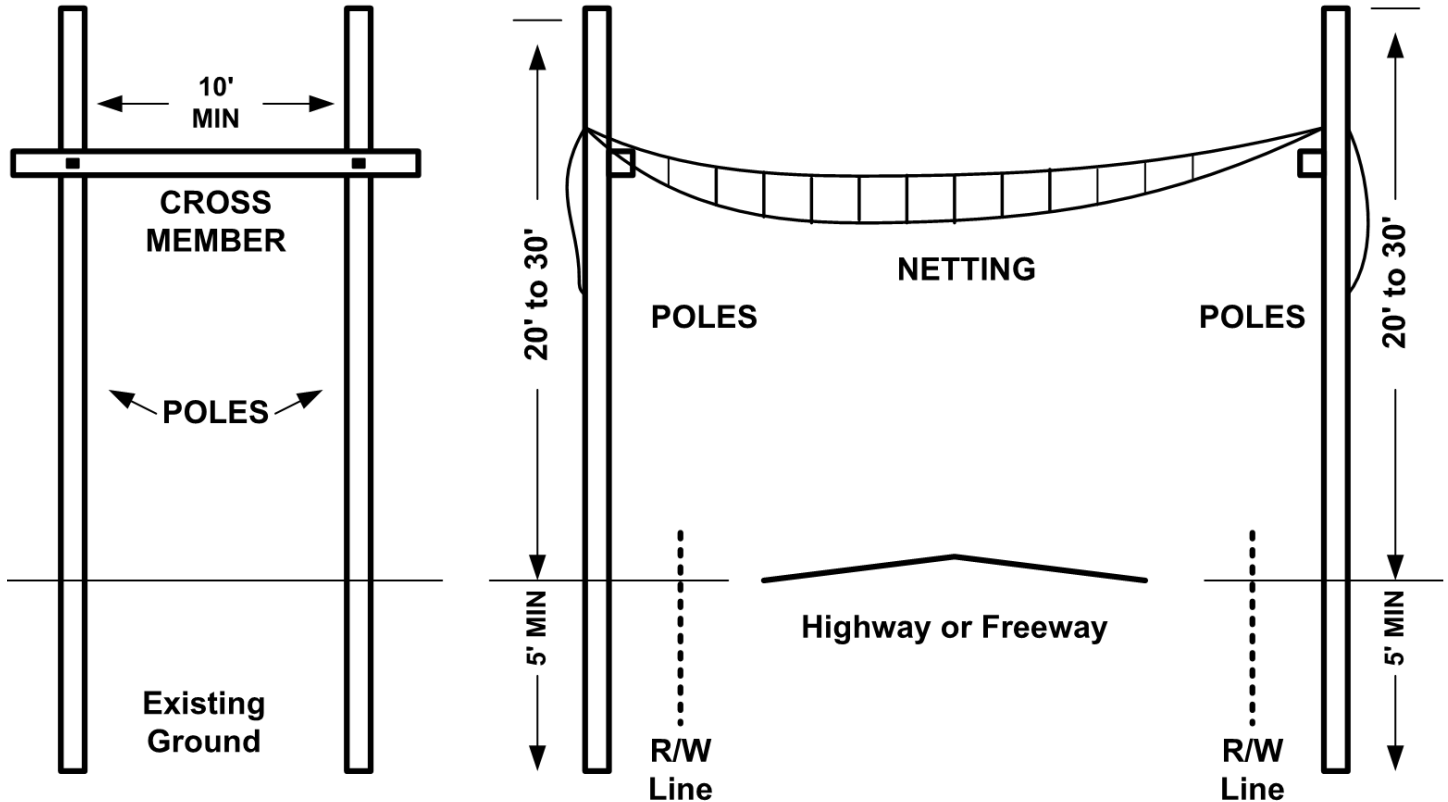
OH9. CLEARANCE FROM CURBS: The face of poles must not be placed closer than 1.5 feet from any curb face.

OH10. POLE INSTALLATION OR REMOVAL: Where poles are to be installed or removed behind the curb in a parkway that is paved with Portland Cement Concrete, the concrete must be saw cut, removed and replaced to the nearest score lines or expansion joints. The hole in the PCC sidewalk created by pole removal must be temporarily backfilled with 2 inches minimum temporary AC at the time the pole is removed. Poles are not to be installed without prior approval of the final location by the Department's field representative.

OH11. CONTROLLED ACCESS R/W: Poles, anchors, etc., must not be installed inside of any controlled access right of way. All such requests are "exceptions" to policy.

H - Support Diagram for Aerial Crossings

TR-0108 (Rev 07/2021)



Construction Notes:

A minimum of 18 feet shall be maintained over and across highway or freeway lanes.

Netting shall be maintained over and across lanes until aerial facilities are properly secured in place.

H - supports shall be installed outside of State highway right-of-way, unless permitted by the State's representative.

California Highway Patrol (CHP) breaks shall be in accordance with Standard Specifications 12-4.02C(7)(d) Traffic Breaks for the placement of netting.

Placement of aerial lines: Installation or removal of overhead conductors crossing a freeway require traffic control by the CHP and usually occur on weekend mornings. The CHP can perform a rolling break in traffic on most highways in accordance with Standard Specifications 12-4.02C(7)(d) Traffic Breaks. These breaks are adequate for simple cable installation. Utility personnel carry the conductors across the freeway lanes and hoist them into place on the opposite side of the freeway.

On larger conductor crossings such as transmission lines, one inch or greater in diameter, districts may determine that safety nets are needed to prevent transmission lines from falling on traffic during cabling installations. Temporary safety-net support poles are placed at protected locations outside shoulders and in medians. If locations for temporary supports are not available, the utility company may use K-rail and sand barrel crash cushions. After rope nets are strung during CHP traffic breaks other work is then allowed to proceed. Placement of the aerial line may be by helicopter.

ENCROACHMENT PERMIT SPECIAL PROVISIONS**STORMWATER SPECIAL PROVISIONS FOR MINIMAL OR NO IMPACT (SWSP)**

TR-0400 (Rev. 09/2024)

1. **GENERAL:** The purpose of these Special Provisions is to provide the Permittee with specifications for water pollution control to minimize, prevent, or control the discharge of material into the air, surface waters, groundwater, and storm sewers owned by the State or local agencies. These provisions are not intended to take the place of the Caltrans Water Pollution Control Program (WPCP) for projects where soil disturbance from work activities ranging from more than a quarter of an acre to less than one acre, or work activities of one acre or more subject to the preparation of the Caltrans Storm Water Pollution Prevention Plan (SWPPP). These provisions must be included with the permit for projects that require an Erosion and Sediment Control Plan (ESCP). The Permittee must comply with the following Special Provisions and the direction of the State Representative. All Stormwater Best Management Practices (BMPs) must conform to Section 13 Water Pollution Control of the Caltrans' Standard Specifications.
2. **NPDES REQUIREMENTS:** The Permittee must be responsible for full compliance with the Caltrans Storm Water Program and the Caltrans National Pollutant Discharge Elimination System (NPDES) Permit requirements (Order 2022-0033-DWQ, NPDES No. CAS000003, and any amendments and/or subsequent orders). Projects in construction with active waste discharge identification number (WDID number) may continue their coverage with the California Construction General Permit CGP (Order 2009-0009-DWQ, NPDES No. CAS000002, and any amendments and/or subsequent orders) until 9/1/2025. Privately funded projects may not extend their 2009 CGP regulatory coverage and are responsible for compliance with the CGP (Order WQ 2022-0057-DWQ NPDES No. CAS000002) after 9/1/2023. It is the Permittee's responsibility to install, inspect, and repair or maintain facilities and devices used for water pollution control practices (BMPs) before performing daily work activities. Installation, inspection and maintenance responsibilities on the job site include: 1) soil stabilization materials in work areas that are inactive or prior to storm events, 2) water pollution control devices to control sediment and erosion, 3) implementation of spill and leak prevention procedures for chemical and hazardous substances stored on the job site, 4) material storage, 5) stockpile management, 6) waste management, 7) non-stormwater management, 8) water conservation, 9) tracking controls, and 10) illicit connection, illegal discharge detection and reporting. The Permittee must report to the State Representative when discharges enter receiving waters, adjacent property, and drainage systems. The Permittee must also address any illicit discharges or illegal dumping prior to start of daily work schedule by cleaning them up. Copies of written notices or orders from the Regional Water Quality Control Board or other regulatory agency must be provided to the State Representative within forty-eight (48) hours of reported activity. For additional information on stormwater compliance, visit the [State Water Resources Control Board's Storm Water Program](#).
3. **RESPONSIBILITY FOR DEBRIS REMOVAL:** The Permittee must be responsible for preventing project related sediment, trash, debris, and other construction waste from entering the street, storm drains, drainage swales, stormwater conveyance infrastructure, local creeks, or any other bodies of water. All existing treatment BMP's (TBMPs) must be protected in place. If an existing TBMP is damaged by the Permittee, the Permittee is responsible for complete repair to a satisfactory condition determined by the State Representative.
4. **SPOILS AND RESIDUE:** The Permittee must vacuum any saw-cut concrete waste material, debris, residue, etc. No spoils, debris, residue, etc. must be washed into a drainage system. The Permittee must ensure that Portland cement concrete and asphalt concrete grindings are not stockpiled or used in a manner that may result in an unauthorized stormwater discharge to waters of the state.
5. **SWEEPING:** Sweep paved roads at construction entrance and exit locations and surrounding paved areas daily within the job site during: 1) clearing and grubbing, 2) earthwork, 3) trenching, 4) soil disturbance, 5) pavement grinding and/or cutting, and 6) after observing tracking of material onto or off the State property. Minimize the amount of dust particles during sweeping activities, ensuring that the levels do not exceed the standards set by local air quality control districts or the EPA's National Ambient Air Quality standards. Use wet-vacuum whenever dust generation is excessive, or sediment pickup is ineffective. Roadways or work areas must not be washed down with water. Street sweeping operations must conform to Section 13 Water Pollution Control of the Caltrans' Standard Specifications.
6. **VEHICLES AND EQUIPMENT:** The Permittee must prevent all vehicles, equipment, etc. from leakage or mud tracking onto roadways. If leaks cannot be repaired immediately, remove the vehicle or equipment from the job site. If vehicle or equipment cannot be immediately removed from job site, install secondary containment to contain spill and prevent illicit non-stormwater discharge.
7. **MAINTENANCE AND FUELING OF VEHICLES AND EQUIPMENT:** Maintenance and fueling of equipment must not result in any pollution at the job site. The Permittee must immediately clean up spills/leaks, and properly dispose of contaminated soil and materials. All maintenance and fueling should be conducted at an appropriate facility that is feasible. All maintenance and fueling which must occur onsite

ENCROACHMENT PERMIT SPECIAL PROVISIONS

shall be conducted as far away as practical from drain inlets, water bodies, and other stormwater conveyance systems.

8. **CLEANING VEHICLES AND EQUIPMENT:** Limit vehicle and equipment cleaning or washing at the job site except what is necessary to control vehicle tracking or hazardous waste. All equipment must be sanitized prior to mobilization to limit the spread of invasive plant species. The Permittee must clean all equipment within a bermed area or over a drip pan large enough to prevent run-off. Notify the Engineer before cleaning vehicles and equipment at the job site with soap, solvents, or steam. Any water from this operation must be collected and disposed of at an appropriate site. Containment berms or dikes must be used for fueling, washing, maintaining and washing vehicles or equipment in outside areas. Containment must be performed at least one hundred (100) feet from concentrated flows of storm water, drainage courses, and storm drain inlets if within a flood plain, otherwise at least fifty (50) feet if outside the floodplain. Keep adequate quantities of absorbent spill cleanup material and spill kits in the fueling or maintenance area and on fueling trucks.
9. **DIESEL FUELS:** The use of diesel fuel from petroleum or other fossil fuel as a form-oil or solvent is not allowed.
10. **WEATHER CONDITIONS AT WORKSITE:** Any activity that generates fine particles or dust (e.g., Saw cutting, earthwork, sanding, etc.), which could be carried off-site by stormwater, must be conducted during dry weather conditions to avoid immediate mobilization into the drainage system.
11. **WIND EROSION PROTECTION:** The use of Wind Erosion BMPs must be deployed year-round in instances where dust or fine particles could be transported off site. Potential wind erosion BMPs may include wind fence, water application, gravel, and/or hydro-mulch.
12. **HOT MIX ASPHALT:** Runoff from washing hot mix asphalt must not enter any drainage conveyances or receiving waters.
13. **PROTECTION OF DRAINAGE FACILITIES:** The Permittee must protect/cover gutters, ditches, drainage courses, and inlets with gravel bags, fiber rolls, State approved fabric filters, etc., to the satisfaction of the State Representative during grading, paving, sealing, saw-cutting, grooving and grinding, or any other activity which may result in an illicit discharge. All materials must conform to Section 13-6.02 Materials for Water Pollution Control of the Caltrans' Standard Specifications. No such protection measures must cause an obstruction to the traveling public. The Permittee must implement spill and leak prevention procedures for chemicals and hazardous substances stored on the job site (including secondary containment requirements) in accordance with Section 13-4.03B Spill Prevention and Control and for leaks and spills from vehicles and equipment each day of use in accordance with Section 13-1.03C Inspections for Water Pollution Control and Section 14-11 Hazardous Waste and Contamination for Environmental Stewardship of the Caltrans' Standard Specifications.
14. **PAINT:** Clean water-based and oil-based paint from brushes or equipment within a contained area to prevent contamination of soil, receiving waters, or storm drain systems. Handle and dispose of paints, thinners, solvents, residues, and sludges that cannot be recycled or reused as hazardous waste under section 14-11. When thoroughly dry, dispose of dry latex paint, paint cans, used brushes, rags, absorbent materials, and drop cloths as solid waste under section 14-10.
15. **CONSTRUCTION MATERIALS AND MATERIAL MANAGEMENT:** Materials necessary for erosion and sediment control must be stockpiled on site at convenient locations to facilitate prompt installation. Such materials must be implemented at all inactive disturbed areas, and prior to all qualifying rain events. A "Qualifying Precipitation Event" (QPE) is defined as a forecast with a 50% or greater probability of precipitation that results in 0.5 inches or more of rain within a 24-hour period. Do not allow soil, sediment, or other debris from stockpiles to enter storm drains, open drainages, or watercourses. Minimize stockpiles of all construction materials, including, but not limited to; pressure treated wood, asphalt concrete, cold mix asphalt concrete, concrete, grout, cement containing premixes, and mortar. All stockpiling of such materials must conform to Section 13-4.03C(2) Material Storage and Section 13-4.03C(3) Stockpile Management for Water Pollution Control of the Caltrans' Standard Specifications.
16. **CONCRETE EQUIPMENT:** Concrete equipment must be washed in a designated washing area in a way that does not contaminate soil, receiving waters, or storm drain systems. Any concrete washout activities which result in compromised containment must be cleaned and disposed of immediately. All Designated concrete facilities, including equipment, washout areas must be contained during Qualifying Precipitation Events (QPEs) marked by clearly visible signage throughout the project area.
17. **EXISTING VEGETATION:** Established existing vegetation is the best form of erosion control. Minimize disturbance to existing vegetation. Fenced barriers may serve as an adequate buffer to prevent traffic across existing vegetation. Damaged or removed vegetation must be replaced as directed by the State Representative.
18. **SOIL DISTURBANCE:** Soil disturbing activities must be avoided during the wet weather season. If construction activities during wet weather are allowed in the permit, all necessary erosion control and soil stabilization measures must be implemented in advance of soil disturbing activity. All temporary relocation of BMPs must be completed at the end of each working day and prior to each Qualifying Precipitation Event with a 50% or greater probability of precipitation that results in 0.5 inches or more of rain within a 24-hour period. Silt and debris shall be removed from linear barriers as part of the regular inspection schedule and as deemed necessary by the State Representative.

ENCROACHMENT PERMIT SPECIAL PROVISIONS**19. SLOPE STABILIZATION AND TRACKING**

CONTROL: Consider a certified expert in Erosion and Sediment Control in cases where slopes are disturbed or during implementation of temporary road construction for equipment and material access to the project. The Permittee is directed to comply with Section 13.5 Temporary Soil Stabilization, Section 13.6 Temporary Sediment Control, Section 13.7 Temporary Tracking Control and Section 21 Erosion Control of the Caltrans' Standard Specifications for construction during application of temporary soil stabilization and sediment/tracking control measures to minimize impacts to the soil surface. Temporary construction entrances/exits are required to be stabilized and may include gravel, rumble plates, and/or FODS. Erosion control blankets, temporary mulch, soil binders, tackifier, fiber, seed, straw, temporary covers, rigid plastic, gravel bag barriers, sediment filter bags, temporary check dams, drainage inlet protection, fiber rolls and/or silt fences may be required down slope and on temporary construction roads and entrances until permanent soil stabilization is established. Consult with manufacturer specifications regarding maintenance frequency of sediment controls. All controls must be maintained to ensure proper functionality. The Permittee must limit the use of plastic materials when more sustainable, environmentally friendly alternatives exist or when environmental regulations prohibit their use within the project.

20. STOCKPILES: All stockpiled materials must be stored at least one hundred (100) feet from concentrated flows of storm water, drainage courses, and storm drain inlets if within a flood plain, otherwise at least fifty (50) feet if outside the floodplain. All stockpiles must be covered and protected with a temporary perimeter sediment barrier if inactive or prior to each Qualifying Precipitation Event with a 50% or greater probability of precipitation that results in 0.5 inches or more of rain within a 24-hour period. A stockpile is considered inactive after fourteen (14) days without addition or subtraction. Additionally, cold mix stockpiles must be stored on an impermeable surface and covered with nine (9) mil plastic to prevent contact with water. Minimize stockpiling of materials on the job site. Manage stockpiles by implementing the water pollution control practices in Section 13--4.03C(3) Stockpile Management for Water Pollution Control of the Caltrans' Standard Specifications for construction. Demolished material must not be allowed to enter storm drain systems and receiving waters. Use authorized covers and platforms to collect debris. Use attachments on equipment to catch debris during all demolition activities. Empty debris-catching devices daily and handle debris in accordance with Section 13-4.03D Waste Management for Water Pollution Control of the Caltrans' Standard Specifications for construction.

21. DISCOVERY OF CONTAMINATION: The State Representative must be notified in case any unusual discoloration, odor, or texture of ground water, is found in excavated material. Additionally, the State Representative must be notified if abandoned, underground tanks, pipes, or buried debris are encountered.

22. SANITARY AND SEPTIC WASTE: Do not bury or discharge wastewater from a sanitary or septic system within the highway. A sanitary facility discharging into a sanitary sewer system must be properly connected and free from leaks. Place a portable sanitary facility at least 50 feet away from storm drains, receiving waters, and flow lines. The Permittee must comply with local health agency regulations if using an on-site disposal system.

23. LIQUID WASTE: Prevent job site liquid waste from entering storm drain systems and receiving waters. Drilling slurries, grease or oil-free wastewater or rinse water, dredging, and wash water or rinse water running off a surface or other non-storm water liquids not covered under separate wastewater permits must be held in structurally sound, leak-proof containers, such as portable bins or portable tanks. Store containers at least fifty (50) feet away from moving vehicles, equipment, concentrated flows of storm water, drainage courses, and storm drain inlets. Liquid waste may require testing to determine hazardous material content prior to disposal. All measures must conform to section 13--4.03D(5) Liquid Waste for Water Pollution Control of the Caltrans' Standard Specifications for construction.

24. WATER CONTROL AND CONSERVATION: Manage water use in a way that will prevent erosion and discharge of pollutants into storm drain systems and receiving waters. Direct all runoff into areas where it can infiltrate.

25. PILE DRIVING: Keep spill kits and cleanup materials at pile driving locations. Park pile driving equipment over drip pans, absorbent pads, or plastic sheeting with absorbent material, and away from stormwater run-on when not in use. In the event of oil/grease leaks and spills from pile driving activities, immediately contain and dispose of all contaminated materials.

26. DEWATERING: Dewatering consists of discharging accumulated storm water, groundwater, or surface water from excavations or temporary containment facilities. All dewatering operations must comply with the latest Caltrans guidelines including the Field Guide for Construction Site Dewatering. Contact the State Representative for approval of dewatering discharge by infiltration or evaporation, otherwise, any effluent discharged into a permitted storm water system requires approval from the Regional Water Quality Control Board. Prior to the start of dewatering, the Permittee must provide the State Representative with a dewatering and discharge work plan that complies with Section 13-4.03G Dewatering for Water Pollution Control of the Caltrans' Standard Specifications for construction. Work plan also references guidelines and BMPs in the CGP and the Field Manual for Construction Site Dewatering. A 24-hour email notification of dewatering discharge to the Regional Water Board, including the implemented SWPPP and BMPs, is required by Attachment J of the CGP.

ROLLING TRAFFIC BREAKS

TR-0407 (Rev 07/21)

In addition to the attached Encroachment Permit General Provisions (TR-0045), the following special provisions are also applicable:

1. Permittee must arrange a meeting with the California Highway Patrol (CHP) and the Caltrans permit inspector, at least two (2) weeks prior to the start of work in order to determine the appropriate number of CHP vehicles required for planned traffic breaks. A minimum of two (2) CHP vehicles in each direction are required. One CHP vehicle will be conducting the planned traffic break and the second CHP vehicle will be stationed on the shoulder with its rear emergency lights on to caution motorists at the end of the queue. Additional CHP vehicles may be required if determined to be necessary by the CHP. It is the responsibility of the permittee to make arrangements with CHP for providing planned traffic breaks to facilitate the approved work.
2. The duration of a planned traffic break must be in accordance with Standard Specifications 12-4.02C(7)(d) Traffic Breaks. If additional traffic breaks are required, traffic backup must be cleared before performing another break.
3. The permittee must provide a minimum of one (1) Portable Changeable Message Sign (PCMS). Additional PCMSs must be provided if required by Caltrans permit inspector or CHP. PCMS(s) must be placed at the locations directed by the CHP and be moved or relocated as needed. Each PCMS must comply with section 12-3.32 of the Caltrans Standard Specifications. PCMS(s) must be removed promptly after the planned traffic break is completed.
4. Message to be displayed on the PCMSs must be coordinated with Caltrans permit inspector/representative and CHP.
5. All aerial crossings should be scheduled on Sunday mornings (excluding holidays), from daylight to 10:00 a.m., unless otherwise authorized by the District Permit Engineer or authorized Caltrans' representative.
6. No aerial crossings must be performed in rainy, foggy or other inclement weather.

HAZARDOUS MATERIALS AND HAZARDOUS WASTE MANAGEMENT

TR-0408 (New 09/2017)

By acceptance of this encroachment permit, Permittee hereby agrees that:

1. All construction debris/materials/water/excess soil must become the property of the Permittee, and must be transported and disposed of, outside of Caltrans' right-of-way, in accordance with all applicable environmental laws and regulations. The Permittee must be identified as the generator for all construction debris/materials/water/excess soil and must be responsible for proper identification (including sampling and analysis) and management of all construction and contaminated debris/materials/water/excess soil that are removed, and/or excavated, from the work site. If hazardous waste is generated, the Permittee must obtain an Environmental Protection Agency (EPA) Identification Number issued in their name. State Permit Inspector does not sign any manifests or shipping papers. The Permittee must be named as the generator on all Uniform Hazardous Waste Manifests and shipping papers. Caltrans must not be identified or written anywhere on the manifests or shipping papers. Prior to waste disposal, the Permittee should submit the waste generator form(s) to State Permit Inspector for verification. The Permittee must submit to the State Permit Inspector, a copy of all manifests and/or shipping papers generated for materials removed, transported and/or excavated from the state right-of-way.
2. If contaminated material is encountered, Permittee is to stop work and contact the State Permit Inspector immediately. The Permittee must submit a Sampling and Analysis Plan (SAP), and a Health and Safety Plan (HaSP) prepared by a Certified Industrial Hygienist (CIH) and in conformance with California Code of Regulations title 8, section 5192, "Hazardous Waste Operations and Emergency Response" for sampling activity through a separate permit application. Upon the permit review, additional environmental documents may be required prior to resumption of construction activity.
3. Permittee is responsible for any violation, penalty, enforcement action, corrective action, remedial action, and any other type of consequences resulting from cross contamination of groundwater (including perched groundwater), improper handling/managing of hazardous materials and/or placement of contaminated materials inside Caltrans right-of-way.
4. It is the Permittee's responsibility to comply with the Department of Toxic Substances Control (DTSC) ADL requirements for roadway soil management. Reuse of soils containing greater than 80 mg/kg total lead is not allowed without written approval of the DTSC and Caltrans. The Soil Management Agreement for Aerially Deposited Lead-Contaminated Soils between Caltrans and the DTSC does not constitute written approval for the Permittee to reuse soils containing greater than 80 mg/kg total lead.
5. The Permittee must implement the emergency notification requirements established in the California Office of Emergency Management Hazardous Materials, Spill / Release Notification Guidance (<http://www.caloes.ca.gov/>).
6. Any imported material used for backfill must be free of contamination, and a certificate of the material as "clean" with the source area of the material must be provided to Permit Inspector upon request. Importing soils containing greater than 80 mg/kg total lead for use in state right-of-way is not allowed.

Stockpiles of material containing aerially deposited lead shall not be placed where affected by surface run-on or run-off. Stockpiles shall be covered with plastic sheeting 13 mils minimum thickness or with one foot of nonhazardous material. Stockpiles shall not be placed in environmentally sensitive areas. Stockpiled material shall not enter storm drains, inlets, or waters of the State.