

# WATER AGENCIES' STANDARDS

## Design Guidelines for Water and Sewer Facilities

### SECTION 4.7 OTHER AGENCY PERMITS

#### 4.7.1 PURPOSE

The purpose of this section is to provide a list and general information for the permits that may be required by agencies other than members that are signatory to the Water Agency Standards. This section is a reference for permits that may be required as a result of water and sewer projects within the boundaries of the member agencies.

#### 4.7.2 GENERAL

It is the responsibility of the user of these documents to become familiar with permit requirements in effect at the time of the application for a permit. The user should contact the specific agency for actual permit requirements prior to construction. Some permits may require more than 6 weeks to review and process. These guidelines may not reflect changes made by other agencies to their permit process nor conditions they may set as a part of their process. Some agencies with permitting requirements may not be included in this section.

#### 4.7.3 PERMITS REQUIRED BY CITIES AND THE COUNTY OF SAN DIEGO

The permits described in these guidelines are general in nature and do not represent the specific definitions that may be established by the agencies listed in this section.

The following are permits that may be required by agencies listed in Section 4.7.4, CITY AND COUNTY CONTACTS:

##### Encroachment Permit:

An encroachment permit is permission to have facilities occupy space in a public right of way and is typically required for any pipe, pipeline, pavement, fence, building, or any structure or object of any kind or character, which is placed in, under or over any portion of an agency's property, roadway or easement. It is the responsibility of the contractor, developer, or agency to obtain the permit prior to construction.

##### Construction Permit:

A construction permit is permission to perform construction in a public right of way and is typically obtained before starting the construction or repair of curbs, gutters, sidewalks, commercial and residential driveways, roadway surfaces, retaining walls, culverts, street light(s) or other work of any nature in the an agencies right-of-way, property, or easement. It is the responsibility of the contractor to obtain the permit prior to construction.

##### Right of Way (ROW) Permit:

A permit for authorization to use land, easement, franchise, or other interest in real property held, owned, leased or otherwise belonging to the agency. It is the responsibility of the contractor, developer, or agency to obtain the permit prior to construction.

##### Grading Permit:

A permit to authorize the excavating, filling, stockpiling, movement of material, compaction of soil, creation of borrow pits, or combination thereof within an agency's jurisdictional boundaries. It is the responsibility of the

contractor to obtain the permit prior to construction. Agency owned projects for the storage, transmission, or treatment of water are exempt from Planning or grading permits. Other projects may be exempt if the Agency's Board of Directors has adopted overriding findings of a minimal project. For further information on possible exemptions, refer to Section 53096 of the California Planning, Zoning, and Development Laws.

**Excavation Permit:**

A permit that is required for the purpose of excavating for installing utilities in the public right of way where excavation is required. Possible facilities include, but are not limited to: sanitary sewer, private storm drainage, domestic and irrigation water, oil and natural gas, electric power, and telephone, both main and lateral lines. It is the responsibility of the contractor to obtain the permit prior to construction.

**Conditional Use Permit:**

A Conditional Use Permit allows a city or county to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, through a public hearing process. A conditional use permit can provide flexibility within a zoning ordinance. Another traditional purpose of the conditional use permit is to enable a municipality to control certain uses which could have detrimental effects on the community. Water Districts are exempt from zoning for pump stations, tanks, and pipelines. It is the responsibility of the agency or developer to obtain the permit prior to design.

**Major Use Permit:**

A Major Use Permit is to accommodate for the review and implementation of conditions for the approval of projects with special site or design requirements, operating characteristics, or potential adverse effects on surroundings. Most County zoning designations include a list of land uses that require approval of a Major Use Permit. It is the responsibility of the agency or developer to obtain the permit prior to design.

**State Code 65401:**

California Government Code Section 65401 requires that an agency proposing to construct major public improvements within the jurisdiction of a city submit to that city a list of those improvements for a review and report as to conformity with that city's adopted general plan. It is the responsibility of the agency to obtain the permit prior to design.

**Traffic Control Permit:**

A Traffic Control Permit is required for all public improvement projects, construction projects, and other work which encroaches into the public right-of-way including the sidewalk area. Most agencies will require traffic control plans to be submitted for review demonstrating how traffic will be managed during the construction of the project. It is the responsibility of the agency, developer, or contractor to obtain the permit prior to construction.

**Noise Abatement Permit:**

A noise abatement permit is required for regulating and controlling disturbing, excessive, or offensive noise during construction. Many permits are issued for construction projects during restricted time periods. It is the responsibility of the agency, developer, or contractor to obtain the permit prior to construction.

**Development Permit:**

A Development permit is required for any construction, erection, conversion, establishment, alteration, enlargement, or change in use in any area of the Center City in the City of San Diego. A development permit is issued by the

Center City Development Corporation. It is the responsibility of the agency, developer, or contractor to obtain the permit prior to construction.

**Operating Permit:**

An operating permit is required for anyone who serves drinking water to at least 25 persons for at least 60 days out of the year, or who serves domestic water to 15 or more service connections. This is considered a public water system and must have a domestic water supply permit. The permit is issued by the California Department of Health Services (DOHS) or the county with the delegated responsibility from DOHS. It is the responsibility of the agency to obtain the permit prior to construction.

**Franchise Agreement:**

A franchise agreement is a contract typically between a city and a service/utility provider that sets the terms and provision of services, including service standards, public, government, and system requirements. The conditions of the franchise agreement must be considered for projects to verify conformance to the terms and conditions of the agreement.

**4.7.4 CONTACTS**

<b>Agency</b>	<b>Phone Number</b>	<b>Website</b>
City of San Diego	(619) 446-5000	<a href="http://www.sandiego.gov/development-services/industry/pdf/psmsec3.pdf">http://www.sandiego.gov/development-services/industry/pdf/psmsec3.pdf</a>
City of Oceanside	(760) 435-5099	<a href="http://www.ci.oceanside.ca.us/Datarelation.aspx?Content=123">http://www.ci.oceanside.ca.us/Datarelation.aspx?Content=123</a>
City of Vista	(760) 639-6100	<a href="http://www.ci.vista.ca.us/gov/community_dev/default.htm">http://www.ci.vista.ca.us/gov/community_dev/default.htm</a>
City of Carlsbad	(760) 602-2720	<a href="http://www.ci.carlsbad.ca.us/pdfdoc.html?pid=431">http://www.ci.carlsbad.ca.us/pdfdoc.html?pid=431</a>
City of San Marcos	(760) 744-1050	<a href="http://www.ci.san-marcos.ca.us/departments.asp?id=1664">http://www.ci.san-marcos.ca.us/departments.asp?id=1664</a>
City of Escondido	(760) 839-4651	<a href="http://ci.escondido.ca.us/depts/pw/engineering/docs/index.html">http://ci.escondido.ca.us/depts/pw/engineering/docs/index.html</a>
City of Encinitas	(760) 633-2779	<a href="http://www.ci.encinitas.ca.us/Business/ApplicationsFP/EngineeringP/">http://www.ci.encinitas.ca.us/Business/ApplicationsFP/EngineeringP/</a>
City of Solana Beach	(858) 720-2470	<a href="http://www.ci.solana-beach.ca.us/contentpage.asp?ContentID=137">http://www.ci.solana-beach.ca.us/contentpage.asp?ContentID=137</a>
City of Del Mar (PBS&J)	(760) 753-1120	<a href="http://www.delmar.ca.us/business/NewDevelopment/EngineeringDept.htm">http://www.delmar.ca.us/business/NewDevelopment/EngineeringDept.htm</a>
City of Poway	(858) 668-4600	<a href="http://www.ci.poway.ca.us/directory.html">http://www.ci.poway.ca.us/directory.html</a>
City of Santee	(619) 258-4100	<a href="http://www.ci.santee.ca.us/dds/engineermain.htm">http://www.ci.santee.ca.us/dds/engineermain.htm</a>
City of El Cajon	(619) 441-1791	<a href="http://www.ci.el-cajon.ca.us/dept/works/">http://www.ci.el-cajon.ca.us/dept/works/</a>
City of La Mesa	(619) 463-6611	<a href="http://www.cityoflamesa.com/Departments/PublicWorks/Administration.htm">http://www.cityoflamesa.com/Departments/PublicWorks/Administration.htm</a>
City of Lemon Grove	(619) 825-3800	<a href="http://www.ci.lemon-grove.ca.us/clg/cityhall/departments/engineering.asp">http://www.ci.lemon-grove.ca.us/clg/cityhall/departments/engineering.asp</a>
National City	(619) 336-4380	<a href="http://www.ci.national-city.ca.us/Departments/Engineering/about%20engineering.htm">http://www.ci.national-city.ca.us/Departments/Engineering/about%20engineering.htm</a>
City of Coronado	(619) 522-7383	<a href="http://www.coronado.ca.us/ContentPage.asp?ContentID=91">http://www.coronado.ca.us/ContentPage.asp?ContentID=91</a>

City of Chula Vista	(619) 691-5021	<a href="http://www.chulavistaca.gov/City_Services/Development_Services/Engineering/Land/permit.asp">http://www.chulavistaca.gov/City_Services/Development_Services/Engineering/Land/permit.asp</a>
City of Imperial Beach	(619) 628-1356	<a href="http://www.cityofib.com/">http://www.cityofib.com/</a>
County of San Diego	(858) 694-2055	<a href="http://www.sdcounty.ca.gov/dpw/pfdlist.html">http://www.sdcounty.ca.gov/dpw/pfdlist.html</a>
Center City Development Corporation	(619) 235-2200	<a href="http://www.ccdc.com/resources/resource_files/CCDP_Application_Package_complete_8-04.pdf">http://www.ccdc.com/resources/resource_files/CCDP_Application_Package_complete_8-04.pdf</a>
Metropolitan Transit Development Board	(619) 231-1466	<a href="http://www.sdcommute.com/Agencies/MTS/MTDB/construction/ROE/roePermitInstructions.asp">http://www.sdcommute.com/Agencies/MTS/MTDB/construction/ROE/roePermitInstructions.asp</a>
Department of Health Services	(916) 449-5577	<a href="http://www.dhs.ca.gov/ps/ddwem/publications/Permits/permitindex.htm">http://www.dhs.ca.gov/ps/ddwem/publications/Permits/permitindex.htm</a>

#### 4.7.5 SAN DIEGO COUNTY WATER AUTHORITY PERMITS AND AGREEMENTS

The permit and agreements issued by the San Diego County Water Authority (SDCWA) are as follows:

- Encroachment Permits - Property owners and developers
- Joint Use Agreements - Public agencies and public utilities
- Construction Agreements - 3rd parties making modifications to the facilities or concrete encasing pipelines
- Pothole License Agreements - 3rd parties confirming existing top of pipe elevations
- Equestrian Trail License - Property owners and developers
- Right of Entry Permits - Permission to do work or cross the SDCWA right of way - owners and agencies
- Parallel encroachments - Only available to agencies
- Private Road Agreements - Private and public

Complete descriptions of the permit and agreement descriptions are available at the San Diego County Water Authority Website:

<http://www.sdcwa.org/about/pdf/AdminCodeRecod/Article07.pdf>

For additional information, contact the SDCWA - ROW General Information number: 858-522-6900

#### 4.7.6 CALTRANS ENCROACHMENT PERMIT

A CalTrans encroachment permit must be obtained for all proposed activities for placement of encroachments within, under, or over the State highway rights of way. Some examples of work requiring an encroachment permit are: utilities, excavations, encroachment renewals, advertisements (when allowed by statute), vegetation planting or trimming, surveys, mail boxes, driveways, installation or removal of tire chains for compensation, special events, and commercial filming activities.

For additional information, contact the Cal-Trans Permit Office at: (619) 688-6158 or online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>

#### **4.7.7 UTILITY PERMITS**

Utilities such as gas, electric, telephone, and fiber optic, may require encroachment permits to cross their right of way or easements. Due to the large number of utilities that may be encountered, they have not been included in this section. Each agency may have unique requirements and it is the responsibility of the user of this document to verify the conditions that each utility may have in relationship their project.

#### **4.7.8 TRENCHING PERMITS**

Permits are not issued for trenching and shoring activities, but the California Division of Occupational Safety and Health (Cal-Osha) is responsible for the oversight and safety of trenching. Cal-Osha has the regulatory authority to stop projects that do not conform to job related safety standards.

#### **4.7.9 TUNNELING PERMITS**

Permits are not issued for tunneling activities, but when the preliminary investigation of a tunnel project is conducted, the owner or agency proposing the construction of the tunnel is required to submit the geological information to Cal-Osha Division of Mining and Tunneling for review and classification relative to flammable gas or vapors. The preliminary classification shall be obtained from the Division prior to bidding and in all cases prior to actual underground construction. For additional Information, refer to the California Code of Regulations Title 8, Chapter 4, Subchapter 20, Article 8, Section 8422. The Division of Mining and Tunneling can be reached at 818-901-5420.

#### **4.7.10 ENVIRONMENTAL PROTECTION AGENCY**

##### **A. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)**

NPDES permits are described in Section 4.6 of the Water Agency Design Guide (WADG).

##### **B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PERMITTING AGENCIES**

CEQA permitting agencies are described in Section 4.5 of the Water Agency Design Guide (WADG).

#### **4.7.11 STREAMBED CROSSING AND ALTERATION**

##### **A. ARMY CORPS OF ENGINEERS 404 PERMITTING**

Army Corps of Engineers 404 permits are described in Section 4.5 of the Water Agency Design Guide (WADG).

##### **B. CALIFORNIA DEPARTMENT OF FISH AND GAME**

California Department of Fish and Game (CDFG) Section 1600 (Streambed Alteration Agreement) and Section 2081 (Authorization of Take for State Threatened/Endangered Species) permits are described in Section 4.5 of the Water Agency Design Guide (WADG).

##### **C. U. S. FISH AND WILDLIFE SERVICE**

U. S. Fish and Wildlife Service Section 7, 10(A), or 4(D) are described in Section 4.5 of the Water Agency Design Guide (WADG).

END OF SECTION