

Three (3) copies of the drawings must accompany the utility permit application.

When applicable, the following supplements are also required and shall become a part of this permit: Bridge Attachment, Pipe Data Sheet or Certification for Permit Lighting.

PERMIT NUMBER _____

CONTROL _____ SECTION _____

STATE PROJECT NUMBER _____

ENTERED IN COMPUTER FILE

INITIAL AND DATE

STATE OF LOUISIANA
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT
UTILITY RELOCATION AGREEMENT PERMIT

(Required by State Law) Rev 4/4/22

A copy of this permit shall be available at the site where and when work is performed.

Whereas _____,
(Print or type name of applicant)

hereinafter termed applicant, requests a permit for the use and occupancy of the right-of-way of State Highway No. _____

in _____ Parish, located as follows:

from: _____ Lat: _____ Long: _____

to: _____ Lat: _____ Long: _____

(in Decimal Degrees, e.g. Lat:-30.459, Long: -91.178)

for the relocation, installation, operation, and maintenance of the following (please summarize and use additional sheets as necessary):

Estimated number of times this facility will be accessed each year after construction has been completed, including meter readings: _____

By signing this permit, applicant/permittee hereby acknowledges receiving a copy of the permit, the general conditions and standards, the Standards for the Installation of Pipelines on State Highways, and the Standards for the Installation of Supply and Communication Lines on State Highways, and agrees to comply with all provisions contained therein and all applicable laws, rules and regulations.

DOTD USE ONLY:

Permit is subject to the following conditions (use additional sheets as necessary):

RECOMMENDED FOR APPROVAL

(Check box if review required)

Permit must be signed by the owner or lessee of the property.
Contractor may NOT acquire permit

District Utility or Permit Specialist / Date

(Signed)

(Owner) (Date)

District Traffic Operation Engineer / Date

(Printed or Typed)

(Name of Person Signing Permit)

(Title)

District Administrator (or Designee) / Date

(Street or P.O. Box)

Print Name _____

(City or Town) (State) (Zip Code)

Applicant must receive approval from the DOTD Project Engineer

at phone number: _____

to begin work and notify the DOTD PE when work is completed.

(Telephone Number)

(E-mail Address)

Issue Date: _____

DOTD APPROVAL:

Headquarters Utility Relocation Engineer / Date

The following general conditions and standards shall apply:

FIRST: That, the rights and privileges granted herein shall be nonexclusive and shall not be construed to be any broader than those expressly set out in Acts of the Legislature of the State of Louisiana, regardless of the language used in this permit and that any facilities placed on the highway right-of-way shall be placed in accordance with existing laws and the standards of the Department

SECOND: That, all facilities thereto, after having been erected, shall at all times be subject to inspection and the right is reserved to require such changes, additions, repairs, relocations and removal as may at any time be considered necessary to permit the relocation, reconstruction, widening and maintaining of the highway and to provide proper and safe protection to life and property on or adjacent to the highway, or in the interest of safety to traffic on the highway, subject to the terms of any existing or future Utility Agreement(s) with the Department.

THIRD: That, the proposed facilities or their operation or their maintenance shall not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other persons, firms or corporations previously issued permits of use and occupancy, and the proposed facilities shall not be dangerous to persons or property using or occupying the highway or using facilities constructed under previously granted permits of use and occupancy; and that the Department's records of prior permits are available, it being the duty of the applicant to determine the existence and location of all facilities within the highway right of way.

FOURTH: That, installations within the highway right-of-way shall be in accordance with applicable provisions contained in the following: AASHTO Guide for Accommodating Utilities within Highway Right of Way, Code of Federal Regulations 23 (CFR 23), National Electrical Safety Code C2, 1996 Federal Telecommunications Act. Those facilities not included in the above mentioned documents shall be in accordance with accepted practice. Where standards of the Department exceed those of the above cited codes, the standards of the Department shall apply. The Department reserves the right to modify its policies as may be required if conditions warrant.

FIFTH: That, data relative to the proposed location, relocation and design of fixtures or appurtenances as may be required by the Department shall be furnished to the Department by the applicant, and that the applicant shall make any and all changes or additions necessary to make the proposed facilities thereto satisfactory to the Department, subject to the terms of any existing or future Utility Agreement(s) with the Department.

SIXTH: That, cutting and trimming of trees, shrubs, etc., shall be in accordance with the Department's EDSM IV.2.1.6 and Vegetation Manual, as revised.

SEVENTH: When and so long as the facilities involved in this permit are used for interstate commerce, this permit is conditioned on there being in force a certificate of convenience and necessity issued by the Federal Energy Regulatory Commission, or such other Federal Agency as may be so authorized by Congress, to the applicant and upon the applicant's compliance with all terms of such certificate and the orders issued in connection therewith.

EIGHTH: The applicant shall indemnify and save harmless the Department, its officers, agents, employees, contractors and assigns against any and all costs, expenses, claims, losses, liabilities, demands, suits, causes of action, damages, and judgments of any sums of money to any party accruing against the Department, its officers, agents, employees, contractors and assigns, growing out of, resulting from, or by reason of the presence or operation of the proposed facilities or any act or omission of the applicant, its officers, employees, agents, contractors and assigns while engaged in, about, or in connection with the discharge or performance of the terms of this permit or the operation, maintenance and use of the proposed facilities, whether by the applicant or third parties. Such indemnification shall include, without limitation, attorney's fees, court costs, fines, penalties, legal, consulting, accounting, engineering, and other expenses. The applicant shall provide and bear the expenses of all personal, professional, or other applicable insurance related to its ownership and operation of the proposed facilities and its duties arising under the permit.

NINTH: That, the applicant is the owner of the facility for which a permit is requested, and is responsible for maintenance of such: and any permit granted by the Department is granted only insofar as the Department had the power and right to grant the same.

TENTH: That, any permit granted by the Department is subject to revocation at any time subject to the terms of any existing or future Utility Agreement(s) with the Department.

ELEVENTH: That, signing for warning and protection of traffic in instances where workmen, equipment or materials are in close proximity to the roadway surfacing, shall be in accordance with requirements contained in the Department's Manual on Uniform Traffic Control Devices. No vehicles, equipment and/or materials shall operate from, or be parked, stored or stock piled on any highway, median, or in an area extending from the outer edge of the shoulder of the highway on one side to the outer edge of the shoulder of the highway on the opposite side or in the median of any divided highway.

TWELFTH: That, all provisions and standards contained herein relative to the installation of utilities shall apply to future operation, service and maintenance of utilities, subject to the terms of any existing or future Utility Agreement(s) with the Department.

THIRTEENTH: That, drainage in highway side and cross ditches must be maintained at all times. The entire highway right of way affected by work under a permit must be restored to as good a condition as existed prior to beginning work to the complete satisfaction of the Department's R/W Permit Engineer.

FOURTEENTH: Any non-metallic or non-conductive underground facility must be installed with a non-corrosive metallic wire or tape placed directly over and on the center of the facility for its entire length within highway right-of-way. Wire or tape must be connected to all facilities.

FIFTEENTH: Prior to performing any excavations, the applicant is required to call Louisiana One Call. If installing any underground facilities such as cable or conduits, the applicant must be a member of Louisiana One Call. In addition, the applicant must contact DOTD at 1-800-259-4929 or DOTD-FiberLocates@la.gov at least 24 hours prior to performing any excavation on DOTD Right-of-way (either for installation or maintenance).

STANDARDS FOR THE INSTALLATION OF PIPELINES ON STATE HIGHWAYS

A. GENERAL

- (1) All materials and workmanship shall conform to the requirements of the applicable industry code and to Department specifications.
- (2) All safety precautions for the protection of the traveling public must be observed. Undue delay to traffic will not be tolerated.
- (3) All excavations within the limits of the right-of-way shall be backfilled and tamped in six inch layers to the density of the adjacent undisturbed soil. Where sod is removed or destroyed, it shall be replaced. Where it is necessary to make excavations in the shoulder, the top six inches of backfill shall be sand-clay gravel or equivalent. Where existing spoil material is, at the discretion of the Department, unsuitable for backfill, select material shall be furnished in lieu thereof and the existing material disposed of by approved methods.
- (4) Protruding valves and other above ground appurtenances shall not be installed at any point within the right of way of the highway except for vents, markers, etc., which may be installed at the right-of-way line, unless specifically approved herein.

B. PARALLEL TO THE HIGHWAY (All provisions of general standards to apply.)

- (1) Pipelines paralleling the highway: (a) shall occupy the last few feet of the right-of-way back of the ditch except where upon showing of actual necessity a permit is issued for another location; (b) shall have a minimum earth cover of twenty-four (24) inches; (c) shall have a minimum clearance of twenty-four (24) inches below existing or proposed drainage structures, where possible.
- (2) Utilities paralleling the highway are limited to distribution facilities

C. CROSSING THE HIGHWAY (All provisions of general standards apply.)

- (1) Uncased pipelines may be permitted, provided the conditions outlined in E.D.S.M. IV 2.1.9 are met.
- (2) If the permittee elects to use casing, it must extend from right of way to right-of-way, and be properly vented and marked at or beyond the right of way line.
- (3) For cased pipelines, the casing shall have at least four (4) feet of cover below the roadway and two (2) feet of cover below ditches or drainage structures. Uncased pipelines shall have at least five (5) feet and three (3) feet of cover respectively.
- (4) Crossings shall be made at as nearly right angles to the highway as possible. No existing drainage structure under the highway may be used for this purpose.
- (5) Construction methods used shall be in accordance with the following requirements:
 - a. Cutting the surface or tunneling under it is specifically prohibited.
 - b. Installation shall be made either by boring or jacking under and through the highway at least from ditch bottom to ditch bottom. In the absence of ditches, or along sections of highway with curb or gutter, boring or jacking shall extend beyond the outside edge of the traveled way to a point at least equal to three (3) times the vertical difference between the elevation of the roadway surfacing and the elevation of the top of the cable. Where width of right-of-way is insufficient to enable compliance with this requirement or where it is necessary to make a connection to an existing parallel facility which precludes compliance, the distance shall be to the right of way line or to the parallel facility. Any voids or overbreaks resulting from this shall be backfilled with grout consisting of a cement mortar or slurry of fine sand or clay, as conditions require. Excavating an open ditch to the edge of the pavement and boring and jacking the remainder of the distance is prohibited. Jacking and boring shall be done in accordance with Section 728 of the La. Standard Specifications for Roads and Bridges, latest edition.

D. REMOVAL AND ABANDONMENT OF UTILITY FACILITIES

- (1) All facilities installed within state highway right-of-way shall be removed and disposed of by their owner as soon as they stop serving a useful purpose. Facilities may be abandoned under the following circumstances.
 - a. Pipelines and casings crossing highways or other hard surfaces may be abandoned in place, with the recommendation of the district utility and permit specialist and the project engineer, and with the approval of the headquarters utility and permit engineer.
 - b. Pipe lines and casings installed along highways, may be abandoned in place, with the recommendation of the district utility and permit specialist and the project engineer, and with the approval of the headquarters utility and permit engineer, provided that they are less than 6 inches in diameter, or that they are buried with more than 8 feet of cover.
 - c. Electrical and communication facilities installed within a casing, and crossing under highways or other hard surfaces may be abandoned in place with the recommendation of the district utility and permit specialist and the project engineer, and with the approval of the headquarters utility and permit engineer, provided that the cable is removed from the casing.

- d. Uncased cables crossing under highways or other hard surfaces may be abandoned in place provided that they are removed to a point as near to the edge of the highway as feasible.
 - e. Electrical and communication cables installed along highways may be abandoned in place, with the recommendation of the district utility and permit specialist and the project engineer, and with the approval of the headquarters utility and permit engineer, provided that they are less than 4 inches in diameter, or that they are buried with more than 8 feet of cover.
 - f. All above ground facilities installed along state highways shall be removed and disposed of by their owner as soon as they stop serving a useful purpose.
 - g. Facilities that are located so that their removal would be likely to result in damage to the highway, or to other facilities, may be abandoned in place, with the recommendation of the district utility and permit specialist and the project engineer, and with the approval of the headquarters utility and permit engineer. The procedure for abandoning these facilities will be specified on a case-by-case basis; however, in general, sections shall be removed where possible, and all remaining lines shall be filled with grout.
- (2) Where it is not possible nor feasible to remove pipelines and/or casings under existing highways, such pipelines and/or casings may be abandoned in place provided removals shall be accomplished by the owner, as near to the highway on each side as possible and in all cases, beyond existing ditches to right-of-way lines, and further provided that all pipelines and/or casings abandoned under the highway shall be abandoned in accordance with D.O.T. Title 49 (i.e., pipelines are purged, capped, and filled with grout; note that when highway construction will remove the line in the near future, the DOTD's project engineer may approve the use of water in place of grout).
 - (3) Pipelines and cables shall be removed from abandoned casings where possible.
 - (4) In all cases the highway right-of-way shall be repaired, at the permittee's expense, to match DOTD standards. An approved backfill material shall be used to fill in any trenches or low areas, and shall be compacted to the same density as the surrounding soil. Any desirable trees or shrubs that are damaged shall be replaced, and any other damages (i.e. to subsurface drainage, traffic signs, etc.) shall be repaired.
 - (5) Companies who fail to comply with this by leaving their facilities within highway right-of-way after they are no longer used, or by not repairing the right-of-way after removing their facilities, shall not receive any permits until the situation is rectified.
 - (6) In cases where the DOTD decides that it is necessary to remove a facility and/or to repair highway right-of-way damaged by a utility or the utility's facility, the company shall be invoiced for costs to the DOTD for removing abandoned facilities, or for repairing damaged right-of-way. Unpaid invoices shall be referred to DOTD's accounting section for further action.
 - (7) Note that a recommendation for abandonment by the project engineer is required only on construction projects. The district construction engineer should be consulted by the district utility and permit specialist when abandonment may cause a potential problem with future construction. The assistant district administrator should be consulted by the district utility and permit specialist when an abandonment may cause a potential maintenance problem.
 - (8) The owner of the abandoned facilities shall maintain full responsibility for any future problems caused by the facilities, and shall remove the facilities upon receiving a written request from the DOTD. The cost of removing these facilities shall be borne by the owner, and the DOTD shall assume no liability for this cost.

STANDARDS FOR THE INSTALLATION OF SUPPLY AND COMMUNICATION LINES ON STATE HIGHWAYS

- A. All pole lines shall occupy the last few feet of the right-of-way behind the ditch but shall be no further from the right-of-way line than one-half of the width of the cross-arms plus one foot, except where upon a showing of actual necessity a permit is issued for another location.
- B. A minimum vertical clearance of twenty (20) feet shall be maintained between the traveled surface of the highway and any aerial installation. In no case shall the vertical clearance for an overhead utility line be less than the clearance required by the National Electrical Safety Code. A minimum clearance of sixteen (16) feet shall be maintained between existing ground elevation and any aerial installation when such installation is within highway right-of-way but does not cross the traveled surface of a highway.
- C. Where supply and/or communication lines are placed underground, the standards for pipelines shall govern. Underground electric facilities must have at least four (4) feet of cover and must be encased when crossing a highway. These facilities must also be adequately marked by appropriate signs at specified locations