



Kern River Gas Transmission Company Developers' Handbook



Kern River Gas Transmission Company's Vision Statement

Energizing the West with Innovation, a Competitive Spirit and a
Commitment to our Principles.



Table of Contents

Introduction	2
Kern River Offices	3
Safety	4
Reliability	4
Pipeline Facilities Overview	4
Kern River Right of Way Agreements	5
Legislation	5
Encroachments	6
• Encroachment Permit	6
• Specific Encroachment Agreement	6
Notification and Construction Safety Requirements	8
Plan Design and Review Requirements	9
Encroachment Requirements	10
Sample Encroachment Permit	15
Encroachment Specifications	16
One-Call Numbers	17

Introduction

This handbook outlines the standards and procedures to be followed when planning land-use development on or near Kern River Gas Transmission Company (Kern River) rights of way. The handbook is intended for use by city and county planners, engineers, developers, land surveyors and anyone involved in the initial stages of land development. If Kern River is included in the initial planning stages, project delays can be avoided and safe development practices near pipelines can be attained.

The handbook is designed to make you aware of the most common standards and procedures Kern River typically requires to protect its facilities in areas of changing land use. Each proposed development or activity, however, requires a case-specific evaluation by a qualified Kern River representative.

Please become familiar with the contents of this handbook. If you have further questions or need assistance, please contact your local Kern River office.



Kern River Offices

Headquarters

2755 East Cottonwood Parkway,
Suite 300
Salt Lake City, UT 84121
(801) 937-6000 or (800) 420-7500

Central and Southern Utah

Fillmore District Office
560 West 900 South
Fillmore, UT 84631
(435) 743-3500

Wyoming and Northern Utah

Evanston District Office
126 Commerce Drive
Evanston, WY 82930
(307) 783-7200

Nevada and California

Las Vegas District Office
2800 East Lone Mountain Rd.
North Las Vegas, NV 89081
(702) 639-3600



Kern River Gas Transmission Company system map

Safety

Kern River is committed to ensuring the safe operation of its natural gas pipeline system. According to the U.S. Department of Transportation, the transmission of natural gas through interstate pipelines is the safest means of transportation in the United States. Kern River and the industry enjoy an excellent safety and reliability record. Kern River has a comprehensive damage prevention policy to prevent pipeline failures. Third-party damage is one of the leading causes of pipeline failures.

Reliability

Kern River is committed to reliable delivery of gas transportation services. Communities, factories, hospitals, power plants, businesses and residences depend on our services for energy to generate heat and electricity.

Kern River must and will use every available resource to ensure the safety and reliability of its facilities. Kern River does not encourage or support any development or encroachment that interferes with the operation or maintenance of its pipelines or pipeline facilities. In cases where development or encroachment cannot be avoided, we need your help to ensure the safety and reliability of our facilities. As a responsible landowner, developer, contractor or other party engaged in any ground-disturbing activity near pipeline facilities, we urge you to read and understand the guidelines presented in this publication.

Pipeline Facilities Overview

Kern River owns and operates more than 1,650 miles of pipeline. The transmission operation includes high-pressure steel pipelines ranging from 6- to 42-inches in diameter, compressor stations, meter stations, cathodic protection equipment, valve settings, communications equipment and other facilities.

In accordance with federal regulations, Kern River identifies the location of its pipeline facilities by installing permanent pipeline markers (shown on this page) near road, rail, water, fence and underground utility crossings. Pipeline markers may also be strategically placed in extensive areas of open ground to delineate the location of the pipeline.

The maintenance of pipeline markers - and an open, clear right of way at all times - is critical to public safety. Construction or development near transmission pipelines increases the potential for excavation damage. It is the responsibility of Kern River, individual landowners and contractors to ensure all temporary and permanent pipeline markers installed by Kern River are protected and maintained at all times, especially during construction. Removing or defacing a pipeline marker is a federal criminal offense.



*Kern River
right of way
marker*



Kern River Right of Way Agreements

Description

Most of Kern River's existing pipeline easements and rights were acquired through agreements granting Kern River the right to construct, operate, maintain, repair, modify, alter, protect, remove, replace, access and change the size of a pipeline or pipelines within its easement. While the owner maintains the right to use and enjoy the property, the agreements generally allow Kern River to restrict any uses that may conflict with or limit Kern River's rights. Because easements run with the land, subsequent purchasers acquire the land subject to Kern River's rights.

Width

When the original pipeline routes were selected, undeveloped environments were deliberately chosen whenever possible. Kern River's rights of way vary in width from 30 to 100 feet, depending on the number and diameter of the pipelines, terrain and terms of the right of way agreements.

Amendments or Modifications

As the undeveloped environment is altered and land developments are proposed, Kern River, at the request of the landowner, may elect to amend or modify the right of way agreement to reflect the changing land use. Kern River may work with developers to incorporate the right of way into the project design, including consent to use the right of way as a "greenway" or open space area, so long as the use does not interfere with Kern River's ability to use and enjoy the acquired easements and rights.



Legislation

Federal

The Department of Transportation's Office of Pipeline Safety regulates Kern River. The pipeline safety regulations are administered through Title 49, Code of Federal Regulations, Part 192.

Part 192 prescribes minimum standards for the safe operation of pipelines. The denser the population, the more stringent the standards for pipeline design, maximum allowable operating pressure, and frequency and type of patrols and leak surveys.

State

All of the states in which Kern River operates have damage prevention laws for the protection of pipelines and other underground utilities. Most states require excavators to notify their local one-call system of their excavation plans. Kern River participates in all one-call systems that notify impacted industries of excavation.

Some jurisdictions provide for triple damages resulting from a failure to notify under the one-call system.

City and County

Local governments often play a major role in regulating land use by means of comprehensive planning and zoning. Some counties offer developer incentives to encourage easement use for parks and open space purposes.

Some counties require an additional building setback from the pipeline easement. Please check local codes before submitting lot layout plans.

Encroachments

It is Kern River's philosophy to prevent encroachments, when possible, by working with agencies, developers and individuals to design projects around the pipeline easement. Many of Kern River's easement agreements prohibit encroachments. Kern River will strictly enforce applicable provisions in its easement agreements where it believes the continued safe operation and maintenance of the pipeline could be threatened.

When Kern River determines an activity can be undertaken without jeopardy to the pipeline system, the company will require and issue either an Encroachment Permit or a Specific Encroachment Agreement depending on the type and scope of activity proposed.

The Encroachment Permit is typically issued for less invasive encroachments and will contain all pertinent conditions to be followed by the encroaching party for the activity planned. The permit is generally reviewed and issued to the encroaching party on site. A sample Encroachment Permit is included on pages 15 - 16 in this publication.

The Specific Encroachment Agreement will contain all pertinent conditions to be followed by the encroaching party for the planned activity and may provide for cost reimbursement to Kern River. Typically, Kern River will seek reimbursement for projects that require significant design review, engineering investigation, field inspections, legal consultation or facility modification.

Encroachment Permit

When is an Encroachment Permit required?

An Encroachment Permit is required when:

- Minor activities/works cross under or over the natural gas pipeline.
- Minor activities/works extend into the right of way.

Examples of such activities/works may include:

- Residential water lines
- Residential television cable
- Small diameter drainage or sewer lines
- Residential electrical lines
- Fences (livestock or typical residential)
- Residential sprinkler systems
- Minor street and road crossings
- Residential driveways

Who initiates the Encroachment Permit?

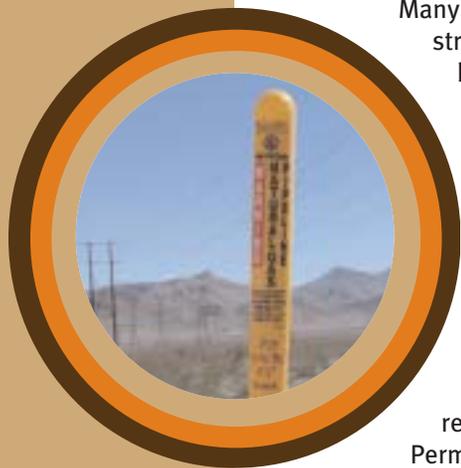
The permit is initiated by a local representative of Kern River and must be executed before work begins on the right of way. The developer must notify Kern River well in advance of any planned activity.

Specific Encroachment Agreement

When is a Specific Encroachment Agreement required?

A Specific Encroachment Agreement is required when:

- A substantial development is proposed.
- Activities/works extend into the right of way and require significant engineering investigation, legal consultation or facility modification.



Examples of such activities/works may include, but are not limited to:

- Permanent facilities and infrastructure associated with adjacent commercial or residential developments
- Major and complex street and road crossings
- Blasting or use of explosives near Kern River facilities
- Complex large-diameter utility crossings

Other activities subject to a Specific Encroachment Agreement are determined on a case-by-case basis.

In addition, third-party activities/works that necessitate Kern River facility modifications (such as, but not limited to, pipeline casing extensions, pipeline relocations or replacements and pipeline cathodic protection facility modifications) are addressed in the Specific Encroachment Agreement. Reimbursement provisions may also be referenced in the Specific Encroachment Agreement.

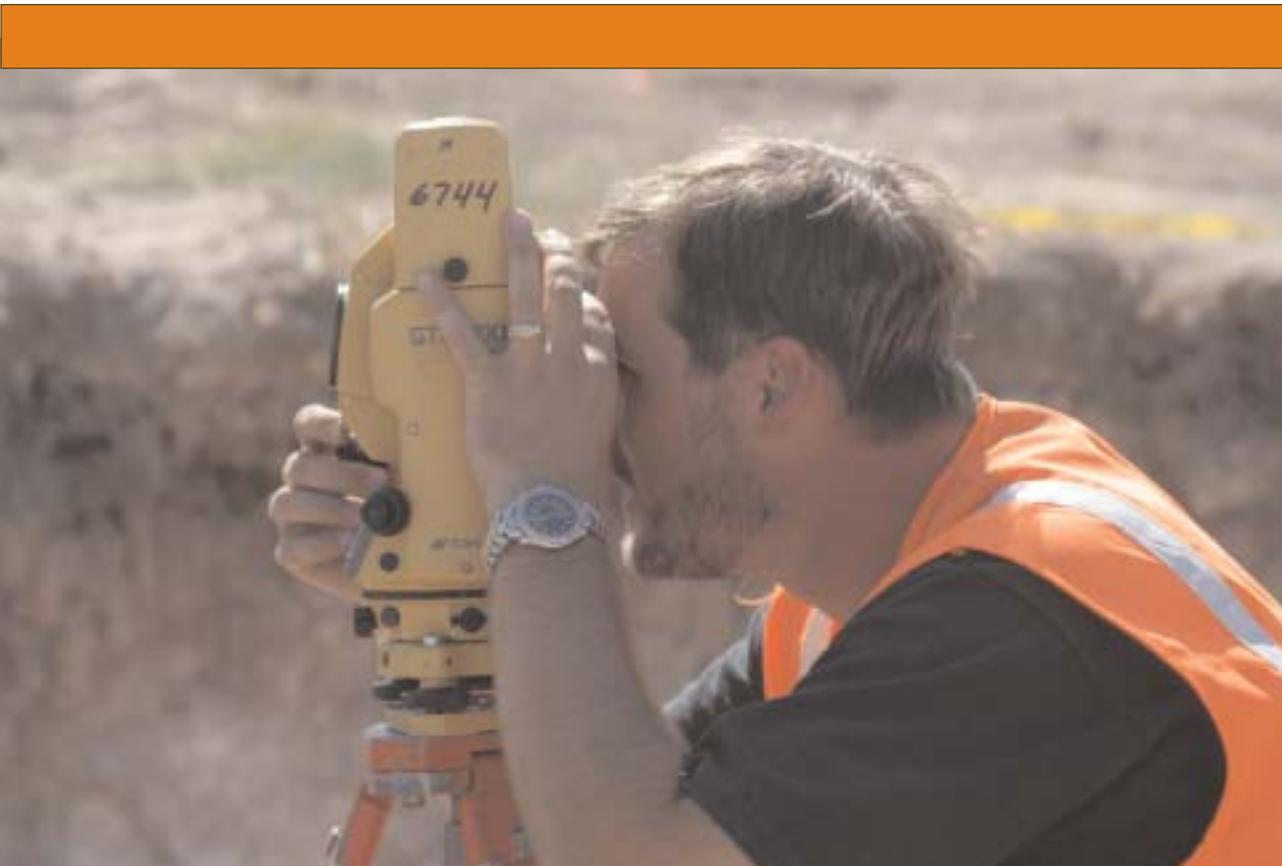
When is reimbursement required?

Reimbursement is typically required for activities/works proposed on the right of way that involve extensive preliminary engineering and/or field inspection services by Kern River representatives.

In addition, Kern River will seek reimbursement for any third-party activities/works that require modification to Kern River facilities. Such modifications include, but are not limited to, pipeline casing extensions, pipeline relocations or replacements and pipeline cathodic protection facility modifications.

Who initiates the Specific Encroachment Agreement?

A Kern River land representative generally initiates the Specific Encroachment Agreement. The agreement must be executed before work begins on the right of way. In the event work commences without such an agreement, Kern River may take steps, including legal action, to prevent further activity. The developer must notify Kern River well in advance of any planned activity.



Notification and Construction Safety Requirements

Notification and Coordination

In order to prevent unnecessary delays, Kern River encourages early and ongoing communication with our representatives throughout your entire project. We will be happy to attend pre-construction meetings and provide a safety/informational presentation to any interested parties, including contractors, local government, maintenance crews and developers. Please refer to page 3 for your regional contact number.

All of the states in which Kern River operates (see page 17) have one-call laws. These laws require excavators to provide 48 hours or two business-days notice before any excavating commences. Your local one-call system will notify all participating utilities in the area of your planned excavation activities.

A Kern River representative will be on site following appropriate prior notice for all surface and subsurface activities within the pipeline right of way. Any encroachment made without a Kern River representative on site may have to be re-excavated at excavator's expense to provide Kern River an opportunity to inspect all affected pipeline facilities.

Protect yourself, utility companies and the public. Call before you dig.

Federal regulations (OSHA 29CFR Ch. XVII-1926.651) also require excavators to notify underground utilities prior to the start of actual excavation. Your state regulations may be more specific, but in any case, failure to notify underground utility operators of excavation activities could result in criminal prosecution.

Kern River's pipelines operate at high pressure. To ensure the safety and reliability of our facilities, we require a Kern River representative to be on site while you work around our pipelines. Please contact your local Kern River office before work commences on, or in close proximity to, a Kern River right of way. A Kern River representative will be on site to inspect the work and monitor the site until construction is completed.

Safety Requirements

Excavations must be barricaded to protect pedestrians and vehicles. Proper access into the trench must be provided. Excavations must be properly sloped or shored, as required by state and federal OSHA requirements.

Stockpiling brush, trash or other debris on the easement is prohibited, since it could conceal pipeline markers and hinder pipeline inspections or routine maintenance. Contact your local Kern River office concerning burning restrictions.

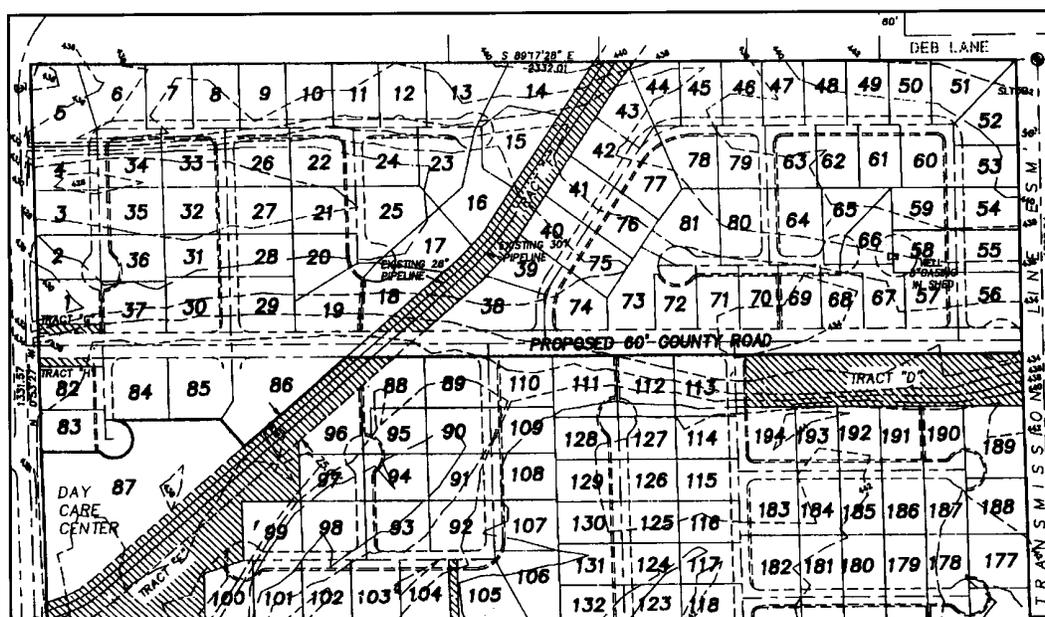


Plan Design and Review Requirements

Ideal Subdivision Layout Guidelines

- The entire easement width is reserved as an open-space trail.
- The easement identity is clear and easily marked.
- Crews can undertake emergency repairs quickly.
- The fewest possible landowners are affected by the easement, which reduces the chance of a "dig in."
- Routine maintenance and inspections are not hindered.

When the proposed development plans call for the dedication of the street/road right of way to the city, county or state, it is important to note Kern River's easement is superior to this action and the company's rights are not diminished.



Drawing of pipeline easement in subdivision

Subdivision Plans

- Kern River requires 90 business-days lead-time to review preliminary plans for impacts to the easement and to ensure all proposed improvements are designed in accordance with Kern River's Encroachment Specifications (see page 16).
- An open space trail, free of trees and other deep-rooted plants, is the ideal easement use. This land use reduces the opportunity for "dig ins." When this is not possible, lot division on either boundary of the easement is preferable to splitting the easement between lots. A lot division configured on top of the pipeline causes lot restrictions, because no fences can be built directly over the pipeline. Construction, maintenance and routine inspections can be disruptive to the landowner when the easement is split between lots.
- A Specific Encroachment Agreement is usually executed between Kern River and the developer/landowner to cover the new land use.
- Kern River representatives will work with your surveyors to stake the location of our pipeline facilities.

Street & Road Crossing Plans

- Kern River requires 90 business days to review proposed road-crossing plans. Additional review time may be necessary for proposed divided highways, interstate highways, parallel/coincidental roadways and other road construction projects that require pipeline modifications.
- The costs for any necessary pipeline modifications or relocations will generally be borne by the developer, state, county or city highway departments.
- Kern River must be given the opportunity to make a pipeline inspection prior to the start of road construction.
- When submitting road-crossing plans, provide a scope of work, description, and plan and profile drawings with your plans. Profiles are required to show depth of cover over each Kern River pipeline (existing and finished grade) and the clearance between Kern River's pipeline and any associated utilities. Include a location map showing the project site area, including sufficient geographical references, such as legal property lines, roads and appropriate deed information to the properties impacted.



Aerial view of an ideal easement in developed area

Encroachment Requirements

The following Kern River specifications are minimum requirements for most proposed encroachments to maintain the safety and reliability of the pipelines and to avoid conflicts with U.S. Department of Transportation regulations and existing right of way agreements. Additional requirements may be imposed, depending upon the scope of the proposed encroachment and the existing Kern River easement rights. For a review of your individual situation, please contact your local Kern River office.

General Requirements for Surface Alterations

- One-Call systems require 48 hours or two business-days notice prior to excavation activities. Check your local requirements. Notification is the law!
- No aboveground structures or appurtenances are to be located within the Kern River right of way.
- An authorized Kern River representative must be on site prior to and during any surface-disturbing work performed within the right of way. Kern River's representative will assist you in determining the location of the pipeline, the right of way width and existing cover over the pipeline.
- No cut or fill on the right of way is permitted without Kern River approval. Kern River may require submittal of plan and profile drawings for prior review and approval. All drawings must show, in detail, any nearby Kern River facilities and other features that will allow Kern River to determine the effects of the proposed construction or maintenance activity on its facilities.
- Kern River may request evidence of general liability and other appropriate and usual insurance prior to any activity and/or construction on or near Kern River's right of way. In the event of excavation above or below Kern River pipelines, Kern River must be named as an additional insured. Any rights of subrogation or recovery will be waived in favor of Kern River. The insurance limits, terms and conditions that may be required will be dependent on the specific facilities potentially impacted and what would be usually and prudently obtained in similar industry situations.
- All foreign lines crossing Kern River's right of way must be installed in accordance with all applicable codes and requirements governing such installations.
- All foreign lines will cross Kern River's right of way at an angle as close to 90 degrees as possible. No horizontal or vertical bends will be permitted in Kern River's right of way. Parallel occupancy of Kern River's right of way will generally not be permitted.
- Kern River pipelines are protected against corrosion by cathodic protection. At Kern River's request, metallic foreign lines that enter or cross Kern River's right of way must have test leads installed. In addition, Kern River personnel must be provided an opportunity to install test leads on Kern River's existing pipelines. All necessary measures (coatings, electrical bonds, etc.) will be taken to ensure the proposed pipe or utility is adequately protected from potential interference.
- All foreign lines crossing Kern River pipelines or related facilities will be installed with a minimum of 24 inches of clearance between the existing Kern River pipeline facilities and the proposed foreign line. The foreign line will be installed at a uniform depth across the full width of the Kern River right of way. Kern River may require foreign lines be installed under its existing pipelines and related facilities.
- Kern River may require foreign lines be identified with permanent aboveground markers where the lines enter and exit Kern River's right of way. It is the foreign line owner's responsibility to obtain any rights to install the markers, and to maintain the markers. A buried warning tape will be placed 12 to 18 inches above the foreign line and extend across the entire width of Kern River's right of way.
- In some cases, there is significant delay between the review of developer's plans and actual construction. If delays occur, all construction and maintenance activities are subject to Kern River's requirements in effect at the time the work actually takes place.

Fences

- Fences shall not be installed parallel to the pipeline within the Kern River easement.
- Fence posts will not be installed within 5 feet of any Kern River pipeline. In addition, Kern River may require fence posts installed within its right of way be hand dug.
- Kern River's easements generally guarantee the free right of ingress and egress. Kern River may require new fences have an access gate installed within the right of way at a location approved by Kern River.

Landscape Guidelines

- No trees or large, deep-rooted shrubs are permitted on the right of way.
- With prior approval from Kern River, some types of shrubs may be permitted on the right of way, provided the plantings do not interfere with the operation, maintenance and inspection of the pipeline and related facilities. Under no circumstances will mechanical equipment be allowed for planting of shrubs on the right of way.
- Kern River reserves the right to cut or remove plants and trees on the Kern River right of way as required in the operation, inspection and maintenance of its pipeline facilities. Kern River assumes no responsibility for any cost involved in the damage to or replacement of removed landscape plantings.
- All sprinkler or irrigation systems will require review by a Kern River representative.

Streets, Roads and Driveways

- Kern River must complete a preliminary engineering review for all highways, streets, roads and driveways proposed within the right of way. Any pipe casing, concrete slabs or other protection required by Kern River will be installed at no expense to Kern River. Kern River may require a pipeline inspection prior to construction.



- Access to the soil above the pipeline must be maintained for leak detection and cathodic protection surveys. In certain instances, Kern River may require leak detection access points through concrete or asphalt surfaces.
- The recommended minimum cover over Kern River's existing pipelines is 5.5 feet at all highways, streets, roads and driveways. The recommended minimum cover over Kern River's existing pipelines in adjacent ditches is 4 feet.
- Highways, streets, roads and driveways crossing Kern River pipeline facilities will cross at an angle as close to 90 degrees as possible. All crossings must be over straight pipe and at locations free of any pipeline crossovers. Parallel occupancy of the right of way will generally not be permitted.
- Kern River will retain the right to cut all highways, streets, roads and driveways within the existing right of way, and it will have no responsibility for restoration, loss of use or access or any other resulting damages.

Temporary Equipment Crossings

- To protect Kern River's pipelines from external loading, Kern River must perform an engineering evaluation to determine the effects of any proposed equipment use. Additional cover, mats, timber bridges or other protective materials deemed necessary by Kern River will be placed over Kern River facilities for the duration of any loading. Protective materials will be purchased, placed and removed at no cost to Kern River. The right of way must be restored to its original condition.
- Kern River may require markings to identify specific areas where equipment use is authorized.



Drainage, Impoundment of Water and Erosion Control

- Kern River may conduct a preliminary engineering evaluation for any proposed drainage channels or ditches within the right of way. Drainage channels or ditches must be adequately protected from erosion and provide a minimum of 3.5 feet of cover over the pipelines. Altering (clearing, re-grading or changing alignment of) an existing drainage channel or ditch requires approval from Kern River.
- Impoundment of water on the right of way is not permitted. Soil erosion control measures will not be installed within the right of way without prior Kern River approval.

Excavations and Blasting

- Plans for excavation on the right of way require prior approval by Kern River. No machine excavation will be performed within 3 feet of Kern River's pipelines. Kern River's on-site representative may require hand digging at a distance greater than 3 feet.
- When a backhoe is used, the bucket teeth will be curled under each time the bucket is brought back into the ditch to reduce the chance of the teeth contacting the pipeline. Kern River may require a bar be welded across the teeth and side cutters removed from the bucket.
- Prior to any plowing or ripping of soil on the right of way, your plans will be reviewed with your local Kern River representative to ensure proper cover exists.
- Kern River may require an engineering evaluation of all excavation activities which necessitate unsupported pipeline spans 10 feet in length or greater.
- Kern River may require a detailed blasting plan be submitted for review and authorization prior to any proposed blasting within a minimum distance of 200 feet of Kern River pipeline facilities. If deemed necessary by Kern River, the blasting contractor may be required to perform seismic monitoring.

Buried Communication (Telephone, TV, Data Transmission and Fiber Optic) and Buried Power Line Crossings

- All communications cables crossing Kern River facilities will be installed in rigid nonmetallic conduits for the full width of the right of way.
- All buried electric cables crossing Kern River facilities will be installed in rigid nonmetallic conduits for the full width of the right of way.
- Kern River may require additional protection, including concrete encasement or concrete caps.

Sanitary Sewer and Water Crossings

- All sewer lines and waterlines will be either (1) ductile iron or steel pipe (adequately protected from Kern River's cathodic protection system), or (2) plastic pipe installed in a rigid casing (minimum of Schedule 40) for the full width of the right of way. No piping connections will be allowed within 5 feet of any Kern River pipeline.

Combustible Material Lines

- All plastic combustible material lines will be installed in rigid casing (minimum of Schedule 40) for the full width of the right of way.
- Kern River may require steel combustible-material lines (adequately protected from Kern River's cathodic protection system) be installed under the existing Kern River pipeline facilities. In addition, Kern River may require additional protection for steel combustible material lines, including concrete encasement or caps.

Bored Crossings

- Kern River's existing pipeline facilities will be potholed to verify the location of the pipe prior to any proposed boring operations. Kern River may require submittal of both plan and profile drawings for appropriate review prior to any proposed boring operations.
- Kern River may require rigid casings (minimum of Schedule 40) for all bored crossings.
- Prior to any boring, inspection holes will be excavated to verify the depth of the bore as it approaches each pipeline. The contractor will provide and utilize instrumentation to locate the bore head.

Overhead Line Crossings

- Overhead line crossings will be installed with a minimum of 30 feet of vertical clearance above the Kern River right of way to provide adequate equipment clearance. No poles or appurtenances will be located on the Kern River right of way.
- Overhead line crossings will not be installed within 25 feet (measured horizontally to the nearest conductor) of any gas vent (e.g., relief valve, blow-down vent).
- Overhead lines will cross at an angle as close to 90 degrees as possible. Parallel occupancy of the Kern River right of way will not be permitted.

Disposal Systems

- No septic tanks, liquid disposal systems or hazardous waste disposal systems will be allowed on the right of way or within 25 feet of Kern River facilities. This prohibition includes, but is not limited to, facilities that have the potential of discharging effluent from sewage disposal systems, the discharge of any hydrocarbon substance, the discharge or disposal of any regulated waste, or any other discharge that may prove damaging or corrosive to Kern River facilities.



Permit No.
Date
One Call Ticket No.

ENCROACHMENT PERMIT

This Encroachment Permit is made and entered into on the date indicated below by and between the encroaching party ("PERMITTEE") and Kern River Gas Transmission Company ("KERN RIVER"), as set forth below, for the purpose of allowing PERMITTEE to construct or maintain an encroachment on KERN RIVER'S right of way or facilities. Facilities shall include, but are not limited to: fee properties, easements, pipelines, meter buildings, and valve sites.

PERMITTEE: _____ Landowner Name: _____

Name: _____ Line List No(s): _____

Address: _____

Phone: _____

Location of Encroachment: State: _____ County: _____ City: _____ District: _____

Line: # _____ Milepost: _____ Eng. Stations: _____ Section: _____ Township: _____ Range: _____

Line: # _____ Milepost: _____ Eng. Stations: _____ Section: _____ Township: _____ Range: _____

Description of Encroachment:

This permit is granted to PERMITTEE subject to the terms, requirements, conditions and any special provisions shown below and specifically in accordance with items(s):

_____ of the encroachment specifications shown on the reverse side of this form.

NOTICE: ANY DAMAGES TO KERN RIVER'S FACILITIES SHALL BE REIMBURSED BY PERMITTEE

- It is understood that the PERMITTEE will cause the encroachment at no expense to KERN RIVER. PERMITTEE shall be responsible for restoration of all disturbed land on KERN RIVER'S right of way caused by the construction or maintenance of said encroachment. PERMITTEE agrees to supply KERN RIVER plans and drawings, in detail, illustrating the proposed encroachment and KERN RIVER'S facilities, unless KERN RIVER elects not to require such plans.
- So that KERN RIVER may schedule its personnel – and not delay PERMITTEE'S work, PERMITTEE agrees to notify KERN RIVER 48 hours before any work commences on or near its right of way.
- This permit does not change or modify any provisions of KERN RIVER'S existing right of way contracts or easements. This permit shall be revocable at KERN RIVER'S sole discretion for safety reasons or for noncompliance of any terms, requirements, conditions, and specifications of this Permit upon written notice given to PERMITTEE and/or current owner of record. KERN RIVER shall not be liable for any costs or damages related to revocation of this permit.
- DISCLAIMER OF WARRANTY – KERN RIVER does not warrant the condition of its right of way or facilities nor their fitness or suitability for any particular purpose. Additionally, KERN RIVER does not warrant its right of way or facilities for subsidence, compaction or geotechnical stability of any kind.
- PERMITTEE hereby represents and warrants that it has or will obtain, prior to construction, all necessary agreements, approvals, authorizations, certificates, licenses, zoning and permits from any and all landowners and agencies, public and private, for the construction activities set forth herein.
- PERMITTEE agrees to save harmless KERN RIVER, its officers, agents, employees and its subcontractors and their officers, agents and employees from any and all claims for damages, injury or death resulting from the continuation and maintenance of said encroachment. A KERN RIVER representative must be present during all construction activities that may impact the pipeline facilities. PERMITTEE shall be liable for all costs incurred for any damages.
- PERMITTEE agrees that KERN RIVER may remove any encroachment, or portion thereof, if in KERN RIVER'S judgment it is reasonably necessary to do so in order to construct, alter, maintain, protect, repair or replace gas transmission facilities located within the right of way and easement. Should KERN RIVER remove any such encroachments, or portions thereof, KERN RIVER will not be liable to PERMITTEE or its successors or assigns for any damages resulting by reason of such removal, except for those damages arising out of the sole negligence of KERN RIVER.
- KERN RIVER may request evidence of general liability and other appropriate and usual insurance prior to any activity and/or construction on or near KERN RIVER rights of way. In the event of excavation under KERN RIVER pipelines, KERN RIVER must be named as additional insured. Any rights of subrogation or recovery will be waived in favor of KERN RIVER. The insurance limits, terms and conditions that may be required will be dependent on the specific facilities potentially impacted and what would be usually and prudently obtained in similar industry situations.

Special Provisions: _____

PERMITTEE

On this _____ day of _____, 20____, I acknowledge that I have received, and reviewed with a KERN RIVER representative, the requirements, conditions and specifications of this Permit. I also understand the provision and prescribed penalties as provided under the law regarding excavation.

By: _____

Title: _____

Your local KERN RIVER Contact is:

KERN RIVER

By: _____

Title: _____

DISTRIBUTION: WHITE – District PINK – Land GOLDENROD - Permittee

ENCROACHMENT SPECIFICATIONS

KERN RIVER GAS TRANSMISSION COMPANY, hereinafter called "KERN RIVER" is an interstate transporter of natural gas, which is regulated by the U.S. Department of Transportation Office of Pipeline Safety. The following specifications are designed to comply with applicable state and federal regulations to assure the safety of the public and to protect the pipeline.

The following specifications are minimum requirements for most proposed encroachments to avoid conflict with the existing easement rights. These are not the only types of activities permitted. Additional specifications may be required depending upon the proposed encroachments. Please contact the nearest KERN RIVER office to review your individual situation.

GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS

- A) Most states laws require 48 hours or two working-days notice be given to utility companies prior to beginning excavation. This may be accomplished by contacting a "One Call" or "Dig Alert" system (check your state). In states where advance notification call systems do not exist, please call (800) 272-4817, 48 hours before any work commences.
- B) KERN RIVER'S easement restricts the placement of a structure or any part of a structure within the right of way, except as may be expressly permitted herein.
- C) An authorized KERN RIVER representative must be on site during any work performed on or across the right of way.
- D) The KERN RIVER representative will determine the existing cover over the pipeline.
- E) Any change in the amount of existing cover material (soil) on and over the right of way must be approved in advance and shall be no less than that required by the U.S. Department of Transportation.

1) FENCES

- A) Fences shall not be installed parallel to the pipeline within the KERN RIVER easement. For fences installed across the right of way, the first post either side of the pipe shall be set 5 feet from the center of the pipeline in a hand dug hole.
- B) PERMITTEE shall provide access through or around fence(s) crossing the right of way to allow performance of normal right of way maintenance.
- C) Installer shall adhere to provisions A and C of GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.

2) LANDSCAPING (plantings that require excavating deeper than 1 foot)

- A) Flower beds and shrubs are permitted within the right of way, but may be damaged by required annual surveys, if planted directly over the pipeline. Heavy maintenance may require total clearing of the right of way.
- B) No trees or deep rooted shrubs are allowed within the easement.
- C) Lawns and vegetable gardens are acceptable.
- D) Provisions A and C of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS pertain to this type of planting.

3) STREETS, ROADS AND DRIVEWAYS

- A) Residential driveways intended for light vehicle access to a single family dwelling must have a minimum of 5.5 feet of cover over the pipeline or an alternative engineered solution.
- B) Driveways shall not run lengthwise within the right of way and must cross on an angle, which when measured between the proposed drive and the right of way is not less than 45 degrees.
- C) An opportunity for KERN RIVER to make a pipe inspection must be given prior to the start of any construction.
- D) Provisions A, C, D and E of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS pertain to driveway crossings.
- E) Street or road construction may require a specific encroachment agreement from the Right of Way and Land Department, and plans for such crossings shall be submitted 90 days prior to work commencement to allow time for project impact review by the local KERN RIVER office.

4) TEMPORARY EQUIPMENT CROSSINGS

- A) To protect KERN RIVER'S pipeline from external loading, KERN RIVER must perform an evaluation to determine the effects of any proposed equipment use. KERN RIVER reserves the right to approve or deny the use of certain types of equipment. Mats, timber bridges, or other protective materials deemed necessary by KERN RIVER shall be placed over KERN RIVER facilities for the duration of any loading. Protective materials shall be, purchased, placed, and removed at no cost to KERN RIVER. The right of way must be restored to its original condition.
- B) KERN RIVER may require markings to identify specific areas where equipment use is authorized.

5) OPEN WATERWAYS

- A) Open waterways smaller than 3 feet wide at the bottom are defined as "ditches" and must have a minimum of 3.5 feet of cover from the top of the pipe to the bottom of the ditch, or the ditch must be lined using an approved method and material. Larger open waterways are defined as "canals" and are considered on an individual basis.
- B) Anyone altering (clearing, regrading or changing alignment) a waterway must obtain approval from KERN RIVER prior to making changes and shall meet Provisions A and C of the GENERAL REQUIREMENTS FOR SURFACE ALTERATIONS.
- C) An opportunity will be provided for KERN RIVER to install casing and/or other structural protection prior to canal installation.

6) EXCAVATION

- A) Plans for any excavation on the right of way must be approved prior to commencing work. Excavating within 3 feet of the pipeline shall be done by hand until the pipeline is exposed and shall be done only in the presence of an authorized KERN RIVER representative. When excavating for crossing a ditch line, after the pipe has been exposed, the excavation equipment must be positioned such that it will not reach within 2 feet of the pipeline. Final stripping on sides and top of the pipeline shall be by hand.

- B) When a backhoe is used, the bucket teeth should be curled under each time it is brought back into the ditch to reduce the chance of teeth contacting the pipe.

GENERAL REQUIREMENTS FOR BURIED LINE CROSSINGS

- A) All buried lines crossing KERN RIVER'S right of way shall be installed in accordance with all applicable codes and requirements governing such installations.
- B) All foreign lines shall cross KERN RIVER'S right of way at an angle as close to 90 degrees as possible. Parallel occupancy of KERN RIVER'S right of way shall not be allowed unless specifically permitted by KERN RIVER.
- C) All buried lines should cross under the pipeline. However, when obstructions or unfavorable soil conditions are encountered, or when the KERN RIVER pipeline is located at a depth greater than 4 feet, approval to cross over the line may be granted.
- D) To avoid unexpected service interruptions of buried lines crossing over KERN RIVER pipeline, a minimum of 24 inches of cover (or local minimum required depth) must be provided over the crossing line.
- E) All buried lines crossing the KERN RIVER pipeline shall maintain a minimum separation of 24 inches between the two facilities, with the same depth carried across the entire right of way.
- F) A joint trench is the recommended method for multiple utility crossings. Under normal circumstances this requires that only one permit be obtained by the excavating company.
- G) No foreign appurtenances (meters, poles, drop boxes, collection basins, etc.) shall be located on the right of way, except as may be permitted.
- H) A buried warning tape shall be placed 12 to 18 inches above the crossing line and extend across the entire right of way, as a protective measure.
- I) An authorized KERN RIVER representative must be on-site during all excavation and clean-up work performed on the right of way.

7) COMMUNICATION LINES (TELEPHONE, TV, OTHER DATA LINES)

- A) Communication lines shall meet all provisions of the GENERAL REQUIREMENTS - BURIED LINE CROSSINGS
- B) Communication lines shall be encased in a rigid nonmetallic conduit across the full width of the right of way.
- C) Signs shall be placed by the encroaching party at each edge of the right of way to mark the underground cable angle and path of crossing.

8) POWER LINES

- A) Power lines shall meet all of the above GENERAL REQUIREMENTS - BURIED LINE CROSSINGS and shall be installed in accordance with the National Electrical Safety code.
- B) Power lines shall have minimum clearances between lines of 24 inches for 0 to 600 volts; 30 inches for 601 to 22,000 volts; 36 inches for 22,001 to 40,000 volts; and 42 inches for 40,001 volts and above.
- C) Power lines shall be encased in rigid nonmetallic conduit.
- D) Signs shall be placed by the encroaching party at each edge of the right of way to mark the underground cable angle and path of crossing. If the underground cable crosses above the pipeline, the signs shall so indicate.
- E) In the event a power line crosses over the pipeline, it will be necessary to cover the crossing in red dye concrete (6 inches thick) across the full width of the right of way.

9) SEWER AND WATER LINES

- A) Sewer and water lines shall meet all above GENERAL REQUIREMENTS - BURIED LINE CROSSINGS. Nonmetallic water lines are required.
- B) Sewer line crossings are limited to tight lines only.
- C) Septic tanks and drain fields are not permitted within the right of way.

10) SUBSURFACE DRAINAGE TILE (NONMETALLIC)

- A) Drainage tile shall meet provisions A, B, E, G, H and I of GENERAL REQUIREMENTS - BURIED LINE CROSSINGS.

11) METALLIC PIPE CROSSINGS

- A) All 4-inch and larger metallic pipes crossing KERN RIVER'S pipeline, or any metallic pipe transporting hazardous materials (petroleum, natural gas, etc.), shall have two cathodic protection test leads installed on the KERN RIVER pipeline(s) and two on the crossing pipe at the point of intersection.
- B) KERN RIVER personnel must install the leads on KERN RIVER'S pipeline(s) and, if necessary will install the leads on the crossing pipe.
- C) Metallic pipe crossings shall have a permanent protective coating for the full width of the right of way.

12) ABOVE GROUND LINE CROSSINGS

- A) Shall maintain a minimum of 30 feet of vertical clearance across the right of way.
- B) Shall have no poles or appurtenances located on the right of way.
- C) Above ground crossings shall not be above or closer than 25 feet horizontally to any gas escape vent (e.g., relief valve vent, station blow down vent, block valve vent, etc.).

13) BLASTING

- A) Blasting for grade or ditch excavation shall be utilized only after all other reasonable means have been used and are unsuccessful in achieving the required results.
- B) Blasting plans shall be submitted to KERN RIVER for approval at least four days prior to the anticipated start of any blasting activities.
- C) All blasting shall be done with the KERN RIVER authorized representative present.

One-Call Numbers



- Call the One-Call Center
- Wait for the site to be marked
- Respect all markings
- Dig with care

Southern California (800) 227-2600

Nevada (800) 227-2600

Utah (800) 662-4111

Wyoming (800) 849-2476

Remember, Call Before You Dig.





2755 East Cottonwood Parkway, Suite 300
Salt Lake City, UT 84121
(801) 937-6000 or (800) 420-7500