



Zone 7 Water Agency
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ENCROACHMENT PERMIT GUIDELINES

What is an encroachment permit?

An encroachment permit is a written permit that authorizes any work proposed within Zone 7 property, easement, or right of way. Proposed work must be maintainable and may require agreements, licenses, or easements.

When is an encroachment permit required?

An encroachment permit must be obtained prior to commencement of any non-Zone 7 work upon/within a Zone 7 owned or maintained facility or right of way. In general, a permit is required for the purpose of reviewing and inspecting proposed work of any nature that has the potential to impact any existing flood control or water supply facilities. The reviewers and inspectors look at proposed projects to see if they will adversely affect the maintenance/operation of Zone 7 flood control or water supply facilities.

Examples of prohibited activities include, but are not limited to, the following activities near waterlines, water facilities or within a flood control channel right of way:

- ◆ Unsafe excavation that impairs integrity of trench backfill over or next to a waterline
- ◆ Grading near waterline appurtenances that significantly alters their operation and creates potential for damage of the appurtenances
- ◆ Lack of protective cover over the waterline while under heavy construction equipment
- ◆ Grading of land so that the capacity of the flood control channel is reduced
- ◆ Impairing or impeding creek flows
- ◆ Removing or destroying vegetation in a creek
- ◆ Bank instability

How to apply?

Applications forms and pertinent filing information may be obtained at the Zone 7 office located at 100 North Canyons Parkway in Livermore. Applicant may also download the Permit Application, Permit Guidelines and General Provisions at www.zone7water.com or request the forms by phone at 925-454-5000.

What is the application process?

Complete the application and submit it. A Zone 7 Engineer (assigned from flood control or water supply) will then review and evaluate the application. Typically, the review is completed and permit issued within two to five working days. If the proposed encroachment requires field inspection or interdepartmental review, the process may take up to 20 working days.

What are the basic requirements?

- ◆ The applicant is required to fill all information on the permit application and to know and understand all of the General Provisions of the permit. Completed application, appropriate non-refundable permit fee and required documentation shall be submitted to the Zone 7 Engineer.
- ◆ Project specific requirements shall be listed in the Special Provisions portion of the permit once issued. The Zone 7 Engineer shall consult with the applicant regarding the special provisions requirements before they are finalized.

- ◆ **Two (2) copies of the plans must be attached to the application. Engineering plans, specifications, and calculations approved by the regulatory agency must be signed and stamped by a registered engineer. The engineering plans must include the following:**
 - **Parcel map with parcel and tract number, property owners' names, existing easement, etc.**
 - **Location of the proposed work or structures with reference to the property lines and existing Zone 7 water supply or flood control facilities.**
 - **The complete and detailed dimensions of the proposed work, structures or facilities. Zone 7 Standard Plans may be designated as references where applicable.**
 - **All information of a technical nature that may be necessary or required for the proper accomplishment of the proposed work.**
- ◆ **Hydraulic calculations should accompany all designs of private or public storm drainage systems that may effect the capacity of Zone 7 flood control channels.**
- ◆ **Pipe outfalls shall be designed and constructed per Zone 7 standard details. Variations of standard details may be accepted on a case by case basis.**
- ◆ **All trenches must be backfilled with suitable material and compacted to the relative compaction specified. A copy of the test results from the contractor's tester shall be available for the Zone 7 inspector.**
- ◆ **Applicants proposing alterations to, or bank repairs in, the watercourses must show that the changes will not adversely affect the hydraulic capacity of the watercourse and may be required to provide engineering calculations.**
- ◆ **If required, dewatering plans shall be submitted for review and shall be approved by the Zone 7 Water Agency two weeks prior to the start of construction.**
- ◆ **When the proposed construction, such as utility lines, crosses existing Zone 7 waterlines, the integrity of the pipe and trench backfill shall be of the highest importance. Engineering calculations may be required to support this.**
- ◆ **A minimum vertical separation of one foot is required above waterline. If sanitary sewer crossing below the waterline is not possible, special details showing crossings and provisions to prevent contamination shall be submitted for review and acceptance with the permit application. A minimum horizontal separation of five feet is required from the outside pipeline diameter.**
- ◆ **No trees or structures are permitted within the waterline easement. Landscaping plans are required with the permit application submittal.**
- ◆ **Certificate of Liability Insurance**
- ◆ **Bond**

What are the fees associated with an encroachment permit?

Typical encroachment permit fees consist of the following:

- ◆ **A non-refundable permit processing fee is collected for most applications and varies according to the type of encroachment. A fee of \$200 for major encroachment and a fee of \$50 for minor encroachment should be submitted with the permit application.**
- ◆ **A deposit, in addition to the permit processing fee, may be required for investigation of the effect of the proposed work or use on Zone 7 facilities including the review of plans and specifications, inspections of the activities, and work or operations of the permittee to assure compliance with legal and permit requirements. A Zone 7 Engineer will review the application, estimate the required deposit and inform the applicant about this and other applicable requirements.**
- ◆ **A deposit in the amount of the estimated plan review and field inspection fee is collected. Any refunds or charges due will be made upon completion.**
- ◆ **Where deeds, easements, or other documents contain conditions prohibiting or exempting such, no fees and costs shall be charged.**

What are typical major and minor encroachments?

Examples of major encroachments include installation of permanent structures and facilities on Zone 7 property or deeded easements such as utility lines crossing, fences, storm drain outfalls, parking pavement, mitigation measures and others that have a potential of significant impact on the integrity of Zone 7 flood control and water supply facilities.

Minor encroachment permits are typically issued for any of the following activities:

- ◆ Perform non-destructive survey or testing
- ◆ Perform ground or exploratory survey
- ◆ Biological monitoring and samples collection
- ◆ Inspect landscaping
- ◆ Temporary access to the land adjacent to Zone 7 property

What additional requirements are there?

- ◆ Zone 7 Water Agency, Alameda County Flood Control and Water Conservation District, their employees, officials, and agents should be named as additional insured in the commercial general and automobile liability insurance policies for the purpose and duration of the permit.
- ◆ Unless waived in the permit and before a permit is effective, the permittee shall file an approved surety bond issued by a company authorized to do general surety business in the State of California. The bond cannot exceed the estimated total cost of the work, including labor and materials. The appropriate bond amount will be determined during the permit review process and must be paid before issuance of the permit.
- ◆ If for any reason the work authorized under the permit will not be completed by the expiration date, the applicant should notify the Zone 7 Engineer and apply for a permit renewal no later than two (2) weeks prior to the expiration date.
- ◆ An extended Certificate of Liability Insurance and surety bond, if applicable, will be required for the permit extension application.