



APPLICATION AND AGREEMENT FOR USE OF HIGHWAY RIGHT-OF-WAY FOR UTILITIES ACCOMMODATION

Form 810025 (01-14)

FOR OFFICIAL USE ONLY

Permit Number <u>604-2016-002</u>	Highway Number <u>US 18</u>	County <u>LYON</u>
DOT Project Number <u>EA-542C</u>		Expiration/Completion Date

APPLICANT (INDIVIDUAL OR COMPANY)		
First Name	Middle	Last Name
Company Name Dakota Access, LLC		
Street Address 1300 Main Street		
City/Town Houston	State TX	ZIP Code 77002
Phone Number	Ext.	Phone Number 713.989.2861
Ext.		

INSTALLATION TO BE ACCOMMODATED
Approval is hereby requested to enter within the state highway right-of-way for the accommodation of a utility installation as detailed on the attachments and further described as follows:

The installation shall consist of:
The pipeline is a 30 inch Crude Oil line that is to be installed, operated and maintained by Dakota Access, LLC. The pipeline installation (road crossing) will be performed via the bore and jack method. The bore and jack method is a technically advanced process involving specialized equipment and skilled operators. The bore size will be around the same size as the nominal pipe and 101 feet in length

and shall be located as shown on the detailed plan attached hereto. (See current Iowa Department of Transportation Utility Accommodation Policy for submittal of detailed plan requirements.)

WORK SITE LOCATION

The proposed work as described above is located in Section 13 & 24, Twp. 98 North
Range 48 West on Highway No. 18 generally located 0.19 (miles) West
(direction) from Cherry Avenue (city, county line, or other land line). Work proposed is more
specifically located as being from 3.90 (Milepost #) and 207+66 to 207+64 (Highway Station)
to 3.90 (Milepost #) and 207+64 (Highway Station) on the _____ side of highway.

Applicant Signature and Agreement

I have read this Agreement, understand its provisions, and agree to abide by it and the utility accommodation policy of the Iowa Department of Transportation

Name of Agent (Print or Type) Rick Hoyer	Agent/Owner (Signature) 	Title Land & ROW Manager
Name of Owner (Print or Type) Dakota Access, LLC		Date 7.10.2015

CITY ACTION (IF PROPOSED WORK IS WITHIN AN INCORPORATED CITY, CITY ACTION IS REQUIRED)

"The undersigned city joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned city and recommends action on said permit application as noted below by the delegated city official".

Recommend Approval Do Not Recommend Approval None Required

Handwritten Signature	Title	Date
Type or Print Name		Authorized Official for the City of

COUNTY ACTION (IF PROPOSED WORK CROSSES COUNTY RIGHT-OF-WAY, COUNTY ACTION IS REQUIRED)

"The undersigned county joins in the grants embodied in the above permit executed by the Iowa Department of Transportation on condition that all of the covenants and undertakings therein running to the Iowa Department of Transportation shall inure to the benefit of the undersigned county and recommends action on said permit application as noted below by the delegated county official".

Recommend Approval Do Not Recommend Approval None Required

Handwritten Signature	Title	Date
Type or Print Name		Authorized Official for the County of

(DOT/HWA Signatures and Agreements on next page)

FOR DEPARTMENT USE ONLY

Special Requirements - in addition to the stipulations below, the following special requirements shall apply to this permit:

See Attachment

FEDERAL HIGHWAY ADMINISTRATION ACTION (WHEN REQUIRED)

Recommend Approval Do Not Recommend Approval None Required

Authorized FHWA Representative Signature

Date

DEPARTMENT OF TRANSPORTATION FINAL ACTION

Application Approved Application Denied

Permit Number:

Authorized Highway District Representative

Signature

Date

Pant Kharben

Notice of intention to start construction or maintenance activities on the highway right-of-way shall be made to:

Local DOT Contact Person (Type or Print Name)

Phone Number

Street Address

City/Town

State

ZIP Code

I/A

AGREEMENTS

The utility company, corporation, applicant, permit holder or licensee, (hereinafter referred to as the Permit Holder) agrees with the Iowa Department (hereafter referred to as Department) that the following stipulations and those special requirements as listed on this page shall govern under this permit.

A. General

1. The installation shall meet the requirements of local municipal, county, state, and federal Iowa franchise rules and regulations, regulations and directives of the Iowa State Commerce Commission; the Department of Natural Resources, all rules and regulations of the Department; and any other laws or regulations applicable.
2. The Permit Holder shall be fully responsible for any future adjustments of the facilities within the established highway right-of-way caused by highway construction or maintenance operations.
3. Non-compliance with any of the terms of the Department's policy, permit or agreement, may be considered cause for shut-down of utility construction operations or withholding of relocation reimbursement until compliance is assured, or revocation of the permit. The cost of any work caused to be performed by the State in removal of non-complying construction will be assessed against the Permit Holder.
4. The work described in this permit shall be completed as proposed in compliance with the stipulations and special requirements within one year from the date Department approval is received for said request. Failure on the part of the Permit Holder to abide by the stipulations or in constructing the work described as stipulated and within the time frame stated shall render this agreement and request null and void. The Permit Holder also agrees to save the State of Iowa and the Department harmless of any damages or losses that may be sustained by any person, or persons, on account of the conditions and requirements of this agreement.

B. Construction and Maintenance

1. The location, construction and maintenance of the utility installation covered by this application shall be in accordance with the current Department's Utility Accommodation Policy.
2. Before beginning any work in the highway right-of-way, it is the responsibility of the Permit Holder to obtain an easement from the drainage district if necessary. The Department assumes no responsibility for advising the Permit Holder of each location of a drainage district crossing. It is the Permit Holder's responsibility to locate these crossings and obtain any necessary easements or permission from the drainage district. See Code of Iowa, Chapter 468 for additional information.
3. A copy of the approved permit shall be available on the job site at all times for examination by Department officials.
4. All traffic control including sign placement and flagging are the responsibility of the Permit Holder. The original placement of signs and their removal upon completion of the work shall be accomplished by the Permit Holder.
5. Operations in the construction and maintenance of said utility installation shall be carried on in such a manner as to cause minimum interference to or distraction of traffic on said highway.
6. After November 24, 2008, all personnel in the highway right-of-way shall wear ANSI 107 Class 2 apparel at all times when exposed to traffic or construction equipment.

C. Liability

1. The Permit Holder shall indemnify and save harmless the State of Iowa, its agencies and employees, from any and all causes of action, suits at law or in equity, for losses, damages, claims or demands, and from any and all liability and expense of whatsoever nature, arising out of or in connection with the Permit Holder's use or occupancy of the public highway.
2. The state of Iowa and the Department assume no responsibility for damages to the Permit Holder's property occasioned by any construction or maintenance operations on said highway if Permit Holder has been notified in accordance with stipulation number D.3. or if the facilities are not located in accordance with this permit.
3. The State of Iowa, its agencies or employees, will be liable for expense incurred by the Permit Holder in its use and occupancy of the highway right-of-way only when negligence of the State, its agencies or employees, is the sole proximate cause of such expense. Whether in contract, tort or otherwise, the liability of the State, its agencies and employees, is limited to the reasonable, direct expense to repair damaged utilities, and in no event will such liability extend to loss of profits or business, indirect, special, consequential or incidental damages.

D. Notification

1. The Permit Holder is responsible for contacting Iowa One-Call (1-800-252-8989) and request the location of any underground utilities forty-eight (48) hours before excavation. Before beginning work in the highway right-of-way, the Permit Holder shall also contact any other known utility located in the area of the proposed work.
2. The Permit Holder agrees to give the Department forty-eight hours notice of its intention to start construction or to perform routine maintenance on the highway right-of-way. Said notice shall be made to the contact person whose name is shown on this page.
3. The Department shall give the Permit Holder at least forty-eight hours notice of any proposed construction or maintenance work, on either existing or newly acquired right-of-way when the proposed work will be ten feet of a utility location as previously approved by the Department by permit or written agreement. The Permit Holder shall be responsible within this time frame to arrange to protect its facilities.

Disclosure Statement: The information furnished on this form will be used by the Department of Transportation to determine approval or denial of the application. Failure to provide all information will result in denial of the application. Information furnished is public information and copies may be provided to the public upon request.

Special Requirements

Minimum depth/cover to be 5 feet of cover within the ditches as measured from the top of pipe.

No open cuts will be allowed within the right of way.

Only clean material shall be used in the right of way.

Proper drainage shall be maintained at all times. All erosion control that is placed within the right of way shall be maintained. Vegetation shall be restored after completion and it will be the contractor's responsibility to remove any obstructions in the right of way placed by the contractor.

All disturbed areas shall be restored to the IDOT's requirements and satisfaction.

No equipment or material shall be stored in the right of way during non-working hours.

No parking shall be allowed on the shoulders of the roadway.

All access to the work site shall be from approved designated areas by the IDOT.

All crossings shall be constructed as approved by the IDOT.

Crossings of the highway shall be during daylight hours when visibility is clear.

Proper Traffic Control is to be done t all times in accordance to the MUTCD.

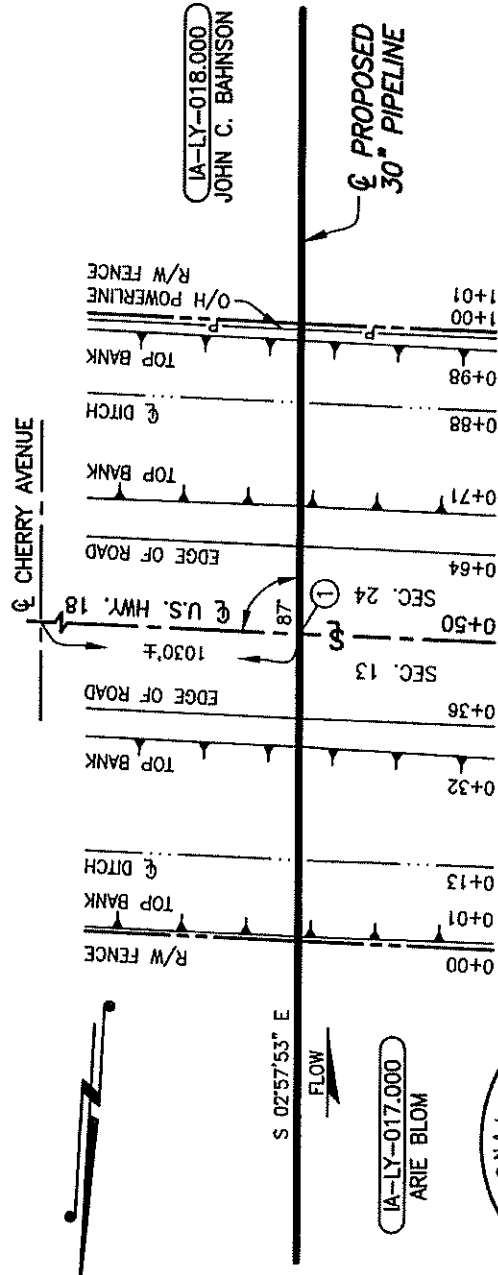
Applicant is responsible to notify 511 in advance of highway crossings.

The highway surface shall be kept clean and free of debris at all times.

Applicant is responsible for all highway crossing damages that may occur, repairs shall be done under the direction and satisfaction of the IDOT in a timely manner.

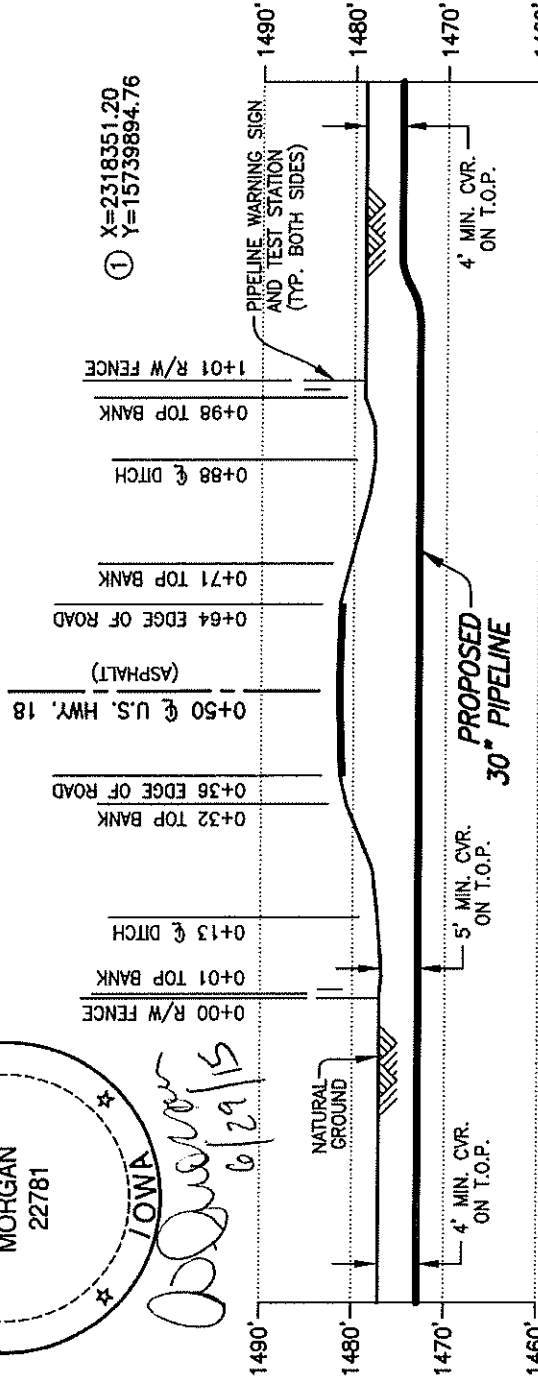
LYON COUNTY, IOWA

SECTIONS 13 & 24, TOWNSHIP 98 NORTH, RANGE 48 WEST



PLAN
SCALE: 1"=30'

PROFESSIONAL ENGINEER
WADE A. MORGAN
22781
IOWA
W. Morgan
6/29/15



PROFILE
SCALE: 1"=30' HORIZ.
1"=20' VERT.

PIPE SPECIFICATIONS
PIPE 30" O.D. x 0.625" W.T.
API 5LX-70 DSAW
COATING: FBE W/ARO
SERVICE: CRUDE OIL
INSTALLATION: BORE
MIN TEST PRESSURE: 1,800 PSIG
MOP: 1,440 PSIG
MIN. YIELD STRENGTH: 70,000 PSI

NOTES:
CVR. = COVER
T.O.P. = TOP OF PIPE

DATUM:
ALL ELEVATIONS DERIVED FROM GPS OBSERVATIONS (GEOID 2012, NAVD 88) BEARINGS BASED ON UTM ZONE 14 NORTH AMERICAN DATUM 1983. U.S. SURVEY FEET
T.B.M.: ϕ U.S. HIGHWAY 18 AT STA. 0+50, ELEV. 1481.74'

C	06/30/15	MP	ISSUED FOR USE/PERMIT	AJC	
B	04/13/15	SR	ISSUED FOR USE/PERMIT	AJC	
A	11/21/14	GMM	ISSUED FOR REVIEW	AJC	
REV.	DATE	BY	DESCRIPTION	CHK	

PROJECT NO. 10395700
WOOD GROUP MUSTANG, INC.
LYON COUNTY
DAKOTA ACCESS, LLC
PROPOSED 30" DAPL PIPELINE CROSSING U.S. HIGHWAY 18
IOWA



DRAWN BY: GMM
CHECKED BY: AJC
SCALE: AS SHOWN

DATE: 11/04/14
DATE: 11/18/14
APP.: WAM

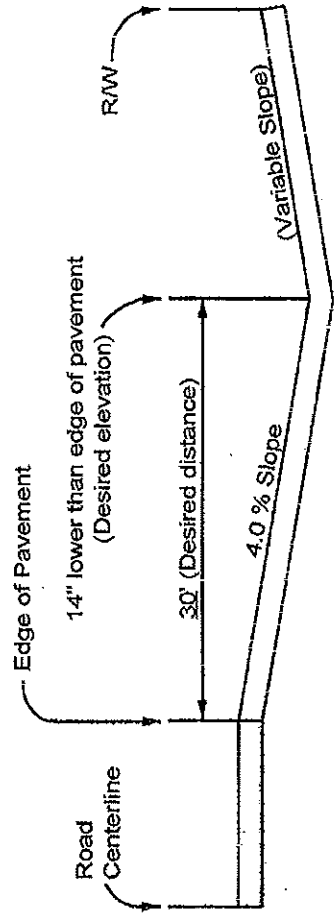
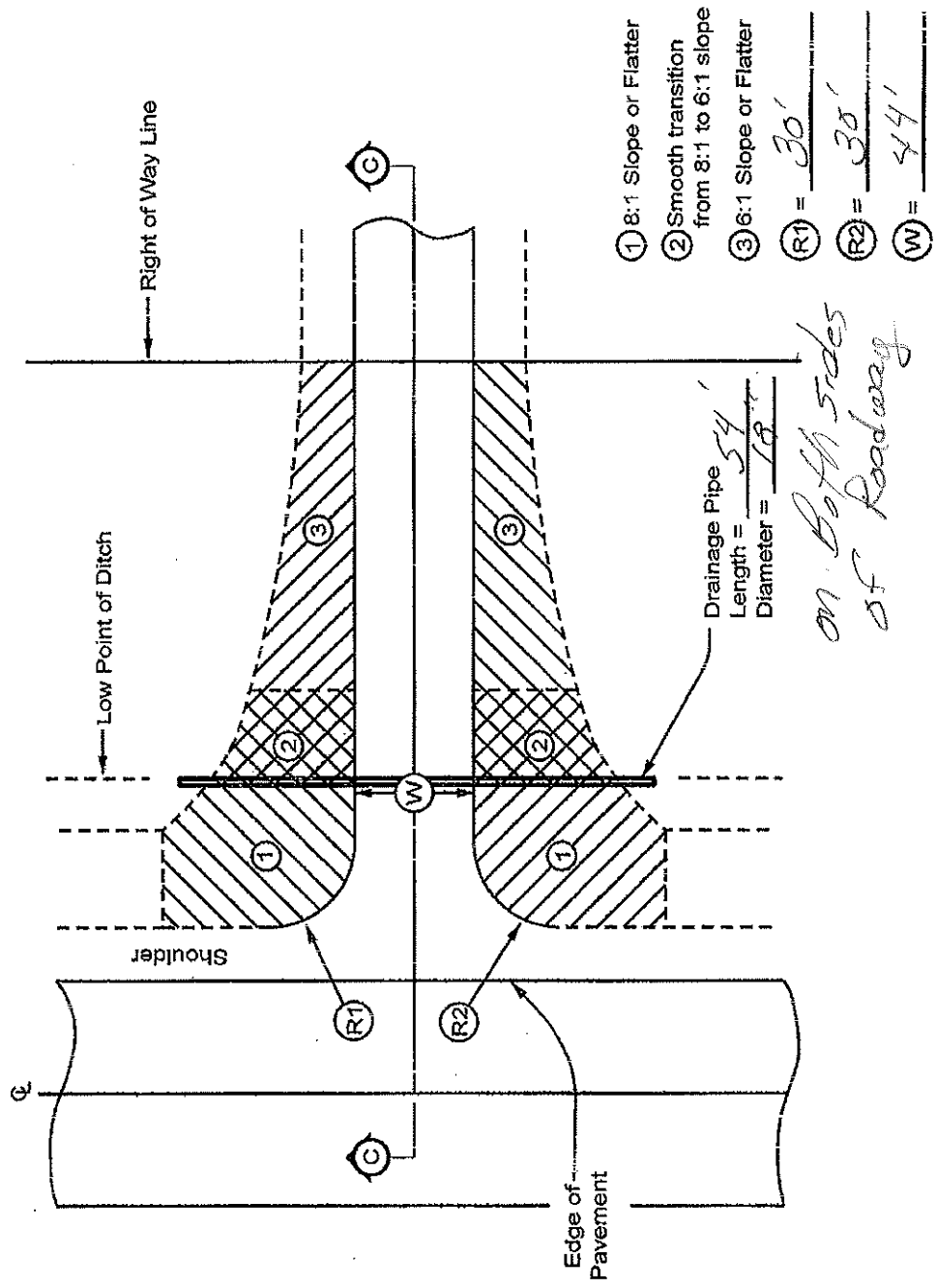
DWG. NO. IA-LY-017.900
REV. C

TYPICAL ACCESS DETAIL

Page 1 of 1

RURAL DESIGNED AREA
GRANULAR ENTRANCE
CULVERT REQUIRED

Permit No. LD4-2016-002

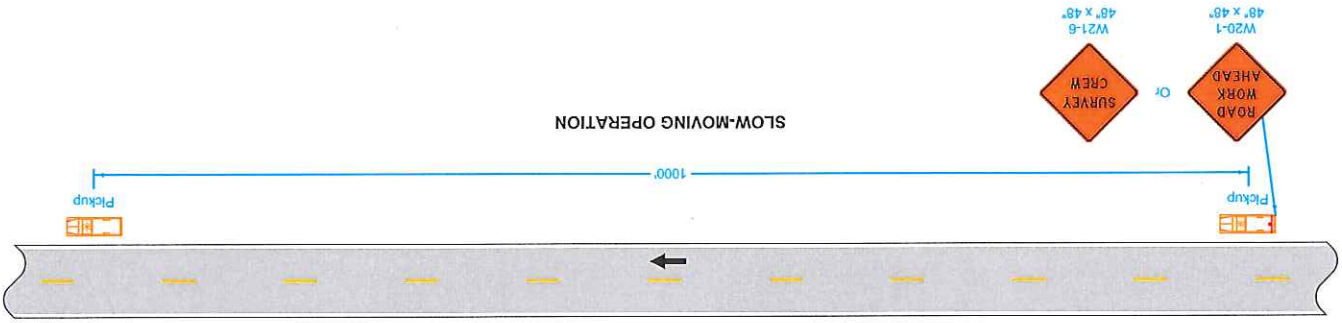


SECTION C - C

LEGEND

→ Direction of Traffic

↑ Traffic Sign



SLOW-MOVING OPERATION

VEHICLE STOPPED ON SHOULDER FOR LESS THAN ONE HOUR

1000'

Pickup

Pickup

48" x 48"

48" x 48"

W21-6
SURVEY
CREW

W20-1
ROAD
WORK
AHEAD

WORK NOT AFFECTING TRAFFIC
(TWO-LANE OR MULTI-LANE)

APPROVED BY DESIGN METHOD ENGINEER

J. Danna, M.S.E.

REVISIONS: Modified note concerning amber Vehicle Warning Light.

SHEET 1 of 1

STANDARD ROAD PLAN

Iowa Department
of Transportation

TC-1

2

04-16-13

REVISION

Possible Contract Item:
Traffic Control

Do not allow work to interfere with the flow of traffic.
When parked, locate vehicles as far from the open traffic
lane as possible. Entrances and driveways should be used
whenever appropriate.
Equip all vehicles with an amber revolving light or amber
strobe light.

① For work lasting longer than one hour, refer to TC-202 or
TC-402.

**WORK WITHIN 15 FT
OF TRAVELED WAY**

APPROVED BY DESIGN METHODS ENGINEER
Sharon J. Smith

REVISIONS: Modified general notes, changed title and replaced the DOT logo in the title block with the new version.

STANDARD ROAD PLAN

TC-202

REVISION 8 DATE 04-21-15

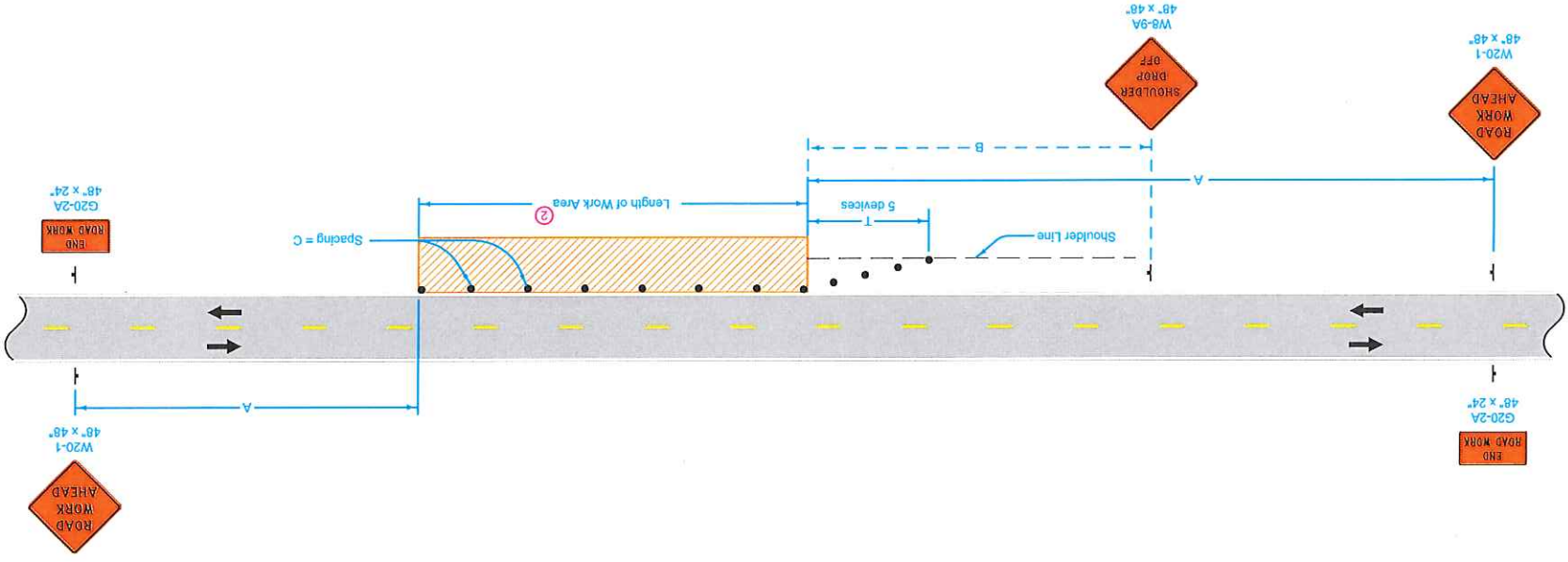
Possible Contract Item:
Traffic Control

- ① When the length of a pavement edge drop-off is 1000 feet or less, the temporary fill requirement of Article 1107.08 of the Standard Specifications does not apply. Reduce channelizer spacing to 40 feet. For work areas less than 200 feet long, use channelizers spaced at 20 foot centers or use a vehicle with an amber revolving light or amber strobe light.
 - ② For work areas less than 200 feet long, use channelizers spaced at 20 feet.
- When a pavement edge drop-off exists, install a SHOULDER DROP-OFF sign.
- No pavement edge drop-offs greater than pavement depth will be allowed during non-working hours.
- Shoulder edge drop-offs shall be mitigated according to Article 1107.08.L2 of the Standard Specifications.
- For work lasting less than one hour, refer to TC-1.

SPEED LIMIT (mph)	A	B	C	T
50 or greater	1000'	500'	100'	200'
40 - 45	700'	350'	80'	200'
35 or less	500'	250'	40'	100'

LEGEND

- Direction of Traffic
- ▨ Work Area
- 42" Channelizer
- ⊥ Traffic Sign



Possible Contract Item:
Traffic Control

SPOT LOCATION LANE CLOSURE WITH FLAGGERS

APPROVED BY DESIGN METHOD ENGINEER
Deanna Mayfield

REVISIONS: Modified circle note 1.

SHEET 1 of 1

TC-212

4 04-16-13

REVISION

Iowa Department of Transportation

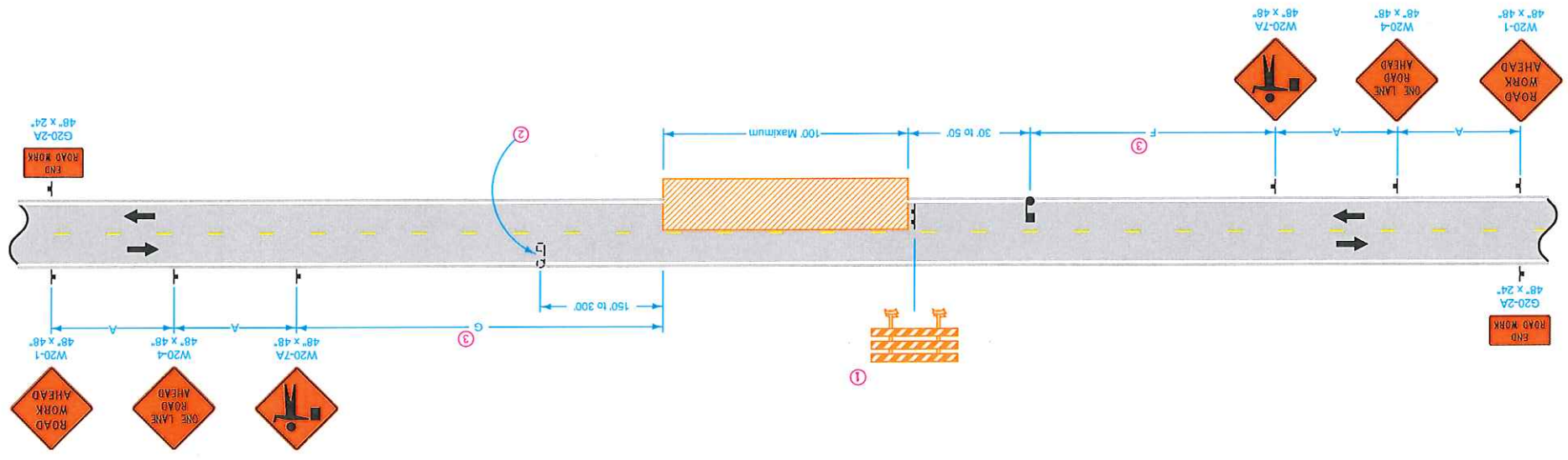
Possible Contract Items:
 Flaggers
 Traffic Control

- ① A vehicle with an amber revolving light or amber strobe light may be substituted for the Type III barricade.
- ② Provide a second flagger if:
 The flagger's view of approaching traffic in the open lane is less than 1/4 mile or the work site is in an area of restricted sight distance (such as a "No Passing" zone); or
 Excessive traffic delays are encountered.
- ③ F and G distances are to remain as near minimum values as work permits. However, to be able to move the work area without moving the advance signing, F and G distances may be varied within the limits of the table. Maximum movement can be achieved by setting one F or G value at the minimum and the other value at its maximum.

SPPEED LIMIT (mph)	F and G Range	F + G Max.
50 or greater	500'	4000'
40 - 45	350'	3700'
35 or less	250'	3500'
	250'-3250'	

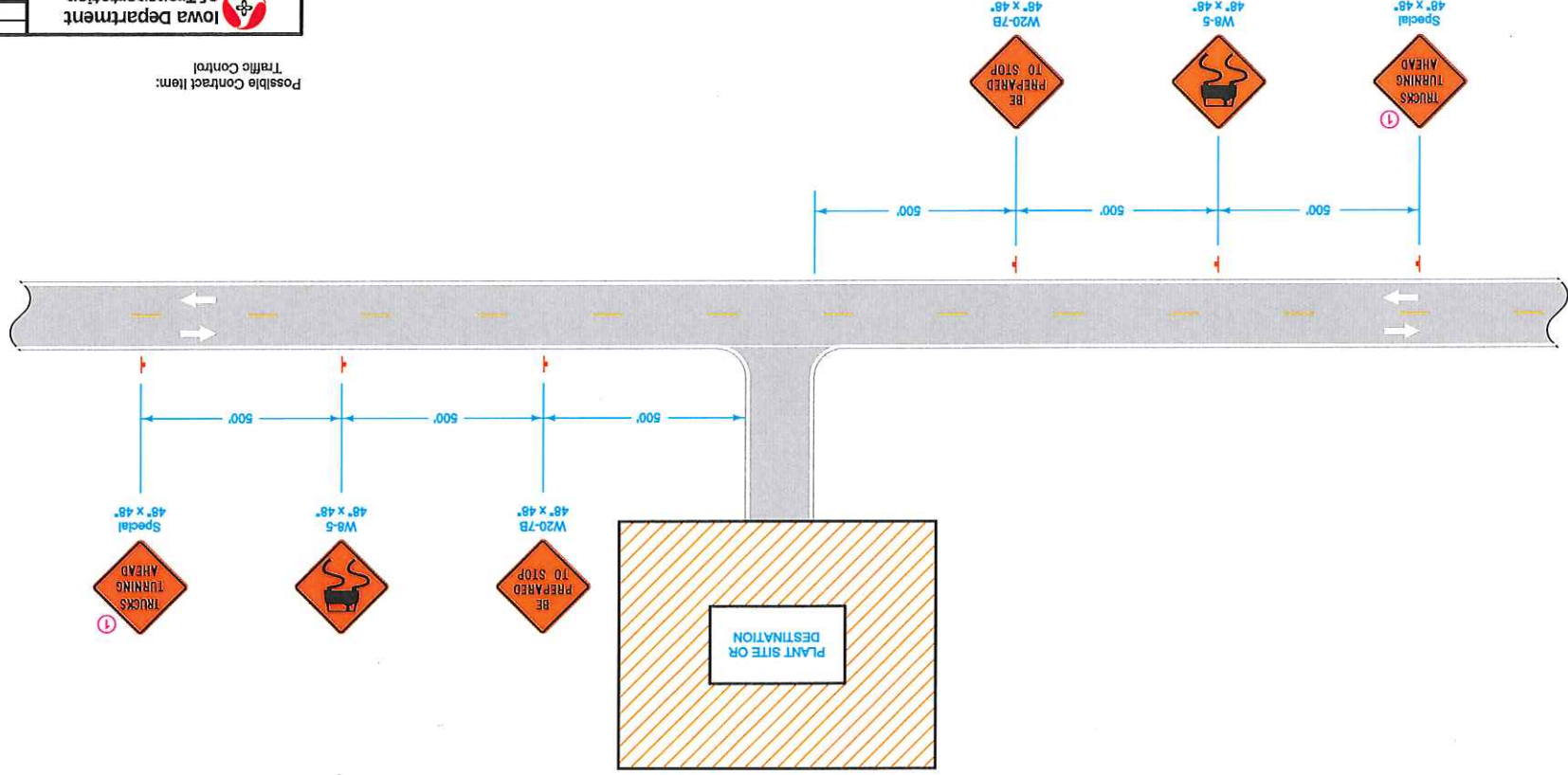
LEGEND

- Traffic Sign
- Flagger
- Work Area
- Type III Barricade
- Direction of Traffic



Construction traffic shall yield the right-of-way to mainline traffic.

① Refer to [SI-881](#) for details.



Possible Contract Item:
Traffic Control

REVISION
1
04-20-10

TC-273
SHEET 1 of 1

Iowa Department
of Transportation

REVISIONS: Updated references to revised standards.

APPROVED BY DESIGN METHOD ENGINEER
J. Anne McLaughlin

CONSTRUCTION SITE ENTRANCE

Smoothly shape and round surface and slopes of entrances where practical to provide minimal hazard to an out of control vehicle from through roadway.
 Earthwork and material used for construction of entrances are included in estimate of quantities.

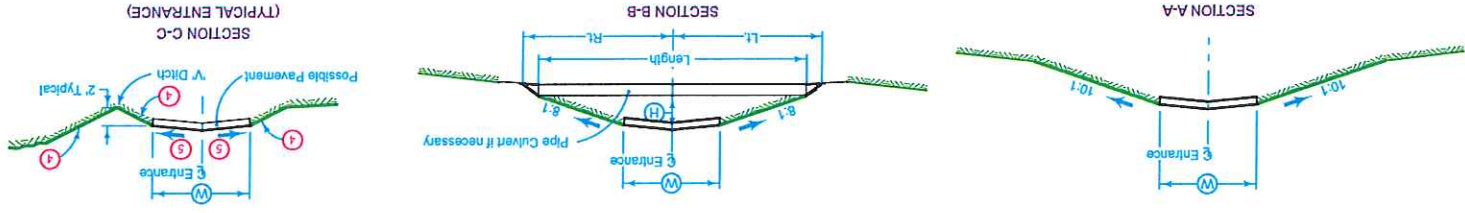
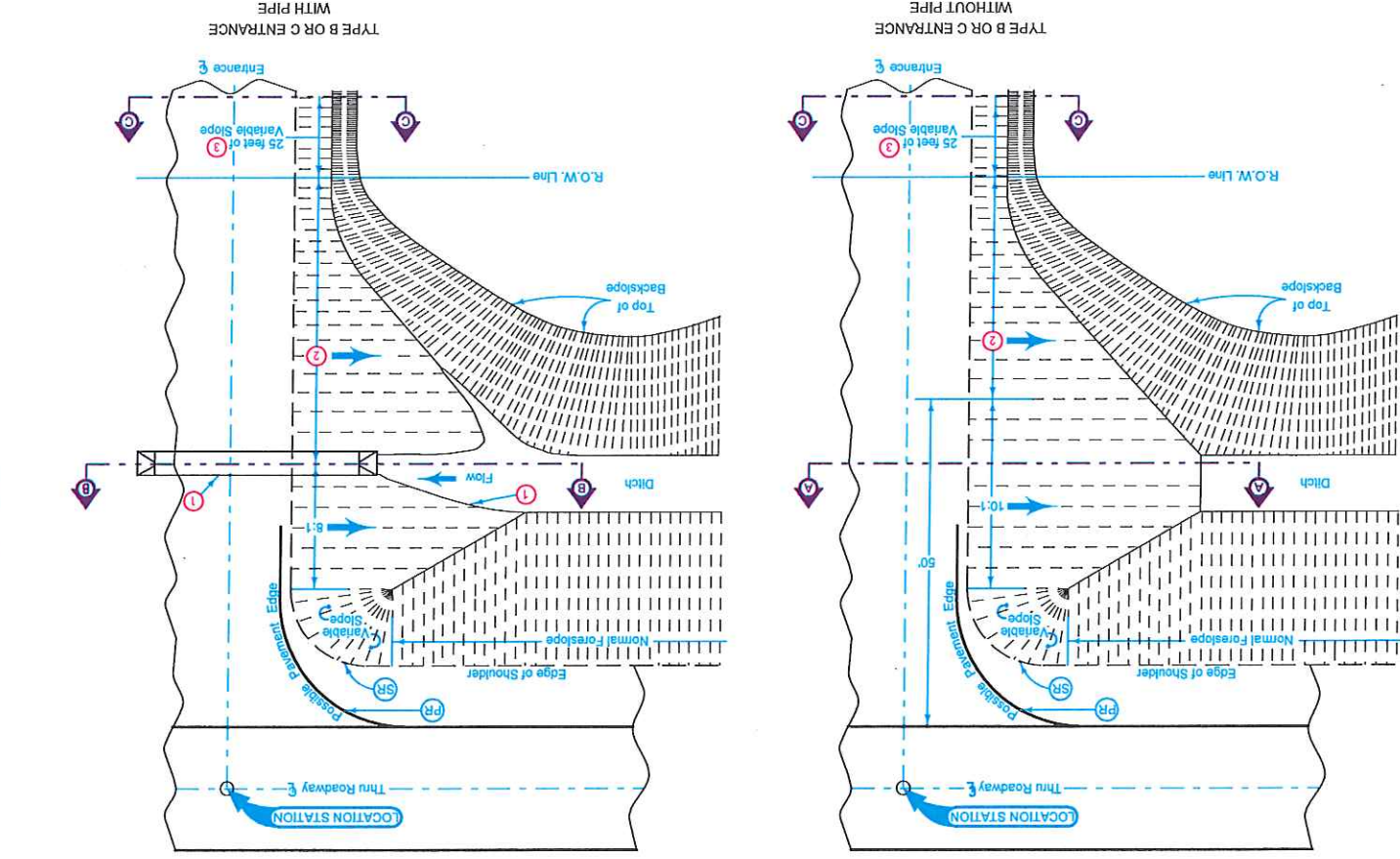
- ① Locate entrance pipe culverts to coincide with the line of the top of backdrops as shown. Some special shaping of ditch may be required to fit culvert. Refer to tabulation or entrance pipe culverts and cross sections for details of installation.
- ② Smooth transition to 6:1 at ROW line. If foreslopes of existing entrances are 6:1 or flatter, transition to existing entrance foreslopes.
- ③ Smooth transition from 6:1 to existing foreslope if existing foreslope steeper than 6:1.
- ④ 3:1 for new entrance. Existing slope for existing entrance.
- ⑤ 3% for new entrance. Existing slope for existing entrance.

Possible Contract Items:
 Aprons, Unclassified Entrance Pipe
 Excavation, Class 10
 Possible Tabulation:

102-3

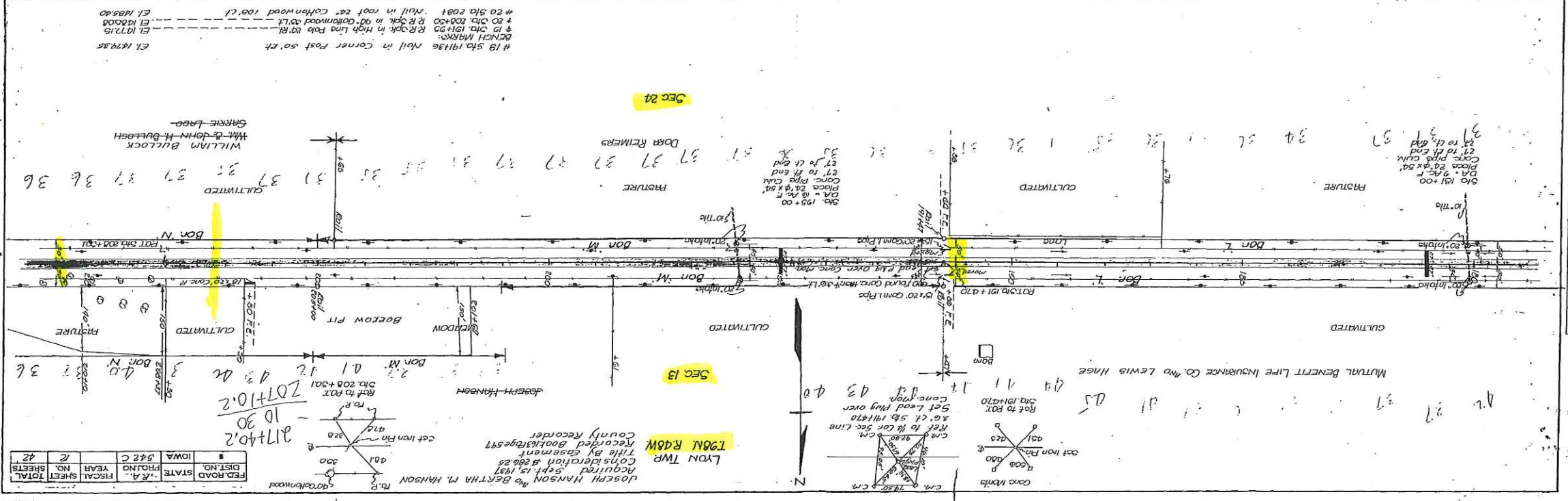
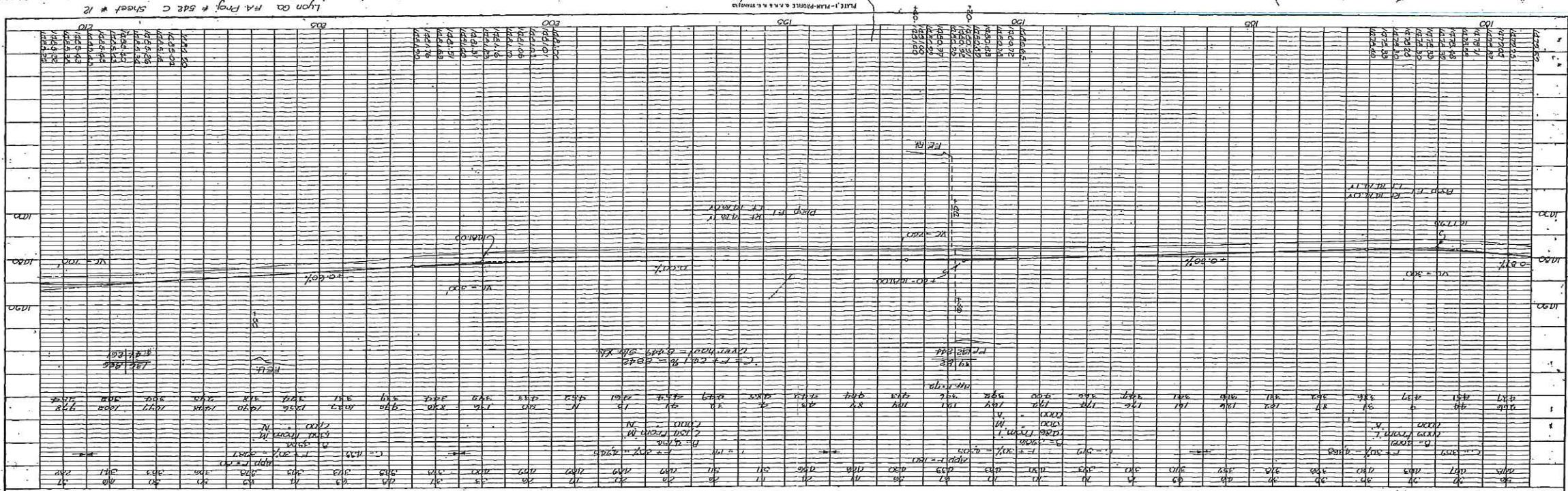
REVISION	1	10-20-15
STANDARD ROAD PLAN SHEET 1 of 1 EW-501		
REVISIONS: Replaced the DOT logo in the title block with the new version. APPROVED BY DESIGN METHODS ENGINEER 		

RURAL ENTRANCE



PROFILE	DATE
NO.	
DATE	
BY	
CHECKED	
APPROVED	

PLAN	DATE
NO.	
DATE	
BY	
CHECKED	
APPROVED	



FED. ROAD DIST. NO.	STATE	FISCAL YEAR	SHEET NO.	TOTAL SHEETS
542 C	IA	1942	12	42

Lyon Co. P.A. Proj. # 542 C Sheet # 12

PLATE 1 - PLAN PROFILE & P.A. & R. C. HANSON