

# FIBER OPTIC PERMITTING WITHIN DOH RW

## GENERAL GUIDELINES

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These guidelines will apply to any project that will include installation of fiber optic lines by any Utility within any Division of Highways right-of-way. Utilities are expected to follow the provisions described within the current DOH Manual entitled Accommodation of Utilities on Highway Right of Way and Adjustment and Relocation of Utility Facilities on Highway Projects, current edition.

### GENERAL CONDITIONS

- Only fiber optic lines are permitted to longitudinally occupy any Controlled Access (CA) Right-of-Way (RW) and those installations are subject to the following conditions:
  - Utility conforms with the provisions of the Telecommunications Act of 1996
  - such fiber optic lines are to be installed underground, and are not to be installed within the median
  - no poles or aerial installations within CA RW are permitted
- Aerial or buried perpendicular crossings of CA RW with a utility (fiber optic or other) may be permissible but entry/exit points are to be outside CA RW
- Utility is responsible for identifying location of any other utilities within project installation area and for any coordination necessary with any other utility
- Any municipal, County, State or federal permits, approvals, or fees are responsibility of Utility
  - Municipal fees (such as B&O) may be applicable to project even if fiber optic installation (aerial or underground) is solely within DOH RW within municipal boundary
  - Installation (aerial or underground) of fiber optic line solely within DOH RW but also within boundary of federal lands may require additional approval of federal agency
- Utility is responsible for obtaining from each landowner any necessary approval to enter or work within any property outside DOH RW
- Any proposed **Microtrenching** must be approved by DOH - Central Office
  - this type of trench can be of concern due to lack of compaction, allowing water to infiltrate beneath the pavement, potentially causing voids and/or sinkholes—backfill/compaction procedure details must be provided
  - creates difficulty for DOH maintenance work due to shallowness of the line and inability to place warning tape 18" below finished grade, as required

## **MAINTENANCE BOND**

- Utility required to provide to the District a Maintenance Bond prior to submission of initial Utility Permit within that District
  - to be kept current by Utility
  - covers all maintenance work within any County within that District by that Utility
  - Utility required to post separate Maintenance Bond for each District in which Utility seeking permit
  - if Utility intends to have installations in multiple Districts, a single bond in the amount of \$75,000 per District in which the Utility has facilities on DOH RW is allowable (i.e. A Utility that operates in all 10 Districts could have a single maintenance bond in the amount of \$750,000 to cover installations across the state)
  - a separate Maintenance Bond necessary for each type of utility installation by same Utility
  - must be current at time DOH would release any construction bond to Utility
- Any entity (private company, municipality, co-operative, etc.) proposing to install fiber optic line within DOH RW will be required to have a Maintenance Bond on file

## **ENVIRONMENTAL CLEARANCE (NEPA DOCUMENT)**

- Utility should anticipate that at least a Categorical Exclusion (CE) document will be necessary for each project affecting CA RW or a route within the Federal-Aid Highway System
- Entire project routing (including non-DOH routes or other property) may be considered by FHWA to be single project with respect to environmental document
- If any part of installation is physically within boundary of a federally owned property (even if installation solely within DOH RW), project may require an Environmental Assessment (EA) document
- Utility responsible for coordination with, and providing to DOH documentation of such coordination with federal agencies, e.g., US Fish and Wildlife Service, US Army Corps of Engineers (if boring under or working within jurisdictional water), US Forest Service, National Park Service, US Military
- Utility coordinates with State Historic Preservation Office (SHPO) and if necessary, Tribal Nations consultations must go through FHWA
- DOH prepares/issues final environmental document provided by the Utility
- No construction to be undertaken until environmental clearance issued by DOH

## **UTILITY PERMIT SUBMISSION**

- Completed MM-109 submitted to District with appropriate plans
  - Email submissions will be accepted only if the plans are legible (not too congested/crowded) on 11x17 prints
  - If plans are not legible on 11x17 prints, one (1) full-size, printed set of Plans shall be submitted to the appropriate District office

- Construction/performance Bond submitted to District
  - Bond amount is either 5 percent of estimated project cost or minimum \$100,000
  - Bond issued in name of permittee
  - Release by DOH of construction bond does not occur for at least one year from date of DOH acceptance of work performed under terms of the permit, and Utility must have on file a current Maintenance Bond at the time DOH might release construction bond
- For **Aerial** Installations (new poles, attachment to existing poles, overlashng), minimum information/details needed within Plans
  - Map showing route(s), termini, project limits, location
  - Aerial image (e.g., Google Earth) of project area
  - Offset distance (center of pole from centerline of roadway) – only for new pole installations
  - Pole information
    - Coordinates (preferred for all poles – mandatory for new pole installations)
    - Pole Number
    - Pole Owner
  - Profiles
  - DOH right-of-way along roadway (preferred for all permits – mandatory for new pole line installations)
  - Traffic control plan for construction/installation, and for maintenance if applicable
  - Street name/closest physical address to project
- For **Trenching and Sawcut** Installations, minimum information/details needed within Plans
  - Map showing route(s), termini, project limits, location
  - Aerial image (e.g., Google Earth) of project area
  - Distance from centerline of roadway
  - Distance behind guardrail, if applicable
  - Existing DOH drainage structures
  - Handhole information
    - Location(s)
    - Dimensions/details
    - Depth of handhole lid beneath ground surface
  - DOH right-of-way along roadway
  - Trenching/sawcut details
    - Depth
    - Width
    - Backfill, compaction process to be utilized to close trench after installation
  - Verification that installation is outside pavement
  - Traffic control plan for construction/installation, and for maintenance if applicable

- For **Boring** Installations, minimum information/details needed within Plans
  - Map showing route(s), termini, project limits, location
  - Aerial image (e.g., Google Earth) of project area
  - Existing DOH drainage structures
  - Bore information
    - Location(s)
    - Depth(s)
    - Bore pit locations/details
  - Handhole information
    - Location(s)
    - Dimensions/details
    - Depth of handhole lid beneath ground surface
  - DOH right-of-way along roadway
  - Traffic control plan for construction/installation, and for maintenance if applicable
- For any proposed **Bridge attachment**, Utility provides to DOH:
  - Map showing route(s), termini, project limits, location
  - Aerial image (e.g., Google Earth) of project area
  - Detailed alternatives analysis comparing options reviewed, with proposed justification indicating why bridge attachment is felt to be only reasonable/feasible alternative (see Utility Manual)
- If DOH approves a **Bridge attachment**, then minimum information/details needed within Plans\
  - Map showing route(s), termini, project limits, location
  - Aerial image (e.g., Google Earth) of project area
  - Details for method of attachment to Bridge (no welding permissible)
    - Proposed location of conduit to be installed along Bridge
    - detail to assure the installation will not adversely affect DOH bridge inspections or maintenance
  - Utility to provide a schedule for Utility's inspection (e.g., annually) of bridge at areas of attachment and of the conduits to ensure no issues (such as rusting) with Bridge at attachment areas
  - Conduit details (inside and outside diameters, type of material, etc.)
  - Details concerning manner in which conduit will transition from ground (approaches) to Bridge
  - Traffic control plan for construction/installation, for inspection of bridge attachment areas and conduits, and if applicable, for maintenance

## INSPECTION

- Utility installation inspection costs will be charged to Utility/Permittee
  - assume minimum cost of \$600/day for inspection by DOH
  - assume minimum cost of \$1,200/day for inspection by DOH consultant