

Rule No.: 941 - 7501 - 03006

Agency: Mississippi Department of Transportation

Agency Effective Date: May 15, 2005

Agency Issued Date: March 8, 2005

Secretary of State Authority Date: May 15, 2005

Supercedes Rule:

Division: MAINTENANCE

Rule Title: Supplemental Forms for Clearing and Pruning of Trees and Other Vegetation for Construction and Maintenance of Utility Lines, Forms MND-755, MND-756, MND-757, MND-759 and MND-760

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**The person to be contacted regarding the proposed rule is:** Facility and Records Management Director

**Name of person originating the proposed rule:** John Vance

**Name of supervisor or person who approved the proposed rule:** Melinda McGrath

**Purpose:**

To establish a policy for attaching certain forms to applicable permits relative to clearing and pruning of trees and other vegetation for utility lines and for controlling vegetation along those lines.

**Summary:**

This rule establishes policy and lays out specific permit forms for use in clearing and pruning of trees and other vegetation for utility lines and for controlling vegetation along those lines.

**The full text of the proposed rule is:**

**All cites herein refer to the most current version of the cited document.**

GENERAL

- A. The following applicable permit forms are to be used for construction of utility lines on highway right of way:

Application for Permit to Construct Pipeline, Form MND-002.

Application for Permit to Construct Utility Lines Along or Across State Highways for Holder of Master Agreements, Form MND-003.

Application for Permit to Locate Certain Facilities on or to Perform Certain Work on State Highway Right of Way, Form MND-004.

- B. The following appropriate forms are to be attached to the applicable MND-002, MND-003 and/or MND-004 permit forms listed in Section A above to identify the limits of clearing and pruning of trees and other vegetation for utility lines:

Clearing and Pruning Limits for Parallel Above Ground Utility Lines for Electric Power Lines, Form MND-755.

Clearing and Pruning Limits for Above Ground Utility Highway Crossings for Electric Power Lines, Form MND-756.

Clearing and Pruning Limits for Underground Crossings and Parallel Utility Lines for Gas, Water, Sewer and Other Pipelines, Form MND-757.

Clearing and Pruning Limits for Underground Crossings and Parallel Utility Lines for Telephone and Other Communication Lines, Form MND-758.

- C. The following forms are to be used for maintaining undergrowth and other vegetation along utility lines by the use of herbicides:

Special Use Herbicide Permit, Form MND-759.

Herbicide Management Plan, Form MND-760.

Forms MND-759 and MND-760 are self-explanatory with the processing instructions listed in Rule 941-7501-03005, Clearing and Pruning of Trees and Other Vegetation for Utility Lines.

- D. All forms listed in Section B and C are included in this SOP.

#### REFERENCES:

1. 941-7501-03005, Clearing and Pruning of Trees and Other Vegetation for Utility Line.

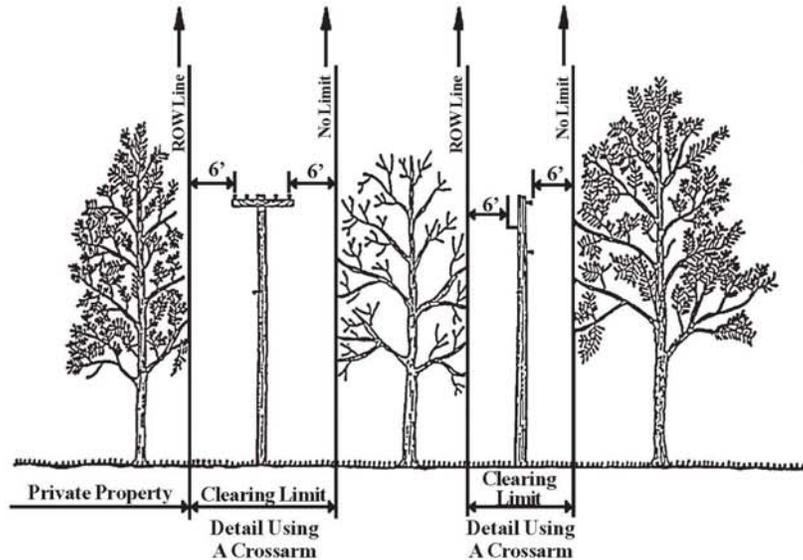
Mississippi Department of Transportation  
 Clearing and Pruning Limits For Underground Crossings and  
 Parallel Utility Lines For Gas, Water, Sewer And Other Pipelines

Application and Plan for Proposed \_\_\_\_\_  
 on Highway No. \_\_\_\_\_ in \_\_\_\_\_ County, as  
 submitted by \_\_\_\_\_ of \_\_\_\_\_

Sheet No. \_\_\_\_\_ of \_\_\_\_\_

Project No. \_\_\_\_\_

Permit No. \_\_\_\_\_



**NOTE:** Pruning will be permitted within approximately 6' of any wire. Where pruning is so extensive that it impairs the appearance or the future development of a tree the applicant may be granted a permit to remove the tree.

In case of a utility line to be located near the tree(s) such that the limbs would have to be trimmed back to the main tree trunk, the tree(s) shall be removed and the stump cut flush with the ground.

The clearing and pruning limits indicated on this form are the maximum widths of trees and other vegetation allowed to be removed. However, special cases may arise where additional clearing and pruning would be necessary to better fit field conditions. If so, the District Engineer or his/her authorized designee may allow an adjustment in the subject limits on a case by case basis. Any modification of the limits must be noted on the appropriate permit form(s).

MND-756

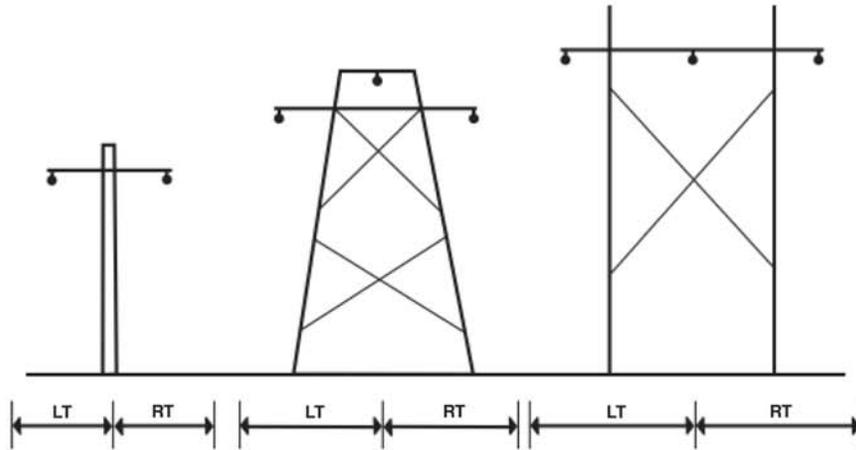
Mississippi Department of Transportation  
Clearing and Pruning Limits For Above Ground  
Utility Highway Crossings For Electric Power Lines

Application and Plan for Proposed \_\_\_\_\_  
on Highway No. \_\_\_\_\_ in \_\_\_\_\_ County, as  
submitted by \_\_\_\_\_ of \_\_\_\_\_

Sheet No. \_\_\_\_\_ of \_\_\_\_\_

Project No. \_\_\_\_\_

Permit No. \_\_\_\_\_



500 KV LINE CLEARING LIMITS  
230 KV LINE CLEARING LIMITS  
161 KV LINE CLEARING LIMITS  
115 KV LINE CLEARING LIMITS  
110 KV LINE CLEARING LIMITS  
69 KV LINE CLEARING LIMITS  
44 KV LINE CLEARING LIMITS  
23 KV LINE CLEARING LIMITS

100' RT. & LT.  
65' RT. & LT.  
50' RT. & LT.  
50' RT. & LT.  
40' RT. & LT.  
25' RT. & LT.  
25' RT. & LT.

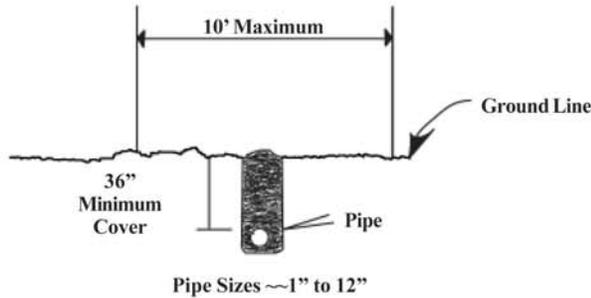
The clearing and pruning limits indicated on this form are the maximum widths of trees and other vegetation allowed to be removed. However, special cases may arise where additional clearing and pruning would be necessary to better fit field conditions. If so, the District Engineer or his/her authorized designee may allow an adjustment in the subject limits on a case by case basis. Any modification of the limits must be noted on the appropriate permit form(s).

MND-757

Mississippi Department of Transportation  
Clearing and Pruning Limits For Underground Crossings and  
Parallel Utility Lines For Gas, Water, Sewer And Other Pipelines

Application and Plan for Proposed \_\_\_\_\_  
on Highway No. \_\_\_\_\_ in \_\_\_\_\_ County, as  
submitted by \_\_\_\_\_ of \_\_\_\_\_

Sheet No. \_\_\_\_\_ of \_\_\_\_\_  
Project No. \_\_\_\_\_  
Permit No. \_\_\_\_\_



The clearing and pruning limits indicated on this form are the maximum widths of trees and other vegetation allowed to be removed. However, special cases may arise where additional clearing and pruning would be necessary to better fit field conditions. If so, the District Engineer or his/her authorized designee may allow an adjustment in the subject limits on a case by case basis. Any modification of the limits must be noted on the appropriate permit form(s).

MND-758

Mississippi Department of Transportation  
Clearing and Pruning Limits For Parallel Above  
Ground Utility Lines For Electric Power Lines

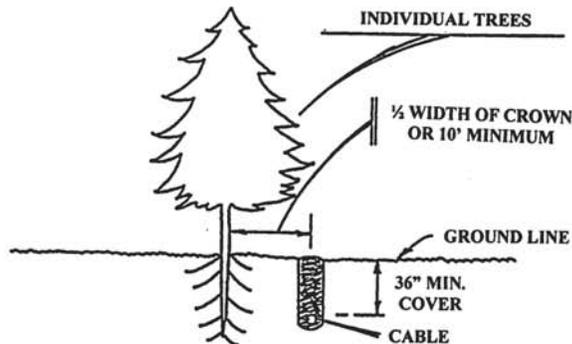
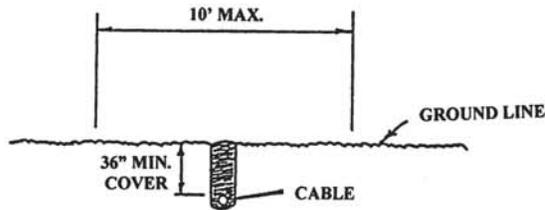
Application and Plan for Proposed \_\_\_\_\_  
on Highway No. \_\_\_\_\_ in \_\_\_\_\_ County, as  
submitted by \_\_\_\_\_ of \_\_\_\_\_

Sheet No. \_\_\_\_\_ of \_\_\_\_\_

Project No. \_\_\_\_\_

Permit No. \_\_\_\_\_

WOODED OR SEEDING AREAS  
OR  
OPEN OR SPARSELY WOODED AREAS



LOCATION OF UTILITY LINES AROUND INDIVIDUAL TREES

The clearing and pruning limits indicated on this form are the maximum widths of trees and other vegetation allowed to be removed. However, special cases may arise where additional clearing and pruning would be necessary to better fit field conditions. If so, the District Engineer or his/her authorized designee may allow an adjustment in the subject limits on a case by case basis. Any modification of the limits must be noted on the appropriate permit form(s).

**MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
SPECIAL USE HERBICIDE PERMIT**

This permit, number \_\_\_\_\_, is issued to and authorizes the employees and and/or agent(s) of \_\_\_\_\_ to enter upon highway right of way for the purposes of spraying, and/or applying herbicides to control vegetation that could adversely affect utility lines subject to the following rules and regulations:

1. The APPLICANT does hereby covenant and agree to indemnify and hold harmless the MISSISSIPPI TRANSPORTATION COMMISSION and the MISSISSIPPI DEPARTMENT OF TRANSPORTATION from and against any claims, actions, suits, causes or demands, including court costs and reasonable attorneys' fees, proximately resulting from acts or omissions of the APPLICANT, or APPLICANT'S servants, agents or employees in the construction and maintenance of all facilities outlined under this permit application.
2. The applicant will file with the Department's applicable District office, a Certificate of Insurance indicating ownership of liability insurance coverage against bodily injury, death and property damage in the minimum amount of \$100,000 against bodily injury or death of one person in any one accident, a minimum of \$300,000 against bodily injury or death of two or more persons in any one accident, and not less than \$50,000 for any property damage to the right of way or facilities thereon.
3. The applicant shall submit a Performance Bond, Form MND-603, and Agreement, Form MND-012, to the District Engineer. The amount of the Performance Bond, (\$5000 min.), shall be determined by the District Engineer based upon the proposed work.

The Performance Bond is to be payable to the "Mississippi Transportation Commission" and is to run concurrently with the permit; and said bond shall be forfeited to the Commission in the event of either:

- (a) A violation of the conditions and regulations as listed herein; **OR**
  - (b) Upon failure of applicant, as the result of their vegetation control operations, to leave the work site in an acceptable condition as defined in Rule 941-7501-03005, Clearing and Pruning of Trees and Other Vegetation for Utility Lines.
4. Both the certificate of insurance required in Paragraph 2 and the Performance Bond required in Paragraph 3 must be either issued or countersigned by a Resident Mississippi Agent.
  5. At any location, the Department has the right to reject a request for chemical vegetation control if it will create severe erosion problems, open up unsightly views from the right of way or create adverse environmental and/or public reactions.

6. The applicant or agent(s) shall not impede traffic of the highway in performing the work. The applicant or agent(s) accepts the responsibility for the safety of the traveling public and his/her workers and agrees to furnish, place and maintain traffic control devices, if required, in accordance with Part 6 of the Manual on Uniform Traffic Control Devices for Streets and Highways (MUTCD), Current Edition, as a minimum.
7. The applicant or agent(s) shall not chemically spray vegetation whose height exceeds ten (10) feet. Exceptions to the requirement must be approved by the District Engineer and State Maintenance Engineer.
8. Aerial spraying will be considered by the Department on a case by case basis. If permitted, the applicant or agent(s) shall forward to the District Engineer, for his/her review, complete details on the method(s) to be used and equipment involved in the aerial spraying operation.
9. The applicant or agents(s) ***must*** comply with the label for the herbicides used as a part of this permit.
10. The applicant or agents(s) shall not spray a herbicide over water unless it is permissible by the manufacturer's label.
11. The applicant or agent(s) must submit to the Department proof of certification or license to apply herbicides in Mississippi.
12. The permit will begin on \_\_\_\_\_ and expire on \_\_\_\_\_ unless cancelled, suspended, or revoked prior to the expiration date. It is agreed that this permit is void if the proposed work is not completed within the specified time period.
13. The applicant shall complete a Herbicide Management Plan, Form MND-760, for each county in which the applicant or agent(s) will be spraying and/or applying herbicides on highway right of way. The applicant shall submit the required documents to the appropriate District Engineer or his/her designee for their review and, if acceptable, will forward the documents to the State Maintenance Engineer for approval and distribution. Upon receipt of an approved permit, the applicant or agent(s) must notify the appropriate District Engineer or his/her designee at least twenty-four (24) hours prior to beginning work.

Issued at Jackson, Mississippi this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_

Chief Engineer

BY: \_\_\_\_\_

State Maintenance Engineer

MND-760

MISSISSIPPI DEPARTMENT OF TRANSPORTATION  
HERBICIDE MANAGEMENT PLAN

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APPLICANT: \_\_\_\_\_ PERMIT NUMBER\*: \_\_\_\_\_

APPLICANT'S ADDRESS: \_\_\_\_\_

COUNTY(S): \_\_\_\_\_

ROUTE(S): \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TELEPHONE # \_\_\_\_\_

AGENT'S NAME: \_\_\_\_\_ CONTACT PERSON: \_\_\_\_\_ TELEPHONE # \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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HERBICIDE TRADE NAME: \_\_\_\_\_ ACTIVE INGREDIENT: \_\_\_\_\_ EPA REGISTRATION: \_\_\_\_\_

TARGET VEGETATION: \_\_\_\_\_

APPLICATION RATE: \_\_\_\_\_ FORM APPLIED: \_\_\_\_\_

APPLICATION EQUIPMENT: \_\_\_\_\_

APPLICATION DATES: \_\_\_\_\_ TO \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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HERBICIDE TRADE NAME: \_\_\_\_\_ ACTIVE INGREDIENT: \_\_\_\_\_ EPA REGISTRATION: \_\_\_\_\_

TARGET VEGETATION: \_\_\_\_\_

APPLICATION RATE: \_\_\_\_\_ FORM APPLIED: \_\_\_\_\_

APPLICATION EQUIPMENT: \_\_\_\_\_

APPLICATION DATES: \_\_\_\_\_ TO \_\_\_\_\_

COMMENTS: \_\_\_\_\_

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ISSUED AT JACKSON, MISSISSIPPI, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
DISTRICT ENGINEER

\_\_\_\_\_  
STATE MAINTENANCE ENGINEER

\* PERMIT NUMBER ASSIGNED BY MDOT

PAGE 1 OF \_\_\_\_\_

**HERBICIDE MANAGEMENT PLAN-ADDITIONAL PAGES, IF NEEDED**  
**MND-760-PERMIT NUMBER** \_\_\_\_\_

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HERBICIDE TRADE NAME: \_\_\_\_\_ ACTIVE INGREDIENT: \_\_\_\_\_ EPA REGISTRATION: \_\_\_\_\_  
TARGET VEGETATION: \_\_\_\_\_  
APPLICATION RATE: \_\_\_\_\_ FORM APPLIED: \_\_\_\_\_  
APPLICATION EQUIPMENT: \_\_\_\_\_  
APPLICATION DATES: \_\_\_\_\_ TO \_\_\_\_\_  
COMMENTS: \_\_\_\_\_  
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