

Four (4) copies of the drawings must accompany this permit application

Permit Number \_\_\_\_\_  
CONTROL \_\_\_\_\_ SECTION \_\_\_\_\_

ENTERED IN COMPUTER FILE

INITIAL AND DATE

STATE OF LOUISIANA  
DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT  
**VEGETATION ENHANCEMENT PERMIT**

(Required by State Law) Rev 3/23

A copy of this permit shall be available at the site where and when work is performed.

Whereas \_\_\_\_\_,  
(Print or type name of applicant)

hereinafter termed applicant, requests a permit for the use and occupancy of the right-of-way of State Highway No. \_\_\_\_\_

in \_\_\_\_\_ Parish, located as follows:

from: \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_  
(distance from nearest intersecting point, road, or state highway)

to: \_\_\_\_\_ Lat: \_\_\_\_\_ Long: \_\_\_\_\_  
(distance from nearest intersecting point, road, or state highway) (in Decimal Degrees, e.g. Lat:-30.459, Long: -91.178 )

for the planting and/or removal, operation, and maintenance of the following described project:

\_\_\_\_\_

For Business visibility/vegetation clearing for outdoor advertising, a copy of the issued outdoor advertising permit and photos must be attached.

Estimated value of this project: \_\_\_\_\_

By signing this permit, applicant/permittee hereby acknowledges receiving a copy of the permit, the general conditions and standards, and the Specific Standards for the Planting and/or Removal of Vegetation, and agrees to comply with all provisions contained therein and all applicable laws, rules and regulations.

DOTD USE ONLY:

Permit is subject to Attachment A and the following conditions (use additional sheets as necessary):

\_\_\_\_\_

RECOMMENDED FOR APPROVAL  
(Check box if review required)

Permit must be signed by the owner or lessee of the property.  
Contractor may NOT acquire permit

District Permit Specialist / Date

(Signed)

Outdoor Advertising Specialist / Date

\_\_\_\_\_  
(Owner) (Date)

(Printed or Typed)

District Traffic Operation Engineer / Date

\_\_\_\_\_  
(Name of Person Signing Permit)

District Roadside Development Specialist / Date

\_\_\_\_\_  
(Title)

\_\_\_\_\_  
(Street or P.O. Box)

District ADA of Operations or Area Engineer / Date

\_\_\_\_\_  
(City or Town) (State) (Zip Code)

\_\_\_\_\_  
(Telephone Number)

Headquarters Landscape Architect Chief / Date

\_\_\_\_\_  
(E-mail Address)

Applicant must notify District Permit Specialist

At phone number: \_\_\_\_\_  
prior to beginning work and after work is completed.

DOTD APPROVAL:

Issue Date: \_\_\_\_\_

Expiration Date: \_\_\_\_\_

\_\_\_\_\_  
Headquarters Right-of-Way Permit Engineer / Date

The following general conditions and standards shall apply:

**FIRST:** That, the rights and privileges granted herein shall be nonexclusive and shall not be construed to be any broader than those expressly set out in Acts of the Legislature of the State of Louisiana, regardless of the language used in this permit and that any facilities placed on the highway right-of-way shall be placed in accordance with existing laws and the standards of the Department.

**SECOND:** That, all work performed thereto shall at all times be subject to inspection and the right is reserved to require such changes, additions, repairs, relocations and removal as may at any time be considered necessary to permit the relocation, reconstruction, widening and maintaining of the highway and to provide proper and safe protection to life and property on or adjacent to the highway, or in the interest of safety to traffic on the highway and that the cost of making such changes, additions, repairs and relocations shall be borne by the applicant, and that all of the cost of the work to be accomplished under this permit shall be borne by the permittee who agrees to hold the Department harmless therefor.

**THIRD:** That, the proposed vegetation or their maintenance shall not unreasonably interfere with the facilities or the operation or maintenance of the facilities of other persons, firms or corporations previously issued permits of use and occupancy, and the proposed facilities shall not be dangerous to persons or property using or occupying the highway or using facilities constructed under previously granted permits of use and occupancy; and that the Department's records of prior permits are available, it being the duty of the applicant to determine the existence and location of all facilities within the highway right-of-way.

**FOURTH:** That, data relative to the proposed location, relocation and design of vegetation as may be required by the Department shall be furnished to the Department by the applicant free of cost, and that the permit applicant shall make any and all changes or additions necessary to make the proposed vegetation thereto satisfactory to the Department.

**FIFTH:** The applicant shall indemnify and save harmless the Department, its officers, agents, employees, contractors and assigns against any and all costs, expenses, claims, losses, liabilities, demands, suits, causes of action, damages, and judgments of any sums of money to any party accruing against the Department, its officers, agents, employees, contractors and assigns, growing out of, resulting from, or by reason of the presence or operation of the proposed facilities or any act or omission of the applicant, its officers, employees, agents, contractors and assigns while engaged in, about, or in connection with the discharge or performance of the terms of this permit or the operation, maintenance and use of the proposed facilities, whether by the applicant or third parties. Such indemnification shall include, without limitation, attorney's fees, court costs, fines, penalties, legal, consulting, accounting, engineering, and other expenses. The applicant shall provide and bear the expenses of all personal, professional, or other applicable insurance related to its ownership and operation of the proposed facilities and its duties arising under the permit.

**SIXTH:** That, any permit granted by the Department is subject to revocation at any time.

**SEVENTH:** That, signing for warning and protection of traffic in instances where workmen, equipment or materials are in close proximity to the roadway surfacing, shall be in accordance with requirements contained in the Department's Manual on Uniform Traffic Control Devices. No vehicles, equipment and/or materials shall operate from, or be parked, stored or stock piled on any highway, median, or in an area extending from the outer edge of the shoulder of the highway on one side to the outer edge of the shoulder of the highway on the opposite side or in the median of any divided highway.

**EIGHTH:** That, the applicant is the owner of the facility for which a permit requested, and is responsible for maintenance of such: and any permit granted by the Department is granted only insofar as the Department had the power and right to grant the same.

**NINTH:** That, drainage in highway side and cross ditches must be maintained at all times. The entire highway right-of-way affected by work under a permit must be restored to as good a condition as existed prior to beginning work to the complete satisfaction of the Departments R/W Permit Engineer.

**TENTH:** That, cutting and trimming of trees, shrubs, etc., shall be in accordance with the Department's EDSM IV.2.1.6 and Vegetation Manual, as revised.

**ELEVENTH:** That, the applicant is responsible for maintenance of the cleared or thinned area.

**TWELFTH:** That, permits granted for vegetation removal will require mitigation in the form of replacement plantings.

**Vegetation permits will NOT be issued in any of the following circumstances:**

- (1) Clearing to provide visibility for outdoor advertising prior to, during sign placement, or where the sign has been in place less than five (5) years.
- (2) Removal of trees or other vegetation to provide visibility for outdoor advertising a distance greater than 500 feet from any outdoor advertising.
- (3) Clearing to provide visual access to a site before the proposed development's building's exterior shell has been completed.
- (4) Vegetation work is planned by the Department or other parties where construction on a proposed highway project is imminent within two (2) years.

**SPECIFIC STANDARDS FOR THE PLANTING AND/OR REMOVAL OF VEGETATION**

- A. Vegetation Enhancement
- (1) Attached plans to the application for a permit shall include the following:
    - (a) Nature of work to be done – (e.g., Clearing and removal of underbrush and thinning and removal of no more than (60%) of existing trees that are 6” in diameter and under.)
    - (b) A plan of the area and work to be performed.
    - (c) Digital photographs and a diagram of the affected area in accordance with EDSM No. IV.2.1.6
  - (2) Landscape Enhancement
    - (a) A plan shall be submitted with the permit to the Landscape Architect Chief for review, comments, and denial or approval. The plan shall be designed and stamped by a Landscape Architect, at no cost to the Department.
    - (b) A licensed Landscape Contractor, at no cost to the Department, shall perform enhancement plantings.
    - (c) The Louisiana Horticulture Commission, Department of Agriculture and Forestry, shall license the Landscape Architect and Landscape Contractor, hired by the permittee.
    - (d) The permittee, as a condition of the permit, shall accept and shall comply with all Louisiana Horticulture Laws, Rules, and Regulations.
    - (e) The permittee agrees to maintain and or replace any enhancement planting not living or seriously damaged for the life of the permit.
    - (f) Irrigation installations for an enhancement planting may be allowed and shall be covered by a separate vegetation permit.
  - (3) Trimming and Removal (Trees six (6) inches or greater on Interstate right-of-way)
    - (a) Trimming and removal of trees shall be performed by an ISA certified arborist and a licensed, bonded and insured tree service at no cost to the Department. No topping of trees will be allowed.
    - (b) The applicant shall not erect, or enter into an agreement with other parties to erect, outdoor advertising adjacent to the highway right-of-way for the location for which the permit is issued.
    - (c) Clearing to provide visibility for outdoor advertising may be permitted when the sign has been in place more than five (5) years.
    - (d) Trimming of trees for the movement of houses or other large moveable goods will be reviewed on a case by case basis.
- B. Significant Trees
- (1) Clearing of significant trees is prohibited.
  - (2) Trimming of significant trees may be allowed and shall be performed by an ISA certified arborist and a licensed, bonded and insured tree service at no cost to the Department. No topping of trees will be allowed.
- C. Access to the work area shall be from the main roadway or ramps or from the adjacent property as safety dictates. The permittee shall conduct his operation in accordance with DOTD Maintenance Traffic Control Handbook including appropriate traffic control devices. The disturbed access areas shall be restored to original condition upon completion of the work.
- D. Work will be performed only during regular daylight department hours, Monday through Friday excluding legal holidays. When a lane closure on a state highway is necessary, the Department shall ensure, whenever feasible, that such landscaping or maintenance work is not performed between the hours of 7:00 a.m. and 9:00 a.m. or between the hours of 3:00 p.m. and 6:00 p.m.
- E. Vegetation which has been cut shall not be left overnight within 30 feet of the travel lane or within highway right-of-way. No debris will be left over a weekend or holiday. No burning will be permitted on the highway right-of-way. Stumps shall be cut and ground flush with the ground and treated with an approved herbicide immediately after the stump is ground.
- F. The trees or other vegetation to be thinned, selectively removed, or removed and enhanced are a distance greater than 500 feet measured along the interstate from the intersection or the gore area, whichever is greater may be considered.

**ATTACHMENT A**

The applicant/permittee hereby acknowledges and agrees that the following, additional special conditions and standards shall apply:

**FIRST:** That, the applicant/permittee shall not conduct any activities within twenty (20) feet from the edge of travel lane without written authorization obtained by the LA DOTD.

**SECOND:** That, the applicant/permittee expressly shall not have the authority to close a lane, unless granted by the LA DOTD.

**THIRD:** That, for regularly scheduled maintenance, the applicant/permittee shall notify the LA DOTD in writing of any access to the right-of-way, at least fourteen (14) days in advance when such access is for regularly scheduled maintenance. Applicant/permittee acknowledges that the failure to comply with these notification requirements may result in permit revocation.

**FOURTH:** That, for emergency maintenance, the applicant/permittee shall notify the LA DOTD in writing of any access to the right-of-way as soon as is practically known, but in any event, at least concurrently with the emergency event. Applicant/permittee acknowledges that the failure to comply with these notification requirements may result in permit revocation.

**FIFTH:** That, the applicant/permittee's access to right-of-way shall be in compliance with all existing laws and regulations and shall not adversely impact traffic.

**SIXTH:** That, the applicant/permittee shall be responsible for all of LA DOTD's assets that are damaged or affected in any manner, and shall be required to restore the right-of-way and/or affected facility to the condition that it was previously in prior to access.