

State Utilities Engineer's Comments: The below FUCC comments are based on the Draft UAM dated 10/18/2012. Since the efforts on this draft were stalled and since there were significant changes to the UAM's format requirements, the 10/18/2012 draft was significantly revised. The draft UAM Revision 1-1 is the product of the reformatting requirements and internal comments on the 10/18/2012 draft. Draft Revision 1-1 as shared with the FUCC February 2014, however, because of time constraints, Revision 1-1 did not address any of the concerns of the FUCC expressed in their review of the 10/18/2012 draft. Revision 1-2 will incorporate necessary changes with respect to these FUCC concerns. The State Utilities Engineer's comments are highlighted in yellow and are in reference to the FUCC's concern with the UAM (10/18/2018) and the language that will be in Revision 1-2.

Dear Tom, (State Utilities Engineer)

The following is provided in response to your request for items the FUCC UAM core subcommittee (hereafter referred to as the "Committee") has so far identified as concerns to your proposed UAM dated October 18, 2012. Please understand that our review is not yet complete, and that additional concerns are likely to follow.

### **1.1 Purpose**

The purpose of the Utility Accommodation Manual (*UAM*) is to establish requirements for placing and maintaining utilities along, across, or on any road or rail corridor under the Florida Department of Transportation's (FDOT) jurisdiction.

**Comment:** The committee does not believe s. 337.401 F.S. was intended to apply beyond the limits of public right of way. However, given the recent Lee County Electric Coop vs. Cape Coral opinion, clarification to the UAM language is warranted.

**Suggested Resolution:** The purpose of the Utility Accommodation Manual (*UAM*) is to establish requirements for placing and maintaining utilities ~~along~~, across, under, or on any road or rail corridor under the Florida Department of Transportation's (FDOT) jurisdiction.

**Alternative Resolution:** The purpose of the Utility Accommodation Manual (*UAM*) is to establish requirements for placing and maintaining utilities ~~along, across, or on~~ within the right-of-way limits of any road or rail corridor under the Florida Department of Transportation's (FDOT) jurisdiction.

State Utilities Engineer's Comments:

This section is not intended to modify the jurisdiction or authority of FDOT given by 337.401. F.S. and Rule 14-46.001. This section in UAM Revision 1-2 was completely revised to not modify the intent of the Statutes or rule. It is only to give the accommodation requirements for utilities subject to Rule 14-46. Consequently, anything that would speak to jurisdiction or authority is already addressed within the statutes - not the UAM. Revision 1-2 will read as follows::

### **1.1 Purpose**

The purpose of the Utility Accommodation Manual (*UAM*) is to set the utility installations or adjustments requirements incorporated by reference into ***Rule 14-46.001 F.A.C.***

### **1.4 General**

References to external documents are indicated by the generally used term for the document highlighted in bold italic text. For example, the "Design Standards for Design, Construction, Maintenance and Utility Operations On the State Highways System English Units - 2010" is referenced as the ***FDOT 2010 Design Standards***.

**Comment:** Committee thought it might be more appropriate to include the title of the most current version.

**Suggested Resolution:** References to external documents are indicated by the generally used term for the document highlighted in bold italic text. For example, the "Design Standards for Design, Construction,

Maintenance and Utility Operations ~~On the State Highways System English Units-- 2010~~3" is referenced as the *FDOT 2010 Design Standards*.

State Utilities Engineer's Comments:  
Whatever revision is finally adopted it will list the latest incorporated standards.

### 1.5.1

When the UAO does not obtain Florida storm water or environmental resource permits from the Florida Department of Environmental Protection or the Water Management Districts, The UAO shall comply with the following standard drawings in the *FDOT 2010 Design Standards*:

**Comment:** The UAO should only have to comply with Index 102 or 103 if the situation warrants.

**Suggested Resolution:** When the UAO does not obtain Florida storm water or environmental resource permits from the Florida Department of Environmental Protection or the Water Management Districts, ~~the~~ UAO shall comply with the following standard drawings in the *FDOT 2010 Design Standards*, if applicable:

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State Utilities Engineer's Comments:  
It is not the intent to require a standard that doesn't apply. Revision 1-2 will read as follows:

When the UAO does not obtain Florida storm water or environmental resource permits from the Florida Department of Environmental Protection or the Water Management Districts, the UAO shall comply with Index 102 and 103 of the *FDOT 2010 Design Standards*.

201 Supplementary Details for Manholes & Inlets

**Comment:** The Committee is concerned this proposed requirement could be interpreted to apply to existing manholes.

**Suggested Resolution:** 201 Supplementary Details for Manholes & Inlets (for new installations)

State Utilities Engineer's Comments:  
It is not the intent to retroactively change existing manholes. Revision 1-2 will read as follows:

#### 1.5.1 FDOT Drawings

The UAO shall use any drawings necessary to restore the FDOT R/W to the condition existing prior to the utility work. While working within the FDOT R/W, the UAO shall also comply with Indexes 201, 307 (for new installations) and 600 (for all Traffic Control Plans (TCP)) of the *FDOT 2014 Design Standards*.

### 1.5.2 FDOT Standard Specifications

**Comment:** Committee has not yet completed its review of the listed Specifications.

## 2 Terms and Acronyms

**Aboveground Fixed Utilities (AFU):** Are utility objects more than four (4) inches above the grade and are not accepted by FDOT as crash worthy (such as strain poles, down guys, telephone load pedestals, temporary supports, etc).

**Comment:** Definition is repeated in section 4.2.

**Suggested Resolution:** Delete definition in Chapter 2 (as discussed with Tom 11/29/2012). Delete the acronym, too?

State Utilities Engineer's Comments:  
UAM Revision 1-2 eliminates this definition since it is fully defined within the section the term is used. Revision 1-2 will change **Aboveground Fixed Utilities (AFU)** to **Aboveground Utilities**.

### **3.1 General**

When needs to do perform utility work, the UAO shall submit a utility permit application using the *FDOT Utility Permit Form* or online permitting website.

**Comment:** Aside from the fact the proposed sentence makes no sense, the requirement for submitting a permit application should be limited only to that utility work which requires a permit.

**Suggested Resolution:** When a UAO needs to ~~do~~ perform utility work requiring an FDOT utility permit, the UAO shall submit a utility permit application using the *FDOT Utility Permit Form* or online permitting website.

State Utilities Engineer's Comments:  
UAM Revision 1-2 now reads as follows:

#### **2.1 General UAO Responsibilities**

Unless otherwise specified in *UAM Section 2.2* or *UAM Section 2.3*, the UAO shall obtain a utility permit before working within FDOT R/W using the *FDOT Utility Permit Form* or the One-Stop Permitting website.

### **3.3.1 Work Types**

5) Maintenance, but not the replacement, of existing underground facilities.

**Comment:** The Committee believes replacement of underground facilities within conduit, together with above ground appurtenances associated with underground facilities, should be allowed without having to submit an additional permit application.

**Suggested Resolution:**

5) Maintenance, ~~but not the replacement,~~ of existing underground facilities.

6) Replacement of underground facilities requiring little or no excavation (e.g. cable in conduit, above ground appurtenances) [please note this addition will require revised numbering through remainder of section]

6) Placing additional lines ~~or ducts~~ within existing conduits, provided no additional conduit, pull-boxes or other utility appurtenances are installed.

**Comment:** Committee believes utilities should be able to add or replace facilities within existing conduits without having to submit to the permit application process.

**Suggested Resolution:** Leave the way it was (with exception of renumbering), or revise to, "67) Placing additional ~~lines or ducts~~ facilities within existing conduits, provided no additional conduit requiring excavation, pull-boxes or other utility appurtenances are installed.

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

6) Placing and/or removing facilities within existing conduits, provided no additional pull-boxes or other utility appurtenances requiring excavation are installed.

### **3.4.1 General Documentation**

2) i) Underground facilities such as utilities, drainage pipes, or ITS lines within the proposed work area as can reasonably be obtained by a review of existing records and a topographical survey of above ground features using electronic detection devices.

**Comment:** The requirement to locate other utilities using electronic detection devices isn't reasonable for a number of reasons including safety and the inability to detect certain utilities such as drainage pipes and other non toneable utilities.

**Suggested Resolution:** i) Underground facilities such as utilities, drainage pipes, or ITS lines within the proposed work area as can reasonably be obtained by a review of existing records and a topographical survey of above ground features ~~using electronic detection devices~~.

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

- i) Underground facilities such as utilities, drainage pipes, or ITS lines within the proposed work area as can reasonably be obtained by a review of existing records and a topographical survey of above ground features.
- 2) k) Benchmark information when elevations are used.
- i Elevation of Benchmarks (may be assumed).
  - ii Depictions of the benchmark locations on the plan view, and written descriptions on the plan view sufficient to locate each benchmark in the field (may be a combination of both)

**Comment:** [need a comment here]

**Suggested Resolution:** Delete the proposed requirement.

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

- i) Underground facilities such as utilities, drainage pipes, or ITS lines within the proposed work area as can reasonably be obtained by a review of existing records and a topographical survey of above ground features.

3) c) The proposed utility's minimum vertical clearance below the top of the pavement or existing unpaved ground using electronic detection devices.

**Comment:** To determine a "proposed" facilities depth using electronic detection devices doesn't make sense. If the intent is to provide an asbuilt of those underground facilities post construction we would like to have further discussion to understand when the requirement would be applicable.

**Suggested Resolution:** The proposed utility's minimum vertical clearance below the top of the pavement or existing unpaved ground ~~using electronic detection devices.~~

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State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

- d) The proposed utility's minimum vertical clearance below the top of the pavement or existing unpaved ground.

12) A tree replacement or mitigation plan in accordance with *UAM Section 4.5.2*

**Comment:** See comment for 4.5.2

**Suggested Resolution:** Delete the proposed requirement.

State Utilities Engineer's Comments:  
This is listed here and is to be provided when a mitigation plan is needed.

13) All required approval, waivers, or variances.

**Comment:** Committee believes this requirement needs to be more clear and specific.

**Suggested Resolution:** 13) ~~All required~~ Any approvals, waivers, or variances [that might be necessary for the permit to be approved.](#)

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

12) Any required approvals, waivers, or variances necessary for the permit to be approved.

14) FERC or FDEP Certification documents in accordance with *UAM Section 3.8*.

**Comment:**

**Suggested Resolution:** Delete the proposed requirement.

State Utilities Engineer's Comments:

Utility permitting is used to verify that the proposed work is being done in compliance with the approved certification. And the portion of the UAO's certification that must be verified is FDOT conditions for certification. Therefore, this needs to be submitted before a verification is approved. Otherwise, the approver will not know if the work complies with the conditions for certification. Revision 1-2 will read as follows:

### **2.5 Certification from FERC or FDEP**

When the UAO obtains a certification from the Federal Energy Regulatory Commission (FERC) or the Florida Department of Environmental Protection (FDEP) to install or adjust their facilities within the FDOT R/W, the UAO shall attach FDOT's condition for the certification to the utility permit application. FDOT shall issue a utility permit after verifying the utility work is in compliance with the conditions for certification.

15) If the utility lies within an easement, provide the easement documents and any subordination agreements.

**Comment:** This is not reasonable or necessary for permit approval.

**Suggested Resolution:** Delete the proposed requirement.

State Utilities Engineer's Comments:

Provisions of the utility permits grant privileges and establish responsibilities between the FDOT and UAO. Easements and subordination agreements can conflict or make unenforceable some of the permit provisions. Therefore, these need to be disclosed before a permit is approved. Otherwise, the approver will not know what is actually being approved. However, understanding that there may be documents that which do not modify these provisions and are not readily available, the above line 15 will be revised as line 14 in Revision 1-2:

14) Any known provisions of the UAM or the Utility Permit that are modified, or made unenforceable by existing easements, subordination agreement, or other legal requirements.

### **3.5.2 Other Engineering Documents**

For all engineering documents other than those listed in *UAM Section 3.5.1*, the UAO shall submit the engineering documents signed and sealed by a qualified, licensed, Florida professional engineer when required by *Chapter 471, F.S.* When engineering documents are exempt from the signing and sealing requirements per *Chapter 471, F.S.* the UAO shall indicate on each document that it is not required by *Chapter 471, F.S.* to be signed or sealed. These exempt documents must also be on the UAO's letterhead or plan and or profile sheets with the UAO's title block.

**Comment:** The Committee does not believe FDOT should consider itself the "watchdog" for signed and sealed utility engineering documents. Compliance with Florida Laws in this (or any other) regard is the responsibility of the UAO.

**Suggested Resolution:** Either delete the requirement, or revert to the compromise language agreed to in the 2010 UAM version

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

#### **2.4.2 Traffic Control Plan (TCP) Submittals**

The UAO shall submit for its TCP either the appropriate traffic control standards and typical applications in *FDOT 2014 Design Standards* or the latest edition, or have TCP signed and sealed by a qualified, licensed Florida professional engineer with an FDOT Advanced Maintenance of Traffic Certification. All Traffic Control Plans shall comply with index 600 of the *FDOT 2014 Design Standards*.

#### **2.4.3 Other Engineering Documents**

For all engineering documents other than those listed in *UAM Section 2.4.2*, that the UAO has determined to be exempt from the signing and sealing requirements of *Chapter 471, F.S.*, the UAO shall submit these documents under the UAO's letterhead or on plan sheets with the UAO's title block.

### **3.8 Certification from FERC or FDEP**

The UAO may obtain a permit from the Federal Energy Regulatory Commission (FERC) or the Florida Department of Environmental Protection (FDEP) to install or adjust their facilities within the FDOT R/W. In these cases the UAO shall attach the FDOT agency report to the utility permit application that was included as part of the certification. FDOT shall issue utility permit when the proposed utility work is in compliance with the certification and FDOT's agency report.

**Comment:** Committee believes clarification is needed.

**Suggested Resolution:** If the UAO ~~may~~ has obtained a permit from the Federal Energy Regulatory Commission (FERC) or the Florida Department of Environmental Protection (FDEP) to install or adjust their facilities within the FDOT R/W, ~~in these cases~~ the UAO shall attach the FDOT agency report to the utility permit application that was included as part of the certification. FDOT shall issue utility permit when the proposed utility work is in compliance with the certification and FDOT's agency report.

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

#### **2.5 Certification from FERC or FDEP**

When the UAO obtains a certification from the Federal Energy Regulatory Commission (FERC) or the Florida Department of Environmental Protection (FDEP) to install or adjust their facilities within the FDOT R/W, the UAO shall attach FDOT's condition for the certification to the utility permit application. FDOT shall issue a utility permit after verifying the utility work is in compliance with the conditions for certification.

### **4.1.4 Pedestrian Pathway Clearances**

For pedestrian pathways, the UAO shall provide minimum clear pathway widths of thirty-six (36) inches. However distances of twenty-four (24) inches or less, when it is impractical to provide a thirty-six (36) inches pathway the UAO may reduce the minimum clear pathway width of thirty two (32) inches. The UAO shall not the install any guy wire that reduces the available pathway widths. The UAO shall only install guy wires that provide minimum vertical clearances of seven (7) feet over the entire pedestrian pathways width.

**Comment:** The 36" where practical pathway requirement should be limited to new installations. The 7' vertical clearance requirement needs to be clarified to apply to down guys traversing sidewalks.

**Suggested Resolution:** For new above ground installations within pedestrian pathways, the UAO shall provide minimum clear pathway widths of thirty-six (36) inches where practical. However, for distances of twenty-four (24) inches or less, where it is ~~im~~ not practical to provide ~~at~~ the thirty-six (36) inches clear pathway width, the UAO may reduce the ~~minimum clear pathway width of to~~ thirty two (32) inches. ~~The UAO shall not the install any guy wire that reduces the available pathway widths. For down guys traversing across a pedestrian pathway, the UAO shall~~ only install guy wires that provide maintain a minimum vertical clearances of seven (7) feet ~~over the entire pedestrian pathways width above the portion of the pathway intended to be used by pedestrians.~~ -

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

### 3.4 Pedestrian Pathway Clearances

For new above ground installations within pedestrian pathways, the UAO shall provide minimum clear pathway widths of thirty-six (36) inches where practical. However, for distances of twenty-four (24) inches or less, where it is not practical to provide the thirty-six (36) inches clear pathway width, the UAO may reduce the width to thirty two (32) inches. For down guys traversing across a pedestrian pathway, the UAO shall maintain a minimum vertical clearance of seven (7) feet over the pathway.

### 4.2 Aboveground or Aerial Accommodations

The UAO shall install and relocate AFUs as described in this section unless an alternative is approved by the State Roadway Design Engineer prior to approval of a *FDOT Utility Permit* application or *FDOT Utility Work Schedule*. To obtain such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes that UAO's alternative should be approved. The request shall be granted when the information supplied by the UAO clearly shows that compliance with *UAM Section 4.2* is impracticable or would create an unreasonable hardship for the UAO, and that the UAO's alternative would not unreasonably interfere with the safety, operation, maintenance or future improvement or expansion of the transportation facility. The fact that the UAO alternative is less costly will not necessarily be determinative of whether the alternatives are approved.

**Comment:** Approval should be possible if compliance is not practical. Compliance is always practicable, and if such requirement is a condition of approval, why even have this in here?

**Suggested Resolution:** The UAO shall install and relocate AFUs as described in this section unless an alternative is approved by the State Roadway Design Engineer prior to approval of a *FDOT Utility Permit* application or *FDOT Utility Work Schedule*. To obtain such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes that UAO's alternative should be approved. The request shall be granted when the information supplied by the UAO clearly shows that compliance with *UAM Section 4.2* is ~~impracticable-not practical~~ or would create an unreasonable hardship for the UAO, and that the UAO's alternative would not unreasonably interfere with the safety, operation, maintenance or future planned improvement or expansion of the transportation facility. ~~The fact that the UAO alternative is less costly will not necessarily be determinative of whether the alternatives are approved.~~

State Utilities Engineer's Comments:  
UAM Revision 1-2 allows alternate design for placement on mid-span poles and for requested relocation of existing aboveground utilities. These two sections will read as follows:

#### 3.14.2 Mid-Span Pole Installation Requirements

This section applies to the installation of mid-span pole.....  
... the UAO may request approval of an alternate design. To request such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes the UAO's alternate design should be approved. The request shall be granted when the information supplied by the UAO clearly shows either:

- 1) Compliance with these requirements is not practical or would create an unreasonable hardship for the UAO, and that the UAO's alternative would not unreasonably interfere with the safety, operation, maintenance, future improvement, or expansion of the transportation facility, or
- 2) The alternate design provide a benefit to the safety, operation, maintenance, future improvement, or expansion of the transportation facility.

The fact that UAO's alternate design is less costly will not necessarily be determinative of whether the alternate design is approved.

### **3.14.3 Aboveground Utility Relocation, and Adjustment Requirements**

FDOT may request the relocation or adjustment of existing aboveground utilities .....

.....Where compliance with FDOT's request is not practical or would create an unreasonable hardship for the UAO, the UAO may request approval of an alternate design. To request such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes the UAO's alternate design should be approved. The request shall be granted when the information supplied by the UAO clearly shows either:

- 1) Compliance with these requirements is not practical or would create an unreasonable hardship for the UAO, and that the UAO's alternative would not unreasonably interfere with the safety, operation, maintenance, future improvement, or expansion of the transportation facility, or
- 2) The alternate design provide a benefit to the safety, operation, maintenance, future improvement, or expansion of the transportation facility.

The fact that UAO's alternate design is less costly will not necessarily be determinative of whether the alternate design is approved.

### **4.2.2 AFU Installation Requirements for Mid-Span Poles**

This section applies to the installation of mid-span pole which are new poles that are installed within the existing spans of an existing pole line in the R/W. The UAO shall install these mid-span poles within the existing alignment and as part of the existing pole line. Where the existing pole line crosses another roadway the UAO shall install these mid-span poles in accordance with *UAM Section 4.2.1*.

**Comment:** What if the roadway being crossed is something other than an FDOT R/W, with minimum horizontal clearance requirements less than those required in *UAM Section 4.2*?

**Suggested (possible) Resolution:** This section applies to the installation of mid-span poles which are defined as new poles that are installed within the existing spans of an existing pole line in the R/W. The UAO shall install these mid-span poles within the existing alignment and as part of the existing pole line. Where the existing pole line crosses another roadway the UAO shall install these mid-span poles ~~in accordance with *UAM Section 4.2.1*~~ as close as practical to the R/W line of the intersecting roadway, given the considerations of 4.2.1.2.

State Utilities Engineer's Comments:

UAM Revision 1-2 will read as follows:

### **3.14.2 Mid-Span Pole Installation Requirements**

This section applies to the installation of mid-span poles which are new poles that are installed within the existing spans of the UAO's existing pole line. The UAO shall install mid-span poles within the existing alignment as part of the existing pole line.

Where mid-span poles are placed within the R/W of an intersecting roadway, the UAO shall install these mid-span poles outside the AFU offsets in *UAM Section 3.2.4*.

### **4.2.3 AFU Relocation Requirements**

On projects designed to correct safety issues, the UAO shall relocate AFU's that interfere with the construction of the project. as close to the R/W line as practical with regard to the AFU practical considerations in *UAM Section 4.2.1.2*.

**Comment:** Consistent with F.S. 337.403, Committee believes such interference should be unreasonable.

**Suggested Resolution:** On projects designed to correct safety issues, the UAO shall relocate AFU's that unreasonably interfere with the construction of the project, to as close to the R/W line as practical with regard to the AFU practical considerations in *UAM Section 4.2.1.2*.

On projects designed to resurface the roadway, the UAO shall relocate the following AFU's as close to the R/W line as practical with regard to the AFU practical considerations in *UAM Section 4.2.1.2*.

- 1) AFU's that interfere with the construction of the project.
- 2) AFU's in areas where the distance between the edge of the traveled way and AFU will be reduced.
- 3) AFU that have been hit 3 or more times in the latest 5 year period.

On projects other than those described above the UAO shall relocate the existing AFUs to the same installation requirements as new AFUs in compliance with *UAM Section 4.2.1*.

**Comment:** Might there be an opportunity to simplify this section?

**Suggested (possible) Resolution:**

On FDOT projects ~~designed to resurface the roadway~~, the UAO shall relocate the following AFU's as close to the R/W line as practical with regard to the AFU practical considerations in *UAM Section 4.2.1.2*.

- 1) AFU's that unreasonably interfere with the construction of the project.
- 2) AFU's in areas where the distance between the edge of the traveled way and AFU will have been significantly reduced, and, in which case the new distance will be less than those prescribed in UAM 4.2.1.1.
- 3) AFUs that have been hit 3 or more times in the latest 5 year period.

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~~On projects other than those described above the UAO shall relocate the existing AFUs to the same installation requirements as new AFUs in compliance with UAM Section 4.2.1.~~

**State Utilities Engineer's Comments:**

This section has been revised to mirror the roadway design procedures. Design procedures instruct designers to reasonably accommodate existing utilities and obtain relocation agreements with affected utilities. During this process the reasonableness of the relocation is discussed and determined. When the Designer request the relocation the is to be reasonable. If the UAO disagrees then they may submit an alternate design. If that is not approved, the UAO can appeal to the chapter 120 variance process. There are enough checks and balances built into the process. UAM Revision 1-2 will read as follows:

### **3.14.3 Aboveground Utility Relocation, and Adjustment Requirements**

FDOT may request the relocation or adjustment of existing aboveground utilities in order to construct projects. When requested the utilities shall comply with the following:

- 1) On projects intended to correct specific safety issues and not intended to bring all conditions within the R/W to FDOT's standards, the UAO shall relocate or adjust the existing aboveground utilities that interfere with the correction of the specific safety issue.
- 2) On projects designed to resurface the roadway, the UAO shall relocate the aboveground utilities to as close to the R/W line as practical with regard to the aboveground utility practical considerations in *UAM Section 3.14.5* when the aboveground utility meets either of the following conditions:
  - a) The aboveground utility has been hit 3 or more times in the latest 5 year period,
  - b) The aboveground utility is located where the edge of travel lane is being moved closer to the aboveground utility than prescribed in *UAM Section 3.14.4*.
- 3) On FDOT projects other than projects described in 1) and 2) above, the UAO shall relocate or adjust the existing aboveground utilities to meet all the following conditions:
  - a) Where practical, behind existing barriers (such as guardrail, or concrete barriers), and not within the barrier's deflection area.
  - b) Not within in the median.
  - c) Outside the aboveground utility offsets in *UAM Section 3.14.4* and
  - d) As close to the R/W line as practical with regard to the aboveground utility practical considerations in *UAM Section 3.14.5*.

Where compliance with FDOT's request is not practical or would create an unreasonable hardship for the UAO, the UAO may request approval of an alternate design. To request such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes the UAO's alternate design should be approved. The request shall be granted when the information supplied by the UAO clearly shows either:

1) Compliance with these requirements is not practical or would create an unreasonable hardship for the UAO, and that the UAO's alternative would not unreasonably interfere with the safety, operation, maintenance, future improvement, or expansion of the transportation facility, or

2) The alternate design provide a benefit to the safety, operation, maintenance, future improvement, or expansion of the transportation facility.

The fact that UAO's alternate design is less costly will not necessarily be determinative of whether the alternate design is approved.

#### **4.5.1 Restoration and Maintenance**

[Language not repeated due to the effort required in the absence of MS Word file)

**Comment:** This section is confusing.

**Suggested Resolution:** Retain the current 2010 language.

State Utilities Engineer's Comments:

UAM Revision 1-2 now separates restoration and maintenance . Old Section 4.5.1 has been revised to only address restoration of pavement, trees and turf. in the new Section 3.17. And vegetation control , by trimming, mowing and chemical application has been placed in the new Section 3.18

#### **4.5.2 Restoration of Trees**

**Comment:** The Committee believes this whole concept of tree mitigation to be unreasonable and is strongly opposed. Utilities provide an essential public service and any cost of tree mitigation would have to be borne by the utilities' rate paying customers.

**Suggested Resolution:** Delete the section.

State Utilities Engineer's Comments:

Trees are an asset of the state and part of the transportation system to be managed by FDOT. Consequently the UAM Revision 1-2 will read as follows.

#### **3.17.2 Replacement and/or Mitigation of Trees**

The UAO may designate, in the permit application, the boundaries of where the UAO needs to be free of trees in order to facilitate the installation, maintenance, and operation of the utility. The UAO shall maintain the area within these tree free boundaries. The UAO shall provide a replace and/or mitigate plan for large trees within these boundary before installation. For this section large trees are trees with trunks greater than twelve (12) inches in circumference measured four and one half (4.5) feet above the ground. The UAO may elect to mitigate all large trees in lieu of replacing them. The UAO shall make the replacement and/or mitigation plan part of their utility permit. Once the replacement and/or mitigation plan is approved and performed, no future mitigation will be required within the identified tree free boundaries.

For a replacement plan, the UAO shall do all of the following:

- 1) Supply a map of the tree free boundary.
- 2) Obtain a cumulative cross-sectional area, measured four and one half (4.5) feet above the ground, of each species graded Florida #1 as described in the *DPI Grades and Standards* for all large trees within the boundary.
- 3) Obtain approved replanting locations from the Local Maintenance Engineer.
- 4) Replant an equal cross-sectional area, measured six (6) inches above the ground of each species of trees in the approved replanting locations.

- 5) Maintain the replanted trees for a period of one year to Florida #1 as described in the *DPI Grades and Standards*.
- 6) When the replanting location are insufficient to allow an equal area of the UAO shall mitigate the remaining area.

For a mitigation plan, the UAO shall do all of the following:

- 1) Supply a map of the tree free boundary.
- 2) Have an the appraisal prepared by an appraiser who possesses one of the following qualifications:
  - a) Certification from the International Society of Arboriculture (ISA) as a Certified Arborist with advanced training in roadside vegetation or equivalent credentials from another nationally recognized arboricultural organization,
  - b) Registration as a Landscape Architect pursuant to *Chapter 481, Part II, F.S.*
  - c) Approval from both FDOT and the UAO as an individual qualified to perform the tree mitigation appraisal.
- 3) Have the appraiser appraise the value of the trees within the boundary based upon the known, or estimated, condition of the trees prior to being removed. The UAO's appraiser shall follow the guidance as appropriate in the following documents:
  - a) *Determining the Mitigation Value of Roadside Vegetation*,
  - b) *Grades and Standards for Nursery Plants*.

#### **4.6.2 Routine Tree Trimming**

**Comment:** see 4.5.2

**Suggested Resolution:** Revert to 2010 UAM language

State Utilities Engineer's Comments:

Trees are an asset of the state and part of the transportation system to be managed by FDOT. Consequently the UAM Revision 1-2 will read as follows.

#### **3.18.2 Tree Trimming**

The UAO shall remove, not trim, trees within the tree free boundaries established in *UAM Section 3.17.2*. Outside of these boundaries, the UAO shall trim trees to ensure and maintain the safe operation of utilities. Such trimming shall employ recognized and approved methods of modern vegetation control, with emphasis on tree health. When trimming does irreparable damage to large trees, the UAO shall replace these trees as described in the *UAM Section 3.17.2*, however, replacing or mitigating these damaged trees does not expand or otherwise modify any existing tree free boundaries. The UAO may use mechanical tree trimming machines for routine maintenance. The UAO shall remove all waste and debris associated with the trimming from R/W unless FDOT specifies otherwise in writing.

#### **4.8.1 Longitudinal Utilities**

The UAO may place longitudinal utility and AFUs within the LA R/W to solely serve FDOT. The UAO may place longitudinal utilities and aboveground fixed utilities (AFUs) on LA R/W that do not solely serve FDOT when approved by the Chief Engineer prior to approval of a *FDOT Utility Permit* application or *FDOT Utility Work Schedule*. To obtain such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes FDOT should approve placing longitudinal utilities or AFUs within the LA R/W. The Chief Engineer shall grant the request when the information supplied by the UAO clearly shows that no other alternative is practicable and placing longitudinal utilities on LA R/W would not unreasonably interfere with the safety, operation, maintenance, or future improvement, or expansion of the transportation facility. The fact that other alternatives are not as cost effective will be determinative of whether the alternatives are impracticable.

**Comment:** The Committee does not believe that FDOT can require utility facilities installed to serve the FDOT to be dedicated. Additionally, the Committee believes consideration should be given to allowing longitudinal installations where no other "practical" alternative exists.

**Suggested Resolution:** The UAO may place longitudinal utility and AFUs within the LA R/W to ~~solely~~ serve FDOT. The UAO may place longitudinal utilities and aboveground fixed utilities (AFUs) on LA R/W that do not ~~solely~~ serve FDOT when approved by the Chief Engineer prior to approval of a **FDOT Utility Permit** application or **FDOT Utility Work Schedule**. To obtain such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes FDOT should approve placing longitudinal utilities or AFUs within the LA R/W. The Chief Engineer shall grant the request when the information supplied by the UAO clearly shows that no other alternative is ~~practicable~~ **practical** and placing longitudinal utilities on LA R/W would not unreasonably interfere with the safety, operation, maintenance, or future improvement, or expansion of the transportation facility. ~~The fact that other alternatives are not as cost effective will be determinative of whether the alternatives are impracticable.~~

State Utilities Engineer's Comments:  
UAM Revision 1-2 will read as follows:

#### **4.1 Longitudinal Utilities**

The UAO may install FDOT service lines longitudinally on LA R/W. The UAO shall not install any longitudinal utilities, other than FDOT service lines on LA R/W. Where compliance with FDOT's request is not practicable or would create an unreasonable hardship for the UAO, the UAO may request approval of an alternate design. To request such approval the UAO shall submit a signed request to the State Utilities Engineer, stating the reasons the UAO believes the UAO's alternate design should be approved. The request shall be granted when the information supplied by the UAO clearly shows either:

- 1) Compliance with these requirements is not practicable or would create an unreasonable hardship for the UAO, and that the UAO's alternative would not unreasonably interfere with the safety, operation, maintenance, future improvement, or expansion of the transportation facility, or
- 2) The alternate design provide a benefit to the safety, operation, maintenance, future improvement, or expansion of the transportation facility.

The fact that UAO's alternate design is less costly will not necessarily be determinative of whether the alternate design is approved.

#### **4.8.2 Vertical Clearances**

**Comment:** The Committee believes there should be opportunity for approval of installations with vertical clearances less than 24 feet.

**Suggested Resolution:** Include a provision allowing for approval of something less than 24 feet.

State Utilities Engineer's Comments:

There has been a standard process in place to document exceptions to the vertical clearance requirements since 1999. In the last 15 years there has been no exception requested nor are there compelling reasons to provide a standard approval process for such a hypothetical scenario. In the rare event the UAO may desire to reduce the clearance they can appeal to the Chapter 120 variance process.

#### **4.8.4 Wireless Utilities on Limited Access R/W**

**Comment:** Unacceptable – The ability to effectively serve the traveling public via wireless utilities needs to be included in the UAM.

**Suggested Resolution:** Add language contained in FDOT Topic No. 000-625-025-i, dated Sept. 24, 2008.

State Utilities Engineer's Comments:

FDOT Topic No. 000-625-025-i, dated Sept. 24, 2008 addresses what FDOT is to do with regards to its telecommunication system, This is not within the scope of the UAM and consequently will be removed.

## **5 FDOT Project Design Coordination**

This chapter covers the responsibilities of both FDOT and the UAO during the design phases of FDOT projects. The UAO shall cooperate with the FDOT Design Consultants or Design/Build firms to full fill their .

**Comment:** Apart from the fact the second sentence makes no sense, the Committee believes the sentence is not needed.

**Suggested Resolution:** This chapter covers the responsibilities of both FDOT and the UAO during the design phases of FDOT projects. ~~The UAO shall cooperate with the FDOT Design Consultants or Design/Build firms to full fill their.~~

State Utilities Engineer's Comments:  
UAM revision 1-2 will read as follows:

### **5.1 FDOT Design Coordination**

This chapter covers the responsibilities of both FDOT and the UAO during the design phases of FDOT projects.

### **5.1 FDOT Design Coordination**

4) Provide the UAO with two (2) business days prior notification when requesting the UAO to provide locates of their facility.

**Comment:** Committee believes this language should reflect the requirements of F.S. 556.

**Suggested Resolution:** 4) Provide the UAO with ~~two (2) business days~~ prior notification when requesting the UAO to provide locates of their facility [pursuant to F.S. 556](#).

State Utilities Engineer's Comments:  
Utilities are responsible to FDOT pursuant to and the UAM and Utility Permit. There is no need to reference 556 F.S.

### **5.2 UAO Design Coordination**

The UAO shall do all the following and will cooperate: Design Consultants or Design/Build firms as they would with FDOT.

**Comment:** Committee does not believe a statement is needed to require UAOs to cooperate with Design Consultants or Design/Build firms.

**Suggested Resolution:** The UAO shall do all the following ~~and will cooperate: Design Consultants or Design/Build firms as they would with FDOT.~~

State Utilities Engineer's Comments:  
UAM revision 1-2 will read as follows:

### **5.2 UAO Design Coordination**

The UAO shall do all the following:

1) Resolve all the UAO's utilities and/or service connections conflicts using *FDOT Utility Work Schedules* and relocation agreements or *FDOT Utility Work By Highway Contractor Agreements*.

**Comment:** Work Schedules and agreements should only be required where applicable.

**Suggested Resolution:** 1) Resolve all the UAO's utilities and/or service connections conflicts using *FDOT Utility Work Schedules* and relocation agreements or *FDOT Utility Work By Highway Contractor Agreements*, if applicable.

State Utilities Engineer's Comments:

UAM revision 1-2 will read as follows:

- 1) Provide project work schedules to resolve all conflicts between the FDOT project and the UAO's utilities.

### **5.3 Utility Accommodation and Coordination Process Improvement [new]**

**Comment:** The FUCC believes the ongoing participation of District folks at FUCC meetings to be vital and necessary to process improvement, not just for the benefit of utilities, but also for the benefit of FDOT, and the public we both serve.

**Suggested Resolution:** Add this proposed section together with the following language:

The FDOT shall send a representative from each district to a minimum of three Florida Utility Coordinating Committee meetings each year. The representatives should be subject matter experts in their field and able to discuss ideas for problem resolution and best practices with the understanding that any proposed changes shall be funneled through the State Utilities Engineer.

State Utilities Engineer's Comments:

The Department desires to continue its voluntary attendance at the FUCC meeting.

We hope you find our comments to be worthy of further consideration and our suggestions worthy of your approval. Please let us know if you have any questions. We would ask that we have an opportunity to review and discuss any revisions that are incorporated into the next version of the UAM posted to your website.

Sincerely,

Bryan Lantz  
For the Committee