

ENCROACHMENT PERMIT APPLICATION INSTRUCTIONS

Section 1 - Applicant and Location Information

The first section of the encroachment permit application is used to collect basic information about the applicant and the location of the proposed encroachment.

S.C. Department of Transportation
Form 637 (Rev 4/2008)

Application for Encroachment Permit

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RecId: Permit Nbr: 1.

Applicant: _____ County: _____

Street: _____ Cnty/Route: _____ Road Name: _____

City: _____ 1. _____

State: _____ Zip: _____ 2. _____ 3.

Phone: _____ 3. _____

Fax: _____ 4. _____

Contact: _____ 5. _____

Figure 1. Section 1 of the Encroachment Permit Application

1. A permit number will be assigned by the Department.
2. Fill in the name and address of applicant (owner or his or her agent). Provide telephone numbers and a fax number at which the contact person may be reached 24 hours a day, 7 days a week. Give name of contact person if different from applicant.
3. Provide name of County, road or route number, and road name if known.

Section 2 - Encroachment Information and Description

This part of the encroachment permit application is where the applicant enters information regarding the type of encroachment and a description of the location.

4. 1. Type of Encroachment:

5. 2. Description of Location:

(Attach sketch indicating roadway features such as: pavement width, shoulder width, sidewalk and curb and gutter location, significant drainage structure, north arrow, right of way width, and location of the proposed encroachment with respect to the roadway centerline and the nearest intersecting road on the State system.)

Figure 2. Section 2 of the Encroachment Permit Application

4. Provide a detailed description of the type of encroachment (driveway, landscape, subdivision, street, etc.)

5. Provide description of location. For example, 2.1 miles north of intersection of Road S-04-22 or 300 feet west of road S-04-66. This information shall also be included on the drawing as instructed in the permit application checklist.

Section 4 of the encroachment permit application describes conditions the applicant agrees to by signing the encroachment permit application.

The undersigned applicant hereby requests the SCDOT to permit encroachment on the SCDOT right of way as described herein. It is expressly understood that the encroachment, if and when constructed, shall be installed in accordance with the sketch attached hereto and made a part hereof.

The applicant agrees to comply with and be bound by the SCDOT's "A Policy for Accommodating Utilities on Highways Rights of way", "Standard Specifications for Highway Construction", the "General Provisions" and "Special Provisions", attached hereto or made a part hereof by reference, during the installation, operation and maintenance of said encroachment within the SCDOT's Right of Way.

DISCHARGES OF STORM WATER AND NON-STORM WATER: Work within State Highway right-of-way shall be conducted in compliance with all applicable requirements of the National Pollutant Discharge Elimination System (NPDES) permit(s) issued to the Department of Transportation (Department), to govern the discharge of storm water and non-storm water from its properties. Work shall also be in compliance with all other applicable Federal, State and Local laws and regulations, and with the Department's Encroachment Permits Manual and encroachment permit. The encroachment permit will not be issued until the applicant has received an NPDES construction permit from SC Department of Health and Environmental Control.

The applicant agrees to comply with all current SCDOT Standards Specifications for Highway Construction including all Supplemental Technical Specifications. The applicant hereby further agrees, and binds his/her/its heirs, personal representatives, successors, assigns, to assume any and all liability for accidents or injuries to persons, or damage to property, including the highway, that may be caused by the construction, maintenance, use, moving or removing of the physical appurtenances contemplated herein, and the applicant agrees to indemnify and hold SCDOT harmless from and against any and all claims for personal injury and/or property damage which may be sustained by any person by reason of the construction, maintenance or existence of said encroachment on the SCDOT's right of way

6. {

7. { Applicant's Name: _____ Date: _____
(Please print or type)

Applicant's Sig: _____ Title: _____

Figure 3. Section 3 of the Encroachment Permit Application

6. Describes the conditions the applicant agrees to comply with by signing the encroachment permit application.

7. Provide applicants name and signature and date of application.

Section 4 - Completion Date and Special Provisions

Section 4 of the encroachment permit application is for departmental (SCDOT) use only.

8. { In accordance with your request and subject to all the provisions, terms, conditions, and restrictions stated in the application and the general and special provisions attached hereto, the SCDOT hereby approves your application for an encroachment permit. This permit shall become null and void unless the work contemplated herein shall have been completed prior to: _____

9. { _____ (Date received by Res. Maint. Engr.) _____ (SCDOT Approval) _____ (Date)

Resident Maintenance Engineer Deputy Secretary for Engineering
 District Engineering Administrator District Maint./Constr. Engineer

Figure 4. Section 4 of the Encroachment Permit Application

8. The Department will provide the date by which the work is to be completed.
9. The Department will add any special provisions to the permit. For example, the applicant shall erect Department approved stop signs or work shall only be done between the hours of 9 a.m. and 4 p.m. on weekdays.

Section 5 - Instructions for Printer Setup

1. From the Browser Menu, select File → Page Setup, set Left, Right, Top and Bottom Margin to 0.5 inches.
2. To prevent the Form Name from being printed at the top left on the form, go to File → Page Setup and delete the reference to the Form Name (&W) in the the Header text box.

ENCROACHMENT PERMIT APPLICATION CHECKLIST

Encroachment Permit Form

The completed form in quadruplicate is required.

Drawing

At least four copies of a drawing are to be included, giving details of the proposed work and existing conditions and including but not limited to the following:

1. Roadway on which the encroachment is located.
2. Direction and distance to the nearest intersecting State and county roadways, if applicable.
3. North arrow.
4. Drawing to be to scale. For example, 1in = 20ft (1:240), 1in = 50ft (1:600), etc.
5. Existing and proposed roadway geometry including pavement widths, curves, driveways, etc.
6. Existing and proposed pavement design, if applicable.
7. Existing and proposed drainage features with flow direction.
8. Existing right-of-way and associate property lines.
9. Existing sight distance, if applicable.
10. Proposed utility work.
11. Traffic Control Plan, if applicable.
12. Sediment and erosion control devices.
13. Water quality control devices.

Note: Drawing should be submitted on (8 ½ in. x 11 in.) or (11 in. x 17 in.) size paper. A (36 in. x 22 in.) site plan showing the relationship of the driveways to the circulation plan and the site development may be required. When readily available, a (36 in. x 22 in.) site plan should be submitted initially to facilitate review of the application.

Permit Application Requirements - The applicant's encroachment permit package for the hydraulic engineering reviews should include the following as a minimum:

- A statement by applicant that no work will begin until permits are obtained from DHEC, OCRM, and any other governmental agency who requires a permit. Note that the encroachment permit will not be issued by SCDOT until a NPDES permit is obtained from DHEC if stormwater or non-stormwater is discharged to our right of way.



ENCROACHMENT PERMIT APPLICATION INSTRUCTIONS AND CHECKLIST

- A set of detailed engineer's pre- and post-development drawings of the site that includes grading and drainage,
- Detailed hydraulic and storm water management design studies that show the calculations, including a well-written narrative that explains existing conditions, the study, and what is to be done,
- A CD with the computer input and output files used by the engineer,
- A determination of whether or not the proposed construction causes any impacts to downstream roads, buildings, bridges, or water quality.

Proof of Bonding

Evidence of any required bond must accompany the permit application.

Storm Water Management and Sediment Control Plan

If the encroachment permit application does not include stormwater discharges to the SCDOT Right of Way then this section may not apply.

Sediment and Erosion Control - All applications for encroachment permits that involve bringing storm water runoff or sediment to the highway for a developed area of 1 acre or more must include a copy of a Storm water Management and Sediment Control Plan approved by DHEC, the local government, or the conservation district responsible for approving such plans pursuant to the Storm water Management and Sediment Reduction Act. Refer to S.C. Code Ann. Section 48-14-10, and SCR 100000 NPDES/General Permit (2003). The plan should include drainage design computations.

If the area is less than 1 acre, the application must include a storm water pollution prevention plan (SWPPP). Sediment and erosion control measures shall be shown on the application and constructed as the first phase of construction to prevent any sediment from reaching the highway right-of-way or drainage system.

For all size projects pipes or ditches discharging into the highway drainage system shall join the system at an appropriate angle and have other provisions as necessary to prevent scour, erosion, or blockage of the existing drainage components.

Storm Water Quality Devices - If storm water quality devices are being proposed at connections to the road right-of-way then all supporting design calculations and maintenance plans/agreements must be provided with the encroachment permit application submittal. If the proposed connection is upstream of an impaired water body (303d List) or upstream of a Total Maximum Daily Load (TMDL), the applicant must show/describe how the connection is not contributing to the impairment. During review of an encroachment permit application submittal package SCDOT may determine that the use of a water quality device is necessary to protect an impaired water body or to meet the requirements of a TMDL. The 303 (d) list and TMDL information is available on the SC DHEC website at <http://www.scdhec.gov>. (For additional information, see "NPDES Consideration" portion below)

Maintenance and Safety Considerations - The design of drainage structures shall be in conformance with the latest edition of the SCDOT *Standard Drawings*. New drainage components that would create maintenance problems or compromise safety shall not be permitted. These may include, but are not limited to, vertical wingwalls/headwalls, grates, pipes, and aboveground catch basin covers which are within 30 feet of the roadway. Curbing on driveways or streets shall not extend beyond the right-of-way line or ditch line when the driveway or street connects to a roadway not having curbing. Culverts shall extend at least the full distance from the toe of one side of a fill to the toe of



ENCROACHMENT PERMIT APPLICATION INSTRUCTIONS AND CHECKLIST

the opposite side. All drainage components shall conform to the existing roadway cross-section and profile.

All structures shall be brought to a final grade flush with the existing profile and cross section. Catch basins are strongly discouraged in curved sections and within intersection radii.

Non-storm Water Discharges and Illicit Connections - Non-storm water discharges, except those listed below, shall not be allowed to enter the road right-of-way through the proposed connection or during the installation of the connection.

Allowable Non-Storm Water Discharges:

- Water line flushings
- Diverted stream flows
- Uncontaminated ground water infiltration
- Foundation drains
- Irrigation water
- Water from crawl space pumps
- Individual residential car washing
- Dechlorinated swimming pool discharges
- Pavement wash waters
- Landscape Irrigation
- Rising ground waters
- Discharges from potable water sources
- Air conditioning condensation
- Springs
- Footing drains
- Flows from riparian habitats / wetlands
- Street wash waters

The applicant shall report any instances of illicit connections and illegal dumping activities into the road right-of-way to the local Maintenance Office.

Design and Discharge - Drainage collected from off the right-of-way shall not be discharged onto the highway right-of-way unless discharge is approved by the Department's issuance of an encroachment permit. The applicant must follow the drainage design requirements as given in the latest edition of the SCDOT *Hydraulic Design Requirements*.

All applications for encroachment permits that involve bringing stormwater runoff or sediment to the highway shall include drainage plans with supporting design computations. The post construction 2-year, 10-year and 25-year storm events shall be equal to or less than those calculated for the pre-development conditions as determined in accordance with Department design policy for the given site conditions. If the post-development discharges for the 2-year, 10-year, and 25-year storm events exceed the pre-development discharges for the given storm event to the Department right-of-way, the applicant will be required to provide flow detention on site that meets the pre-developed discharge condition. When the proposal is to connect directly to a SCDOT cross-line pipe, the applicant will be required to meet the pre- and post-development rates for the 50-year storm if the roadway is a Primary (SC, US) or Interstate route. Details for detention structures and means of discharge, as well as design calculations, shall be approved by a registered professional engineer in compliance with Sections 40-21-10 and 40-21-30 of the Code of Laws of South Carolina (1976 as amended). The plan shall also include measures for controlling erosion on the site and limiting the release of sediment to the highway. Applicants must comply with all applicable federal and state stormwater management and sediment and erosion control guidelines.

For cases where a driveway or new road intersects the state highway system, a sag vertical curve and catch basins will be required prior to the intersection to collect the water from the new road prior to the highway right-of-way in order to prevent flooding of the state highway system.

All of the aforementioned items shall be submitted with the Application for Encroachment Permit. Approval by a professional engineer or the Department does not preclude the need for compliance with any applicable federal, state, or local regulations or ordinances.

NPDES Considerations - With the implementation of the Municipal Separate Storm Sewer System (MS4) permit, the Department is now responsible for the water quality of its storm water discharges. Therefore, the applicant will be required to be responsible for the



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water quality of their discharges if their encroachment permit is approved. The permittee must evaluate the SCDOT system they intend to discharge to and document whether or not that system discharges to a water body listed on the 303(d) impaired water bodies list. If so, the applicant must determine what pollutant(s) the water body is/are impaired for. In addition, the permittee must establish whether or not the system discharges to a body of water with a Total Maximum Daily Load (TMDL). If so, the permittee must ascertain what the pollutant(s) of concern is/are for that TMDL. These analyses must be performed for both the construction and the post-construction phases of the project and the impacts to water quality of the impaired waters from the SCDOT system must be documented. The 303 (d) list and TMDL information is available on the SC DHEC website at <http://www.scdhec.gov>. The permittee must implement Best Management Practices (BMPs) if it is determined that the discharges will have adverse impacts to the impaired water body during either the construction or post-construction phases. The water quality analysis for the system in question must demonstrate that the selected BMPs meet the requirements of the TMDL. In addition, storm water management devices and BMPs placed within SCDOT right-of-way should conform to SCDOT requirements. Applicants must also comply with all applicable federal and state storm water management and sediment and erosion control guidelines.

Additional Information

Note: Additional information about encroachment permit application may be found in Access and Roadside Management Standards published by SCDOT and may be obtained at a cost of \$5.00 per copy. A copy may be obtained at:

SCDOT
Traffic Engineering Section
955 Park Street
P. O. Box 191
Columbia, South Carolina 29202 - 0191