



# ENGINEERING DEPARTMENT

## Encroachment Permit Terms and Conditions

### **1. Types of Encroachment Permits**

#### Encroachment Permit Type 1: General Permit

This type of encroachment permit is necessary for all general construction work within the City Right of Way, including, but not limited to, driveway construction, utility work, or any other type of work involving traffic control on City streets. The permit fee includes the first half hour of City inspection. For large projects spanning multiple days of work, or work that necessitates a pre-construction meeting, a Time and Materials deposit will be required for inspections. Permittee acknowledges that the deposit is an estimate only, and that if the City's cost exceeds the deposit, the applicant shall be responsible for all additional costs.

#### Encroachment Permit Type 2: No Dig/No Traffic Control Permit

This type of encroachment permit applies to minor encroachments with no digging and no traffic control to be approved at the discretion of the City Engineer. Some examples include use of the City Right of Way for filming, minor painting of business frontages, and sidewalk sales events.

#### Encroachment Permit: Quarterly Vegetation Management Permit

This type of encroachment permit would apply to contractors performing vegetation management/line clearance work for utility companies at multiple locations throughout the City. This is a quarterly permit valid for three months and requires approval from the City Engineer. To be considered for approval, contractors must have a proven history of exceptional traffic control and compliance with encroachment permit conditions. A Time and Materials account balance of \$500 is required at the start of each new quarter.

All applicable fees shall be paid prior to issuance or pre-approval of all permits in accordance with the current Fee Schedule.

### **2. The Permit**

Scope of Work: The work shall be performed in conformance with the project drawings, the City of Placerville Municipal Code, these Standard Encroachment Permit Conditions, any special conditions of this encroachment permit, current El Dorado Irrigation District (EID) Design and Construction Standards for water and sewer construction, current El Dorado County Design Standards for roadways, and the current Caltrans Standard Plans and Specifications for roadways. Where City standards are referenced herein, refer to the standards listed above. There will be no changes in the approved work without written permission from the City. The Encroachment Permit or a copy thereof shall be kept at the site of the work and must be shown to any representative of the City of Placerville Engineering Department or any law enforcement officer on demand. Work may be suspended if permit is not at job site as provided until such time that a valid permit can be verified.



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- El Dorado Irrigation District (EID) Design and Construction Standards can be viewed at: [Design and Construction Standards | El Dorado Irrigation District](#)
- El Dorado County Department of Transportation Design Standards can be viewed at: [Applications & Forms - El Dorado County](#)
- Caltrans Standard Plans and Specifications can be viewed at: [Design | Caltrans](#)

**Traffic Control Plans:** A traffic control plan must be submitted as part of the permit application for Engineering Department review and approval. The Permittee is required to place warning signs and traffic control devices to warn the traveling public of construction activities and prevent injury to persons or damage to property. Traffic control plans shall be prepared by Permittee and conform to the current edition of the Caltrans Standard Plans/Specifications and the California Manual on Uniform Traffic Control Devices (CAMUTCD). Site specific traffic control plans may be necessary, especially at intersections, and all traffic control plans shall provide accommodation for pedestrians and cyclists to safely pass through the job site. When flaggers are required, Permittee shall use only California certified flaggers. If Changeable Message Signs (CMS) are required, signs shall be placed a minimum of 3 days in advance of the construction activity and the location of the sign shall require Engineering Department approval through the traffic control plan review and approval.

### 3. Term of the Permit

In accordance with City Code, a permit is valid for 90 days from the date of issuance, unless a different period is approved. If the work has not begun within 90 days of issuance, or within the time stated in the permit, the permit shall become void. A void permit will require a new permit application.

**Permit Extensions:** For inactive work, the permittee may request an extension one week before the expiration date and indicate a new start date within a one-year period from the date of issuance. For active work with a permit expiring one year from the date of issuance, the permittee shall request a permit extension one week prior to the expiration date. A fee must be paid for the permit extension request in accordance with the current Fee Schedule. Only one extension per permit will be granted.

**Permit Pre-Approval Process:** A utility company or other public agency may request a pre-approval of an encroachment permit. A pre-approved encroachment permit is valid for one year from the pre-approval date. Once a Contractor is under contract with the utility company or public agency, the pre-approved encroachment permit must be re-submitted for permit issuance with the contractor information and planned start date provided. The planned start date must be within the one-year period from the pre-approval date. Upon issuance, the permit is valid for 90



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days from the date of issuance, unless a different period is approved. If the work has not begun within 90 days of issuance, or within the time stated in the permit, the permit shall become void. A void permit will require a new permit application. No permit extensions will be granted for permits approved through the pre-approval process.

All permits shall become void 10 working days after the completion of the work.

#### **4. Insurance**

Proof of Insurance is required. Permittee shall name the City as additional insured on a separate endorsement (ISO form CG 2012 or equivalent) in an amount not less than \$1,000,000 per occurrence for vehicular and bodily injury claims with an insurance company having a Best's rating of "B+" or better, and a 30-day cancelation notification policy. Permittee shall notify the City immediately in the event of any accident or injury arising out of or in connection with this permit. Attachment 2 contains information about the insurance requirements.

#### **5. Bonds**

A Surety Bond in the amount of the estimated cost of the work plus twenty percent (20%) is required for all Type 1 Encroachment Permits, unless specifically waived by the City Engineer or excluded as stated below. City Code 8-3-3 contains specifics on types and amounts of bonds, annual bonds, cash bonds, exclusions, etc. Cash deposits or bonds will not be required of any public utility or public agency which is authorized by law to establish or maintain any works or facilities in, under, or over any public street or right of way.

#### **6. Survey Monument Preservation**

The City of Placerville ensures compliance with California Business and Professions Code Section 8771(b) by requiring every Type 1 Encroachment Permit applicant to engage a licensed land surveyor to review and determine the presence and preservation or resetting of survey monuments within the work zone. A waiver from these requirements can be requested and reviewed and approved at the discretion of the City Engineer. Attachment 3 contains the Survey Monument Policy.

#### **7. US 50 Scenic Highway Designation**

Section 320 of the California Public Utilities Code requires the undergrounding of all new or relocated electric and communication distribution facilities within 1,000 feet of any highway designated an official scenic highway and visible from that highway where feasible. US Highway 50 is designated a Scenic Highway from the Ray Lawyer Drive interchange to the eastern Placerville City limits. The California Public Utilities Commission makes final determinations regarding exceptions to undergrounding utilities. All overhead utility relocation



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projects within 1,000 feet of US 50 within the Scenic Corridor must provide proof of CPUC exemption for proposed pole relocations.

#### **8. Notification**

- A. The Permittee shall notify the City Engineering Department, at 530-642-5250 or email: [engineering@cityofplacerville.org](mailto:engineering@cityofplacerville.org), at least one full working day prior to the following:
  - Initial start of work
  - Restarting work when work has been interrupted
  - Any Paving, for final compaction test scheduling
  - Upon completion of the work, for City acceptance
- B. Any work within 500 feet of one of the City's two signalized intersections, Placerville Drive at Cold Springs Road or Placerville Drive at Ray Lawyer/Green Valley Road, requires notification five (5) days prior.
- C. Any work within 500 feet of any other signalized intersection requires Caltrans notification (530-741-4403) and may require an encroachment permit from Caltrans.
- D. Per Section 4216 of the California Government Code, the Contractor is required to contact "Underground Service Alert" to obtain a "Dig Alert Identification Number" no less than two working days prior to any excavation activities, including new utility poles. Call TOLL FREE 1-800-422-4133. This permit becomes invalid without obtaining a Dig Alert Identification Number before the start of work.
- E. The Permittee shall notify the local Police Department (530-642-5210) and Fire District (530-644-9630) 24 hours prior to the start of hauling operations or street closures.
- F. If the scope of work results in any significant impact to homes or businesses, the Permittee may be required to distribute flyers to notify residents or businesses of the work.

#### **9. Working Hours**

Hours shall be between 7 am and 5 pm Monday through Friday, except lane closures will only be permitted with proper traffic control and public noticing between 9 am and 4 pm Monday through Friday, unless otherwise approved. Weekend and/or holiday work is not typically permitted and will require additional review and consideration for approval. Working hours on streets adjacent to schools shall be restricted, at the discretion of the Engineering Department, to minimize traffic impacts to the school.

#### **10. Inspection and Approval by Engineering Department**

Work within the City right of way or roadway requires the contractor to possess a Class A license or equivalent combination of classes required by the categories and type of work described.



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All work will be subject to inspection and approval by the City Engineering Department. A Pre-Construction meeting may be needed as determined by the City Inspector. The permittee shall notify the Engineering Department when the work has been completed so a final inspection can be performed.

#### **11. Public Safety and Convenience during Traffic Control**

Protection of the traveling public is paramount. After the work starts, if traffic control measures/devices are not satisfactory, then revisions will be necessary as directed by the City Engineer or designee and at the expense of the Permittee. Any delay in work, either within or beyond the control of the Permittee, shall in no way relieve the Permittee of their responsibility to maintain traffic through the project and provide local access as specified herein. At all times there shall be kept on the job such material, force, and equipment as may be necessary to keep roads, shoulders, bike lanes, pedestrian facilities and driveways within the project area open to traffic and in good repair. Permittee shall expedite the passage of traffic using such force and equipment as may be necessary. Traffic includes pedestrian, bicycle, and other non-motorized vehicle traffic. Where traffic cones or delineators are used to delineate a temporary edge of traffic lane, the line of cones or delineators shall be considered to be the edge of traffic lane; the width of an existing lane shall not be reduced to less than 11 feet without approval from the Engineering Department.

The work shall be performed in an expeditious manner to cause as little inconvenience and delay to the traveling public as possible. Access to all businesses and/or residences shall be provided at all times, or as coordinated with the property/business owner(s) involved. A free and clear traveled way shall be maintained at all time for all emergency vehicles. Private driveways closures must be coordinated with residents to allow for reasonable use of the driveway during construction. Driveways shall be open when work is not actively impacting the driveway. Commercial driveways should not be impacted during business hours; any impacts to commercial driveways during business hours must be coordinated with the business and approved by the City Engineer or designee.

#### **12. Earthwork, Trenching, and Backfill**

- A. Where an excavation consists of trenching parallel to the centerline of the road, the total length of open trench shall not exceed 100 feet at any time. All open trenches crossing the travel way or running parallel within six feet of the edge of pavement must be backfilled and temporarily patched at the end of each work day. All other open excavations shall be backfilled or protected with chain link fence and covered at the end of each work day. Steel plate bridging is required over open trenches in private driveways during working hours.
- B. All trenches over 5' in depth must be shored and comply with CAL-OSHA standards.



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- C. Facilities or utilities installed under this Permit shall have a minimum separation of one foot at perpendicular crossings from drainage culverts, City sewer, and City water, unless greater separation is required by another utility company owner. Parallel utilities require a minimum of four feet of separation. Utility poles shall be set no closer than two feet from any adjacent City-owned sewer, water, or drainage facility. If an unknown/unmarked City utility is discovered by the Permittee/Contractor and is in conflict or adjacent to the work, the City shall be contacted to review and approve changes before the work proceeds.
- D. Backfill and compaction of trench must immediately follow the placement of the utility. Testing will be performed by the Permittee with results supplied to the City Inspector. Not more than 300 feet of trench may be backfilled without passing compaction tests.
- E. Excavations under the pavement are to be backfilled with controlled low strength material (CLSM), two sack slurry, or AB compacted to 95%.
- F. Backfill within City Right of way, off pavement, shall be compacted to 90% minimum.
- G. Backfill within City Right of way, in the drivable shoulder area, shall be AB compacted to 95% minimum.
- H. Controlled low strength material shall consist of a workable mixture of aggregate, cementitious materials and water, and shall conform to the provisions in Section 19-3, Structure Excavation and Backfill, of the Standard Specifications-and the attached AC Restoration and Trench Detail.
- I. Unpaved shoulders shall be returned to a firm, stable condition, and the disturbed area surfaced with a layer of AB or crushed rock.
- J. Structure backfill for all manholes in streets shall conform to the current Caltrans Standard Specifications for grading, structure excavation, and compaction (95%). The backfill shall be checked for compliance and compaction tests taken every 2-3 feet vertically.
- K. All areas where apparent water pumping or seepage exists due to disruption of subsurface conditions encountered during excavating in the City right of way shall be addressed and corrected by means of an approved subsurface drainage system.

### **13. Protection of Existing Facilities**

The Permittee shall be responsible for protecting all existing City infrastructure/utilities and shall replace or repair, at their own expense, anything damaged during construction.

### **14. Haul Route**

Import/Export of all materials for the project shall follow a specific haul route and operate between the hours of 9 am and 4 pm Monday through Friday. The Contractor shall submit a plan indicating the intended haul route from the place of origin, including the number and types of trucks to be used. The City Engineer or designee will review and approve the haul route prior



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to the start of any hauling operations. All loads must be covered to mitigate dust generation.

#### **15. Use of City Water**

The Permittee shall obtain a construction water meter from the City of Placerville prior to drawing water from City fire hydrants. The Permittee must contact City Utility Billing in the Finance Department (City Hall, 1st Floor) to submit an application and deposit of one thousand four hundred and sixty-five dollars (\$1,465). After submitting the deposit, the Permittee shall contact the City Engineering Department at (530) 642-5250 at least 48 hours prior to mobilization, provide the encroachment location address, and request installation of the construction water meter by City Public Works at a nearby fire hydrant. Upon completion of use, the Permittee shall again contact the Engineering Department to request a final reading. The Finance Department will process any balance due or refund based on actual water consumption.

Construction water may also be obtained from the El Dorado Irrigation District (EID) card lock water station at 108 Placerville Drive. Card lock water stations provide water to customers using prepaid cards that are available at the District office at 2890 Mosquito Road, Monday through Friday, 8:00 a.m. to 5:00 p.m. For additional information, contact EID at (530) 622-4513.

#### **16. Temporary Steel Plates**

When backfilling operations of an excavation in the traveled way cannot be properly completed within a workday, temporary steel plates may be used to cover the work in the roadway with prior City approval. All temporary steel plates must include non-skid surface that complies with current Caltrans Standard Specifications. Steel plates may only be utilized when parallel or perpendicular to the travel way. Steel plates shall be installed to operate with minimum noise. The following conditions shall apply to temporary steel plates:

- A. Use of Temporary Steel Plates Over Backfilled Trench
  1. Temporary steel plates used over backfilled trenches shall be installed per the manufacturer's tabulated data.
  2. Temporary steel plates shall be secured against displacement by using pins or other devices. Adjoining plates shall be tack welded together.
  3. Where the speed limit is 25-mph or less, temporary steel plates may be placed on top of the existing pavement for up to 48-hours. "Bump" (W8-1) signage must be installed. After 48 hours, plates must be recessed into the surrounding pavement by grinding the pavement to a depth equal to the thickness of the plate and to a width and length equal to the dimensions of the plate. Temporary cold mix paving shall be placed around the plates and appropriate signage placed.
  4. Where speeds are greater than 25-mph, plates must be recessed at first use by grinding the pavement to match the thickness of the plate. W8-24 "Steel Plate Ahead" signs will be required.



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#### B. Use of Temporary Steel Plates Over Open Trench

1. Temporary steel plates may be used over a trench or excavation that is not backfilled only if the trench or excavation is shored. Any such use of plates over a shored excavation requires City approval of a design prepared by a California registered civil engineer or a design that utilizes manufacturer's tabulated data. The design must be submitted to City for review at least 14 days before intended use and must demonstrate that the plates combined with the shoring are appropriate for the size of the excavation, the soil type(s) present, and HS20 traffic surcharge loading on the plates and the shoring.
2. Temporary steel plates shall be secured against displacement by using pins or other devices. Adjoining plates shall be tack welded together.
3. Plates must be recessed into the surrounding pavement by grinding the pavement to a depth equal to the thickness of the plate and to a width and length equal to the dimensions of the plate. Temporary cold mix paving shall be placed around the plates and appropriate signage placed. W8-24 "Steel Plate Ahead" signs will be required.

#### **17. Roadway Surfacing and Base Materials**

The City of Placerville prohibits sawcuts or excavations in newly constructed or overlaid roadways for a period of 3 years. In circumstances such as emergency repair work where no other feasible options exist, the City Engineer may grant a waiver to this restriction. If a waiver is granted, the applicant may be required to meet more stringent restoration requirements than those listed here.

When the Permit authorizes sawcutting or excavations, surface restoration, backfill and base material type, thickness, and compaction thereof shall comply with the City of Placerville AC Restoration and Utility Trench Detail (Attachment 4), or as specified in the Permit. Temporary pavement shall be placed and maintained upon completion of backfill until permanent paving is performed. Temporary paving shall be maintained to a smooth surface with hot mix asphalt concrete on collector roadways and cold mix on minor roadways. Temporary paving shall be placed and maintained in a smooth riding plane, free of humps or depressions suitable for pedestrian, bicycle, and vehicle traffic. The words "TEMPORARY PAVING" shall be stenciled on the temporary pavement at the beginning, ending, and along the length of the temporary paving at maximum intervals of 500 feet. The painted text must be in white, neatly stenciled lettering, a minimum 5 inches in height, and must be maintained in legible condition until final paving is complete. Thickness of new pavement sections shall conform to City of Placerville AC Restoration and Utility Trench Detail. All exposed edges of existing paving shall be primed with an asphalt binder prior to placement of paving. Any damage to existing adjacent pavements caused by construction activity will require repair or AC overlay as determined by the City Engineer. Prior to permanent paving, the trench area to be paved shall be cut or cold planed to



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neat straight lines. Finish pavement surfacing shall have a straight uniform appearance without numerous jogs and placed level with the adjacent paving after compaction. If new surfacing is too high, it shall be cold planed to grade, and a Type 2 slurry seal applied. If new surfacing is too low, it shall be removed and repaved.

#### **18. Concrete**

All concrete work shall be per El Dorado County or Caltrans standard plans and specifications for sidewalks, curbs, gutters, driveways, and miscellaneous concrete work. Any removal of curb, gutter and sidewalk or trenching through curb, gutter and sidewalk, shall be replaced to expansion joints and replaced with the mix design approved by the City Engineer or designee. In general, all new concrete for surfaces that will be exposed shall be 6 sack mix with  $\frac{3}{4}$  lb. of lampblack added per cubic yard. At times the City Engineer or designee or the permit language may specify different quantities of lampblack to better match adjacent existing concrete surfaces.

#### **19. City Sewer Connections**

All work on sewer systems shall be completed in accordance with the City of Placerville and EID standards.

#### **20. City Water Connections**

Properties within the City limits are served by either El Dorado Irrigation District (EID) or the City of Placerville Water System depending on their location. All work shall be completed in accordance with City of Placerville and EID standards.

#### **21. Street Lights**

The City's color for streetlights and signal poles is Federal Color Code 34092, gloss finish. This is a dark army green color matching many of the poles in downtown and along US 50.

#### **22. Signs and Striping**

Permittee shall be responsible for installing roadway striping to all areas disturbed by the project to current City and CAMUTCD standards. This includes adjacent areas where striping or pavement markings are damaged by the work. All thermoplastic striping and markings shall be replaced with thermoplastic, and all pavement markers shall be replaced in-kind.

#### **23. Horizontal Directional Drilling**

Bore and receiving pits shall not create a hazard and must be shored in accordance with Cal OSHA requirements. All pits must be lined with filter fabric when ground water is encountered and pumping is required.

##### A. Drilling mud/fluids:



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1. Permittee shall ensure that all drilling fluids are disposed of in a manner acceptable to all appropriate local, state, and federal regulatory agencies.
2. Drilling mud shall be used during drilling and back reaming operations. The drilling mud in the annular region shall not be removed after installation but permitted to solidify and provide support for the pipe and neighboring soil.
3. Excess drilling fluids shall be contained at entry and exit points until recycled or removed from the site. Entry and exit pits shall be of sufficient size to contain the expected return of drilling fluids and soil cuttings. Drilling fluids shall not enter ditches, streets, manholes, sanitary sewers, storm drains or any other drainage systems.

B. Surface monitoring/restoration requirements:

1. Permittee is responsible for repair or replacement (as determined by City Engineering Department) to any highway or non-highway facility caused by escaping (frac-out) drilling fluid, or by any facet of the directional drilling operation.
2. Should the drilling operation be unsuccessful, Permittee shall backfill any voids with pressurized grout. If a bore hole beneath a roadway must be abandoned, the hole shall be pressure backfilled with grout.

C. Prior to beginning boring operation:

1. Call "811" to locate underground utilities.
2. Pothole and locate all "USA" identified existing facilities.
3. Visually check surrounding area for other possible underground utilities not marked, including but not limited to storm drain manholes, fire hydrants, pedestals, etc. Note: City sewer laterals are not located by USA within City of Placerville.
4. Submit and obtain City Engineering Department approval of Boring Plan, to include the following:
  - a) Pipe size and depth
  - b) Location and pitch of entry and exit pits (including test pits or boreholes undertaken during the soil investigation)
  - c) Working areas and their approximate size
  - d) Proposed pipe fabrication and layout areas
  - e) City right-of-way lines, property lines, easement lines
  - f) All existing utilities (both horizontal and vertical)
  - g) Construction method including diameter of pilot hole, number, and size of pre-reams
5. Submit and obtain City Engineering Department approval of Drilling Fluid Management Plan, to include the following:
  - a) Mix design of drilling fluid
  - b) Method of slurry containment
  - c) Method of recycling drilling fluid and spoils (if applicable)
  - d) Method of transporting drilling fluid and spoils off-site



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#### D. Safety Requirements:

1. The drilling unit must be equipped with an electrical strike safety package. The package shall include warning sound alarm, grounding mats (if required for that specific rig), and protective gear.
2. Drilling unit and bore pit hole shall be fenced. All potholes, entry pits, and exit pits are to have barricades or other safety measures at the approval of the City Engineering Department.

#### **24. Archaeological Resources**

The Permittee shall cease work in the vicinity of any archaeological resources that are revealed. The City Engineer shall be notified immediately. A qualified archaeologist, retained by the permittee, will evaluate the situation and make recommendations to the City Engineer concerning the continuation of the work.

#### **25. Care of Drainage systems**

The Permittee shall be responsible for maintaining and controlling all drainage to and from the site. Control of surface waters shall be such that existing drainage patterns are not disturbed or altered to increase the amount and/or intensity of runoff water and silt to adjacent private properties, City right-of-way and existing drainage structures. Maintenance of drainage facilities which directly serve the site are the responsibility of the Permittee until such time as all engineering improvements are in place and approved by the City Engineer. Roadside ditches, cross culverts, and other drainage facilities pertinent to City Streets shall be protected from damage by Permittee. Those facilities disturbed or damaged shall be returned to their original conditions or replaced to the satisfaction of the City Engineer.

Facilities under or below ditches shall have a minimum cover of 18" from the top of pipe to the bottom (flowline) of the ditch.

#### **26. Protection of Trees**

Any underground work within the drip line of any trees on City right of way or easement shall conform to the following requirements:

- No trees shall be removed unless specifically authorized by the City
- No roots over two inches in diameter shall be cut
- Hand trenching and tunneling will be required when excavation exposes roots two inches in diameter or larger
- Roots two inches in diameter or larger which are exposed to the air shall be kept moist
- Roots two inches in diameter or larger which are accidentally damaged shall be treated with material approved by the City Engineering Department.



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- If roots two inches in diameter or larger are cut or broken, the tree shall be trimmed to compensate for the decreased root system. Such trimming shall be done to the satisfaction of the City Engineering Department.
- Manholes or boring pits shall not be installed within 20 feet of any tree trunk.

#### **27. Removal of Trees**

- In accordance with City Code Section 8-5-4, it is unlawful to remove a public street tree without the authority to do so.
- Tree removal on private property that will necessitate a work zone on a public street or on public property (e.g., a City parking lot) requires an Encroachment Permit application.
- Trees are not to be felled on City streets.
- Stumps that are a hazard for public traffic and snow removal operations will be ground to six inches below grade. Other stumps are to be cut flush with ground.
- All debris from tree trimming and cutting shall be removed from the City right of way and disposed of by the permittee.
- Logs, limbs, poles, etc., shall be located to not infringe upon sight distance or present a roadside obstruction and be removed from drainage ditches at the end of each workday.

#### **28. Fugitive Dust and Water Quality Regulations**

County, State and Federal air and water quality regulations shall be strictly adhered to.

##### **A. Fugitive Dust and Asbestos Dust Controls**

Fugitive and asbestos dust shall be mitigated in accordance with El Dorado Air Quality Management District (AQMD) Rule 223-1, Fugitive Dust – Construction Requirements and/or Rule 223-2, Fugitive Dust – Asbestos hazard mitigation. It is the responsibility of the Permittee to meet current procedures and regulations of the AQMD, and submit any required plans to the County, prior to beginning a project. These are available at:

[Construction and Grading Requirements - El Dorado County](#)

##### **B. Storm Water Quality Controls**

Permittee shall comply with the State of California Water Resources Control Board's (SWRCB) rules, regulations, policies and orders as applicable to the project. Permittee shall provide a Storm Water Pollution Prevention Plan (SWPPP) to the City upon request if required by the SWRCB. Permittee shall provide a Qualified SWPPP Developer (QSD) and a Qualified SWPPP Practitioner (QSP) if required by the SWRCB. Permittee shall comply



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with the Storm Water Management Plan for the City of Placerville and the City Grading, Erosion and Sediment Control Ordinance.

For projects that do not require a permit from the SWRCB, Permittee shall implement Best Management Practices for Erosion and Sediment Control to reduce or eliminate discharge of sediments and other pollutants to any natural or man-made drainage course.

For projects that do not require a permit from the SWRCB, erosion and sediment control measures are to be in place prior to any storm event, and in place and in operable condition by October 15. Site inspections must be conducted by the Permittee before and after each storm event to identify areas that contribute to erosion and sediment problems or any other pollutant discharges. During each inspection, Permittee shall determine if additional Best Management practices are needed and implement those practices as soon as possible.

Maintenance and repair of control measures shall be routinely conducted. The Permittee shall be responsible for fines, penalties, and damages, whether proposed, assessed, or levied against the Permittee or Contractor, or the City (including employees, agents and assigns of the City), including those levied under the Federal Clean Water Act and the State Porter-Cologne Water Quality Act, by governmental agencies or as a result of citizen suits. Penalties shall also include payments made or costs incurred in settlement for alleged violations of the Federal, State or County laws. Cost incurred include sums spent in lieu of penalties, such as settlement agreements, mitigation or remediation. Permittee shall complete re-vegetation and stabilization of all disturbed soils, both within and outside of City right of way, as required by the City.

Permittee is required to comply with Section 404 of the clean Water Act regulating dredging and filling of Waters of the U.S. and shall provide evidence of such to the City upon demand

Permittee is required to comply with Section 1600 of the State of California fish and Wildlife Code regulating work in streambeds and shall provide evidence of such to the City Engineering Department upon demand.

### **29. Indemnity**

To the fullest extent of the law, the Permittee shall defend, indemnify and hold the City of Placerville harmless against and from any and all claims, suits, losses, damages and liability for damages, including attorney's fees and other costs of defense brought for or on account of injuries to or death of any person, including but not limited to, workers and the public, or on account of injuries to or death of the City of Placerville employees, or damage to property, or damages proximately resulting from Permittee's work, operations, or performance hereunder, regardless of the existence which are claimed or which shall in any way arise out of or be connected with Permittee's work, operations or performance hereunder, regardless of the



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existence or degree of fault or negligence on the part of the City of Placerville, the Permittee, the contractors, subcontractors or employee of any of these, except the active, or sole negligence or willful misconduct of the City of Placerville, its officers, employees, contractors, subcontractors or employee of any of these where expressly prescribed by statute.

The duty to indemnify and hold harmless the City of Placerville specifically includes the duties to defend set forth in Section 2778 of the Civil Code. The insurance obligations of the Permittee are separate, independent obligations under the Permit, and provision of this defense and indemnity are not intended to modify nor should they be construed as modifying or in any way limiting, the insurance obligations set forth in the Permit.

#### **30. Final Clean-Up**

All surface markings (such as markings of underground utility locations) and survey markings shall be masked (painted out black or white to match the surface finish color) as part of the final clean up. Upon completion of the work, all debris and material shall be entirely removed and the right of way left in a presentable condition as before work started.

#### **31. Completion of the Work**

Permittee continues to be responsible for all activity under this permit until final clearance and inspection is performed and/or signed off. This permit may be revoked or canceled without cause at any time by the City Engineer or designee. Upon written cancellation or revocation of this permit for any cause, permittee shall promptly restore the City right of way and/or site conditions to their pre-existing state and then vacate such premises. If the Permittee fails to provide services and/or equipment necessary to fulfill permit conditions, the City Engineer shall have the authority to have the work performed by others at the expense of the Permittee. Permittee shall notify the City Engineer or designee when work is completed. This permit is not completed until signed off by the City Engineer/designee and all outstanding fees are paid in full.