



INSTRUCTIONS FOR COMPLETING APPLICATION **FOR ENCROACHMENT PERMIT**

August 2021

Note: Incomplete applications will not be processed.

1. Describe Location of Proposed Activity: Include street address and city/town and attach a copy of your site plan. The site plan should show the property line and the location and limits of the proposed work.
2. Describe Proposed Activity: Include a brief description of the work to be performed within the public right of way. If any work involves construction other than “County Standard,” include a plan drawing showing the type of work and any details necessary to fully describe the work.

The Department of Public Works publishes “Standard Drawings for Public and Private Construction” and “Special Provisions” for a variety of activities. Drawings for the most frequent types of encroachments are available at no cost at the Planning/Building Counter. The full edition of the Standard Drawings is available online at

<https://publicworks.smcgov.org/documents/standard-details-book>

Drawings available online at <https://publicworks.smcgov.org/your-construction-project>

3. Proposed Start and Finish Dates: Must be completed. Allow at least 3 working days for processing of your permit application when completing this section.
4. USA Inquiry: Application must include the date of your USA (Underground Service Alert) contact and the Inquiry ID Number issued by USA for any work involving soil disturbances. Contact information for USA is provided on the application form.
5. **Initial you must agree to the indemnification and insurance clauses.**
6. Applicant Name, Mailing Address and Signature: Must be completed and signed.
7. Telephone Number: Provide telephone number with area code to contact the applicant.
8. Application fee **will be charged once completed** application has been processed. For checks please make payable to County of San Mateo. Credit Card payments are accepted with a 3% surcharge. *Note: Projects that involve subdivision improvements, wells and other substantial construction projects may require an inspection deposit. Your DPW Permits staff can assist you with inspection fees and security deposits.*
9. **Arrange** your application in the following order for submittal
 - a) application – 1 page
 - b) plan and details
 - c) traffic control plan
 - d) surety bond required for all mainline construction and trenchless construction.
10. Scan all documents and send to dpwpermit@smcgov.org

SPECIAL PROVISIONS -2021

This is for your information – Do Not submit with application

1. **ACCEPTANCE OF SPECIAL PROVISIONS.** It is understood and agreed by the Permittee that the doing of any work under this permit shall constitute acceptance of the Special provisions.
2. **NO PRECEDENT ESTABLISHED.** This Permit is granted with the understanding that this action is not to be considered as establishing any precedent on the question of the expediency of permitting any certain kind of encroachment to be erected within right of way of County streets, roads, highways or other areas.
3. **NOTICE PRIOR TO STARTING WORK.** Before starting work, the Permittee shall notify the Director of Public Works, specifically the Road Division at (650) 599-7273. Such notice shall be given at least 48 hours in advance of the date work is to begin. Any work prior to said notification will be subject to rejection, and/or removal for noncompliance with the notification requirement. The Director of Public Works reserves the right to pass on the responsibility of the contractor who proposes to do the work under this permit.
4. **KEEP PERMIT ON THE SITE.** This Permit or a copy thereof shall be kept at the site of work and must be shown to any representative of that department or any law enforcement officer on demand.
5. **PERMIT FROM OTHER AGENCIES.** The party or parties to whom this Permit is issued shall, whenever the same is required by law, secure the permit or consent to any work hereunder from the Public Utilities' Commission of the State of California, to any other public agency having jurisdiction, and this Permit shall be suspended until such permit is obtained.

This includes withdrawal of water in County Service Areas (CSA):

- CSA 7 – La Honda Area – contact county staff at DPW_SMC_Uilities@smcgov.org or (650) -363-4100 during normal business hours.
- CSA 11 – Pescadero Area – bring your own water truck. Do not take water from the fire hydrants.

NOTE: Additional fees and penalties will apply with unpermitted use of water in the CSAs.

6. **PROTECTION OF TRAFFIC.** Adequate provision shall be made for the protection of the traveling public per the latest version of the California Manual of Uniform Traffic Control Devices (CA MUTCD). All work shall be planned and carried out so that there will be the least possible inconvenience to the traveling public, including but not limited to vehicles, bicycles, pedestrian, except for the specific work permitted.

7. **STOCKPILING OF MATERIAL.** No construction materials or debris shall be stored within eight feet (8') of the edge of pavement or traveled way, or within any shoulder area where the shoulders are wider than eight feet (8'). In no event will any material be stored in a ditch, swale or any other type of watercourse.
8. **GENERAL CLEAN UP.** Upon completion of the work, all brush, timber, scraps and material shall be entirely removed from the right-of-way and any areas affected by the work shall be left in a presentable condition, and to the satisfaction of the Director of Public Works, Attention is also directed to Section 24, "Water Pollution Control," of this document.
9. **STANDARDS OF CONSTRUCTION.** All works shall conform to the Standard Specifications of the County of San Mateo, State of California, which are identical with the Standard Specifications, 2018 of the State of California, Business and Transportation Agency, Department of Transportation, except as set forth in Resolution No. 077227 adopted February 11, 2020. **Special notice is given for the preservation of existing survey monuments.** Where needed, the applicant is advised to get the County Surveyor to tie out the location of existing monument(s) prior to any work. Separate fees for services may apply.
10. **SUPERVISION BY DIRECTOR OF PUBLIC WORKS.** All the works shall be done subject to the supervision of and to the satisfaction of the Director of Public Works. The Director may appoint an Engineer and/or an Inspector to supervise and approve the work. The terms "Engineer" and "Inspector" shall have the same meaning for purposes of this Permit.
11. **FUTURE MOVING OF INSTALLATION.** The Permittee is advised that whenever construction, reconstruction, maintenance or any work on the street, highway or other areas may require the removal of the installation permitted herein, the Permittee shall, upon request of the Department, immediately remove the installation at the sole expense of the Permittee.
12. **EXPENSE OF INSPECTION.** For work that requires the presence of an Inspector or Engineer of the Department, the costs associated with salary, traveling expenses, tests on materials and other incidentals shall be paid by the Permittee. The Permittee may be required to deposit with the Department cash in an amount determined by the Director of Public Works to be sufficient to cover the anticipated costs of inspections. Any remaining balance shall be refunded to the Permittee upon completion and acceptance of the permitted work.
13. **LIABILITY FOR DAMAGES.** The Permittee is responsible for all liability for personal injury or property damage that may arise out of work herein permitted or which may arise out of failure on the Permittee's part to perform his obligations under this Permit in respect to maintenance. In the event any claim of such liability is made against the County of San Mateo or any Department, officer, or employee thereof, the Permittee shall defend, indemnify and hold each of them harmless from such claim. This Permit shall not be effective for any purpose unless and until the above named Permittee files with the Department, the following Certificates of Insurance: Public Liability in the amount of \$1 Million and Property Damage in the amount of \$1 Million. The Permittee shall carry

Workmen's Compensation Insurance to cover all labor employed on work covered by this Permit.

14. **MAKING REPAIRS.** If the Director of Public Works shall so elect, repairs to paving and other improvements which have been disturbed shall be made by employees of the Department and the expenses therefor shall be borne by the Permittee. The Director of Public Works shall require a deposit before starting repairs in an amount sufficient to cover the estimated cost thereof. The Director of Public Works will give reasonable notice of his election to make such repairs. If the Director of Public Works does not so elect, the Permittee shall make such repairs in accordance with the Department's construction standards. In every case, the Permittee shall restore any portion of the street, road, highway or other area which has been excavated or otherwise disturbed, to its former condition or to the minimum standards as set forth in these Special Provisions, except where the Director of Public elects to make repairs as provided in this paragraph and except where provision to the contrary is made in this Permit.
15. **CARE OF DRAINAGE.** If the work item herein contemplated shall interfere with the established drainage, ample provision shall be made by the Permittee to provide for it as may be directed by the Director of Public Works. All storm drainage work shall comply with the provisions of the San Mateo County Drainage Policy and the County's National Pollution Discharge Elimination System (NPDES) permit.
16. **MAINTENANCE.** The Permittee agrees by the acceptance of this Permit to exercise reasonable care to maintain properly any encroachment placed in the street, road, highway or other areas, and to exercise reasonable care in inspecting for and immediately repairing and making good any injury to any portion of the street, road, highway or other areas which occurs as a result of the maintenance of the encroachment in the street, road, highway or other areas, or as a result of the work done under this Permit, including any and all injury to the street, road, highway or other areas which would have occurred had such work not been done or such encroachment not placed therein.

PIPES, CONDUITS, GAS PUMPS, ETC.

17. **CROSSING ROADWAY.** On select roads or at locations directed by the Director of Public Works, services and other small diameter pipes shall be jacked or otherwise forced underneath pavement without disturbing same. Service pipes will not be permitted inside of metal culvert pipes used as drainage structures. No tree roots two inches or more in diameter shall be cut without prior written approval from a licensed arborist. Material shall be removed from around root system so as to avoid damage thereto. Roots shall be protected with burlap wrapping while exposed.
18. **TUNNELING.** No tunneling will be permitted unless explicitly noted on the permit documents. Potholing to verify location of existing facilities is the responsibility of the contractor.
19. **DEPTH OF PIPES AND EXCAVATION LIMITS.** There shall be a minimum of two and one-half feet (2 1/2') of cover over all pipes or conduits. The limits of

excavation for pipes shall be one-foot (1') minimum outside the outside diameter of the pipe unless otherwise ordered by the Director of Public Works.

- 20. BACKFILLING.** Backfilling operations shall conform to the following requirements. Across roadway sections, curbs, sidewalks, and other paved or surfaced areas, material for use as structure backfill shall have a sand equivalent value of not less than 20. The percentage composition by weight as determined by laboratory sieves shall conform to the following grading:

| <u>Sieve Size</u> | <u>Percentage Passing Sieves</u> |
|-------------------|----------------------------------|
| 3" | 100 |
| No. 4 | 35 – 100 |
| No. 30 | 20 - 100 |

Backfill material, properly moistened, shall be placed in horizontal, uniform layers not exceeding 0.67-foot in thickness, before compaction, and shall be brought up uniformly. Each layer of backfill material shall be compacted to a relative compaction of not less than 95 percent.

The backfill material at other locations may consist of material from excavation, free from stones or lumps exceeding 3 inches in greatest dimension, vegetable matter, or other unsatisfactory material and shall be compacted to a relative compaction of not less than 90 percent. When the material from excavation is unsuitable for use as backfill, it shall be disposed of as directed by the Inspector and suitable material approved by the Inspector shall be furnished by the Permittee.

CERTIFICATION OF COMPACTION AND COPIES OF COMPACTION TEST RESULTS SHALL BE SUBMITTED TO THE SAN MATEO COUNTY PUBLIC WORKS DEPARTMENT INSPECTOR FOR REVIEW AND APPROVAL PRIOR TO ACCEPTANCE OF THE WORK BY COUNTY.

THE FREQUENCY OF THE TESTING SHALL BE A MINIMUM OF 2 TESTS OR FIFTY FOOT INTERVALS WHICHEVER IS MORE AT EACH 8 INCH LIFT. ALL COSTS ASSOCIATED WITH COMPLYING TO THE ABOVE SHALL BE BORNE BY THE APPLICANT.

If backfill cannot be completed within the allow working hours, contractor shall place traffic rated trench plates in a manner that is safe for all public access (including but not limited to vehicles, bicycles, and pedestrians). Steel trench plates if used on an arterial or collector street, shall be recessed to provide a smooth surface for the traveling public.

- 21. SURFACE MATERIALS.**

A. Aggregate Base: Mineral aggregate material removed shall be placed with a 3/4" maximum Class 2 Aggregate Base Material, and shall conform to Section 26 of the Standard Specifications of the County of San Mateo. The percentage composition by weight of aggregate base shall conform to the following grading when determined by Test Method No. California 202 modified by Test Method No. California 905 when applicable.

| <u>Sieve Size</u> | <u>Individual Test</u> | <u>Percentage Passing Sieves</u> <u>Moving Average</u> |
|-------------------|------------------------|---|
| 1" | 100 | 100 |
| 3/4" | 87 – 100 | 90 – 100 |
| No. 4 | 30 – 60 | 35 – 55 |
| No. 30 | 5 – 35 | 10 – 30 |
| No. 200 | 0 – 12 | 2 - 0 |

The aggregate base shall conform to the following quality requirement.

| <u>Tests</u> | <u>Test Method</u> <u>Northern</u> <u>California</u> | <u>Individual</u> <u>Test</u> | <u>Moving Average</u> |
|-------------------------|--|----------------------------------|-----------------------|
| Resistance <R-Value> | 301 | 78 minutes | |
| Sand Equivalent | 217 | 28 minutes | 31 minutes |
| Durability Index | 229 | 35 minutes | |

The depth of aggregate base placed shall be equivalent to the depth of aggregate material removed, unless the existing material is less than 6 inches (6"), in which case, a minimum of 6 inches (6") compacted material will be required.

The aggregate base shall be watered and compacted in layers not to exceed 0.50-foot compacted thickness. The relative compaction of each layer of compacted base material shall not be less than 92 percent of that determined by Test Method No. California 216, for individual tests and not less than 95 percent for moving average.

B. Asphalt Concrete: Surfaced material to be used, to replace all other types of pavements, shall consist of 3/4-inch maximum, medium grade, Type B Asphalt Concrete and shall conform to Section 39 of the Standard Specifications of the County of San Mateo. Minimum thickness of Asphalt Concrete placed shall be

0.17-feet in compacted thickness. Steam-refined paving asphalt to be mixed with aggregate shall be Performance Grade (PG) 70-10 or as directed by the Engineer.

All mainline installations using open trench methods will be required to slurry the roadway from edge of pavement to edge of pavement.

C. Gravel or Crushed Rock Surfaced Roads: Whenever a gravel or crushed rock surfaced street is trenched, the workmanship and materials involved in backfilling and placing surface material shall conform to Section 27 and 22A, of these Special Provisions. During rolling of the final course of the surface material, it shall be sprinkled with water to the extent that sufficient fines will be flushed to the surface to fill the voids and create a seal surface.

D. Moratorium – 2 years on Road recently surface treated by the county: If the Contractor causes any portion of a County road to be excavated and if Contractor's work occurs within two years of the filing of the Notice of Completion for a County street surfacing project, including but not limited to slurry seal, chip seal, resurfacing or road reconstruction, Contractor shall slurry seal the affected County road from edge to edge.

E. Concrete sidewalk, curb, gutter – contractor shall replace portions of the sidewalk, curb or gutter that have been damaged either prior to the project or during the project, as directed by the Inspector.

- 22. PIPES ALONG ROADWAY.** Pipes and utilities paralleling the pavement shall be located at the distance from traveled way and at such depth as specifically directed on the face hereof. No tree roots two inches or more in diameter shall be cut without prior written approval from a licensed arborist. Material shall be removed from around root system so as to avoid damage thereto. Roots shall be protected with burlap wrapping while exposed.
- 23. SAWCUTTING.** All excavation on existing Asphalt Concrete pavement shall be saw-cut with NO exception. Water from saw cutting operations shall not be allowed to enter into any drainage or watercourse.

24. WATER POLLUTION CONTROL

The Permittee is advised that failure to fully comply with the provisions of this Section, and all requirements listed in any resource agency permits obtained for the project, where applicable, shall constitute substantial non-compliance with the requirements of the Clean Water Act, the National Pollution Discharge Elimination System (NPDES) and this Permit.

Construction sites are common sources of water pollution. Materials and wastes that blow or wash into a storm drain, gutter, or street have a direct impact on local creeks and wetlands. San Francisco Bay and the Pacific Ocean. The Permittee shall be responsible for any environmental damage caused by his operations and those of his contactors or employees.

Water pollution shall be defined as including the introduction of any material, including sediment, trash, or other debris, equipment or vehicles into any watercourse, including creeks, ponds, ditches, storm drain facilities, and any surfaces immediately tributary to those areas, except as specifically authorized by any resource agency permits. Water pollution controls are materials and measures that prevent the introduction of any material to any watercourse. Water pollution control materials and measures may consist of temporary silt fencing; straw mulch/straw logs; spill cleanup materials; pavement sweepers; sand bags or continuous berms; etc.

Water pollution controls shall be applied, maintained and removed by the Permittee as specified herein and as directed by the Inspector. For construction activities occurring between June 15 and September 15, sufficient quantities of applicable water pollution control materials shall be available at the work site prior to commencing any work. For construction activities occurring between September 15 and June 15, all applicable water pollution control measures shall be installed and all applicable water pollution control materials shall be available at the work site prior to commencing any work.

If the measures being taken by the Permittee are inadequate to control water pollution effectively, the Inspector may direct the Permittee to revise the operations. No further work shall be performed until the water pollution control measures are adequate and, if also required, a revised water pollution control program has been approved. Attention is directed to "Permittee Response" of this Section for additional provisions relating to correction of the Permittee's water pollution control program, and payment

Permittee Response

The Permittee is advised that he may be required to respond to the work site after hours and/or on weekends or holidays to mitigate potential water pollution, soil erosion or sedimentation and/or to repair damaged water pollution controls. Failure to respond within four (4) hours of notification by the Department of Public Works shall constitute substantial noncompliance with these Special Provisions.

Should the County Road Maintenance Division be required to provide any after-hours, weekend or holiday repairs to the Permittee's water pollution controls due to the Permittee's failure to respond, all costs associated with providing that response, including overtime wages, equipment and material costs, shall be deducted from the Permittee's deposit and/or invoiced to Permittee, as applicable. The Permittee shall also be fully responsible for any fines, penalties or mitigations imposed by any regulatory agency caused by his failure to respond, regardless if the County Road Maintenance Division attempts any repairs or pollution prevention work in his absence.

For projects, one acre or more of disturbance, a SWPPP and NOI is required. For all other projects, BMPs are required in advance of any rain event.

Excavation and Grading

The Permittee shall not commence any excavation, backfilling, grading or stockpiling operations until water pollution control materials have been delivered to the work site. Excavation and grading activities shall be scheduled for dry weather periods. Excavation and grading activities shall not be allowed to commence or continue during periods of rainfall or runoff.

General Housekeeping

The Permittee shall control the amount of runoff entering upon disturbed construction and staging areas, particularly during excavation, to reduce the amount of water pollution controls required. Temporary diversion berms and/or sandbags may be employed to divert runoff from entering upon construction and staging areas as approved by the Inspector.

Paved surfaces shall be dry-swept as necessary to prevent water pollution. If pavement flushing is necessary, silt ponds, gravel sacks or other techniques to trap sediment and other pollutants shall be required.

All wastes shall be disposed of properly outside the highway right-of-way and, where applicable, in accordance with the Permittee's approved Construction Waste Management plan.

Stockpiles

All soil and/or rock stockpiles shall be protected against wind, rainfall and runoff at all times. Plastic sheeting may be used to cover soils (including aggregate base), and shall be securely anchored by sandbags or other suitable means. At no time will any stockpiled materials be allowed to erode into any watercourse or onto any roadway or other tributary surface.

Spill Prevention and Response

Fluid spills shall not be hosed down. The Permittee shall use dry cleanup methods (absorbent materials, cat litter, and/or rags) whenever possible. If water must be used, the Permittee will be required to collect the water and spilled fluids and dispose of it as hazardous waste. Spilled fluids shall not be allowed to soak into the ground or enter into any watercourse.

Spilled dry materials shall be swept up immediately, The Permittee shall not wash down or bury any dry spills. Spills on dirt areas shall be removed by digging up and properly disposing of contaminated soil. The Permittee shall report significant spills to the Inspector immediately

Tire Washing

Should the Permittee's equipment be tracking soil onto a public road, the Permittee is required to provide a tire-washing swale at the exit from the construction site and/or staging areas The permittee is required to remove soil from the traveled way by whatever means necessary to prevent water pollution, dust or any other nuisance to the public.

Roadwork and Paving

The Permittee shall avoid creating excess dust when breaking and/or removing asphalt or concrete. Broken asphalt and/or concrete pieces shall be completely removed from the site as soon as possible, or shall be stored in a separate, secure stockpile protected against from wind, rainfall and runoff. Material derived from roadway work shall not be allowed to enter any watercourse, or tributary area.

Water/slurry resulting from saw cutting operations shall be shoveled or vacuumed and completely removed from the site. The Permittee shall not be permitted to sweep or flush any saw cutting debris or slurry into any drainage, watercourse, or tributary area.

Concrete and Mortar

The Permittee shall ensure that concrete and mortar are contained within the lines and grades shown on the Plans and not allowed to leave the construction site. Any excess concrete, mortar and/or mix water placed or spilled beyond the limits of concrete construction as shown on the Plans shall be immediately collected, removed and disposed of properly.

No washout of concrete mixers or trucks will be permitted at the project site.

Dry sacks of cement shall be protected against wind, rainfall and runoff. Opened sacks of cement shall be secured and protected from spilling.

Portable Toilets

The Permittee's temporary sanitary facilities must be equipped with secondary containment to prevent discharge of pollutants to the stormwater drainage system. The Permittee is required to remove pollutants from the traveled way by whatever means necessary to prevent water pollution, dust or any other nuisance to the public.

Ann Stillman
Interim Director of Public Works
October 2021