

# UTAH DEPARTMENT OF TRANSPORTATION PERMIT

**ENCROACHMENT PERMIT:**

App ID: 77803

Activity:

Function: 3227

Region 3 81R03172

**R3-173227-1**Date: **6/8/2017**

Application of: Central Utah Telephone, Inc. -Skyline Telecom

Work Order No: **MC17814**

By: Pam Rigby

Office:(435) 427-3331 Fax:(435) 427-0808

Address: PO Box 7 Fairview, UT 84629

Work:(435) 427-0650

is hereby granted subject to: Utah Depart Transportation's (UDOT's) Regulations For the Accommodation of Utilities on Federal Aid and Non Federal-Aid Highway Right-of-Way, Regulations for the Control and Protection of State Highway Rights of Way, Standard Specifications for Road and Bridge Construction, UDOT Specifications for Excavation of State Highway, State Occupational Safety and Health Laws, Manual on Uniform Traffic Control Devices, Instructions to Flaggers, the approved plans, and any special limitations set forth herein, permission for the purpose of **Accessing existing handhole. Installing 1 1/4" conduit/fiber for 875'.**

**Installing handhole.** within the right of way limits in the following locations: **25 E 1700 S Hwy 89 Provo.**

Highway 0189	Milepost	.3000	to	.5000	in/near PROVO, UTAH county
Highway 0189	Milepost	.3040	to		in/near PROVO, UTAH county

A permit fee of \$500.00 has been received.

The permitted work shall commence **6/7/2017** and shall be diligently prosecuted to completion. The work shall be completed and all disturbed surfaces or objects restored on or before **6/6/2017**. In the event work is commenced under this Permit and the permittee fails or refuses to complete the work, UDOT may, at its election, correct any deficiencies or otherwise complete the permitted work at the expense of the permittee. Upon receipt of an invoice of the costs incurred by UDOT, permittee shall immediately pay the amount due. If an action is required to be filed in court to collect the amount due, permittee shall be liable for UDOT's costs and fees, including attorney's fees.

Before work permitted is commenced, the permittee shall notify the Inspector listed below. ie: (\*\*\*\* 24 Hours before....\*\*\*\*). By applying for the Permit and UDOT issuing the Permit, permittee will comply with all instructions, conditions, requirements, and regulations of UDOT with respect to performance of the work described in the Permit. Permittee will properly control and warn the public of said work within UDOT's rights-of-way to prevent any accidents. Permittee shall defend, indemnify, and hold harmless UDOT from all damages or claims, including attorneys fees, arising out of any and all actions performed under this Permit by permittee, permittee's employees, agents or contractors, including failure to comply with terms and conditions in this Permit. Permittee shall pay for UDOT's inspections fees.

Permittee shall execute a bond in the minimum amount of \$100,000.00, as determined by the Regional Director/District Engineer, to insure faithful performance of the permittee's obligation. The bond shall remain in force for three years after completion of work.

Permittee shall hold an insurance policy in the amount of \$2,000,000.00, as determined by the Regional Director/District Engineer.

Permittee shall not perform any work on state highway rights-of-way beyond those areas of operation described on this Permit.

If permittee fails to comply with UDOT's regulations, specifications, or instructions pertinent to this Permit, the Region Director/District Engineer or his duly authorized representative, may by verbal order, suspend the work until the violation is corrected. If permittee fails or refuses to promptly comply, the Region Director/District Engineer or his authorized representative may issue a written order stopping all or any part of the work. When satisfactory corrective action is taken, an order permitting resumption of work may be issued.

**\*\*\*\* 24 Hours before starting work, call Darren Vincent at (385) 248-8148 \*\*\*\***

**Special Limitations:**

- UDOT has the right to require an approved crash barrier to protect any above ground feature that is in UDOT right of way or AASTHO clear zone whichever is greater.
- Contractors working in UDOT's right-of-way must maintain access to transit facilities. Contractor shall notify UTA of all bus stops within work zone at least 1 business day prior to placing traffic control. Contractor shall keep access to bus stops for both passengers and buses, or provide an alternative approved by UTA. Both preserved and alternate access must match existing conditions or meet ADA standards. UTA in Utah county Ken Anson 801.227.8957 or kanson@rideuta.com, in Salt lake county contact Michael Clara 801.287.2325 or mclara@rideuta.com, in Weber County contact Bart Dean 801.287.1246 or bdean@rideuta.com. Bus stop access requirements may be waived by the UDOT permits officer on days when the bus does not run.
- INSPECTION CALL-IN REQUIREMENTS: The person performing the work authorized by the permit is responsible for notifying UDOT when work is ready for inspection. Every request for inspection must be called in at least 24-hours before the inspection is desired.
- Pothole Utilities we will require core to be removed, locate utility, Flow fill to bottom of pavement, Put core back in and utilibond in place.
- This agreement and/or permit is UDOT approval only. You are responsible to obtain clearances from rail roads, private propertyowners and local jurisdictions that you are working within.
- Any asphalt damaged by your work will require a mill and overlay of the entire effected area with UDOT approved HMA mix design asphalt, from an approved source.
- If a contractor is working in the area of your permit scope. Contact contractor and work together so all work can be completed for all parties. Insure no traffic control conflicts exist. First contractor to start work has the right to complete their project first.
- UDOT complies with a statewide stormwater Permit that requires control measures to minimize the discharge of pollutants to Waters of the State. As a Permittee, you are required to implement measures to prevent pollutants from entering UDOT's right-of-way. As a Condition of this Encroachment

# UTAH DEPARTMENT OF TRANSPORTATION PERMIT

- Permit, you must review the following stormwater fact sheets: [udot.utah.gov/go/stormwaterfacts](http://udot.utah.gov/go/stormwaterfacts) and [udot.utah.gov/go/stormwaterpractices](http://udot.utah.gov/go/stormwaterpractices).
- Licensee must do all work in accordance with UDOT standard drawings.
  - Use current edition of UDOT standard drawing for traffic control. Use Utah MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be posted at the encroachment site for entire encroachment period.
  - Contact station foreman before starting project.
  - Prior to any work within the right-of-way, a traffic control plan must be submitted to UDOT and reviewed by the UDOT Traffic Engineer.
  - Traffic Control Plans, signs and channelizing devices must conform to MUTCD Standards, as a minimum, and all signs must be equipped with three orange flags.
  - This agreement and/or permit is UDOT approval only. You are responsible to obtain clearances from railroads, private property owners and local jurisdictions that you are working within.
  - ANSI 107-2004 Class III clothing (or greater) is required of all workers within the right-of-way.
  - Call 811, or contact Blue Stakes and check for other utilities in the area prior to excavation.
  - No saw or pavement cuts permitted on this job.
  - Licensee must place material such as road base, slag, gravel, etc. a minimum of 6" thick between edge of pavement and property line to prevent tracking onto the highway.
  - ATSSA Certified Traffic Control Maintainer required.
  - Licensee must comply with all environmental issues to include cultural & paleontologist clearances (see attachment "F").
  - See Attachment "F".
  - When a hazard is within the work clear zone and the vertical grade separation is 6" or greater or a slope steeper than 4:1, a UDOT approved barrier system is required.
  - If paving is done after Oct. 15 and before Apr. 15, licensee must replace temporary repair work when temperature and weather conditions are such that asphalt pavement can be placed in accordance with state specifications. In all instances, cold mix must be replaced with hot mix.
  - All work must comply with current ADA standards.
  - Notify UDOT upon completion of project for inspection.
  - An inspector may be required at permittee's expense, with 48 hours notice. By accepting this permit, I agree to pay for inspection fees.
  - Licensee is responsible for repairing and/or restoring any portion of the roadway damaged during construction.
  - Licensee must restore shoulder of highway to its original or better condition. Including reseeding, replacing sidewalk, fencing, pipe, culverts or signs removed or damaged during construction and any other roadway features.
  - All work must be completed by 12:00 PM prior to any Holiday and shall not commence until 8:00 AM on the following work day.
  - Licensee shall keep highway free of mud and debris. A sweeper broom must be accessible for cleaning purposes.
  - The depth of bury for all utility facilities under pavement shall be a minimum of four (4) feet below the top of pavement or existing grade including open drainage features. Where utility facilities are installed within 20 feet from the edge of pavement, the depth of bury shall be a minimum of five (5) feet below top of grade so as to allow for installation of UDOT signs or delineators. Utility facilities under sidewalks shall be installed a minimum of three (3) feet below the top of sidewalk.
  - Permit Holder will comply with all applicable environmental laws.
  - Upon completion of project, contact the inspector as listed on this permit .
  - A copy of the permit must be present at the encroachment site for the entire encroachment period.
  - By the accepting this permit, the Applicant acknowledges the hazardous nature of the work and agrees to assume full responsibility in the event of an accident or other incident involving death or injury to members of the Permitess Group or others, or property damage that results from negligence or intentional conduct on the part of any member of the group.

By carrying out the activities allowed by this permit it is conclusive evidence that I have accepted all provisions, limitations, and restrictions of the permit and attachments, understand and agree to all penalties for failing to comply with them, and understand my ability to review a permit and applicable attachments at the appropriate region/district office.

**Approved By:**

**Authorizing Name (printed): Marshall Terry**

\_\_\_\_\_  
(for Region Director/District Engineer)

Maintenance Station No. 3427 Provo, Chad Hansen (801) 426-4755

# UTAH DEPARTMENT OF TRANSPORTATION PERMIT

**Attachments:**

November 26, 2003

Dear Permit Applicant:

Your requested use of State Highway right-of-way may be subject to various environmental laws.

The issuance of an encroachment permit by UDOT does not represent that you have complied with these environmental laws. See UDOT Standard Specification for Road and Bridge Construction 01355, 1.3-1.9 and all of Section 00820.

Particular laws you must comply with include:

- \* water quality regulations dealing with storm water discharge and wetland protection
- \* wetland disturbances
- \* water rights regulations
- \* air quality, including fugitive dust emissions
- \* encountered underground storage tanks or buried hazardous materials
- \* protection of threatened and endangered species
- \* historical, cultural and/or paleontological sites

This list is not all-inclusive. It is your obligation to see that those environmental laws are complied with just as you are to comply with all other laws and regulations related to your work. The fact that a UDOT inspector may review aspects of the work does not imply that you are in compliance with any other laws or regulations or absolve you from any duties related to the work or the permit.

If the location where the work is to be performed is situated within a highway easement through Federal Lands (BLM, Forest Service or other federal land ownership) or is owned by another state agency, you must also contact the appropriate agency to obtain clearances from them for the work you propose to perform.

Sincerely,  
Carlos M. Braceras, P.E.  
Executive Director

FR/M01.124

**ENVIRONMENTAL LAW ADMINISTRATORS**

**WATER QUALITY REGULATIONS** - dealing with storm water discharge in relation to surface-water streams and ground water, Utah Division of Water Quality, 288 N 1600 W, SLC, Ut 84116, Thomas Rushing, 538-6951 UPDES Permits; Infrastructure Design Aspects, Kiran Bhayan 538-6080.

**WETLAND DISTURBANCES** - US Army Corps of Engineers, Utah Regulatory Office 583 W 2600 S #150, Bountiful, Ut 84010, Nancy Kang 801-295-8380 x14

**WATER RIGHTS REGULATIONS AND STREAM CHANNEL ALTERATIONS** - Utah Division of Water Rights, 1594 W. North Temple, SLC, Ut 84006, Darren Rasmussen 801-538-7377

**AIR QUALITY** - including fugitive dust emissions, Utah Division of Air Quality, 150 N. 1950 W, SLC, Ut 84116, Jeff Dean 536-4089, Compliance Section

**UNDERGROUND STORAGE TANKS OR BURIED HAZARDOUS MATERIALS** - Utah Division of Solid and Hazardous Wastes, 288 N 1460 W, SLC, Ut 84116, Paul Zahn, 536-4181, Underground Storage Tank Manager; Steve Theriot 536-4107, Environmental Response Manager.

**THREATENED OR ENDANGERED SPECIES** - US Fish and Wildlife Service, Endangered Species Protection, Lincoln Plaza 145 E 1300 S #404, SLC, Ut 84115, Henry Maddux 975-3330

**HISTORICAL, CULTURAL AND/OR PALEONTOLOGICAL SITES** - Utah State Historic Preservation Office 300 Rio Grande, SLC, Ut 84101-1182 -- Roger Roper 533-3561 and James Dykman 533-3555. Obtain written clearance from the Utah State Historical Preservation Office (SHPO) on all undertakings. Permittee may be responsible for securing a consultant to conduct a cultural survey to identify and determine eligible sites.

Region 1 NEPA/NHPA Specialist Shaun Nelson - 801-620-1635  
 Region 2 NEPA/NHPA Specialist Betsy Skinner - 801-975-4923  
 Region 3 NEPA/NHPA Specialist Rich Crosland - 801-222-3413  
 Region 4 NEPA/NHPA Specialist Susan Miller - 435-893-4753 or Pam Higgins - 435-893-4740

**ENVIRONMENTAL LAW ADMINISTRATORS (CONTINUED)**

**YOU ARE REQUIRED TO FOLLOW THE BELOW PROCEDURES OUTLINED ON ALL EXCAVATION**

# UTAH DEPARTMENT OF TRANSPORTATION PERMIT

1. If a suspected hazardous materials, underground tanks, threatened or endangered species, historic, archeological or paleontological (fossil) item, feature or site is encountered, the construction operation of the permittee shall immediately stop in the vicinity of the discovery.
2. The UDOT region permits officer will be verbally notified by the permittee of the nature and exact location of the findings.
3. The UDOT region permits officer will keep the permittee informed concerning the status of the temporary restriction.
4. Failure to restrict construction and/or notify the UDOT region permits officer may result in revoking the permit and/or the conviction of a Class B Misdemeanor under UCA 9-8-404.

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