State of California
DEPARTMENT OF TRANSPORTATION

California State Transportation Agency

Memorandum

Serious drought.
Help save water!

To: DISTRICT DIRECTORS
DEPUTY DISTRICT DIRECTORS,
MAINTENANCE AND OPERATIONS

Date: September 17, 2014

File:

From: S. SEAN NOZZARI
Acting Chief
Division of Traffic Operations

Subject: **VISIBILITY IMPROVEMENT REQUEST DURING DECLARED DROUGHTS**

With California continuing to face statewide water shortfalls in the driest year in recorded state history, Governor Edmund G. Brown, Jr. proclaimed a "state of emergency" and directed state officials to take all necessary actions to prepare for these drought conditions. Governor Brown directed state agencies to implement water use reduction plans for all state facilities.

As part of the Caltrans Drought Action Plan, the Guidelines for Visibility Improvement Requests (VIRs) for encroachment permits are modified. During a declared drought, an Outdoor Advertising (OA) Visibility Improvement permit is issued for only one pruning per 12-month period, per billboard location. In addition, the attached guidelines will supersede the guidelines found in the Encroachment Permits Manual, Table 5.21, Guidelines for VIRs for new OA permits. Authorizing District Permit Engineer will issue riders for existing OA permits to amend the permit to meet these modified guidelines. All other sections and processes remain applicable. Below is a summary of the changes:

- Removal of more than 15% of any tree's canopy is not allowed within a 12-month time period nor more than 25% during any 24-month period.
- Removal of obstructing vegetation will not be permitted during a declared drought.
- Apply supplemental, recycled or non-potable, water to pruned trees as recommended by the District Landscape Architect or Landscape Specialist.
- Pruning will occur during a horticulturally appropriate time of year, based upon the tree species, solar exposure (to prevent sun scald), climate zone, and biological constraints (endangered species, nesting birds, etc). Pruning to maintain visibility is best performed in the spring following the first flush of growth. The District Landscape Architect or Landscape Specialist will evaluate and specify in the permit the recommended time to prune.
- Place mulch beneath pruned trees.
- During a declared drought, the "OA" encroachment period shall be a one-time permit per 12-month period, per billboard location.

For encroachment permit questions, please contact Yin-Ping Li, Chief, Office of Permits at (916) 654-5548. For questions concerning the Caltrans Drought Action Plan, please contact Keith Robinson, Principal Landscape Architect at (916) 654-6200.

Attachment
Encroachment Permits Manual, Table 5.21 (revised)

c: John Liu, Acting Assistant Chief, Division of Traffic Operations
Keith Robinson, Principal Landscape Architect, Division of Design
Yin-Ping Li, Chief, Office of Permits, Division of Traffic Operations
Velessata Kelley, Chief, Office of Outdoor Advertising, Division of Traffic Operations
District Permit Engineers

Encroachment Permits Manual, Chapter 500, Special Encroachment Permits

Table 5.21 *(revised)*
Guidelines for VIRs *During a Declared Drought*

The Following* General Guidelines *Apply During a Declared Drought:

1. Work shall be performed in accordance with the guidelines of the International Society of Arboriculture-- current ANSI A300 Standards.
2. Visibility improvement modification shall not detract from appearance, compromise function, or adversely affect the maintainability or longevity of the vegetation. Within these limitations, the intent is to maintain:
   Visibility of off-premise displays; and,
   Identity of on-premise business establishments adjacent to the freeway. Pruning or removal of vegetation to provide showroom visibility of businesses, being able to view window or exterior displays of merchandise or services, is not allowed.
3. Frequent light pruning of vegetation is the preferred method of achieving visibility improvement. Pruning shall not disfigure or compromise the plant's health.
4. Removal of more than ~~25~~*15%* of ~~the~~*any* tree's canopy is not allowed *within a 12-month time period nor more than 25% during any 24-month period*.
5. Removal of obstructing vegetation will ~~only~~ *not* be ~~considered if replacement vegetation is installed and maintained by the permittee until Caltrans determines plants are established. Replacement vegetation may be installed in the location of the removed vegetation or at other locations in the vicinity as directed by Caltrans. Where replacement vegetation is to be installed, the overall aesthetic quality of the existing landscaping should not be changed. The District Landscape Architect will evaluate the need for coordination with the local community when vegetation is to be removed and replaced~~*permitted during a declared drought*.
6. ~~Installation of new irrigation systems or modification of existing systems necessary to accommodate a change in type of plant material, additional plants, or for relocated plants shall be considered as integral to the requested work~~*Apply supplemental water to pruned trees as recommended by the District Landscape Architect or Landscape Specialist. To conserve domestic potable water, water must be either recycled or non-potable. Comply with the requirements for non-potable and recycled water use in Section 17, "Watering," of the Standard Specifications.*
7. Where planting is owned and maintained by the local jurisdiction, e.g., on a conventional highway, visibility pruning and replacement planting should comply with the requirements of the local jurisdiction.
8. For displays on Native American Reservations, Caltrans may issue permits for visibility improvement pruning according to these guidelines.
9. Pruning ~~may be delayed until the~~ *will occur during a* horticultural*ly* appropriate time of year*, based upon the tree species, solar exposure (to prevent sun scald) climate zone, and biological constraints (endangered species, nesting birds, etc). Pruning to maintain visibility is best performed in the spring following the first flush of growth. The District Maintenance Landscape Specialist will evaluate and specify in the permit the recommended time to prune*.
10. Bonding or a cash deposit may be required.

11. State agencies are required to preserve and protect native oak woodlands and to provide for replacement plantings whenever Blue, Engelmann, Valley, or Coast Live Oak is removed from native woodlands (Senate Concurrent Resolution No. 17, passed September 1989).
12. *Place mulch beneath pruned trees. Mulch must be 4-inches deep, not touch the trunk of the tree, and extend 5-feet beyond the outer edge of the tree canopy (drip line). Do not place mulch in drainage ditches, in paved areas, or closer than 5-feet of the paved roadway edge. An exception to the requirement for mulch may be granted by the District Landscape Architect or Landscape Specialist if prohibited by existing site conditions.*

Basis for Denial

1. The VIR (TR-0165) was denied by the Local entity.
2. The display is illegally in place, is non-conforming to Federal standards or if Caltrans is in the process of acquiring the land where the display is located.
3. The scope of work involves destruction or topping of healthy trees.
4. The tree(s)/plant(s) have historical value.
5. The tree(s)/plant(s) are considered endangered.
6. The trimming/removal negatively impacts corridor continuity.
7. The trimming/removal negatively impacts local economic value.

Median Plant Pruning

1. Permits to prune plants in the median are intended to be used on sections of highway that are currently being pruned, or need pruning for safety.
2. Reasonable starting and stopping points for the median pruning should be considered, such as:
   At overcrossings, undercrossings, bridges or similar structures.
   Beginning or ending of a planting or breaks in the planting of 200 ft. or more.
3. The permit should specify traffic control and access requirements including access times, dates, and special access requirements. The permit should also include: the time of year to prune, the type of equipment to use and any special treatment required shall be based on the types of plants, site conditions, and geographical location of the project.
4. Plants are to be side-pruned to a width sufficient to provide clearance required for the safety of the traveling public. Plants shall be top-pruned to a height not less than 5 ft. measured from the higher paved shoulder.