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Remarks and Instructions

What’s changed in the Utilities Manual

The language in Sections 120.06, 120.11 and 120.12 has been revised to reflect the changes in the interaction between WSDOT and FHWA in regards to Access Breaks and the level of Approval Authority.

Chapter 7 has been revised to include a requirement for Utility inspectors to address potential contamination within the area of permitted Utility installations and make notations.

The Authority Matrix in Appendix B has been updated to reflect the Approval Authority for Access Breaks.

Remove/Insert instructions for those who maintain a printed manual:

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Contents	v - viii	v - viii
Chapter 1 – Utility Accommodation	1-1 – 1-2, 1-12 – 1-13, 1-67 – 1-68	1-1 – 1-2, 1-12 – 1-13, 1-67 – 1-68
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Appendix B	B75 - B76	B75 - B76

Revision marks:

- A new date appears on the footer of each page that has changes or different pagination.
- Revision marks (underlines/sidebars) are used as a convenience to show designers what has changed.
- When a chapter is new or substantially rewritten, no revision marks are applied.

Need more information?

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HQ Design Office Signature /s/ Ahmer Nizam	Phone Number 360-705-7271
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**Washington State
Department of Transportation**

TECHNICAL MANUAL

Utilities Manual

M 22-87.09

March 2018

Engineering and Regional Operations

Development Division, Design Office

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100 Administration and General Information

100.01 Utility Accommodation Program Purpose

This chapter provides guidance on the importance of the management and administration of the Washington State Department of Transportation's (WSDOT's) Utility Accommodation Program. The priorities controlling utility accommodation within the highway operating right of way are:

- The safety of the traveling public.
- The needs, mission, and priorities of the department.
- The needs of utility owners.

The policies and guidelines in this chapter outline the requirements and expectations for installation of utilities within the highway operating right of way. They are intended to illustrate the process, for both WSDOT and the utility owner, to produce an accurate utility accommodation document.

Nothing in this chapter is intended to limit the rights of WSDOT to impose additional restrictions or requirements on a utility installation if deemed appropriate, advisable, or necessary by the department to do so.

(1) Impacts and Requirements

Identify the immediate construction impacts and potential long-term effects of proposed utility installations upon the highway operating right of way, and ensure those installations meet the requirements of WSDOT's *Utilities Accommodation Policy*.

(2) Utility Location

Maintain accurate and up-to-date records of the location of authorized utilities installed within the right of way.

(3) Utility Ownership

Maintain accurate and up-to-date records of utility ownership.

RCW 47.44
WAC 468-34

100.02 Types of Utility Accommodation Documents

RCW 47.44.010
RCW 47.56.256
WAC 468-34-110

Utility accommodation documents define utility ownership, type, size, location, construction methods, maintenance frequency and duration, and other information considered necessary by the department. WSDOT processes utility accommodation documents related only to utility installations on operating highway rights of way, toll facilities, and the state ferry system. Utility accommodation documents used for this purpose include the following forms:

- Utility Franchise
- Franchise Consolidation
- Franchise Renewal
- Franchise Amendment
- Utility Permit

Refer to [110.01](#), Accommodation Application Requirements, for guidance on the use of the above forms.

(1) Utility Franchise

Utility franchises are the primary utility accommodation document used for recording utility installation details authorized within the operating highway right of way and its facilities based on the Utility Classification Criteria (see [100.04](#)). Use DOT Form 224-696, Application for Utility Permit or Franchise (see [Appendix B](#), Utility Forms and Documents).

- (a) **Franchise Use** – Use utility franchises to describe utilities installed across, along, or within the operating highway right of way or its facilities.
- (b) **Franchise Duration** – Utility franchises authorize utility occupation within the operating highway right of way for any duration up to, but not exceeding, 25 years. Franchise Renewal (also “Renewal”) is required prior to the franchise expiration date for the franchise to remain valid. (See [100.07\(1\)\(c\)](#), Consolidations and Renewals for additional information.)

RCW 47.44.020

(2) Franchise Amendment

A Franchise Amendment is a utility document that extends, supplements, or modifies an existing utility franchise based on the Utility Classification Criteria. Use DOT Form 224-696, Application for Utility Permit or Franchise (see [Appendix B](#)).

- (a) **Franchise Amendment Duration and Expiration Date** – Utility Franchise Amendments authorize utility occupation within the operating highway right of way for any duration up to, but not exceeding, 25 years, unless an extension is granted due to unique circumstances.

Franchise Amendment expiration is tied to the parent franchise, the expiration date of a Franchise Amendment shall be the same as that of the original franchise. When the parent or original franchise expires, so do all amendments to that franchise.

Franchise Renewal is required prior to the franchise expiration date for the franchise to remain valid. (See [100.07\(1\)\(c\)](#), Consolidations and Renewals for additional information.)

100.05 Accommodation Documents: Management and Administration

(1) Region Documentation

WSDOT Policy

All regions are responsible for maintaining utility accommodation documentation for every utility installation located within their operating highway right of way. Supporting documentation should include, but is not limited to:

- Approved accommodation documents.
- Correspondence.
- Variance justification and supporting documentation.
- Appropriate decision-making documentation such as diaries, notes, letters, emails, and so on, that substantiate the decision-making and approval processes.
- Utility plans and details.
- Other plans and details such as Traffic Control Plans (TCP), Stormwater Pollution Prevention Plans (SWPPP), and other plan requirements.
- Surety information.
- Accounting details such as J-account information, copies of checks or check receipts, reimbursable account agreements, and other documents.
- Inspection information and details such as Inspector's Daily Reports (IDR) and materials reports.
- Checklists.
- Region and Headquarters (HQ) review approvals.
- Meeting agendas, notes, and action items.
- Research information.
- Other pertinent information.

(2) General Utility Company Documentation

Best Practice

Regions should also consider maintaining files for individual utility customers. Customer files should be used to track general agreements, letters of clarification or understanding, commitments made with WSDOT or the utility, utility system plans, or other general utility company information or correspondence that may be generated by day-to-day business and that is not specific to a particular accommodation document file.

(3) Headquarters Documentation

The HQ Utilities Unit functions as a statewide coordination office and, as such, generally maintains only limited and temporary accommodation-related files. Headquarters responsibilities include:

- Blanket surety files.
- Utility Transfer of Ownership (Acceptance of Assignment) files of significance.
- Compliance reviews.
- Historical records.
- Management of statewide utility-related databases.

100.06 Approval Authority

Approval for all utility accommodation documents and related administrative documents is delegated as defined in this section (see [Appendix B, Authority Matrix](#)).

(1) Headquarters Approval

The following documents and conditions require approval by the HQ Utilities, Railroad, and Agreements Manager, as delegated by the State Design Engineer. Further delegation is not allowed.

(a) Headquarters-Executed Administrative Documents

- Blanket sureties.
- Transfer of Ownership for utilities for which WSDOT holds a blanket surety unless the utility is fully within one region; that region has approval, but must notify Headquarters. (See [130.05](#), Utility Transfer of Ownership – Acceptance of Assignment, for detailed guidance.)

(b) Headquarters-Approved Accommodation Variance Documents: Federal Highway Administration (FHWA) Concurrence – FHWA review and concurrence is required for the following utility installations proposed within interstate rights of way:

- Open cuts.
- Longitudinal installations within any median.
- Construction and maintenance site access from freeway ramps or main line.
- Any proposal seeking to establish a permanent access break for regular access to the facility for the term of the franchise or permit.

Note: FHWA should be notified (as information only) whenever any utility work requires a rolling slow down or lane closures on an interstate. Contact HQ Utilities to facilitate this notification.

(c) Headquarters-Approved Accommodation Variance Documents – All variances within full control limited access rights of way require review and approval by Headquarters. These variances include:

- Uncased installations involving pressurized carrier pipes and carriers of transmittants, other than natural gas, that are flammable, corrosive, expansive, energized, or unstable.
- Longitudinal utility installations within full control limited access rights of way (as defined in [WAC 468-34-130\(3\)](#)).
- Access breaks for utility accommodation variances from property adjacent to fully controlled access rights of way. (Access break review and approval will be coordinated with the HQ Access and Hearings Section. For access break requests for utilities without variances, an informational copy of the request should be sent to the HQ Utilities Unit.)
- Construction and maintenance site access from main line in fully controlled access rights of way.
- Aerial installations proposed in areas designated as Scenic Class A or B.

Refer to [120.14](#), Variances: Types, Treatment, and Approval, for detailed guidance and requirements for proposed variance installations.

Regions should contact the HQ Utilities Unit as early as possible in the application review process when any utility application or proposed variance requires Headquarters approval. Discuss the details of the proposed installation and the reason for the variance to verify what information is required to receive approval of the proposed utility installation.

- (d) **Joint-Use Conduit: Franchise Expiration Date** – Franchises for leased conduit or conduit of fee-simple purchase of conduit by a third party located within the same gallery of conduits shall all expire at the same time as the franchise that originally placed the conduit. This allows WSDOT the opportunity to review the status of the entire gallery of conduit at the time of expiration and, if needed, coordinate joint trench relocation or address other needs.

(3) **Joint-Use Utility Poles**

A third-party utility wishing to attach its facility to existing utility poles must provide a Joint-Use Agreement, or other documentation deemed suitable by WSDOT, indicating that permission has been granted by the utility pole owner. Language should be included in the franchise Special Provisions that makes the primary pole owner responsible for any other utilities that are allowed on the pole by the pole owner. This responsibility will include future relocations required by either the pole owner or department needs.

Similar to joint-use conduits, third-party installations upon a primary utility's poles shall expire on the same date as the existing utility franchise to facilitate Consolidation, Renewal, and relocation issues.

- (a) **Joint-Use Utility Poles: Relocation** – In most cases, utilities attached to poles shall relocate together at such time as WSDOT or the originating utility deems relocation necessary. The pole owner is responsible to remove the pole or poles in their entirety.

120.11 Access Control

(1) **Access Types**

There are two types of access control on highway rights of way that affect utility accommodations. These are non-limited access (managed access) and limited access.

- (a) **Non-Limited Access** – This type of right of way is defined as a conventional highway where access control has not been established by WSDOT. This is also known as managed access control. Label this type of right of way as “None” in the Access Control box of DOT Form 224-697, Utility Facility Description.

WAC 468-51
WAC 468-52

- (b) **Limited Access** – Limited access is the type of highway right of way where the right to access is controlled. Any installation requiring an access break requires Headquarters Access and Hearings approval. Accommodation of utility installations is restrictive within this type of right of way. Limited access is divided into the following types:

WAC 468-54
WAC 468-58

- Full access control: Generally allows access connections only at selected public roads.
- Partial access control: Generally allows access connections at selected public roads and some crossings and private driveways.
- Modified access control: Generally allows access connections at most approaches and includes existing commercial approaches.

WAC 468-34-110(3)(a)-(c)

Label this type of right of way as Full, Partial, or Modified in the Access Control box of DOT Form 224-697, Utility Facility Description, Exhibit B (see [Appendix B](#)).

1. **Full Access Control** – Longitudinal utility installations within full control limited access right of way are a variance to WSDOT policy and require justification. (See [120.14](#), Variances: Types, Treatment, and Approval, for additional guidance.)

Utility installations other than crossings normal to centerline are discouraged.

For the purpose of processing utility franchises and permits, the term full access control is inclusive of all highway facilities designated as full control limited access by WSDOT.

- a. **Interstate** – Access for utility installations within this type of right of way is highly restrictive.
- b. **Non-Interstate** – Utility installations within full access control of right of way are restrictive.

Label this type of right of way as “Full” in the Access Control box of DOT Form 224-697, Utility Facility Description, Exhibit B (see [Appendix B](#)).

WAC 468-34-110(3)
WAC 468-34-110(3)(a)
WAC 468-34-110(3)(d)

2. **Partial and Modified Access Control** – For the purpose of processing utility franchises and permits, modified and partial controlled access are treated the same. Justification must be reasonable and satisfactory to WSDOT. (See [120.14](#), Variances: Types, Treatment, and Approval, for additional guidance.)

Label this type of right of way as “Partial” or “Modified” in the Access Control box of DOT Form 224-697, Utility Facility Description, Exhibit B (see [Appendix B](#)).

(2) **Signature Authority**

Refer to [100.06](#), Approval Authority, for detailed guidance regarding approval authority for accommodation documents.

120.12 **Environmental Considerations**

WSDOT accommodation documents require utility applicants to secure all environmental permits for a utility installation. (See EF 224-030, Special Provisions for Permits and Franchises.) For further information on environmental considerations, see WSDOT’s [Environmental Procedures Manual](#), [Design Manual](#), and [Maintenance Manual](#).

(1) **Utility Environmental Permit Compliance**

WSDOT is not a regulatory agency. Thus, when a utility affirms that all of the necessary environmental permits are complete, it is not the department’s responsibility to obtain proof of the permit completion. If a hazardous spill or environmental damage occurs, the utility is responsible for corrective action.

(2) **WSDOT as Land Owner**

The risk to WSDOT as the land owner occurs when the utility owner and/or the utility’s contractor are financially small and not able to abate or correct their environmental damage. Theoretically, WSDOT could be required to correct the damage with department funds. WSDOT would then be in the position of attempting to collect expenses from the small utility, the utility’s contractor, and its bonding and insurance companies. The utility would have an interest in satisfying the debt if it desired to continue occupying highway right of way. The utility contractor could suffer remedies involving bonding and licensing.

compaction is being obtained. However, the method of compaction is not negotiable. The utility or contractor must meet the requirements of [WAC 468-34-250](#) and the [Standard Specifications](#).

WSDOT may conduct the compactive testing in cases where the utility does not have available resources or is unable to hire a certified tester to perform the testing. Any costs for testing incurred by the department are to be charged directly to the utility.

(4) Roadside Restoration

The utility is to restore all disturbed areas of soil, grass, shrubs, trees, or any combination thereof. Areas are to be restored in accordance with Standard Specification 8-02, the [Design Manual](#), the [Roadside Classification Plan](#), and the [Roadside Manual](#), and may include additional requirements from the Region Environmental Office. The inspector should consult with the Region Landscape Architect, who will work with the Region Environmental Office and the Maintenance Superintendent to determine the best course of action for each site.

700.05 Aboveground Facilities

There are three primary concerns relating to the installation or relocation of aboveground utilities. Generally, the approved location of utilities will be as defined in approved utility permits or franchises or utility relocation plans. Inspectors should be familiar with WSDOT policies regarding these requirements and be prepared to enforce the content of approved accommodation documents to ensure:

- Facilities avoid conflict with existing department facilities, highway construction, and maintenance activities.
- Facilities meet [Work Zone Traffic Control Zone Guidelines](#) (see [Chapter 9](#), Control Zone, for detailed information on control zone issues).
- Overhead utility lines have adequate vertical and horizontal clearance between the roadway and power lines/poles, WSDOT luminaires, guardrail, structures, drainage features, and so on.

The approved accommodation document and approved Traffic Control Plans must be on-site and must be followed, regardless of how quickly the work can be done.

The location of guy wires and anchors should be looked at closely for conflicts with existing utilities, clear zone requirements, future projects, and private landowners.

700.06 Bridge Attachments

Utilities may be installed on a highway structure by utility agreement as part of a WSDOT highway improvement project, or a utility or its contractor may make the installation independent of highway work. Regardless of who is responsible for the work, all attachments to structures must have written approval from the Headquarters (HQ) Bridge and Structures Office prior to installation.

When proposing an attachment to a structure, utility owners must submit plans detailing their attachment methods to the region for processing and approval by the HQ Bridge and Structures Office. Inspectors are to have access to copies of the office's approved plans and details. Refer to [Chapter 1](#), Utility Accommodation, for detailed information on obtaining bridge and structure attachment approvals.

700.07 Environmental Requirements

Generally, utility work within the operating highway right of way must meet the same standards as those imposed upon WSDOT. In some cases, however, utilities are exempt from certain environmental requirements, per [WAC 197-11-800\(23\)](#). Environmental regulations for different types of work vary based on the area of the state in which the utility facility is being installed and the impact(s) the work may have upon natural resources. Inspectors should be aware of what impacts utility work is having on the environment and inform the Region Environmental Office about environmental concerns prior to the start of work. Where there are known violations of environmental regulations, the inspector is to notify the Region Environmental Office and instruct the utility to cease work until the work can proceed in compliance with said regulations.

(1) Permits and Franchises

Where a utility is performing work as part of a permit or franchise, the utility owner is required to obtain all necessary environmental permits prior to beginning work. Where WSDOT has concerns related to the utility's environmental permits, the utility will be required to make those permits available to WSDOT prior to notice to proceed and, if part of the approval of the work, must have the permits on-site during construction (see [120.12](#), Environmental Considerations). The inspector should be given copies of the permits in advance of construction to review and then keep on-site during construction.

(2) WSDOT Projects

Where a utility is performing work related to a WSDOT project, the work may or may not be covered by the department's environmental permits for the project. Prior to the start of any utility work, the inspector should determine whether the utility is covered by WSDOT permits or has obtained its own permits.

Where the utility's work is covered by WSDOT's environmental permits, the inspector and the utility will be provided with copies of the permits, as well as the commitments made by WSDOT to the permitting agencies. Inspectors are to ensure the utility has copies of the permits and commitments on-site and that its work follows those requirements.

(3) Potential Problems and Common Requirements

A utility inspector should always be alert to the following potential problems:

(a) Hazardous Waste and Spill Prevention

Contaminants brought on-site by the utility, as well as contaminated water and soil encountered during excavation are to be contained and/or removed from the job site, and the Region Environmental Office, other appropriate region authority, or the headquarters Hazardous Materials Program, is to be notified. Existing contamination, residual contamination from a cleanup, or portions of a contaminated site, in the right of way may be indicated by a notation on the Right of Way Plan. Therefore the utility inspector must review the Right of Way Plan sheet[s] for potential for contamination to exist in the area of utility work. The notation will include information on the nature of contamination and include specific use restrictions to protect the integrity of the cleanup and limit the risk of exposure of hazardous substances. The utility should have a Spill Kit on-site and, in some cases, a Spill Prevention, Control, and Countermeasures (SPCC).

Variance Type	Access Type	Approval Authority	FHWA
Longitudinal Utility Installations			
Interstate median		HQ Utilities	Yes
Within full limited access		HQ Utilities	
Within partial or modified limited access highways		Region	
Medians		HQ Utilities	
Uncased Installations			
Involving transmitting material that is flammable, corrosive, expansive, energized, or unstable	Interstate	HQ Utilities	
Longitudinal open trench method involving transmitting material that is flammable, corrosive, expansive, energized, or unstable	All others	Region	
Note: Applies to all crossings except those requiring an Access Break			
Access Breaks			
From property adjacent to freeway right of way (<u>temporary</u>)			
Interstate		HQ Access & Hearings	ASDE
Non-Interstate	Full Limited	HQ Access & Hearings	ASDE*
Permanent Breaks on the Interstate require FHWA approval	All others	Region	
Site access from freeway ramps or main line			
Interstate		HQ Access & Hearings	Yes
Non-Interstate	Full Limited	HQ Access & Hearings	ASDE
	All others	Region	
Open Cuts of Pavement			
	Interstate	HQ Utilities	Yes
	All others	Region	
Shallow Depth			
	Interstate	HQ Utilities	
	All others	Region	
Scenic Class			
Overhead installations, Scenic Classes C & D		Region	
Overhead installations, Scenic Classes AX & BX, with no variances		Region	
Overhead installations scenic Classes A & B		HQ Utilities	
Control Zone Location			
Location I Utility Object Variances		Region	
Location II Utility Object Variances		Region	
Location III Utility Objects Aboveground Installations		Region	
Acceptance Assignment for Franchises			
Within a single region		Region	HQ Notification
For which HQ holds a Blanket Surety and the utility is in more than one region			HQ Utilities
Individual Bonds for Permits and Franchises per Utilities Manual, Chapter 1, Section 110.04		Region	
Blanket Bonds for Permits or Franchises			HQ Utilities
General Permits		Region	

* Assistant State Design Engineer

Authority Matrix