

# CHAPTER 1

## TABLE OF CONTENTS

### **Section 1      Organization**

- 1.00      Purpose of this Manual
- 1.01      Maintenance Defined
- 1.02      Maintenance Program
- 1.03      District Maintenance

### **Section 2      General Details**

- 1.04      Personal Responsibility
- 1.05      Reports of Claims Against Caltrans
- 1.06      Loss or Damage to State Facilities
- 1.07      Use and Disposal of State Property and Lost and Found  
Items
  - 1.07.1      Use of State Owned Material, Tools and Equipment
  - 1.07.2      Disposal and/or Use Of Surplus State Property, Salvaged  
Materials, Junk, Scrap and Trash
  - 1.07.3      Handling of Privately Owned, Lost, Discarded, Wrecked,  
Abandoned and Stolen Property. Illegal Encampments
  - 1.07.4      Use of State Maintenance Facilities
- 1.08      Departmental Personnel Policy
- 1.09      Merit Award System
- 1.10      Reporting Unusual Operating Conditions

- 1.11            Accounting Procedures
  - 1.11.1        Accounting Distribution of Labor and Operating Costs
  - 1.11.2        Damage Report Number
  - 1.11.3        Daily Record of Rental Equipment
  - 1.11.4        Service Contracts
  - 1.11.5        Receiving Records and Correspondence
  
- 1.12            Accident Reports
  - 1.12.1        When to Report Accidents
  - 1.12.2        Vehicle Accident Reports
  - 1.12.3        Damage to State Highway
  
- 1.13            Assistance in Fighting Fire
- 1.14            Cooperation with U.S. Forest Service
- 1.15            Cooperation with California Department of Forestry
- 1.16            State Highway Maintenance Agreements
- 1.17            State Maintenance of City or County Owned Facilities
- 1.18            Maintenance of State Park Roads and Parking Areas
- 1.19            Agreements on Cooperative Projects with Non-State Agencies
  
- 1.20            Freeway Maintenance Agreement
- 1.21            Maintenance within Construction Limits  
*This subject has been moved to Chapter 11 of this manual.*
  
- 1.22            Maintenance Review of Construction Projects  
*This subject has been moved to Chapter 11 of this manual.*
  
- 1.23            Protection of Environmental Resources
  - 1.23.1        Archaeological, Historical, Cultural, and Sensitive Biological Resources
  - 1.23.2        Water Quality
  - 1.23.3        Underground and Aboveground Tanks
  - 1.23.4        Streambed Alteration
  - 1.23.5        Air Quality

- 1.24 Controlling Noise from Maintenance Operations
- 1.25 California Emergency Services Act
  - 1.25.1 Department of Transportation Authority
  - 1.25.2 Radiological Emergencies
- 1.26 Standardized Emergency Management System (SEMS)
- 1.27 Underground Service Alert

**Appendix 1-A** Cooperative Agreement with United States Forest Service  
Fire Suppression

**Appendix 1-B** Cooperative Agreement with California Department of  
Forestry Fire Suppression

**Appendix 1-C** Instructions for Use of Underground Service Alert (USA)

This chapter is divided into two sections. Section 1 provides the purpose of the Maintenance Manual, Volume 1, and offers an overview of the California Department of Transportation Maintenance Program. Section 2 provides general details of Maintenance Program operations.

## **SECTION 1: ORGANIZATION**

### **1.00 Purpose Of This Manual**

The purpose of this manual is to present general practice and procedures that when followed, will provide for a uniform approach to maintaining the State highway system. The goal of the California Department of Transportation (Caltrans) is to maintain existing facilities as nearly as possible to the original condition as constructed or improved. Because of resource limitations, volume and type of traffic and other factors, it may sometimes be necessary to deviate from standard practices. Discretion must be exercised in those cases, based on experience and the particular circumstances. When deviations are made, the decision and reasons should be documented.

The Maintenance Program is assigned the care and upkeep of State highways. Proper care and upkeep conserves the public's investment in the highway system, and ensures that the system will continue to provide maximum benefits to the traveling public.

The Maintenance Manual is comprised of two volumes. Volume 1 describes the Caltrans Maintenance Program and the methods and procedures it uses. Volume 2 describes the Caltrans Integrated Maintenance Management System (IMMS) used to record, report and monitor maintenance work planned and performed.

All Caltrans Maintenance employees should understand the contents of this manual. Whether their duties call for it or not, employees should also familiarize themselves with similar manuals issued by other branches of Caltrans. Each Maintenance employee should always perform each operation in the safest and most efficient manner, and should make individual efforts to maintain good relations with the public. It is the responsibility of each employee to develop and maintain a positive public image.

This manual is not designed to establish a legal standard of care. It is published solely for the information and guidance of the employees of Caltrans.

It is not intended that any standard of conduct or duty toward the public shall be created or imposed by the publication of this manual. Each chapter in this manual is subject to modifications as conditions warrant.

### **1.01 Maintenance Defined**

Highway maintenance is the preservation, upkeep, and restoration of the roadway structures as nearly as possible in the condition to which they were constructed. "Roadway facilities" includes highways and structures, toll bridges and appurtenant facilities. "Maintenance" also includes the operation of highway facilities and services to provide satisfactory and safe highway transportation.

The legal definition of maintenance as provided by the California Streets and Highways Code, General Provisions, Section 27, includes the following:

- (A) The preservation and keeping of rights of way, and each type of roadway, structure, safety convenience or device, planting, illumination equipment and other facility, in the safe and usable condition to which it has been improved or constructed, but does not include reconstruction or other improvement.
- (B) Operation of special safety conveniences and devices, and illuminating equipment.
- (C) The special or emergency maintenance or repair necessitated by accidents or by storms, or other weather conditions, slides, settlements or other unusual or unexpected damage to a roadway, structure or facility.

The degree and type of maintenance for each highway, or portion of highway, shall be determined at the discretion of the authorities charged with its maintenance, taking into consideration traffic requirements and available funding.

Highway transportation is essential to the economy of the State of California. The closure of a highway may result, not only in inconvenience, but also result in serious economic losses to the traveling public. It is the duty of Caltrans Maintenance to protect the motoring public from these costly interruptions to traffic.

Caltrans Maintenance will react promptly to emergencies while taking steps to protect employees, the public, and the environment. In addition, the Maintenance Program will practice proper scheduling and planning of routine maintenance procedures to keep delays at a minimum. Reasonable efforts should be made to correct conditions that interfere with the orderly flow of traffic.

## **1.02 Maintenance Program**

The Headquarters Division of Maintenance is divided into offices as follows :

- Office of Roadway Maintenance
- Office of Pavement Program
- Office of Maintenance Safety, Equipment and Training
- Office of Budgets, Planning and Monitoring
- Office of Maintenance Management Systems and Studies
- Office of Management Services and Administrative Support
- Office of Personnel and Field Support
- Office of Maintenance Landscape and Litter Abatement
- Office of Maintenance Stormwater and Environmental Compliance
- Office of Emergency Management
- Office of Radio Communications
- Office of District Liaison
- Office of Structure Maintenance and Investigations

Personnel in the Headquarters Division of Maintenance will perform three (3) essential functions for the maintenance activities they are responsible for:

- (A) Each Office establishes policies and standards for its set of maintenance activities, doing whatever analytical work is required to develop such policies and standards.
- (B) Each Office provides, as required, technical assistance or special expertise to the districts in carrying out the particular set of maintenance activities.
- (C) Each Office reviews the compliance of each district with its standards and policies. District evaluation will include the following:
  - (1) An assessment of work progress comparing the approved work plan with what was actually accomplished.
  - (2) Analysis of the accuracy of Integrated Maintenance Management System (IMMS) as well as the reporting and accuracy of asset inventory data.

- (3) Comments by the Chief, Division of Maintenance discussing:
  - (a) Compliance with policies, procedures, and standards
  - (b) Responsiveness
  - (c) Meeting efficiency objectives
  - (d) Quality of work
- (4) A discussion of deficiencies and plans for correction.

### **1.03 District Maintenance**

The State is divided into twelve districts. The maintenance effort of each district is under the direction of a Deputy District Director, Maintenance. (See Figure 1-2: District Boundary Map).

The Deputy District Director, Maintenance is responsible for all maintenance activities within the district.

(A) Maintenance Support

Maintenance Support is responsible for coordinating district equipment, the Integrated Maintenance Management System (IMMS), communications, maintenance agreements, service contracts, hazardous materials (self-generated waste and spills), storm water compliance, Level of Service, landscaping, and clerical support.

(B) Maintenance Engineering

Maintenance Engineering is responsible for storm damage restoration, Day Labor project coordination, field engineering support, design of Major Maintenance projects, coordination between Maintenance and other programs, and all other engineering functions as required.

(C) Region Operations

A Caltrans Maintenance Region Manager is responsible for field operations and all maintenance activities within each region. The Maintenance Region Manager reports directly to the Deputy District Director, Maintenance.

(D) Area Operations

A Caltrans Maintenance Superintendent is responsible for all maintenance activities in an assigned area within a region. The Superintendent reports directly to the Maintenance Region Manager.

(E) Supervisor Territory

There are individual supervisor territories within the Superintendent's area. Each supervisor is responsible for specific types of maintenance activities within a section of right of way. The supervisor reports directly to the Area Superintendent.

Figure 1-1

CALTRANS DISTRICT BOUNDARIES



## **SECTION 2: GENERAL DETAILS**

### **1.04 Personal Responsibility**

Employees of the State may be held liable for their own actions as a result of their carelessness on the job.

The circumstances under which a State employee could be held personally responsible are outlined in Chapter 3 of this manual, "Liability of Public Employees" (840.2 California Government Code).

### **1.05 Reports of Claims Against Caltrans**

Information regarding claims that arise out of any condition of the highway, or from an act or omission of any officer or employee of Caltrans shall be reported immediately to the Deputy District Director, Maintenance. The Deputy District Director, Maintenance shall transmit the information to the District Claims Officer or the Caltrans Legal Division. The District Claims Officer should be advised of any claims or potential claims as early as possible. Any subsequent information should likewise be reported. The format of such reports to Legal is discussed in Section 1.12.

### **1.06 Loss or Damage to State Facilities**

Every effort should be made to prevent loss or damage to State property by theft or vandalism.

Maintenance stations and offices should be kept locked at all times when a member of the Superintendent or supervisor's staff is not present.

Sections 0601, 2625 and 8657 of the State Administrative Manual provide for the reporting of crimes on State owned properties to either the California Highway Patrol or the local law enforcement agency.

District Security Coordinators shall report, by facsimile, all such instances of crimes to the Office of Statewide Security Operations of the Division of Business, Facilities, Asset Management and Security.

The Office of Statewide Security Operations is responsible for maintaining Departmental procedures concerning crime reporting and providing liaison with the California Highway Patrol and local law enforcement agencies.

**1.07 Use and Disposal of State Property, and Lost and Found Items**

Caltrans Maintenance employees shall abide by the following guidelines for the policy, rules of conduct, and ethics with regards to the use and disposal of State property, and items found within the State right of way.

Employees who are found to violate these guidelines will be subject to disciplinary action, up to and including dismissal.

**1.07.1 Use of State Owned Materials, Tools and Equipment**

Employees are prohibited from using State owned materials, tools and equipment for private/personal use.

For example, employees shall not use a State vehicle for their personal use, or use State owned tools for any purpose other than for work-related activities.

**1.07.2 Disposal and/or Use of Surplus State Property, Salvaged Materials, Junk, Scrap and Trash**

**(A) General Directives**

All salvaged and surplus materials not usable in the performance of maintenance activities due to becoming deteriorated, broken or obsolete are considered State property. Salvaged or surplus materials are classified as “junk”, “scrap”, or “trash.”

Junk or scrap has no value in relation to its original purpose of fabrication. However, they have value due to their material content. Examples include broken or deteriorated metal fence, paint pails, and obsolete signs.

Trash is defined as "valueless" either in its original form or in its material content. Occasionally, it may be difficult to determine what material is considered as trash and what is scrap or junk. Supervisors shall ensure that all such items are properly classified.

All materials of value as described above shall be disposed of in accordance with established policies and procedures outlined in the following documents:

- (1) Division of Procurement and Contracts Property Control Manual.
- (2) State Administrative Manual (SAM) Sections 3520.3 (Property Survey Reports) and 3520.9 (Discarded, Scrapped, or Dismantled for Salvage).

All materials of value must be disposed of under the direction of the District Property Controller. When possible, materials of value should be sold. When materials of value cannot be sold, they may be disposed of in an authorized dumpsite or commercial disposal area.

State law and Caltrans policies prohibit employees from taking possession of junk, scrap, or trash to be sold or disposed of by the State. Employees violating these State laws or Caltrans policies are subject to disciplinary action, up to and including dismissal.

It is a violation of the Vehicle Code to tamper with or remove any item from a wrecked, abandoned or stalled vehicle on State highways. This includes cargo or parts spilled at an accident scene.

(B) Tree Wood

The following procedures are to be followed in disposing of usable wood generated by trimming and tree removal activities.

- (1) Timber, logs, and wood that have value, shall be sold through the District Property Controller when it is practical to do so.
- (2) All other wood shall be cut in appropriate length and left along the roadside so that the public may pick it up. However, this should be done only if the wood is in an area where it will be safe for the public to stop and pick up the wood. This would not include areas along freeways or multi-lane expressways in either urban or rural areas. In these cases, the wood must be handled as described in (4) below.

Large broken windfall trees shall be removed in large pieces to the nearest wide area where the public can safely stop and pick up the wood.

In some forest areas, it is not permissible to dump wood along the roads. In these cases the wood is to be handled as described in (4) below. Local Park or Forest Rangers may direct disposal of fallen trees in some areas within State Parks or National Forests. However, if Caltrans owns the right of way, the trees are Caltrans property and should not be given to the other party. Trees may have significant value and should be disposed of by the District Property Controller. If there is any question regarding ownership, contact the District Right of Way Division for advice.

- (3) The public shall not be allowed to pick up wood within maintenance work zones during working hours.
- (4) In areas where wood must be removed, it will be loaded and transported to the nearest wide area that is safe for the public to stop and pick it up. If such a spot is not within a reasonable distance, the wood shall be hauled to the nearest suitable disposal site. Select the method that is the most efficient and results in the least cost to the State.
- (5) State Maintenance yards are not authorized tree wood disposal sites. However, State employees acting as private citizens, on their own time and using their personal vehicles, may pick up and utilize the wood at the appropriate sites described above. In certain areas, the Maintenance station may be deemed the safest, most suitable, and cost-effective location for disposal of tree wood. If so, it is permissible to use the Maintenance station as a disposal site

1.07.3 Handling of Privately Owned, Lost, Discarded, Wrecked, Abandoned and Stolen Property on the State Right of Way.

The District Maintenance Division will provide a reasonable lost and found service to the public. Employees are to turn in, to their supervisor, all items of value found in the course of their employment along highways or in facilities such as Safety Roadside Rest Areas, vista points, Maintenance stations, and other locations within Caltrans rights of way.

Maintenance employees shall not claim items found on or along highways or in State facilities. This is never permitted. Employees who take possession of items found on or along highways or in State facilities are subject to disciplinary action, up to and including dismissal.

Civil Code 2080 provides that a person who finds property shall inform the owner within a reasonable time and return the property to the owner.

Civil Code 2080.1 provides direction regarding property with a value of more than \$100 when the owner of such property is unknown. The property shall be turned over to the city police department if found within the city limits, or to the sheriff's department if found outside the city limits.

Civil Code Section 2080.3 provides that if the owner of property cannot be located, the person who finds the property takes title "*unless the property was found in the course of employment by an employee of any public agency, in which case the property shall be sold at public auction.*" (Emphasis added.)

(A) Based on the above, except for any personal property abandoned at illegal encampments after the 72 hour posting, (which is covered in Item B below), the following procedures shall be used for items found by employees during the course of their work:

(1) Estimated value less than fifty dollars:

Unless positive identification of ownership can be made so that contact of said owner may be reasonably affected, items valued at less than fifty dollars will be taken into the custody of the employee for disposal or recycling by his or her supervisor.

(2) Estimated value more than fifty dollars:

Unless positive identification of ownership can be made so that contact of said owner may be reasonably affected, items valued at more than fifty dollars will be taken into the custody of the employee for holding at Region Manager’s or Area Superintendent’s office and held for ninety (90) days, pending claim by the owner. Should no claim be made during the above timeframe, the item shall be delivered to the custody of police or sheriff, according to the jurisdiction of discovery. Receipt for such items should be made on Form MTC-08 (Lost and Found Report) and filed at the Region Manager’s office. If local law enforcement will not accept such items, they shall be delivered to the District Property Controller for disposal.

(B) **Illegal Encampments:**

As outlined in Maintenance Policy Directive MPD-0901, the following actions shall be taken when abating illegal encampments on Caltrans’ Right-of-Way:

<b>Required Actions</b>	<b>Helpful Information</b>
<p>I. Actions that SHALL be completed by district Maintenance personnel before clean up of site and/or removal of personal property:</p> <p>A. Adequate prior notices shall be conspicuously posted, however, any health or safety hazard may be removed immediately. The California Highway Patrol (CHP) or local law enforcement shall be present to help post the notices. Video photographic time-stamped images of the posted notices shall be made. Also, the District Hazmat Coordinator or representative shall be present to evaluate the site for public health hazards that may either (1) require immediate remediation or abatement, or (2) require disinfection of the area prior to clean up.</p>	<p>These actions are in response to a federal court decision in which Caltrans was a co-defendant. Notices should be enclosed in sheet protectors against weather, and be posted at each point of ingress/egress in a conspicuous manner. After inspection, the District Hazmat Coordinator or designee may require the site be disinfected prior to clean up. A bleach/water solution is typically used. Experience in some districts has shown that 72 hours allows enough time for the occupants to learn of the impending clean up and leave with the items they value, which typically reduces the amount of abandoned materials that require removal. Districts may choose to leave quantity of “Adopt-A-Highway litter bags for use by occupants of the site.</p>

Required Actions	Helpful Information
<p data-bbox="207 367 812 472">II. Before commencing clean up of the encampment, the following precautions shall be taken:</p> <p data-bbox="248 520 841 1438">A. CHP or local law enforcement shall be present to perform an initial sweep that determines all inhabitants have left, to remove or arrest remaining inhabitants, and to help verify the condition of the area and remaining property. It is required by the federal court that any remaining occupants not detained by law enforcement officers be allowed to remove possessions before any clean up begins to avoid Fourth Amendment issues regarding illegal seizure of personal property. Items abandoned that are of no apparent value or are clearly trash should be disposed of immediately. Any personal property of some apparent value shall be collected and labeled as per Maintenance Manual Volume I, Chapter 1.07.3 (revised 2011). Photographic or video records of the general condition of the encampment and the remaining property shall be made. Items belonging to occupants that are arrested by CHP or other law enforcement are typically collected by them at the time of arrest and remain in CHP or local law enforcement possession until claimed.</p> <p data-bbox="248 1444 841 1743">B. In order to avoid any claims against Caltrans and its employees, no one shall be permitted to begin work while encampment occupants are still present. Personnel shall be trained to handle hazardous materials and wastes, including the use of personal protective equipment and clothing. Review the Code of Safe Practices for Homeless Encampment.</p> <p data-bbox="248 1749 706 1816">C. Clean up (Appendix-revised N), is mandatory.</p>	<p data-bbox="901 493 1453 1144">Presence of the CHP and local law enforcement helps Caltrans establish the condition of the camp and the nature of the remaining property. Information such as officer's name and badge number should be recorded for future reference. Items of personal property collected by CHP or local law enforcement at the time of the arrest are not the responsibility of Caltrans. To minimize the expense of Hazmat contractors, it is recommended that Caltrans' forces load any materials to be disposed of as hazardous on a contractor's vehicle for transport for landfill. It is suggested that if multiple encampments exist, that they be scheduled for action within a short timeframe to maximize effect and reduce effort.</p> <p data-bbox="901 1512 1453 1774">In order to eliminate any claims of harassment from remaining occupants and to emphasize employee safety, law enforcement should verify that the camp has been vacated. CHP or local law enforcement shall be the authority on site that gives commands to or takes action against remaining occupants.</p>

<b>Required Actions</b>	<b>Helpful Information</b>
<p>III. When commencing action:</p> <p>A. Video or still images shall be made to document the general condition of the camp and of any abandoned possessions remaining</p> <p>B. Items of apparent value remaining on site will be collected as per Maintenance Manual Volume I, Chapter 1.07.3. See Items I.A., and II. A., above.</p> <p>C. Video or photo images shall be made of the site after clean up.</p> <p>D. Records retention schedule for each unique file containing encampment clean up records and documents is four (4) years, with archiving thereafter.</p> <p>E. Workers are not to sift through the encampment to find specific items of apparent value, for obvious health and safety reasons. Items of apparent value that require collection shall be readily seen, and not searched for under potentially hazardous cover. Items belonging to occupants that are arrested by CHP or other law enforcement are typically collected by them at the time of arrest and remain in CHP or local law enforcement possession until claimed.</p>	<p>A unique file started for each illegal encampment should contain site photos of the posted "Notices to Vacate," CHP law enforcement participant information, video or pictures, written information on actions taken, Caltrans and other participants present, and actions planned to mitigate against future occupation (including Hazmat and landscape).</p> <p>Collected personal property becomes the responsibility of Caltrans until either claimed by the owner or disposed of after the ninety (90) day waiting period. Persons attempting to reclaim personal property shall be able to describe where and when it was last possessed (the illegal campsite location and a date prior to the site cleanup) and description of the item(s). A copy of the numbered inventory sheet shall be signed and dated by the claimant and serve as a receipt. Former occupants should be able to make arrangements to reclaim property within a reasonable time frame after contacting local Caltrans Maintenance forces, at least within the ninety (90) day period that items are held.</p> <p>Workers shall be aware of the potential hazards from human waste, hypodermic needles, etc, and what actions to take if hazards are uncovered during clean up action. For proper precautions, see item II.B. For Hazmat vendor use, see item II.C. Consideration should be given to instituting a permanent vegetation control policy that discourages re-use of illegal campsites by increasing visibility, and/or limiting access. Such Work is ideally performed after the day of, and not more than two weeks after the initial clean up to avoid re-use of the illegal encampment.</p>

Required Actions	Helpful Information
<p>IV. Post clean up recommendations:</p> <ul style="list-style-type: none"><li>A. Regular monitoring of an area by local maintenance representatives should be scheduled to affirm that the mitigating actions have produced the desired results.</li><li>B. Local landscape policy may need to add seasonal inspections and/or work at prior illegal encampments to ensure that vegetation growth does not again provide concealment.</li><li>C. Local maintenance forces should confirm that any actions taken to eliminate access are inspected regularly for integrity. Lack of access and increased visibility reduce the chances of future violations.</li><li>D. Districts may find it to their advantage to participate in meetings or proceedings regarding homeless policy at the local governmental level in order to raise awareness to our issues.</li></ul>	<p>Local Maintenance Supervisor or representative.</p> <p>District Landscape Specialist or designee.</p> <p>District Maintenance Supervisor or designee</p> <p>New opportunities for partnership, cooperation and coordination in illegal encampment removal efforts may result. Districts determine who will represent their interests.</p>

**Note:** The “Notice to Vacate” templates can be viewed and/or obtained at <http://onramp.dot.ca.gov/hq/maint/index.htm>

(C)        Miscellaneous Items and Materials

- (1)    Many materials and junk type items that are found along the State highways such as hubcaps, pipe, and tire chains, have scrap or junk value. Such items, when picked up or salvaged are to be added to the accumulations of salvage material as described previously under 1.07.2. They shall be disposed of as State property.
  
- (2)    The separation of recyclable litter such as aluminum cans or returnable bottles from other litter cannot normally be justified on a cost benefit basis. Such items are to be picked up and disposed of as trash under normal disposal procedure.

Private individuals may collect items such as aluminum cans from along conventional roadsides, but not from freeways. They may also collect aluminum cans or returnable bottles from trash barrels at Safety Roadside Rest Areas.

Any separation of such items from routine litter must be authorized in writing by the Maintenance Region Manager. Such authorization will generally be associated with special public relations or volunteer projects.

1.07.4        Use of State Maintenance Facilities

Maintenance facilities cannot be used as recreation or storage areas by employees or the public. Maintenance facilities are not to be used for servicing, repairing or storage of private vehicles, boats, trailers or other privately owned equipment. These activities must be restricted to the residential areas of State facilities with dormitories or employee housing.

**1.08        Departmental Personnel Policy**

The Division of Human Resources, Office of Transaction Services will furnish information or answer questions concerning any specific problem that may arise in connection with civil service procedures or Departmental personnel policy.

### **1.09 Merit Award System**

The Merit Award Program was established by the State Legislature to provide an opportunity for all California State employees to submit constructive ideas that will both improve the effectiveness and reduce costs of State government. All Caltrans employees are urged to develop and submit ideas that will improve the operation of State government. Cash awards can be made for procedures or ideas, which if implemented, actually reduce State costs or increase safety.

Employees can obtain the Merit Award Form Std 645 from the *Caltrans Electronic Form System* (CEFS) on the Caltrans Intranet, or from their supervisor

### **1.10 Reporting Occurrences Operating Conditions**

Caltrans has the responsibility to disseminate highway condition information to various governmental agencies. In addition, Caltrans advises the public of current statewide highway status through the Caltrans Highway Information Network (CHIN).

Unusual occurrences require immediate notification to the Chief, Division of Traffic Operations.

Examples of unusual occurrences include damage or closure of highways due to earthquakes, floods, hazardous spills, accidents, death or serious injury of an employee.

Districts shall send such reports by established procedure to the Headquarters Communications Center, Division of Traffic Operations.

Headquarters Communications Center, Division of Traffic Operations

Telephone: (916) 653-3442

Facsimile: (916) 653-3291

Districts shall provide updated information to the Chief, Division of Traffic Operations via the Headquarters Communication Center through facsimile transmissions, as needed, until the conclusion of the occurrence.

## **1.11 Accounting Procedures**

Accounting and clerical work carried on by the Maintenance Region Managers are to be governed by the Accounting Manual and Regional Administrative Officer (RAO) Procedures Manual.

### **1.11.1 Accounting Distribution of Labor and Operating Costs**

Supervisors shall prepare daily reports of the labor, equipment, materials and supplies used in performing the work under their supervision.

Instructions for preparing the required reports are contained in the Maintenance Manual, Volume 2.

### **1.11.2 Damage Report Number**

When an Accident Log is created in the Integrated Maintenance Management System (IMMS), an Accident Log number is generated by the system.

### **1.11.3 Daily Record of Rental Equipment**

The use of privately owned equipment, rented for State work, is to be reported on Form DM-M-8 with a positive identification for each unit of equipment. This form must be completed in full to show the work order and service contract numbers, actual hours worked, as well as travel. Hours rented, including standby time are to be distributed by county, route and post mile designation. Signature of the vendor or his / her agent must be secured.

### **1.11.4 Service Contracts**

The Division of Procurement and Contracts (DPAC) Contract Managers' Handbook includes detailed instruction in the preparation of Service Contracts. The Contract Managers' Handbook is available on the web site. See this document regarding Service Contracts.

The requesting unit designates a contract manager. All contract managers are required to complete the Contract Managers Training on line for the particular type(s) of contracts they manage at the DPAC's web site.

Form ADM 360, the Service Contract Request, is required to start the contract request process. This form and instructions for its use are available on the DPAC's web site.

Questions can be addressed by calling DPAC's main number at (916) 227-6000.

In cases where emergency work is necessitated by the threat or occurrence of a landslide, flood, storm damage, accident or other disaster, tools or equipment may be rented for a period not to exceed 60 days without competitive bidding. A formal contract must be awarded within 20 days if the work is expected to take longer than the 60 day emergency authorization. See the Contract Managers Handbook for instructions.

#### 1.11.5 Receiving Records and Correspondence

No obligation should be paid unless supported by a Receiving Record. Receiving Records (Form DAS-FM-1226) should be signed by the Maintenance Region Manager. Vendor delivery tags should be attached to the receiving record.

Shipping Record Form DAS-FM-1126 is used when materials, supplies or equipment are transferred to another district, or between Maintenance Region Managers within a district.

Copies of all letters, reports and records shall be retained in the region office files. When a letter is received requesting information that cannot be furnished within a few days, the letter should be acknowledged at once with a statement as to the probable date the required information can be supplied.

### **1.12 Accident Reports**

The Caltrans Safety Manual includes detailed instructions regarding reporting accidents.

Consult the District Safety Officer if there is doubt regarding which form to use, or if assistance is required in documentation preparation.

Accident reports are to be treated as confidential, and are for the use of the Traffic Operations Program, the Equipment Service Center, and the Legal Division. Reports to Attorney of Potential Claims are also confidential, and should only be submitted to the District Claims Officer or directly to the Legal Division.

### 1.12.1           When to Report Accidents

All accidents which involve State owned motor vehicles in any way must be reported within 48 hours on Std. Form 270. Accidents resulting in any injury to persons other than employees, or involving serious damage to the property of others, must be reported immediately by telephone to the nearest claims adjusting office for the State as shown on Std. Form 269. District employees will report such accidents through their district office.

The driver of a State owned motor vehicle involved in any accident resulting in injury, death or serious property damage shall immediately report each accident to the California Highway Patrol, except when the accident occurs within city limits. When within city limits, the report shall be to the city police.

Serious damage to property has been defined as damage to any one person's property amounting to \$500.00 or more.

Forms 270 and DAS-S-270 must be submitted when it might be claimed that the location or position of State vehicles near the highway might have brought about damage to another vehicle.

### 1.12.2           Vehicle Accident Reports

Accident reports must be truthful and complete. Reports shall include the names of drivers of the vehicles involved, names of witnesses, statements by drivers, and a description of how the accident occurred. Take pictures if a camera is available. An Accident Identification Card (Std. Form 269) is located in all Caltrans vehicles and must be filled out at the accident scene to record pertinent information needed to complete Std. Form 270, Report of Vehicle Accident. Statements of witnesses should be submitted on separate sheets, in duplicate, with Std. Form 270. Be sure to differentiate between conclusions and statements of fact. All information must be as complete and precise as possible, and sketches should be shown if the accident data will permit. It is essential that the reports show the actual location of the accident, and if known, the direction of travel of the vehicle or vehicles involved; the hour, and weather.

#### (A) Collision Accident Information

Under no circumstances shall a State employee make a private settlement with an adverse party regardless of how minor the damage to the adverse party may be. A State employee involved in an accident shall not discuss conditions of an accident with an adverse party or his or her representative, nor commit the State to repair any alleged damage. In no case, upon the occurrence of an accident, shall the State employee tell the adverse party that the State will initiate action toward making repairs to the vehicle or property of the adverse party.

An employee, in addition to submitting the required reports to his or her headquarters, should use the tear off portion of Std. Form 269 to furnish the following information to the other party:

- (1) Driver's name and drivers license number.
- (2) License and C numbers of vehicle.
- (3) Name of owner (Caltrans).
- (4) Office of Risk and Insurance Management (ORIM) telephone number:  
(916) 376-5300.

ORIM handles insurance claims involving Caltrans employees on State business. If an employee receives any communication relating to damage to another party's vehicle in which he or she may have been involved, the employee should immediately forward such communication to the District Claims Office.

**(B) Employee Injury Resulting from Motor Vehicle Accident**

A motor vehicle accident involving an injury to a State employee and occurring during the hours of employment must be reported to the District Safety Officer on the same forms and in the same manner as described for industrial accidents. In addition, the following forms may be required:

- (1) Std. Form 270, State of California, Report of Automobile Accident.

This report is required to be submitted within 48 hours when a State vehicle or any privately owned vehicle is damaged. This report is also required when a State vehicle damages the personal property of another, or when it is alleged a State owned vehicle is in such proximity as to have been a factor in causing the accident.

- (2) Form DAS-S-270, Report of Automobile Accident Investigation.

This report is to be completed by the employee's supervisor and is submitted with the Std Form 270 report.

The required reports must be prepared by the injured employee, or on his or her behalf, if their injury is so severe that the employee cannot complete them.

(C) Supervisor's Responsibility

The immediate supervisor shall investigate employee injury accidents or vehicle accidents to determine the causes. Form 66 is used for reporting minor employee injuries that require only first aid. Form 67 must be used for employee injuries that require medical attention or result in lost time. The immediate supervisor shall counsel or train the employee when it is appropriate, and initiate procedures to prevent similar accidents in the future. If the immediate supervisor cannot place the needed action into effect, he or she shall consult with the second line supervisor for assistance.

The second line supervisor will review the action taken in each case and concur, modify, or change the steps taken or recommendations made.

In vehicle accident cases, the second line supervisor will classify the accident as to whether it was Class I, II or III. If it is a Class III accident, the second line supervisor will determine the cause and review the record.

The immediate supervisor will sign the back of Form DAS-S-270 along with his/her comments in the appropriate place. The second line supervisor will sign and mark the front of DAS-S-270 as to cause, and provide any other appropriate comments in the "Action" block.

After an accident report has been classified, it shall be forwarded to the District Safety Officer. The Safety Officer will present the report to the District Accident Prevention Committee for consideration.

1.12.3            Damage to State Highway

Damage to State highway is recorded in the Integrated Maintenance Management System (IMMS).

Any damage to State property must be recorded. There is no minimum dollar amount.

One of the two options listed below shall be used to record damage to State property in IMMS:

- (A) When responsible party is known (billable), a Service Request and Accident Log, as well as the Work Order(s) are created in IMMS, and the IMMS Damage Reporting Guidelines must be followed.

- (B) When the responsible party is “unknown”, the Problem Code ACUNK (Accident Unknown) is entered on the IMMS Work Order in the Problem field. If the responsible party is identified at a later date, the ACUNK entry in the Problem field can be changed to ACDNT, and an Accident Log and Service Request created.

If the damage is to an electrical asset (traffic signal, highway light, etc.) that is under a cost sharing agreement with a local agency, use option “A”, and the billable party will be the local agency. See specific instructions for electrical assets at the Intranet, Maintenance Division, IMMS web site.

When the responsible party is known, there are three components for the Damage Reporting process in IMMS:

- 1) Accident Log
- 2) Work Order(s)
- 3) Service Request

The Service Request links all Work Orders and the Accident Log. Each region should have a system for tracking the status of Accident Logs and checking for completeness before validating. Documents related to Accident Logs should be kept on file at the region office for the appropriate retention period.

Police reports must be obtained when an officer has responded to an incident resulting in damage to State property. If the reporting agency has left the scene and has not left any tag, or other type information, contact should be made with that agency for additional information. The Damage Reporting process is very important to the Maintenance Program. Funds recovered from responsible parties are returned to the district that used the resources to repair the damage. If the Damage Reporting process is not followed, valuable funds that were intended for highway maintenance are lost. Every effort should be made to complete the Damage Reporting process within 90 days.

For detailed instructions regarding the Damage Reporting process visit the Maintenance Division, IMMS Intranet web site, or contact your District IMMS Coordinator.

### **1.13 Assistance in Fighting Fire**

Maintenance forces shall be vigilant at all times to detect and control fires that may start within the right of way. All employees are expected to give warning, notification, and assistance whenever grass or brush fires are discovered along or adjacent to the right of way.

Caltrans Maintenance is in a position to render valuable service in preserving public and private property from grass and forest fires due to its extended locations, the nature of its duties, and the variety of its equipment. Caltrans has entered into cooperative agreements with the United States Forest Service and with the State Department of Forestry and Fire Protection (Cal Fire) that formalize its role in fighting fires.

The terms of these agreements are set forth in the appendices following this chapter.

### **1.14 Cooperation with U.S. Forest Service**

Caltrans has entered into an agreement with the United States Forest Service to aid in the suppression of forest fires in the National Forests. The terms of this agreement are set out in Appendix 1-A.

### **1.15 Cooperation with California Department of Forestry and Fire Protection (Cal Fire)**

During times of fire or other emergencies, The California Department of Forestry and Fire Protection (Cal Fire) may request Caltrans assistance to provide Caltrans personnel, equipment, and materials.

Caltrans has entered into an agreement with Cal Fire. The terms of this agreement are set out in Appendix 1-B.

### **1.16 State Highway Maintenance Agreements**

The Streets and Highways Code provides Caltrans with authority to enter into contracts and agreements with local agencies and permits delegation of the Caltrans powers and jurisdiction over any portion of State highways within a city or county. Delegation of maintenance is permitted by Section 116. Section 130 provides authority to enter into a contract or agreement with the local agency.

If a city or county is delegated any maintenance work on a conventional State highway, a Maintenance Agreement must be processed. The agreement should pertain only to those specific functions that are delegated to the local agency. Statements as to what functions the State will perform are unnecessary. The agreement shall specify, by total dollar amount per route, the degree of maintenance that Caltrans has determined as appropriate for the delegated work.

Caltrans will reimburse the city or county their actual cost for delegated routine maintenance work performed. Annual expenditures per route may not exceed agreement amounts without prior approval of the District Director. The agreement may be amended, as necessary, to ensure that the expenditures per route are equitable for the following fiscal year. It is the responsibility of the Maintenance Area Superintendent to see that the agreed upon funds are provided to the city or county, and that the local agency has a plan in place to perform the work.

The expenditure per route for delegated routine maintenance work specified in the agreement may be increased or decreased, or additional expenditures for specific projects may be authorized by the District Director.

Although the District Director can approve specific delegated maintenance work, the district still must write a letter to the Division of Maintenance that will be used to notify the State Controller's Office of the new agreement spending capacity.

The District Director is authorized to approve the agreements that do not deviate from the pre-approved agreement forms. Prior Division of Maintenance approval is required if the agreement varies from the standard form.

One fully executed copy and two signature-stamped copies of all agreements, or amendments, shall be forwarded to the Division of Maintenance.

The Area Superintendent is responsible for assuring that maintenance work delegated to a local agency is actually performed and conforms to State levels of service. State highways having delegated maintenance functions should be reviewed at least monthly to ensure that work paid for complies with State standards and the terms of the agreement. Inexcusable noncompliance is justification for rescinding the delegation of specific maintenance functions.

### **1.17 State Maintenance of City or County Owned Facilities**

Section 131 of the Streets and Highways Code provides that any city, county or other governmental agency may request that Caltrans perform maintenance work on facilities owned by the local agency.

If State personnel performs routine maintenance of traffic control systems or other facilities on county roads or city streets, a cooperative agreement must be processed. The agreement format should be as set forth in the Caltrans Cooperative Agreement Manual. Districts shall not enter into new cooperative agreements to maintain local facilities without prior approval from the Division of Maintenance. Districts should take steps to discontinue existing agreements to wash tunnels, maintain traffic signals and maintain streetlights for local agencies.

Any agreement for other work to be performed for a local agency should also follow the format of the Cooperative Agreement Manual. Approval by the Headquarters Office of Service Contracts is required for all cooperative agreements.

### **1.18 Maintenance of State Park Roads and Parking Areas**

In addition to State highways in or through State parks, Caltrans is authorized under Sections 122 and 193 of the Streets and Highways Code to perform maintenance on other roads within a park.

All work in a State park, except for that on a State highway, shall be performed under authority of an interagency agreement with the Department of Parks and Recreation.

Refer to Chapter 2: Resource Management, for details regarding maintenance of State Park roads financed by others.

### **1.19 Agreements on Cooperative Projects With Non-State Agencies**

A formal agreement is required on all projects where parties other than a State agency are to participate, either by payment for work performed by Caltrans, or by contributing labor, equipment or material.

Refer to Chapter 2: Resource Management for details regarding work for other agencies.

Drafts of all proposed agreements of this type shall be forwarded to the Headquarters Division of Procurement and Contracts for legal and procedural review and approval in accordance with the Caltrans Cooperative Agreement Manual.

### **1.20 Freeway Maintenance Agreement**

Freeway Maintenance Agreements define the responsibilities that must be accepted by each agency (State, city or county) upon the completion of a new freeway.

A Freeway Maintenance Agreement should be negotiated with the city or county as soon as all detailed features and roadway configurations (such as off and on ramps) are known, so as to permit the respective agency to assume their maintenance responsibilities as rapidly as possible after acceptance of the contract. Caltrans will retain full jurisdiction over maintenance and control of all portions of the freeway proper. Caltrans will also maintain approach ramps, grade separations, and similar installations, within rights of way secured for the exclusive use of traffic entering, leaving or traveling on the freeway. This includes under crossings or overcrossings whose prime purpose is to serve as crossings for freeway traffic, and whose use by local traffic is incidental.

The local authority should maintain all other portions of streets or roads, including outer highways, approaches to ramps, overcrossings, and under crossings that serve adjoining property and local traffic.

In general, Caltrans will retain title to and be responsible for the maintenance of all property on which access rights have been secured. However, if the local authority desires, Caltrans may transfer title on those areas of uncontrolled access that are to be maintained by the local authority.

If the pre-approved form for Freeway Maintenance Agreements is used, the agreement may be negotiated by the district without prior approval by the Division of Maintenance. Prior Division of Maintenance approval is required if the Freeway Maintenance Agreement varies from the standard form.

One fully executed copy and two signature-stamped copies of all agreements, or amendments, shall be forwarded to the Division of Maintenance.

### **1.21 Maintenance Within Construction Limits**

This subject matter has been moved to Chapter 11 of this manual.

### **1.22 Maintenance Review of Construction Projects**

This subject matter has been moved to Chapter 11 of this manual.

### **1.23 Protection of Sensitive Environmental Resources**

Damage or degradation to the environment shall be avoided to the extent possible during maintenance activities. The term “environment” as used in connection with highway maintenance work refers to the natural surroundings including soil, water, air, plant and animal life, and archaeological and historical resources.

All Maintenance personnel must be aware of the need for environmental protection in the performance of their duties. While some environmentally sensitive areas are easily identified, others are not so obvious to untrained persons. For example, a rare plant may not be identifiable as such by anyone other than a plant expert. Maintenance employees have a responsibility to take reasonable steps to protect the environment, even when resources are not easily identified.

District Environmental Divisions can provide information on identifying, protecting, and avoiding or minimizing harm to environmental resources. The Environmental Division will advise the Deputy District Director, Maintenance of such resources, locations and sensitivities.

Maintenance personnel should be notified to prevent damage or destruction of environmental resources.

#### **1.23.1 Archaeological, Historical, Cultural, and Sensitive Biological Resources**

Some Maintenance operations have potential for damaging or destroying archaeological, historical, and sensitive biological resources, as well as culturally sensitive resources, such as Native American plant gathering areas and sacred sites. These include activities in areas of highway right of way lying between the regularly maintained roadway and the right of way.

Examples of such operations are removal of material, grading, filling of material, trenching, guardrail or culvert repair and replacement, and vegetation control activities.

The Deputy District Director, Maintenance is responsible to coordinate with the District Environmental Division to identify locations of resources that could be disturbed by maintenance operations. The District Environmental Division will provide guidance to assist Maintenance in avoiding destruction or damage to archaeological, historical, cultural, and sensitive biological resources present within the State highway right of way.

If human remains, prehistoric or historical archeological or sensitive biological resources are discovered by Maintenance forces, work in the area of discovery must stop, and the discovery reported immediately to the Deputy District Director, Maintenance. The Deputy District Director, Maintenance must immediately contact the District Environmental Division.

The Deputy District Director responsible for environmental issues will notify the Deputy District Director, Maintenance when environmental concerns have been addressed and work may proceed.

The discovery of human remains is a sensitive situation. It is a felony to further disturb the remains until procedures outlined in Section 7050.5 of the Health and Safety Code and Public Resources Code Section 5097.98 are followed. Pursuant to these regulations, the County Coroner must be notified immediately when human remains are found. The Maintenance Supervisor must, through his or her chain of command, attempt to notify the following persons to report the finding:

- (1) Deputy District Director, Maintenance
- (2) Deputy District Director responsible for environmental issues.
- (3) District Native American Coordinator

It is the responsibility of the persons listed above to contact the County Coroner when human remains are discovered. If none of these persons are available, the supervisor shall directly contact the County Coroner, and then notify those noted above.

#### 1.23.2 Water Quality

Many routine maintenance operations have the potential to affect water quality. The Maintenance Program, in cooperation with the Environmental Program, has developed procedures to protect water quality. These are included in the Maintenance Manual, and in the Caltrans Statewide Storm Water Management Plan. Caltrans has a statewide storm water permit. All districts are required to abide by the permit requirements.

See Chapter “F” of this manual, for the Maintenance Storm Water Pollution Prevention Program background information, instructions, and guidelines for protection of storm water.

#### 1.23.3 Underground and Aboveground Tanks

California and federal regulations and laws address the problem of contamination of underground water supplies by hazardous substances (such as gasoline, diesel, oil, and solvents), leaking from underground and aboveground storage tanks. These regulations and laws require that the owners and operators of underground and aboveground tanks obtain tank-operating permits from local agencies, monitor tanks for leakage, and promptly report and abate any leakage. See Article 5, Section 2650-2655, Title 23, Chapter 16.

However, after several reviews by our Legal Division, the Department is exempt from payment of all fees to the State Water Resources Control Board for above ground petroleum tanks.

(A) Permits

Districts shall submit applications to appropriate cities or counties for permission to operate all underground tanks used to store hazardous substances. Periodic renewal of these permits will be required. Underground tanks that are no longer in use shall be removed in accordance with local tank closure procedures. The District Facility Coordinator should be notified of any tanks that require removal.

(B) Monitoring

Underground and aboveground tanks shall be routinely monitored to detect any leakage. Additional monitoring may be required due to local regulations.

(C) Determining Leakage

The presence of water or sand in the stored product and unusual variances in inventory are reasons to suspect a breach in the integrity of the tank system. The Maintenance Region Manager shall report to the local Certified Unified Program Agency (CUPA) any suspected leak. The Maintenance Region Manager shall also report the suspected leak to the Headquarters Underground Tank Coordinator. Monitoring results from a release detection method indicates a release has occurred. Further investigations should be made to determine if a leak has occurred, and that the monitoring device is not defective. Only approved precision tank test methods should be used. For assistance on leak test methods, contact the local agency or the Headquarters Underground Tank Coordinator.

(D) Reporting

Suspected leaks should be brought to the attention of the Maintenance Region Manager responsible for the station where the tank is located. The Maintenance Region Manager is responsible for initiating follow up investigations of suspected leaks, and reporting confirmed leaks to the local agency and the appropriate Regional Water Quality Control Board.

Confirmed leaks must be reported within 24 hours after a leak is confirmed. A full follow up written report is required within five (5) working days.

(E) Leak Abatement

Obtain advice regarding local agency or Regional Water Quality Control Board requirements for abatement of leakage when making the initial notification. Typically, this will require removal of product from the tank, determining the source of the leak through a site investigation, and removal and disposal of soil contamination.

Procedures established by the Department of Toxic Substances Control regarding the manifesting, transportation, and disposal of hazardous wastes shall be followed if contaminated product, tanks, or soil are removed. The District Hazardous Materials (Hazmat) Manager and the District Hazardous Waste Coordinator should be consulted regarding proper procedures. When possible, avoid disruption of Maintenance operations and duplication of work by coordinating the removal and disposal of underground fuel tanks.

(F) Funding

Costs associated with the permitting of tanks, precision testing, site investigation for leakage, replacement, including decontamination, and removal and replacement of tanks should be considered support costs. The District Underground Tank Coordinator should be given early notification of suspected leaks so he or she can initiate a project to correct them.

1.23.4 Streambed Alteration

The California Fish and Game Code (Sections 1601 and 1603) requires advance notice to the Department of Fish and Game (DFG) when work to be performed will "... divert or obstruct the natural flow or change the bed, channel, or bank of any river, stream or lake designated by the DFG, or use any material from the streambeds." This notice includes the submittal of general plans indicating the nature of the project.

If an existing fish or wildlife resource may be substantially adversely affected by the project, DFG is required to propose reasonable project modifications within 30 days of their notification.

These modifications are formalized in a Streambed Alteration Agreement. Work with your Environmental Division to obtain approval prior to starting work.

Caltrans employees who proceed with projects that affect stream flow without giving the required notice to DFG are subject to disciplinary action and criminal prosecution.

Emergency work necessary to protect life and property is not subject to the provisions of these sections. However, DFG must be notified within 14 days of the start of emergency work.

1.23.5      Air Quality

Exhaust and crankcase emissions from gasoline powered vehicles are a prime source of the air contaminants: carbon monoxide, nitrogen oxides, and hydrocarbons.

Particulates (small airborne particles) are another form of air pollution. They can be caused by human activity or by nature. Particulates constitute an irritant and a health hazard regardless of their source.

Particulates are normally thought of as dust or small dirt particles suspended in the air, but they may be found in many forms. One form of particulates are those that come directly from vehicles.

They are small pieces of asbestos (from brake linings or from naturally occurring asbestos deposits), rubber (from the grinding of tires against the road), carbon soot from the exhaust, and products of internal combustion engines. Two other forms of particulate pollution are dust from the roadside and smoke from burning.

(A) Exhaust Emission Controls

There is a direct correlation between vehicle mode of operation and the amount of exhaust emissions from gasoline-powered vehicles. The best condition for overall low emissions is a steady cruise mode of operation.

Smooth traffic flow lessens the impact of highways on the surrounding environment. Maintenance practices that help achieve smooth traffic flow are:

- (1) Maintaining the roadway to enable steady cruise speeds.
- (2) Installing and maintaining guide markers and signing to permit smooth transitions and even flows of traffic.
- (3) Providing efficient traffic control, when the normal flow is interrupted, to lessen the impact on traffic conditions.
- (4) Organizing maintenance work so that it will not distract motorists and interrupt traffic flow.

Proper maintenance of the Caltrans equipment fleet also helps to protect air quality. It is important that the vehicles and equipment Caltrans operates have the lowest emission rates possible. Any malfunctioning equipment should be brought to the attention of the Equipment Shop for correction.

(B) Dust Control

Some highway maintenance activities can raise dry particulates into the atmosphere.

Activities that raise dust include grading of roadside shoulders and open right of way, mowing of dry grass along the roadway, sweeping of gutters and shoulders, hauling of dry materials, and cultivation of right of way ground.

Controlling factors in the dust problem are wind conditions during the operation, moisture content, and the relation of the operation to surrounding population or crops.

Where possible, these operations should be done in light wind (0-5 mph) with use of water application for retarding dust or particles. Operations upwind of sensitive areas should be curtailed on windy days.

Maintaining a vegetative cover alongside the roadway will keep down the amount of dust stirred up by passing vehicles. It will also tend to trap a significant portion of the asbestos, heavy metals, rubber and soot coming from the vehicles themselves.

In natural occurring asbestos areas regional quality control boards require pre-notification of highway activities producing visible dust.

(C) Burning Controls

All burning must be regulated as to time and atmospheric conditions. California is divided into eleven different air basins (areas of like topography and meteorological conditions), each of which has controls on emission of pollutants for its special conditions of industry, meteorology, population, and other factors.

Emission controls vary widely with conditions present in each air quality basin.

Therefore, controls vary in different areas of the State. To assist in minimizing the effect of air pollution, guidelines have been set up for all burning connected with any maintenance, office or shop operation of Caltrans. These guidelines to control burning are all inclusive. These guidelines apply to the following:

- (1) Trash burning at any of Caltrans permanent or semi-permanent operational facilities.
- (2) Maintenance activities that include burning brush, tree trimmings, tules, thistles, tumbleweeds, or any vegetation. Prescribed burning, a type of thermal control, is also included.

- (3) Burning of any roadside litter at any location.

These guidelines cover all types of burning whether it is an open fire, prescribed burn, mechanically induced fire, fire in an open or closed incinerator, or burning in a so-called "approved incinerator."

In many areas, burning is governed by the local city or county ordinance, by State or Federal Forest Service regulation, or by other recognized air resources jurisdictions. In these areas, burning is allowed only when the ordinance, regulation, or jurisdiction allows. All conditions imposed by the ordinance, regulation, or jurisdiction shall be followed.

Lacking such an ordinance or other governing jurisdiction, burning is prohibited within any incorporated city or unincorporated community and the adjoining residential areas.

In rural areas, the burning of standing material is permitted. However, burning shall be conducted only when weather conditions are favorable for good smoke dissipation.

Burning will not be permitted under any conditions of wind that might transport burning materials.

The burning of tires, tarpaper, and other potentially hazardous materials is prohibited under all conditions.

If burning is the best method, all regulations shall be followed closely and the proper permit obtained.

#### **1.24 Controlling Noise from Maintenance Operations**

Maintenance of the transportation system involves the use of various types of vehicles and equipment. Mufflers or noise-suppression equipment should be kept in proper working order.

The District Safety Officer can use meters to measure noise levels. The Safety Officer can also make recommendations for protecting Maintenance personnel from high noise levels. If operating maintenance equipment results in excessive noise, take steps to ensure that nearby residents and businesses will not be adversely affected.

The Caltrans Safety Manual, Chapter 13, Hearing Protection, provides that employees shall wear hearing protection when noise levels exceed 90 decibels. This requirement affects many maintenance operations. For example, an employee operating brush chippers and chain saws is exposed to over 110 decibels. See the Caltrans Safety Manual, Chapter 13: Hearing Protection.

## **1.25 California Emergency Services Act**

In 1970, the California Emergency Services Act established the authority for conducting emergency operations after declaration of emergencies by either the Governor or local jurisdiction. The Act is set forth in the Government Code, Sections 8550 through 8668, and includes for the following:

- (A) Confers emergency powers upon the Governor and the chief executives of political subdivisions, and provides for State assistance in emergency programs.
- (B) Establishment of Governor's Office of Emergency Services (OES), which is responsible for oversight and coordination for all statewide emergency preparedness, coordinates overall State response to major disasters, and oversees post emergency mitigation efforts.
- (C) Provides for the assignment of functions to State agencies to be performed during emergencies, and for coordination of direction of emergency actions.
- (D) Provides for mutual aid by State government and political subdivisions.
- (E) Authorizes establishment of organizations and actions to carry out provisions of the Act.

The Act provides that the Governor may assign to a State agency any activity concerned with Disaster mitigation. Each department and State employee is required to render all possible assistance to the Governor and to OES in carrying out emergency operations. As a State department, Caltrans is required to cooperate with other State agencies and with local jurisdictions.

The Governor has power to take extraordinary action to protect the public interest during an emergency. For example, Caltrans could, in some cases, be required to use State personnel and equipment to clear and dispose of debris on private property. Any action of this nature would be coordinated between the Division of Maintenance and OES, under the authority of a Mission Number issued by OES.

### **1.25.1 Department of Transportation Authority**

Caltrans is responsible for the administration, construction, and maintenance of the State highway system. The primary function of the Maintenance Program in both man-made and natural disaster is to maintain the State highway system in a safe and operable condition.

Government Code Sections 14120 through 14120 authorizes Caltrans to perform any work or remedial measures necessary to avert, alleviate, repair or restore damage or destruction to property having a general public and State interest. Caltrans will take action to protect the health, safety, convenience, and welfare of the general public of the State.

During disasters resulting from storms and floods, the Director of Transportation may declare the existence of an emergency when it is a matter of concern to the general public and to the State, and when work is required to avert or repair damage or destruction to highways.

Caltrans may provide assistance to other levels of government for maintenance or restoration of streets or highways, or for non-highway work, only when such work is properly requested and authorized by OES. Approval for such work will be given only when the work is within the legal scope of authority granted to Caltrans by statute or specifically authorized by the Governor.

OES will grant immediate authorization to proceed with assignments of personnel and equipment necessary to cope with a particular emergency.

#### 1.25.2 Radiological Emergencies

The California Highway Patrol (CHP) is the designated statewide lead in radiological emergency response. Caltrans is not required to perform radiological monitoring on a statewide basis. However, in some areas of the state, districts may perform radiological monitoring as part of local emergency plans. Districts that will perform monitoring may obtain monitoring instruments from the Emergency Operations Center (EOC). These instruments should be inspected quarterly to ensure proper function. The District Maintenance Hazardous Materials Manager (Hazmat Manager) shall be responsible for the proper care and maintenance of radiological monitoring instruments in the district.

If a district elects to participate in radiological monitoring, it shall provide training to employees who are to use the instruments. All districts shall provide radiological awareness training to field Maintenance employees annually during Hazardous Materials: First Responder Awareness training.

**1.26 National Incident Management System (NIMS)**

As a department of State government, Caltrans is required by Federal and State directives to be NIMS compliant. Being NIMS compliant means personnel with a direct role in emergency management or response should have at least eight hours of NIMS training.

All Caltrans Maintenance field personnel from Service Assistant Maintenance (SAM) through the rank of Supervisor, shall attend the NIMS training course.

Maintenance Area Superintendents, Maintenance Region Managers, and district Maintenance management shall complete the NIMS Field Course. Hazmat Managers and district management staff designated to report to the Regional Emergency Operations Center during an emergency shall attend the NIMS Incident Command System (ICS) Course. It is recommended that Deputy District Directors, Maintenance also attend this level of training.

**1.27 Underground Service Alert**

California Government Code Sections 4216 through 4217 provide that any person who undertakes an underground excavation project contact Underground Service Alert (USA) prior to work.

Any person who damages underground services as a result of failure to notify USA is liable for both criminal and civil sanctions. Both individual employees as well as Caltrans can be held liable for negligent or knowing violation of the law. Caltrans will take disciplinary action, up to and including dismissal, on employees who willfully violate notification requirements.

Appendix 1-C includes detailed information regarding USA and requirements for notifications.

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**APPENDIX 1-A**

**Cooperative Agreement with United States Forest Service  
Fire Suppression**

- (A) The State agrees that:
- (1) In the case of fires for which the employees of the State are responsible:
    - (a) Immediate action will be taken by the available personnel of the State to suppress the fire.
    - (b) Responsible transportation officers will immediately report such fires to the nearest designated and/or agreed upon Forest Officer.
    - (c) The expense of labor, supplies and equipment contributed by the State in suppressing such fires will not be a charge against the Forest Service.
  - (2) In the case of fires for which the construction contractors of the State may or may not be responsible:
    - (a) Responsible transportation officers will immediately report such fires to the nearest designated and/or agreed upon Forest Officer.
    - (b) The subsequent action, liability of, or settlement with, the contractor and his or her forces shall be made, ordered, determined and arranged by the Forest Service. The State does not assume or accept responsibility and/or liability for the actions of contractors and their forces.
  - (3) In the case of fires for which the employees of the State are not responsible, originating on or adjacent to the right of way of State highways, maintained by day labor construction or State maintenance crews:
    - (a) Employees of the State will be instructed to take initial suppression action and to report such fires promptly to the nearest designated Forest Officer.
    - (b) Such fires will be handled by the available forces of the State until the arrival of the Forest Officer.
    - (c) All expenses for the suppression of such fires will be borne by the Forest Service. Reimbursement to be made directly to the State and not to its employees.

Note: It is understood that reimbursement will be made at the current fire fighting rates for wages and equipment.

- (4) Employees of the State will be required to obey all of the State and county fire prevention laws. Written instructions to this effect will be issued annually to all employees working in National Forest areas, and copies of this cooperative agreement will be given to all supervisory personnel working in National Forest areas.
- (5) The State agrees to stop, shut down or curtail dangerous operations involving burning, blasting, tar pots for patching, welding or other activities involving use of fire during periods of bad fire weather as determined by responsible Forest Officers. Or agreement to carry on such operations in a manner mutually agreed upon by the State highway officials and Forest Officers in charge of the given area.
- (6) Appropriate fire warning signs furnished by the Forest Service will be posted at all day labor camps established by the State or its contractors.
- (7) The State will notify Forest Supervisors in advance of any major job being undertaken within the National Forest protection boundaries either by the State or by contract. Both parties will get together prior to starting construction jobs or submitting bid specifications to contractors and agree to the necessary fire prevention measures to be taken so provisions can be made for enforcement and compliance.
- (8) Appropriate stipulations as determined in clause 7 above will be inserted in contracts or subcontracts entered into by and between the State and others for the construction of public works within the National Forest protection boundaries.

This is to facilitate compliance with the provisions of permits issued by the Forest Service and to prevent forest fires from starting from all operations which might endanger the National Forests. The State does not assume or accept responsibility and/or liability of contractors for the actions of any persons, contractors and their forces by virtue of any clause inserted in a contract to comply with the above.

- (9) The State will maintain at the site of construction jobs at all times during the fire season adequate fire tool caches, sealed and maintained for fire use only. The number of each kind of fire tool required in each particular case will be agreed upon with the Forest Officer having charge of fire control in the given area. The State will provide in contracts that all its contractors do likewise.
- (10) The State will make its equipment available for rental to the Forest Service for fire suppression use whenever utilization of State highway equipment for such purpose will not result in closing down major day labor operations for extended periods. Reimbursement is to be made for such use to the State at its current rates of use.

(B) The Forest Service agrees that:

- (1) Designated Forest Officers will proceed upon notification, to take charge of all fires occurring in or adjacent to right of ways or construction camps of the State.
- (2) The designated Forest Officer will take charge of such fires unless notification is received that the fire being handled by the State has been completely and properly suppressed. In all such cases, the fire will be inspected by a responsible Forest Officer to make certain the fire is out.
- (3) The supervisor of each National Forest will furnish a map of his or her forest to the Caltrans District Director. The forest's protection boundary will be clearly marked.

(C) It is mutually agreed that:

- (1) In requesting services of employees of the State, Forest Officers will exercise due consideration for the necessity and importance to traffic of the work of the State.
- (2) During the fire season as established for the locality, the employees or agents of the State will secure burning, blasting, and welding permits from the Forest Officers, responsible for fire control measures for the area. These permits will be obtained before proceeding with the disposal by burning of brush or other refuse, or blasting, or welding in connection with the operations of the State.
- (3) The State, through its local representatives, will participate with local Forest Officers in an annual hazard survey along State highways in or adjacent to the National Forests and will prepare a hazard reduction plan for those areas where studies show this is necessary as a fire prevention measure.  
The local Department of Transportation representative will then submit his or her recommendation based on the survey to the Maintenance Program Manager for consideration in the annual budget.
- (4) The State will do hazard reduction work each spring as set forth in the joint hazard reduction plan insofar as funds and personnel are made available.
- (5) For those areas where the State cannot handle the necessary hazard reduction as planned and the Forest Service can do the work, the State and the Forest Service may enter into a cooperative agreement where the Forest Service will do the work with the money made available in a cooperative work fund by the State.
- (6) The State and the Forest Service shall not be bound to make any expenditure under the terms of this agreement except as funds are appropriated by the State Legislature of California or by the Congress of the United States or which may be otherwise made available.

- (7) No member of or delegate to Congress or Resident Commissioner shall be admitted to (any) share or part of this agreement or to any benefit to arise there from unless it is made with a corporation for its general benefit.

This agreement may be terminated at any time or provisions herein contained may be amended or modified, upon mutual consent of the parties hereto.

**APPENDIX 1-B**

**Cooperative Agreement with California Department of Forestry  
Fire Suppression**

During times of fire or other emergencies, the California Department of Forestry (CDF) may request Caltrans assistance to provide support such as Caltrans personnel to provide equipment, and materials.

Therefore, for fires or other emergency incidents in areas where CDF provides direct fire protection, it is mutually agreed that:

- (A) In the event that fires are detected within or immediately adjacent to the highway right of way, Caltrans will report such fires to CDF and, to the extent Caltrans forces are immediately available, Caltrans will take initial action to suppress such fires until the arrival of CDF forces.
- (B) In the case of fires which occur as a result of work performed by Caltrans employees:
  - (1) Immediate suppression action will be taken.
  - (2) Responsible Caltrans personnel will immediately report such fires to the nearest CDF Emergency Command Center.
  - (3) The expense of labor, supplies, and equipment contributed by Caltrans in suppressing such fires will not be a charge against CDF.
- (C) In the case of fires which occur as a result of work performed by Caltrans construction or maintenance contractors:
  - (1) Responsible Caltrans personnel or contractor's representative will immediately report such fires to the nearest CDF Emergency Command Center.
  - (2) Any action, determination of liability, or settlement between CDF and a Caltrans contractor will be independent, separate, and apart from the rights and duties of Caltrans and its construction or maintenance contractors under the terms of their respective agreements with Caltrans. Caltrans assumes no responsibility or liability for fires that result from the work of its contractors and their employees and subcontractors.
- (D) CDF will take charge of all fires or other emergency incidents occurring in or adjacent to highway right of ways within CDF direct fire protection areas. The designated CDF officer will take charge of such fires or emergency incidents

- until the fire has been completely and properly suppressed or the emergency has ended.
- (E) Upon request by CDF to responsible Caltrans personnel, Caltrans may provide support assistance during times of fire or other emergency. Such support assistance may include equipment, transportation, repair work, etc., but will not include actual fire suppression work on the fire line, except when ordered by the Governor.
  - (F) Caltrans will continue to maintain reduced vegetative fuel loads along right of ways and median strips to reduce the chance of a wildfire starting.
  - (G) Except for the costs of immediate work performed by Caltrans to initially suppress fires that are the direct result of work by Caltrans forces, CDF agrees to reimburse Caltrans for all other labor, equipment, and material costs incurred by Caltrans in providing support assistance to CDF. All such costs shall be calculated in accordance with Section 8752 of the State Administrative Manual.

This agreement may be terminated at any time or provisions herein contained may be amended or modified, upon mutual consent of the parties hereto.

## **APPENDIX 1-C**

### **Instructions for Use of Underground Service Alert (USA)**

USA is a free notification service for persons who plan to dig, blast, trench, drill, or conduct any other underground excavation project that has the potential to disturb underground pipelines or utilities. USA will identify if there are utilities or pipelines underground in the area of planned work.

#### **(A) How USA Works**

The person planning an excavation calls USA at least 2 days in advance of planned work. A USA operator will take the location request information, verify the location, and send it to all USA members that may be involved at the proposed excavation site.

The USA members that are notified will check their records to determine if they have underground facilities at the site.

The caller will be advised by telephone that the USA member does not have facilities at the excavation site.

If a USA member does have facilities at the site, one of its employees will respond to the caller. The employee will provide information about the member's facilities, or will stake and mark the horizontal path of the facilities.

#### **(B) Advance Notice**

The Underground Service Alert Center is designed for planned work operations.

Each location request is good for a period of 14 calendar days. Contact USA at least two (2) working days prior to the start of actual work operations, between 7:30 a.m. and 4:30 p.m., Monday through Friday, excluding weekends and holidays.

The telephone number of USA is (800) 642-2444.

USA Holidays include the following:

- New Year's Day
- Washington's Birthday
- Memorial Day
- Independence Day
- Labor Day
- Thanksgiving Day (and the Friday after)
- Christmas Eve after 11:00 a.m.
- Christmas Day

#### **(C) Emergency Excavations**

Emergencies during normal working hours of the Center will be processed as promptly as possible. Emergencies after hours should be called directly to the organizations whose facilities are involved.

(D) USA Northern California Service Area

Underground Service Alert (USA)  
4090 Nelson Avenue, Suite A  
Concord, CA 94520  
(415) 798-9504

The Northern Service Area includes the following counties:

Kern	Alameda	Napa	Shasta
Kings	Alpine	Nevada	Sierra
Lake	Amador	Placer	Siskiyou
Lassen	Butte	Plumas	Solano
Madera	Calaveras	Sacramento	Sonoma
Marin	Colusa	San Benito	Stanislaus
Mariposa	Contra Costa	San Francisco	Sutter
Mendocino	Del Norte	San Joaquin	Tehama
Merced	El Dorado	San Luis Obispo	Trinity
Modoc	Fresno	San Mateo	Tuolumne
Mono	Glenn	Santa Clara	Yolo
Monterey	Humboldt	Santa Cruz	Yuba

(E) USA Southern California Service Area

Underground Service Alert (USA)  
(800) 422-4133

The Southern Service Area includes the following counties:

Imperial	Orange	San Bernardino
Inyo	Riverside	San Diego
Los Angeles	Santa Barbara	Ventura

(F) Color Code for Excavations

Paint outline of proposed excavation area with white dotted line.

(G) Color Code and Symbols Used by USA Members

The following matrix indicates the color code and symbols used by USA members.

Contact USA directly with any questions regarding the color coding system or symbols used by USA members.

**USA Color Codes and Symbols**

<b>Color</b>	<b>Symbol</b>	<b>Type of Facility</b>
Blue	W	Water
Blue	FA	Fire Alarm
Blue	Tel	Telephone
Orange	R	Railroad
Orange	TV	Television
Orange	WU	Western Union
Green	S	Sewer
Green	D	Storm Drain
Green	L	Street Lighting
Red	E	Electric
Red	T	Traffic Signals
Yellow	G	Gas
Co. Name		Oil & Chemical