

TRANSMISSION OPERATIONS GUIDELINE

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Title: TRANSMISSION RIGHT-OF-WAY ENCROACHMENTS

Classification: Departmental,
Transmission Operations

Interpretation Contact: Superintendent,
Right-of-Way Management

Approved by: Ben Fleming, Manager

POLICY

I. Policy Statement

This procedure is intended to provide guidance when dealing with the enforcement and approval of encroachments that are identified and/or requested to be located within transmission rights-of-way.

II. General

- A. Right-of-Way Management has the over-all responsibility for administering the encroachment program.
- B. Encroachments are classified as any physical change and/or addition to the right-of-way proper, other than Santee Cooper activities, after the initial clearing of a right-of-way.
- C. This procedure is referenced within the corporate [Encroachments Policy \(3-06-06\)](#) and provides the actual measures and information to enforce and/or approve encroachments.
- D. Transmission easements will be researched to insure that there is no wording in the easement(s) that would conflict with the Transmission Right-of-Way Encroachments guideline.

PROCEDURE

I. Guidelines and Instructions

- A. When vegetative encroachment is present and does not allow for the proper placement of the encroachment, it will be the responsibility of the requester to have the vegetation removed at their expense. All vegetative removals must be approved by Santee Cooper as well as comply with any applicable local ordinances.
- B. Requests for temporary encroachments including, but not limited to, construction trailers/offices, refuse containers, materials, and equipment, will be reviewed on a case-by-case basis. Typically, these types of encroachments will be allowed on the outer portions of the right-of-way (R/W) as long as they are outside of our wire zone.

- C. All approved metallic or insulated metallic encroachments shall be properly grounded at the time of installation. A grounding plan may be required by Santee Cooper during the encroachment review process, if warranted.
- D. For safety purposes, Santee Cooper may require that a line technician be on site during the installation and/or construction of an approved encroachment. If required, the encroachment requester will be billed for those services at a rate set by Santee Cooper. The requester should be made aware of these charges prior to proceeding.
- E. The following encroachments are generally permitted on the R/W as long as we maintain adequate access to our facilities and all current or applicable NESC required clearances, and our safety adders, are maintained. It should be understood that the approval of any of the encroachments listed below, and/or any other potential encroachments not listed, is entirely within the discretion of Santee Cooper. Any modifications to our facilities will need to be approved by Santee Cooper and paid for by the requester.
 - 1. Roads, (including dirt roads), streets and driveways which:
 - a. Cross the R/W at an angle not to interfere with present or future transmission structure placement. If paralleling the R/W, the maximum allowable encroachment for all hard surfaces, including curbing and sidewalks, is restricted to the outer five (5) feet. Proposed road side swales and shoulders that extend further into the R/W greater than five (5) feet will be approved on a case-by-case basis.
 - b. Are located at least fifty (50) feet away from transmission structures, guy wires, or anchors.
 - 2. Sewer lines, water lines, gas lines, underground and overhead distribution lines which:
 - a. Cross the R/W at an angle not to interfere with present or future transmission structure placement as well as be buried at a minimum depth of three (3) feet.
 - b. Parallel the R/W on the outer five (5) feet of the R/W.
 - c. Are located at least fifty (50) feet away from transmission structures, guy wires, and anchors. For overhead lines crossing the R/W, all supporting structures should be located off the R/W or on the outer five (5) feet of the R/W.
 - d. Are permitted by the current landowner through an executed easement with the requesting utility. Santee Cooper reserves the right to review said easement prior to its execution to ensure our current easement rights are not encumbered.
 - 3. Parking lots:
 - a. Parking spaces should be kept a minimum of fifty (50) feet away from transmission structures, guy wires, and anchors.

- b. Under certain circumstances, approved barriers or islands may be required around our facilities to protect our facilities as well as the patrons of the parking areas. Installation of these barriers would be the responsibility of the requester and will be located a distance from the transmission structure as designated by Santee Cooper so as not to interfere with operations & maintenance.
 - c. Access to our facilities must be maintained at all times.
 - d. Additional grounding may be required in the future for the existing transmission line(s) and for future transmission lines. Damage to the pavement of the parking lot resulting from the construction of additional grounding or operation activities on the R/W by Santee Cooper personnel will not be the responsibility of Santee Cooper.
 - e. Those granted the right to encroach upon Santee Cooper's easement(s) and R/W(s) may be required to provide adequate insurance in an amount equal to the liability exposure, as determined by Santee Cooper. Legal should be contacted if insurance coverage is being considered.
4. Fences:
- a. Will be reviewed on a case-by-case basis with any approved fencing placed a minimum of fifty (50) feet from transmission structures, guy wires, and anchors.
 - b. All approved metal fences on the R/W shall be properly grounded and in some cases a grounding plan must be submitted and approved by Santee Cooper.
 - c. Shall cross the R/W at an angle not to interfere with present or future transmission structure placement. When fences cross the R/W and parallel an adjacent roadway, the fencing must be set back a minimum of thirty (30) feet from the roadway. Fences that parallel the R/W must be located off of the R/W.
 - d. Requests for fences crossing the R/W in subdivisions and congested commercial areas are not allowed because this greatly inhibits access along the R/W.
 - e. If a fence that restricts our access to our facilities is approved, the requester must provide and install a sixteen (16) foot gate and interlock their lock with a Santee Cooper lock. Multiple fence crossings, over short distances, will not be allowed as it slows down maintenance and operations.
 - f. If the fence is to be electrified, it should be equipped with an Underwriters Laboratory (UL) approved fence charger with a DC output.
5. Ditches which:
- a. Do not obstruct access along the R/W and are located a minimum of fifty (50) feet away from our transmission structures, guy wires, and anchors.

- b. Restrict access to our facilities must have a culvert of approved size, strength, and location provided by the requester. The intent here is to have a minimum access/road width of sixteen (16) feet for our vehicles to pass over the culvert. Any ditch construction should not interfere with Santee Cooper-owned underground facilities or any other underground facility that may be on the R/W.
 - 6. Outdoor signs that have a maximum height above ground not to exceed the lesser of fifteen (15) feet or a height that maintains a vertical clearance to our neutral or conductor (NESC ground clearance requirement +1.5 feet), as determined by Santee Cooper. Signs and light poles (including the fixtures) are to be placed no closer than fifteen (15) feet from the vertical axis of the outside conductor of existing lines. Signs and /or light poles will not be allowed within fifty (50) feet of any transmission structures, guy wires, and anchors. If future lines are constructed on the R/W, the signs or lights may need to be relocated at the owner's expense.
 - 7. Commercial landscape sprinkler systems may be permitted, but all piping and hardware should be sufficiently buried so that our heavy equipment will not damage them. The water sprayed from these sprinklers should not contact our facilities in any way and should not come within twenty (20) feet of our energized conductors, regardless of which direction the wind is blowing. Santee Cooper is not responsible for any damage to sprinkler systems.
- F. The following encroachments are **not** permitted on transmission line rights-of-way:
- 1. Structures or obstructions of any kind such as buildings, sheds, pump houses, mobile homes, wells, trees, etc.
 - 2. Septic tanks and drain fields
 - 3. Intentional flooding of rights-of-way
 - 4. Swimming pools, tennis courts, playgrounds, recreational fields, agricultural and residential irrigation systems, recreational ponds, etc.
 - 5. Storage facilities for boats, recreation vehicles, trailers, junk cars, mobile homes, etc.
 - 6. Cable gates
 - 7. Retaining walls
 - 8. Dumpsters
 - 9. Any other encroachment which would endanger our facilities or the public
- G. The following encroachments are generally not permitted but can be reviewed on a case-by-case basis and approved by the Manager, Transmission Operations:

1. Filling of any kind which reduces our clearance from the ground to the conductors and neutral or fiber optic lines. Consideration will be given to grade change requests that do not cause a vertical clearance violation of our clearance requirements and/or does not cause structure corrosion or rot. Grade changes less than one (1) foot and do not create a clearance issue can be approved without a Manager review.
 2. Fencing or ditching that is parallel and located within the R/W
 3. Vegetation with a mature height greater than twelve (12) feet and/or allowed to grow within six (6) feet of our facilities. Santee Cooper is not responsible for damages to the planted vegetation within the R/W.
 4. Vegetation planted on an approved berm where the height of the vegetation and berm together has the potential of exceeding twelve (12) feet
 5. Agricultural or retention ponds
 6. Excavation within the R/W
 7. Any encroachment located between twenty (20) and fifty (50) feet from a transmission structure, guy, and/or anchor
- H. Other encroachment requests will be handled on a case-by-case basis. A current permissible and non-permissible listing is available by accessing [Right-of-Way \(R/W\) Encroachments](#).
- I. Any variation to these general guidelines must be approved by the Sr. VP, Power Delivery through the submittal of an Encroachment Variance Request.

II. **Responsibilities**

A. For Unapproved Encroachments Discovered:

1. Transmission Operations Personnel (Line Tech and/or Reclearing Personnel):
 - a. Completes and forwards a [Rights-Of-Way Encroachment form \(SC0912\)](#) to the Administrative Associate in Right-of-Way Management.
 - b. Notifies encroacher to stop all work if encroachment appears to be a safety concern. If necessary, follow-up with a certified letter.
 - c. Follows up with encroachment enforcement personnel when a safety related issue is discovered.
2. Encroachment Enforcement (Right-of-Way Management):
 - a. Reviews completed R/W Encroachment form and either approves, approves with variance, or denies the encroachment.

- b. Sends a certified letter to the property owner to document the encroachment(s) issue.

B. Encroachment Requests:

1. Right-of-Way Management:

- a. Receives detailed drawings from individual(s) requesting encroachment.
- b. Receives the appropriate processing fee along with the completed [Request for Encroachment Agreement form](#).
- c. Reviews the Request for Encroachment Agreement and approves or denies encroachment(s) in accordance with this guideline.
- d. Requests a review for encroachment(s) by submitting detailed documentation to the appropriate Supervisor, Transmission Lines or his designee.
- e. Creates graphical records, for reported and/or approved encroachments, in the Right-of-Way GIS data base.

2. Legal:

- a. Provides legal advice to aid in resolution of encroachment issues, when needed.
- b. Provides guidance in encroachment document preparation and approves recordable encroachment documents.
- c. Assists with obtaining recorded easements and any other documents required to complete the encroachment agreement.

3. Area Engineering:

- a. Provides technical review for encroachment requests, if required.
- b. Provides cost estimates and submits a billable for structure relocations.