

COLORADO DEPARTMENT OF TRANSPORTATION Application To Harvest on State Highways	Rec'd at CDOT <hr/> Accepted as complete <hr/> App. No.
---	---

Use this form to apply for a permit that allows the harvest of grass from the rights-of-way of state highways. If a permit is approved, the permittee or their agent may harvest in accordance with the permit terms and conditions. Submit this application to the CDOT Region Office that covers your county. Generally, harvesting will not be allowed between April 15th and August 1st.

1) Property Owner - Applicant (Permittee)	2) Agent for Applicant (if other than property owner)				
Federal Tax I.D. or SSN:	Federal Tax I.D. or SSN:				
Street or P.O. (mailing)	Street or P.O. (mailing)				
City, State, Zip	City, State, Zip				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Phone</td> <td style="width: 50%; border: none;">FAX</td> </tr> </table>	Phone	FAX	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;">Phone</td> <td style="width: 50%; border: none;">FAX</td> </tr> </table>	Phone	FAX
Phone	FAX				
Phone	FAX				
Email	Email				
County	Agent's Relationship to property owner				

Below, please accurately note the harvest area beginning and ending points relative to the state mile markers. Describe the length and section in the increasing direction of the mile markers. Fees are per mile, for either one side or both sides, with any partial mile rounded up to a whole mile. Example: SH 321, from MP 246.50 to MP 248.00, east side. Fee would be for 3 miles, for a total of \$300.00. Fees are due at the time of application. The application fee is not refundable. MP means the mile number as shown on the mile point signs along the highway. Application should indicate the location to the nearest 100th of a mile.

3) Proposed harvest locations. List each segment on a separate line	CDOT office use only - fees				
a) State Highway	Beginning at MP	Ending at MP	Side (NESW or both)	Distance	Fee
_____	_____	_____	_____		
b) State Highway	Beginning at MP	Ending at MP	Side (NESW or both)		
_____	_____	_____	_____		
c) State Highway	Beginning at MP	Ending at MP	Side (NESW or both)		
_____	_____	_____	_____		
d) State Highway	Beginning at MP	Ending at MP	Side (NESW or both)		
_____	_____	_____	_____		

4) Attach the following documents and information to this application: a) Proof that the permittee is the adjacent landowner of the harvest locations listed above. b) A legal description of the proposed harvest area. c) Proof that the public rights-of-way in the harvest area is of public record.	Total Fee
---	-----------

5) The Permittee anticipates harvest activities to occur between the following dates:

We require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is authorized, the property owner will be listed as the permittee. In signing this application, the applicant declares, under penalty of perjury in the second degree and any other applicable state or federal laws, that the statements made on this document are true and complete to the best of their knowledge.

6) Property Owner Signature (permittee)	Date
---	------

Terms and Conditions of Permit

Permittee agrees to the following terms and conditions for use of this permit. To be eligible to obtain a permit to harvest hay and grasses from the State Highway Rights-of-way, the following requirements must be met:

1. All operations shall be done in accordance with the requirements and guidelines set forth herein. Harvesting through the use of mechanical means is the only agricultural use permitted by this permit. No animals shall be permitted on the State Highway Rights-of-way for grazing or other purposes. No plowing, tilling or disturbing the soil in any fashion, planting any seeds or seedlings, spraying any pesticides or herbicides or conducting any irrigation of any type shall be allowed by this permit or rules on the Department's State Highway Rights-of-way.

2. A copy of the permit shall be available on the work site at all times.

3. Access to the permitted State Highway Right-of-way shall be from the Adjacent Landowner's property only.

4. Access to the permitted Harvesting area for all State Highways including Interstate and controlled access highways is limited to the use of gates provided in the State Highway Right-of-way fence via the adjacent property. If no gate exists, one may be installed by the permittee at a location designated by the Department, at the permittee's expense, and shall meet the Department current standards. The gate becomes the property of the Department. The Department shall provide a lock for any gate installed. The permittee shall coordinate access through the gate with the Department's local maintenance patrol. The gate shall not be used for any other purpose than Harvesting as authorized by the permit.

- a. Under no circumstances may the permittee enter or leave the permitted Harvesting area using the main traveled-way of the State Highway. b. The removal of fences to facilitate ingress and egress to the State Highway Right-of-way is strictly prohibited. c. The Department is not responsible for providing access roads outside the State Highway Right-of-way line.

- d. The permittee shall be responsible for keeping all livestock off of the Department's State Highway Rights-of-way at all times.

5. Parking, loading and/or off-loading of equipment on the paved shoulders of the State Highway is prohibited.

6. While operating on State Highway Rights-of-way, Harvesting equipment shall display flashing yellow lights and slow-moving vehicle placards.

7. All traffic rules shall be complied with in conjunction with the Harvesting operation. Permittees are not allowed to access the state highway under any circumstances from the harvest area.

8. Harvesting shall be continuous within the permitted area. Selective Harvesting will not be allowed; however, selective baling will be permitted except where environmental restrictions have been placed in effect. Harvesting shall be conducted to a minimum of six inches. **All weeds should be cut within the harvest area, but weed residue may be left on the ground.**

9. Operations will be permitted only when soil is dry enough to prevent rutting to or damage to the rights-of-way.

10. Operations will be permitted during daylight hours only.

11. When the Department determines the Harvesting operation is creating an undue safety hazard, all operations will cease until further notice upon verbal notification to the permittee. The permittee shall cease harvesting operations anytime that dust and debris is blowing onto the highway impairing visibility and traction for motorists until conditions improve. The permit shall be suspended by CDOT anytime that fire bans are put into effect by the proper fire authority, state Office of Emergency Management or the Governor.

12. The area of the State Highway Right-of-way which may be Harvested by permit is limited to the area from the right-of-way line fence up to fifteen (15) feet from the edge of the roadway shoulder pavement and the areas inside interchanges, if access to the interchange area can be gained without crossing any highway or ramp. Access to interchange areas must occur from the land owner's property. All Harvesting operations must be conducted at least fifteen (15) feet from the nearest paved portion of the State Highway.

13. Permittee must cut the native grasses and weeds around signs, improvements, and appurtenances as closely as possible.

14. Harvesting of the State Highway Rights-of-way by the permittee is done with the full knowledge that the vegetation may contain chemical residue of automotive emissions and chemical herbicides used for vegetative control.

15. Upon completion of operations, the State Highway Right-of-way shall be left in a clean and neat condition.

16. All hay to be removed shall be baled.

17. All bales within thirty (30) feet of the traveled-way shall be removed immediately.

18. All bales shall be removed within ten (10) days, or they will be removed by the Department without compensation to the permittee.

19. Unattended equipment must be parked as near as possible to the right-of-way fence line, and may not be left unattended within thirty (30) feet of the traveled-way under any circumstances. All equipment shall be removed from the State Highway Right-of-way at the end of each day of Harvesting. Equipment may not be stored overnight on the State Highway Right-of-way.

20. Any permit issued under these rules becomes null and void at any time the Abutting land changes ownership.

21. Any lessee or contractor of the Adjacent Landowner, performing work under a permit issued in accordance with these Rules is subject to the all provisions of these Rules.

22. The permittee is responsible to ensure no damage occurs to existing utility and other installations that may be present on the State Highway Right-of-way during Harvesting.

23. The Department reserves the right to issue utility permits allowing installation of utilities in the State Highway Rights-of-way. The permittee shall not interfere with these installations which will take precedence over any Harvesting activity. Any utility installation may destroy significant portions of any individual year's crop. Neither the Department nor the utility company shall have any liability to the permittee for such damage.

24. The Department does not guarantee any specific yield of hay or grasses in any given growing season whether impacted by utility installations, construction, drought or any other contributing factor.

25. The permittee (including the permittee's lessee or contractor) shall coordinate all Harvesting activity with the Department's local maintenance patrol. Traffic control in the form of "Shoulder Work Ahead" or "Mowing Operations Ahead" signs is required. The Department will provide and install such signs upon 48 hours notification to the appropriate maintenance patrol.

26. The local maintenance patrol or Supervisor shall monitor the harvesting operation for compliance with these rules, the permit and any environmental restrictions and shall be empowered to order an immediate cessation of all harvesting activities and the right-of-way cleared should any infractions be noted.

27. The permittee shall not allow any person onto the State Highway Rights Of Way that is not contributing to the actual harvesting operation.

28. The permittee is responsible to ensure no damage or disturbance occurs to any existing survey monuments that may be present on the right-of-way during harvesting.

INSURANCE AND LIABILITY REQUIREMENTS

1. Each permittee must provide Comprehensive General Public Liability (PL), and Property Damage (PD) Insurance (minimum) on both the permittee and any and all lessees and/or contractors the permittee may use for Harvesting hay; a. Combined single limit - \$600,000 written on an occurrence basis. b. Any aggregate limit will not be less than \$1 million.

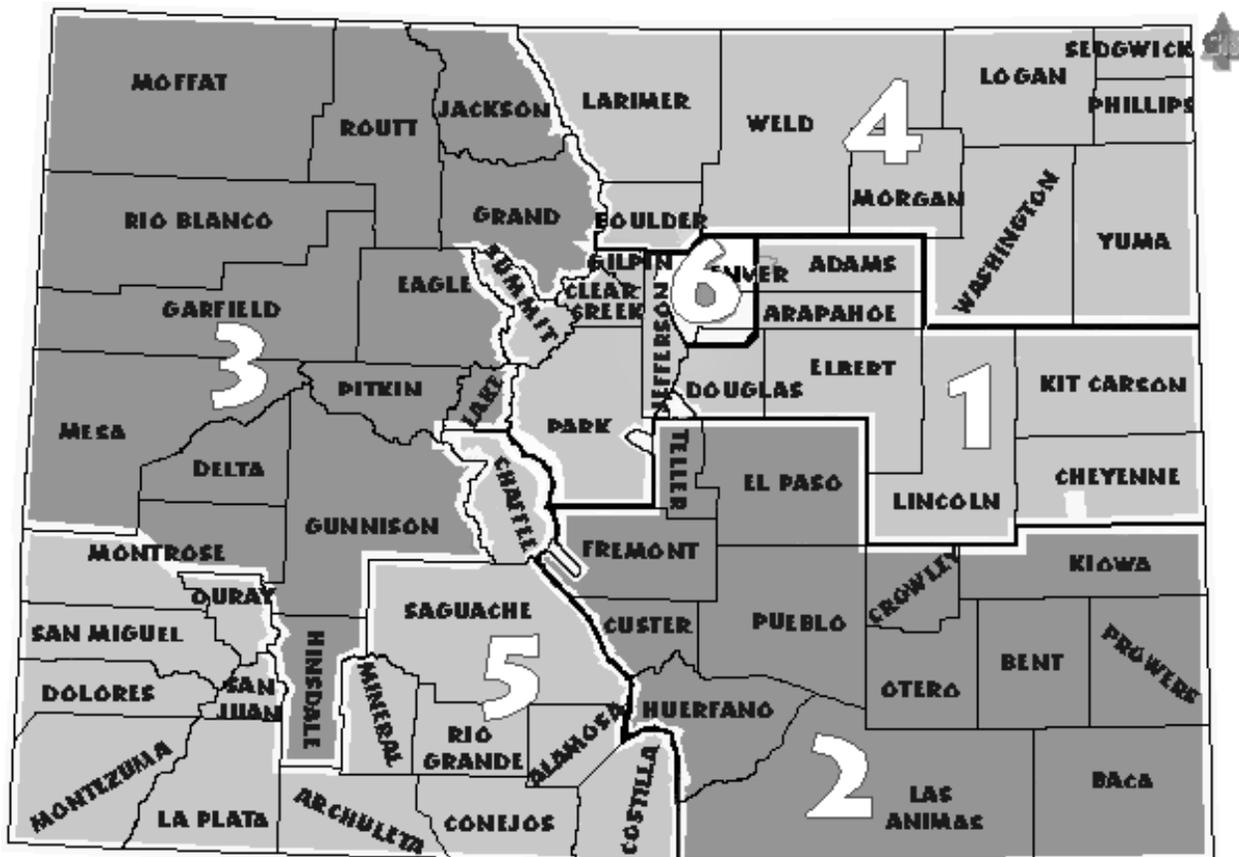
- c. Permittee must purchase additional insurance if claims reduce the annual aggregate below \$600,000. d. Certificates of Insurance to be provided to the Department prior to issuance of a permit. e. Insurance shall include a provision naming the Department as an "Additional Insured" on the Insurance Certificate. f. Insurance shall include a provision preventing cancellation without 60 days prior notice by certified mail to the Department and must be in effect for the entire period of the Harvesting operation.

2. The permittee is responsible for reimbursing the Department for the repair of any damage to fences, signs, delineators, guardrails, landscape plantings, or any other State Highway improvements resulting from Harvesting operations by the permittee.

3. The permittee, his successors, or assigns shall hold the Department, its officers, or employees harmless from all costs, liabilities, expenses, suits, judgments, claims or actions brought by any person against the Department, its officers, or employees as a result of, or in connection with the permit, or the operation and performance hereunder by the permittee, his agents, or employees.

4. All risk of injury or damage to permittee, property of permittee or others which may result from debris, foreign objects, or chemical contamination resulting from handling or feeding of Harvested hay is assumed by the permittee. The Department shall not be liable for the quality of the Harvested hay or grasses obtained through this permit.

5. The permittee is responsible for reimbursing the Department for the repair and re-survey of any damage and disturbance to any survey monuments resulting from harvesting operations by the permittee.



Contacts: *Addresses and phones are current as of March 31, 2003*

To obtain information regarding Harvest Permits or Access permits to State Highways, contact the Department office in your region. See map above to determine your region office.

(Central Colorado, Vail Pass to Kansas, except Denver Metro)

Region 1, Traffic Section
Colorado DOT
18500 East Colfax Avenue
Aurora, CO 80011
303-757-9123
FAX 303-343-0596

charles.binford@dot.state.co.us
nickolas.dickens@dot.state.co.us

(Southeast Colorado)

Region 2, Permits
Colorado DOT
905 Erie
PO BOX 536
Pueblo, CO 81002
719-546-5403
FAX 719-546-5414

jackie.hall@dot.state.co.us
valerie.watkins@dot.state.co.us

(West & northwest Colorado)

Region 3, Traffic Section
Colorado DOT
222 South Sixth Street, Rm 100
Grand Jct., CO 81501
970-248-7230
FAX 970-248-7294

john.m.smith@dot.state.co.us
daniel.roussin@dot.state.co.us
devin.drayton@dot.state.co.us

(Northeast Colorado)

Region 4, Traffic Section
Colorado DOT
1420 2nd Street
Greeley, CO 80631
970-350-2163 or 970-350-2148
FAX 970-350-2198

tess.jones@dot.state.co.us
gloria.hice-idler@dot.state.co.us

(S. Central & SW Colorado)

Region 5, Traffic and Safety Unit
Colorado DOT
3803 North Main Ave. Suite 100
Durango, CO 81301
970-385-8360 or 970-385-3626
FAX 970-385-8361

melinda.nichols@dot.state.co.us
lorna.m.alexander@dot.state.co.us

(Greater Denver Metro Area)

Region 6, Permits Unit
Colorado DOT
3401 Quebec St. Suite 8400
Denver, CO 80207
303-377-6602
FAX 303-377-6603

nashat.sawaged@dot.state.co.us
pat.hayes@dot.state.co.us

(Main/Central Office, Permits are not issued from this office)

Harvest Permit Unit
Colorado DOT
4201 East Arkansas Ave.
Denver, CO 80222-3400
303-
FAX 303-

Colorado Harvest WEB site:

Copies of forms, and instructions are available at this site.