



LAND USE PERMIT
LUP-SUTLE
Single Use Temporary Logging Entrances

Section [24 VAC 30-151-30](#) of the Virginia Department of Transportation (VDOT) Land Use Permit Regulations stipulates that site specific single-use permits may be issued for the installation, maintenance and removal of temporary entrances onto non-limited access state maintained highways for the purpose of harvesting timber.

Permittee Agreement for Land Use Permit Issuance

I the undersigned hereby acknowledge that I am fully cognizant of all of the following requirements associated with the issuance of a site specific single-use VDOT Land Use Permit authorizing the installation, maintenance and removal of temporary logging entrances on non-limited access state maintained highways:

Type or Print Clearly

Name of Applicant: _____

Applicant's Federal Tax ID No. / Driver's License No.: _____

Applicant's Address: _____

City: _____ State: _____ Zip Code: _____

Business Telephone No.: (____) ____ - _____ 24-Hour Telephone No.: (____) ____ - _____

Fax No.: (____) ____ - _____ E-mail Address: _____

Property Address (If Applicable): _____

County: _____

State Route No. _____

Latitude _____ Longitude _____

From route Number and route name _____

To route Number and route name _____

Applicant's Name: _____

Applicant's Signature and Title: _____

VDOT Land Use Permit Required by Law

The General Rules and Regulations of the Commonwealth Transportation Board provide that no work of any nature shall be performed on any real property under the ownership, control, or jurisdiction of VDOT until written permission has been obtained from VDOT. Written permission is granted for the above-referenced activity through the issuance of a land use permit.

By issuing a permit, VDOT is giving permission only for whatever rights it has in the right-of-way; the permittee is responsible for obtaining permission from others who may also have an interest in the property.

The permittee will be civilly liable to the Commonwealth for expenses and damages incurred by VDOT as a result of violation of any of the rules and regulations of this chapter. Violators shall be guilty of a misdemeanor and, upon conviction, shall be punished as provided for in [§33.2-210](#) of the Code of Virginia.

Application Requirements

Application shall be made for a site specific single-use VDOT land use permit for the installation, maintenance and removal of temporary logging entrances through the local residency permit office where the timber harvesting activities are to occur.

Contact Information

A list of counties with their corresponding VDOT district offices and contact information may be obtained at the following VDOT web site: <http://www.viriniadot.org/about/districts.asp>.

Permit Term and Fees

The initial term for site specific single-use permit is a minimum of 180 days. The permittee may request a permit extension if it is anticipated that the timber harvesting activities cannot be completed during the initial term. Should the original permit term or permit extension term expire, the permittee may request a reinstatement, however no additional extensions will be granted and all timber harvesting activities must be completed and the right-of-way restored within the time limits indicated in the reinstatement notice. Consideration will not be given to an extension request for a permit that has been reinstated after an extension.

The fee for a site specific single-use permit for the installation, maintenance and removal of temporary logging entrances is \$110 per entrance plus \$10 for any additional entrance.

Surety Requirement

A surety in the amount of two-thousand five-hundred dollars (\$2,500.00) per temporary entrance is required to restore the right-of-way in the event of damage to state maintained facilities within the immediate proximity of the temporary entrance. The continuous surety may be in the form of cash, check, LUP-SB surety bond or LUP-LC bank irrevocable letter of credit (LUP-SB and LUP-LC forms are attached below).

Cash Surety Refund

Applicants owing the Internal Revenue Service or the Commonwealth of Virginia may not receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit unless the amount owed is less than the amount of cash guarantee provided. Applicants providing cash guarantee for the issuance of a VDOT land use permit must provide an executed copy of the Commonwealth of Virginia's Substitute Form W9-COV to receive a refund of the cash guarantee provided for the issuance of a VDOT land use permit.

Insurance Requirements

The permittee or their agent shall secure and maintain insurance to protect against liability for personal injury and property damage that may arise from the activities performed under the authority of a land use permit and from the operation of the permitted activity up to one million dollars (\$ 1,000,000) each occurrence to protect the Board members and the Department's agents or employees; seventy-five thousand dollars (\$75,000) each occurrence to protect the Board, the Department, or the Commonwealth in event of suit. Insurance must be obtained prior to start of the permitted work and shall remain valid through the permit completion date. VDOT staff may require a valid certificate or letter of insurance from the issuing insurance agent or agency prior to issuing the land use permit.

Sign Requirements

Section 6F.02 of the VA Work Area Protection Manual requires that all signs used in TTC zones, including W11-V4 "Trucks Entering Highway" signs used in conjunction with logging operations per Figure TTC-63.1, be in compliance with Section 247 of the Road & Bridge Specs. That section, in turn, requires fluorescent orange Type IX sheeting for all roll-up and rigid work zone signs.

General Requirements

- 1) Permittee acceptance and use of a Virginia Department of Transportation (VDOT) land use permit is prima facie evidence that the permittee has read and is fully cognizant of all required permit provisions, applicable traffic control plans and associated construction standards to be employed. All applicants to whom permits are issued shall at all times indemnify

and save harmless the Commonwealth Transportation Board, members of the Board, the Commonwealth, and all Commonwealth employees, agents, and officers, from responsibility, damage, or liability arising from the exercise of the privileges granted in such permit to the extent allowed by law including any sums ordered to be paid or expended by VDOT by any governmental entity as a fine, penalty or damages for any violation of any applicable environmental law, or to remediate any hazardous or other material, including illicit discharge into VDOT maintained storm sewer systems.

- 2) The permittee and/or their agent shall adhere to the terms and conditions as stipulated in the permit assembly without exception. Any deviation may result in the temporary revocation of the land use permit and closure of the temporary entrance.
- 3) The permittee or their agent must contact the local residency permit office prior to installing a temporary logging entrance or utilizing an existing entrance for logging access.
- 4) The permittee and/or their agent must contact the local residency permit office for final inspection upon completion of logging activities and closure of the temporary entrance.
- 5) The staging or parking of logging vehicles, trailers or other related equipment on state maintained rights-of-way is strictly prohibited.
- 6) The issuance of a VDOT land use permit is in no way to be inferred as a conveyance of any interest in real estate property or facilities owned in whole or part by the Virginia Department of Transportation.
- 7) The permittee and/or their agent should immediately contact the nearest local residency permit office with any interpretive questions or if involved in an accident.
- 8) The permittee or their agent must contact the VDOT Customer Service Center at 1-800-367-7623 a minimum of 48 hours prior to initiating any planned excavation within 1,000 feet of a signalized intersection and/or near VDOT ITS infrastructure. Excavation activities may proceed only after the VDOT regional utility location agent has notified the permittee that the utility marking has been completed. Additional information can be found at: http://www.virginiadot.org/business/resources/IIM/TE383_Request_for_Marking_VDOT_UTILITY_Location.pdf
- 9) Alternately, within all localities in the Northern Virginia Construction District, including the Counties of Arlington, Fairfax, Loudoun & Prince William, the Cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the Towns of Clifton, Dumfries, Hamilton, Haymarket, Herndon, Hillsboro, Leesburg, Lovettsville, Middleburg, Occoquan, Purcellville, Quantico, Round Hill and Vienna, and on Interstate 95 in the counties of Stafford, Spotsylvania and Caroline, the permittee may request VDOT regional utility marking at: <http://www.vdotutilitymarking.virginia.gov/Account/Login.aspx?ReturnUrl=%2f> Failure to carry out this requirement may result in permit revocation.
- 10) A legible copy of the single land use permit shall be posted near or at the logging entrance during logging operation.
- 11) Within the limits of a VDOT construction project it is the responsibility of the permittee to obtain the contractor's consent in writing prior to encroachment into the right-of-way. Information regarding current and/or planned VDOT construction and maintenance activities can be obtained at: <http://www.virginiaroads.org/>.
- 12) Any and all highway signs, right-of-way markers, etc., disturbed as a result of work performed under the auspices of a VDOT land use permit shall be accurately reset by the permittee immediately following the work in the vicinity of the disturbed facility. The services of a certified land surveyor with experience in route surveying may be required.

Environmental

1. In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specification 107.16 (a), all contractors performing regulated land disturbing activities within VDOT right-of-way must have at least one (1) employee that has successfully completed the VDOT Erosion & Sediment Control Contractor Certification training. This person shall be on site during all land disturbance activities and will be responsible for insuring compliance with all applicable local, state and federal erosion and sediment control regulations during land disturbance activities. This person must have their

certification card with them while on the project site. The land use permit will be suspended if proof of certification cannot be provided. Regulated land disturbing activities are defined as those activities that disturb 2,500 square feet or greater in Tidewater, Virginia or 10,000 square feet or greater in all other areas of the State. The Department will require evidence of this certification with any Land Use Permit application that involves utility and/or commercial right of way improvement. Improper installation, maintenance and removal of erosion and sediment control devices may result in revocation of VDOT Erosion & Sediment Control Contractor Certification.

2. The permittee is responsible for pursuing and obtaining any and all environmental permits which may be required to pursue the proposed activity prior to any work beginning within state maintained right-of-way.
3. In the event hazardous materials or underground storage tanks are encountered within state maintained right-of-way during authorized activities, the permittee shall suspend all work immediately then notify the local residency permit office and other responsible parties, i.e., the local fire department, emergency services, Department of Environmental Quality, etc. The permittee is responsible for coordination and completion of all required remediation necessary to complete the permitted activities within the state maintained right-of-way, and shall provide evidence of such compliance to the local residency permit office prior to recommencement of permitted activities.
4. In the event cultural resources, archaeological, paleontological, and/or rare minerals are encountered within the right of way during authorized activities, the permittee shall suspend all work immediately then notify the local residency permit office and the proper state authority charged with the responsibility for investigation and evaluation of such finds. The permittee will meet all necessary requirements for resolving any conflicts prior to continuing with the proposed activities within the state maintained right-of-way, and shall provide evidence of such compliance to the local residency permit office.
5. Roadway drainage shall not be blocked or diverted. The shoulders, ditches, roadside, drainage facilities and pavement shall be kept in an operable condition satisfactory to the Department. Necessary precautions shall be taken by the permittee to insure against siltation of adjacent properties, streams, etc., in accordance with VDOT's current standards or as prescribed by the Department's Environmental Manual and the local residency permit office.
6. Training for the VDOT Erosion & Sediment Control Contractor Certification can be obtained through the Virginia Transportation Construction Alliance at: <https://www.vtca.org>

Traffic Control and Safety

- 1) The permittee shall at all times give strict attention to the safety and rights of the traveling public, their employees, and contractors. Any permit may be revoked or suspended when in the opinion of the local residency permit office, the safety, use or maintenance of the highway so requires.
- 2) The permittee shall install traffic control devices in accordance with Typical Traffic Control layout TTC-63.1 as outlined in the Virginia Work Area Protection Manual at the following link: http://www.virginiadot.org/business/resources/wztc/Virginia_WAPM_2011_web.pdf
- 3) In accordance with the Virginia Department of Transportation (VDOT) Road and Bridge Specification, Special Provision 105.14, all activities performed under the auspices of a VDOT Land Use Permit involving the installation, maintenance and removal of work zone traffic control devices must have at least one (1) person on-site who, at a minimum, is accredited by VDOT in Basic Work Zone Traffic Control. The accredited person must have their VDOT Work Zone Traffic Control accreditation card in their possession while on-site.
- 4) The individual accredited in Basic Work Zone Traffic Control is responsible for the placement, maintenance and removal of work zone traffic control devices within the project limits in compliance with the permit requirements and conditions, the approved plans and specifications, the Virginia Work Area Protection Manual, and the Manual of Uniform Traffic Control Devices.
- 5) A person accredited by VDOT in Intermediate Work Zone Traffic Control must be on-site to provide supervision for adjustment to the approved layout or implementation of any standard Typical Traffic Control (TTC) layouts outlined in the Virginia Work Area Protection Manual.

- 6) All traffic control plans shall be prepared by a person accredited by VDOT in Advanced Work Zone Traffic Control.
- 7) Individuals responsible for implementation of work zone traffic control measures shall provide evidence of their accreditation upon request from VDOT personnel.
- 8) The permittee shall be exempt from the requirements of Virginia Department of Transportation (VDOT) Road and Bridge Specification, Special Provision 105.14 if the authorized activity does not involve the installation, maintenance and removal of work zone traffic control devices and is not within the roadway (as defined in 24VAC30-151) of a state maintained highway.
- 9) Non-compliance with the requirements outlined in VDOT Road and Bridge Specification, Special Provision 105.14 may result in a stop work order and / or permit revocation.
- 10) All activities that require the disruption (stoppage) of traffic shall utilize VDOT certified flaggers. Flag persons shall be provided in sufficient number and locations as necessary for control and protection of vehicular and pedestrian traffic in accordance with the Virginia Work Area Protection Manual. All flaggers must have their certification card in their possession when performing flagging operations within state maintained right-of-way. Any flag person found not in possession of his/her certification card shall be removed from the flagging site and the local residency permit office will suspend all permitted activities.
- 11) Any VDOT certified flag person found to be performing their duties improperly shall have their certification revoked.
- 12) The permittee shall immediately correct any situation that may arise as a result of these activities that the local residency permit office deems hazardous to the traveling public.
- 13) During authorized activities, the permittee shall furnish all necessary signs, flag persons and other devices to provide for the protection of traffic and workers in accordance with the Virginia Work Area Protection Manual or as directed by the local residency permit office.
- 14) All signs shall be in accordance with the current edition of the Manual of Uniform Traffic Control Devices (MUTCD).
- 15) Traffic shall not be blocked or detoured without permission, documented in writing or electronic communication, being granted by the local residency permit office.
- 16) If directed by the district, requests for the implementation of temporary lane closures must be entered into the VDOT Lane Closure Advisory Management System (LCAMS) and VaTraffic a minimum of one (1) week prior to the planned execution of lane closure activities on state maintained highways. The permittee or their contractor(s) may enter their requests directly or provide written requests to the VDOT Regional Operations Center as follows:

- Lane closure requests in all the counties listed below are within the Northern Region and shall be sent to: nrolanecloturerequests@vdot.virginia.gov

Counties: Arlington, Fairfax, Loudoun, Prince William, Spotsylvania, and Stafford

- Lane closure requests in all the counties listed below are within the Northwest Region and shall be sent to: StauntonTrafficManagementCenter@vdot.virginia.gov

Counties: Albemarle, Alleghany, Augusta, Bath, Clarke, Culpeper, Fauquier, Fluvanna, Frederick, Greene, Highland, Louisa, Madison, Orange Page, Rappahannock, Rockbridge, Rockingham, Shenandoah and Warren

- Lane closure requests in all the counties listed below are within the Southwest Region and shall be sent to: SalemSmartTrafficCenter@VDOT.Virginia.gov

Counties: Amherst, Appomattox, Bedford, Bland, Botetourt, Buchanan, Buckingham, Campbell, Carroll, Charlotte, Craig, Cumberland, Dickenson, Floyd, Franklin, Giles, Grayson, Halifax, Henry, Lee, Montgomery, Nelson, Patrick, Pittsylvania Prince Edward, Pulaski, Roanoke, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe.

• Lane closure requests in all the counties listed below are within the Eastern Region and shall be sent to: HamptonRoadsTOCControllers@VDOT.Virginia.gov

Counties: Accomack, Greensville, Isle of Wight, James City, Northampton, Southampton, Surry, Sussex and York

• Lane closure requests in all the counties listed below are within the Central Region and shall be sent to: RichmondDist.SmartTraffic@vdot.virginia.gov

Counties: Amelia, Brunswick, Caroline, Charles City, Chesterfield, Dinwiddie, Essex, Gloucester, Goochland, Hanover, Henrico, King and Queen, King George, King William, Lancaster, Lunenburg, Mathews, Mecklenburg, Middlesex, New Kent, Northumberland, Nottoway, Powhatan, Prince George, Richmond, and Westmoreland

Written requests for implementation of temporary lane closures must be submitted to the appropriate VDOT Regional Operations Center by close of business on the preceding Wednesday for the upcoming week's planned lane closures. All requests being directly input into LCAMS and VaTraffic must be entered no later than 2:00 pm on the preceding Thursday for the upcoming week's lane closure activities. Any conflicts with other roadway work must be resolved by close of business on Thursday the week prior to the scheduled lane closure activities with documented resolution sent to the VDOT point of contact provided by the regional traffic operation center LCAMS Administrator. Any requests received after these time limitations will not be approved and the proposed work within VDOT right of way requiring lane closures must be rescheduled.

Lane closure requestors wanting direct access to LCAMS and VaTraffic must complete ITD-35E & ITD-36E forms and return to Ms. Carlene McWhirt at Carlene.McWhirt@VDOT.Virginia.gov. Online training is available for LCAMS and VaTraffic and VDOT can accommodate any additional training needs. Please contact Ms. McWhirt at (571) 350-2078 to schedule training.

Authorized Hours and Days of Work

Normal hours for work under the authority of a site specific single-use permit authorizing the installation, maintenance and removal of temporary logging entrances is from 9:00 a.m. to 3:30 p.m., Monday through Friday on all highways classified as arterial or collector. The permit work on locals roads have unrestricted hours as designated by the Area Land Use Engineer or the Assistant Resident Engineer and may establish alternate time restrictions in normal working hours and days for VDOT land use permits.

The classifications for all state maintained highways can be found at the following link: http://www.virginiadot.org/projects/fxn_class/maps.asp

Holiday Restrictions

Permitted activities will not be allowed on arterial and collector highway classifications from noon on the preceding weekday through the following state observed holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day. If the observed holiday falls on a Monday, the permit will not be valid from noon on the preceding Friday through noon on Tuesday.

Inspections

The absence of a VDOT inspector does not in any way relieve the permittee of their responsibility to perform the work in accordance with these provisions. Upon completion of work at a site, the permittee shall provide notification, documented in writing, by telephone or electronic communication, to local residency permit office requesting final inspection. This request shall include the name of the permittee, permit number, county name, route number, and specific location of the authorized activity.

Permit Revocation

At the discretion of the local residency permit office, a land use permit may be revoked upon written finding that the permittee was not in compliance with all requirements contained herein and/or violated the terms of the permit, or any state and local laws and ordinances regulating activities within the right-of-way. In addition VDOT may apply additional penalties in accordance with [§33.2-1221](#).

Permittee Notice

The preceding provisions are intentionally condensed in format and should not be loosely interpreted by the permittee without consultation with the local residency permit office or the central office permit manager and affirmation from the [Land Use Permit Regulations](#).

VIRGINIA WORK ZONE TRAFFIC CONTROL TRAINING OPTIONS

The following three options are available to receive Work Zone Traffic Control (WZTC) training based on an individual's job duties and responsibilities as required by the FHWA Final Rule on Work Zone Safety and Mobility and the Virginia Department of Transportation:

OPTION 1 – Have someone trained to become a qualified instructor in your company who can then instruct others, utilizing training material provided by VDOT. The following qualifications must be met in order to teach the VDOT Basic, Intermediate, or Advanced WZTC training courses:

- Basic – Be flagger certified either by VDOT or by the American Traffic Safety Services Association (ATSSA); possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; and successfully complete the VDOT WZTC Intermediate or Advanced course or complete the ATSSA Virginia Intermediate/Traffic Control Supervisor (TCS) course.
- Intermediate - Be flagger certified either by VDOT or by ATSSA; possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; complete and possess the ATSSA Virginia Intermediate/TCS certification.
- Advanced - Be flagger certified either by VDOT or by ATSSA; possess two years of practical experience in Highway Design, Construction, Maintenance, or Traffic Operations; possess two years of documented experience in conducting training courses; complete and possess the ATSSA Virginia Advanced Traffic Control Design Specialist (TCDS) certification or ATSSA Virginia Intermediate TCS certification.

To become an approved instructor, an application must be completed listing the above qualifications and sent to the chairman of VDOT's WZST committee at the following location: http://www.virginia.gov/business/resources/wztc/wztc_inst_app_form.pdf

Once a person has become an approved instructor, training material can be obtained from VDOT using the order form obtained from the following location (requires an approved instructor identification number): http://www.virginia.gov/business/resources/wztc/WZTC_order_form.pdf

OPTION 2 – Obtain the services of an approved instructor from VDOT's Approved WZTC Instructor List to teach the course or courses you need for your employees.

The Approved WZTC Instructor's List can be obtained at the following location: http://www.virginia.gov/business/resources/wztc/Approved_WZTC_Instructors.pdf

A list of Approved Providers of training can be obtained at the following location: http://www.virginia.gov/business/resources/wztc/wztc_training_sponsors.pdf

OPTION 3 – Send personnel to classes conducted by approved sources such as ATSSA Virginia or the Virginia Local Technical Assistance Program (LTAP).

Courses by ATSSA Virginia can be found at the following location: http://atssa.com/cs/course_information/courses_by_state?state=56

Courses by the Virginia LTAP can be found at the following location: <http://ltap.cts.virginia.edu/2%20Page%20Calendar%20June%20-%20Sept%2009.pdf>

Basic WZTC courses by the Virginia Rural Water Association can be found at the following location: <http://www.vrwa.org/> (See Training Schedule)

Training by the Virginia Transportation Construction Alliance (VTCA) can be found at the following location: <http://vtca.org/>

Visit the following site for additional information regarding Virginia's Work Zone Traffic Control training program: <http://www.virginia.gov/business/trafficeng-WZS.asp>

**Typical Traffic Control
Logging Operations
(Figure TTC-63.1)**

NOTES

Standard:

1. Prior to the installation of the entrance and placement of any traffic control devices, the appropriate state/local agencies shall be notified.

Guidance:

2. Care should be exercised when establishing the location of the permitted temporary entrance to insure maximum possible sight distance in advance of the entrance, and should be based on the posted speed limit and at least equal to or greater than the values in the Intersection Sight Distance (ISD) table.

Intersection Sight Distance (ISD)

Posted Speed Limit (mph)	20	25	30	35	40	45	50	55	60	65	70
Minimum ISD	195	240	290	335	385	430	480	530	575	625	670

3. Sign spacing distance should be 500'-800' where the posted speed limit is greater than 45 mph, and 350'-500' where the posted speed limit is 45 mph or less.

Standard:

4. TRUCKS ENTERING HIGHWAY (W11-V4) sign shall be used to warn of logging trucks entering roadways. LOG TRUCKS ENTERING HIGHWAY sign is not allowed for use.¹
5. On divided highways having a median wider than 8', right and left sign assemblies shall be used. Median barrier is considered to be part of the shoulder and its measurement shall be used to determine the total width of the shoulder.

Guidance:

6. For operations that disrupt (stop) traffic on the travelway, Typical Traffic Control Figure TTC-23, Lane Closure on a Two-Lane Roadway Using Flaggers, or Typical Traffic Control Figure TTC-16 or 17, Outside or Inside Lane Closure Operation on Four-Lane Roadway, should be used.

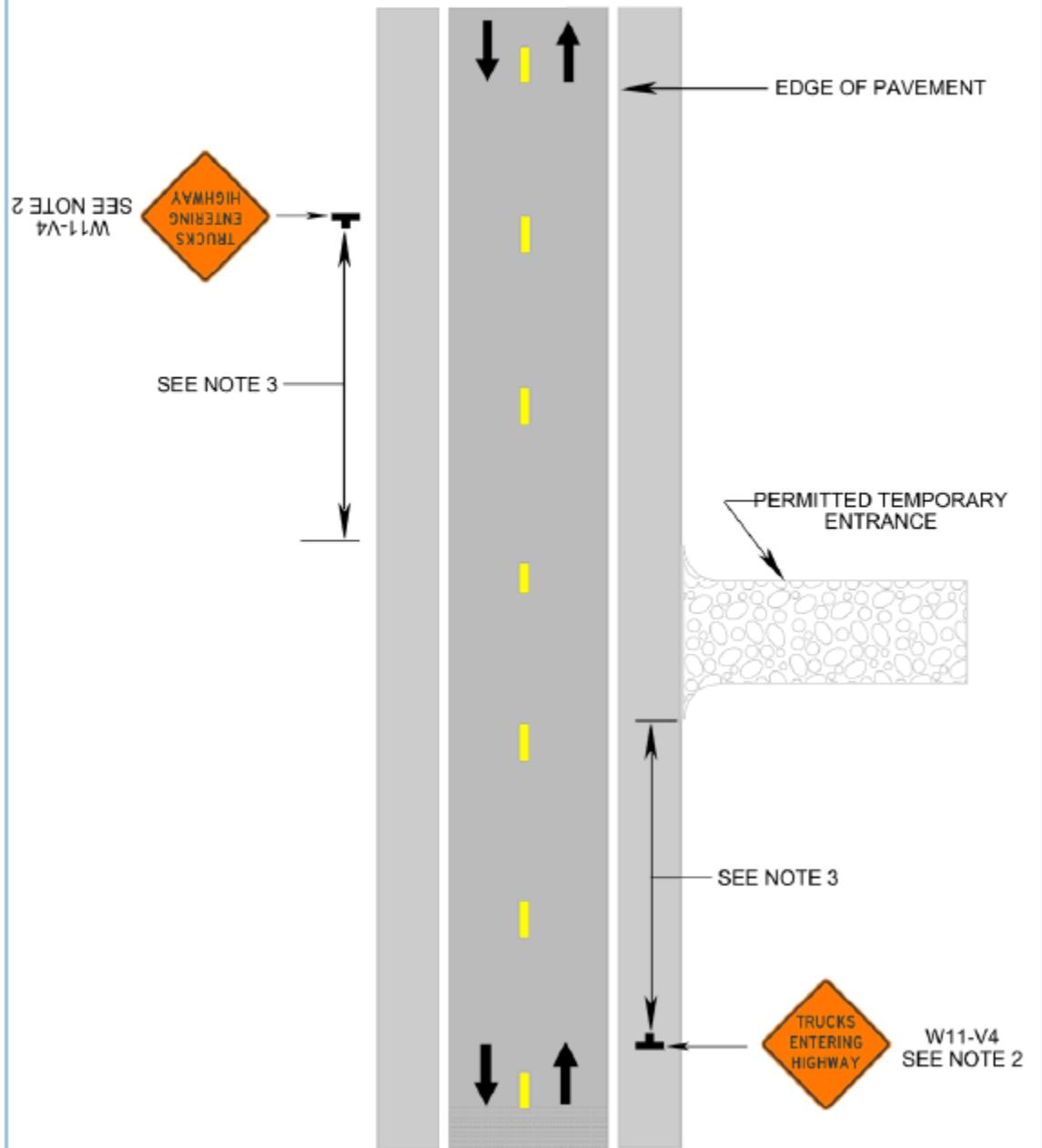
Standard:

7. Flaggers shall be state certified and have their certification card in their possession when performing flagging duties (see Section 6E.01, Qualifications for Flaggers).
8. The organization receiving the entrance permit shall be responsible for the removal of all debris (gravel, mud, dust, hauled materials, etc.), obstructions and irregularities caused by the operation in accordance with Section 105 of the Road and Bridge Specifications.

Guidance:

9. For the removal of debris on the roadway, Typical Traffic Control Figure TTC-14, Moving/Mobile Operation on a Two-Lane Roadway, or Typical Traffic Control Figure TTC-13, Moving/Mobile Operation on a Multi-Lane Roadway, should be used.

Logging Operations (Figure TTC-63.1)



Bond LUP-SB

BE KNOWN THAT WE _____ as Principal and _____, a corporation duly incorporated under the Laws of the State of _____, as Surety, are held and firmly bound unto the Commonwealth of Virginia in the full and just sum of _____ U.S. Dollars (\$ _____), to be paid to the Commonwealth of Virginia to the payment whereof we hereby bind ourselves and our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents, sealed and dated this _____ day of _____ (month), 20____ (year).

WHEREAS, The said Principal hereunder has been or will be granted permit(s) authorizing one or more of the following activities;(A) to move house property upon public highways of Virginia (B) to cut surface of the highways of Virginia, or to tunnel under such highways; (C) to install and/or erect and maintain telephone, electric power lines, water, sewer, gas or other utilities on, under or over such highways, bridges or tunnels;(D) to install an entrance or tie-in into a public roadway and/or grading upon the Right -of- way; or (E) for the following purposes: Explain below exact purpose(s) for which surety coverage is being obtained.

Work to be performed in the county, city or town of: _____

THEREFORE, The conditions of this obligation are such that if the said Principal shall in all respects comply with the terms and conditions of said permit(s), and fully meet and perform obligations thereunder in accordance with requirements for permits as set forth in the Land Use Permit Manual in effect at time of permit issuance, and shall satisfactorily complete the work permitted, and shall indemnify and save harmless the Commonwealth of Virginia against and from all loss, cost, expense damage or injury to highways and bridges and to persons and property lawfully on such highways, growing out of the granting of such permit(s) to said Principal, then this obligation be void, otherwise to be and remain in full force and virtue.

NOW, THEREFORE, It is expressly understood that this Bond may be canceled by the Surety at the expiration of sixty (60) days from the date which the Surety shall have lodged with the Commonwealth Transportation Commissioner or his designees written notice to so cancel. This provision, however, shall not operate to relieve, release or discharge the Surety from any liability already accrued, or which shall accrue, on permits issued before the expiration of the sixty-day period. **Bonds securing performance on specified active permit(s) may be canceled only upon satisfactory completion of permit(s), as determined by the Department Engineer.** NOTE: Continuous Bond cannot be canceled unless facilities covered by the permit have been removed from the Right -of-way, or the principal has arranged for replacement surety protection. **ALL permit work covered under section (C) above shall be covered by a bond at all times.**

Said principal and surety, being properly authorized, have caused these presents to be executed and their seals affixed the day and year first above written.

Surety name _____
 Bond number _____
 Address _____
 City _____ State _____ ZIP _____
 Contact person _____
 Phone number _____
 Attorney-in-Fact Name _____
 Signature _____

Principal name _____
 TAX ID # or DMV ID # _____
 Address _____
 City _____ State _____ ZIP _____
 Contact person _____
 Phone number _____
 Signature _____

Attorney-In-Fact POWER OF ATTORNEY AUTHORIZATION TO BE ATTACHED (Seal)

Acknowledgement of Principal

STATE OF _____ COUNTY / TOWN / CITY OF _____

I, the undersigned, a Notary Public in and for the County / Town / City aforesaid, in the State aforesaid, do certify that, _____ whose name as Principal is signed to the foregoing writing bearing date this _____ day of _____ (month), 20____ (year), personally appeared before me and acknowledged the same. Given under my hand this day of _____ (month), 20____ (year) My Commission expires: _____

Notary Public

Affidavit and Acknowledgement of Surety

STATE OF _____ COUNTY/TOWN/CITY OF _____

I, the undersigned, a Notary Public in and for the County/Town/City aforesaid, in the State aforesaid do certify that, . (Name of Attorney in Fact) personally appeared before me and made oath that he is . (Title) of the (Name of Surety), that he is duly authorized to execute the foregoing bond by virtue of a certain power of attorney of said company; that said power of attorney has not been revoked; that the said company has complied with all the requirements of law regulating the admission of such companies to transact business in the State of Virginia; that the said company holds the certificate of the Commissioner of Insurance authorizing it to do business in the State of Virginia; that it has a paid-up cash capital of not less than \$250,000; that the paid-up capital plus the surplus and undivided profits of said company is \$; that the penalty of the foregoing bond is not in excess of ten percentum of said sum; that the said company is not by said bond incurring in the aggregate, on behalf or on account of the principal names in said bond, a liability for an amount larger than one-tenth of its paid-up capital, plus its surplus and undivided profits; that the said company is solvent and fully able to meet promptly all its obligations, and the said (Attorney in fact name) thereupon, in the name and on behalf of the said company, acknowledged the foregoing writing as its act and deed.

Given under my hand this _____ day of _____ (month), 20____ (year) My Commission expires: _____

Notary Public

Original to be filed with the Virginia Department of Transportation
 Request for Land Use Permit Surety Bond Cancellation may be addressed to:
 Virginia Department of Transportation

LAND USE PERMIT
LUP-LC
Bank Irrevocable Letter of Credit

[Bank Letterhead]

LETTER OF CREDIT BANK AGREEMENT

Date: _____ APPLICANT NAME: _____

Issuing Bank: _____ Tax ID number or Driver's license Number: _____

Address: _____ Telephone Number: _____

Address: _____ Address: _____

City: _____ State _____ Zip Code _____ City: _____ State _____ Zip Code _____

Amount: _____

Expiration Date: _____

VIRGINIA DEPARTMENT OF TRANSPORTATION

Address: _____

City: _____ State _____ Zip Code _____

We hereby issue Irrevocable Letter of Credit number _____ in favor of the Virginia Department of Transportation (the Department) for the account of _____ in an amount not to exceed _____ U.S. Dollars (\$) available by sight draft on the above stated issuing bank accompanied by the documents specified below:

A certified statement signed by the Department's Permit Manager or their representative stating that _____ has not satisfactorily completed work pursuant to the permit issued to the permittee or his agent to perform the work as described on the face of the land use permit in the County of _____, Virginia.

A certified statement signed by the Department's Permit Manager or their representative stating that: "This draw is for the explicit purpose of providing for completion or restoration of the right of way to the terms of the Land Use Permit Regulations and pursuant to the agreement of the permittee or their Agent to perform the work covered by permit to the satisfaction of the Department." All drafts must bear the clause "Drawn under _____ Irrevocable Letter of Credit No. _____ dated _____, 20____."

We hereby engage with drawers, endorsers and bona fide holders that all drafts drawn in compliance with the terms of this credit shall be duly honored upon presentation and delivery of this document. This Irrevocable Letter of Credit shall remain in full force and effect for a period of two (2) years from the date hereof and shall automatically renew itself from year to year for three (3) years, one (1) year periods thereafter unless and until the above issuing bank shall give ninety (90) days prior written notice to the department by CERTIFIED MAIL, RETURN RECEIPT REQUESTED, of its intent to terminate same at the expiration of said ninety-day period. During said ninety (90) days notice period, this Irrevocable Letter of Credit shall remain in full force and effect.

During the last thirty (30) days while this Irrevocable Letter of Credit is in force and effect after notice of termination has been given, the Department may draw up to the full amount of this Irrevocable Letter of Credit when accompanied by a document stating that _____ has failed to provide an acceptable substitute Irrevocable Letter of Credit or deposit in an escrow account, and further stating that "The draw will be held by the Department for the sole purpose of providing for the completion or restoration of the right of way for work covered by the land use permit issued to _____ until such work is completed or restored to the Department's satisfaction. This Irrevocable Letter of Credit shall be terminated upon the Department's Permit Manager or their appointed representative giving written release stating that the terms of the permit have been completed and accepted by the Department." Requests for the termination of this Irrevocable Letter of Credit should be addressed to the local Department office that issued the land use permit.

Except as otherwise expressly stated herein, this credit is subject to the Uniforms Customs & Practices for Documentary Credit (2007 Revision), International Chambers of Commerce Publication No. 600.

Attest: _____

(Seal)

Authorized Signature

Type or Print Name

Title

Request for Taxpayer Identification Number and Certification



Section 1 - Taxpayer Identification

Social Security Number (SSN)

Employer Identification Number (EIN)

Please select the appropriate Taxpayer Identification Number (EIN or SSN) type and enter your 9 digit ID number. The EIN or SSN provided must match the name given on the "Legal Name" line to avoid backup withholding. If you do not have a Tax ID number, please reference "Specific Instructions - Section 1." If the account is in more than one name, provide the name of the individual who is recognized with the IRS as the responsible party.

Dunn & Bradstreet Universal Numbering System (DUNS) (see instructions)

Legal Name:

Business Name:

Entity Type

Entity Classification

Exemptions (see instructions)

- | | |
|--|--|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation |
| <input type="checkbox"/> Sole Proprietorship | <input type="checkbox"/> S-Corporation |
| <input type="checkbox"/> Partnership | <input type="checkbox"/> C-Corporation |
| <input type="checkbox"/> Trust | <input type="checkbox"/> Disregarded Entity |
| <input type="checkbox"/> Estate | <input type="checkbox"/> Limited Liability Company |
| <input type="checkbox"/> Government | <input type="checkbox"/> Partnership |
| <input type="checkbox"/> Non-Profit | <input type="checkbox"/> Corporation |

- | | |
|--|--|
| <input type="checkbox"/> Professional Services | <input type="checkbox"/> Medical Services |
| <input type="checkbox"/> Political Subdivision | <input type="checkbox"/> Legal Services |
| <input type="checkbox"/> Real Estate Agent | <input type="checkbox"/> Joint Venture |
| <input type="checkbox"/> VA Local Government | <input type="checkbox"/> Tax Exempt Organization |
| <input type="checkbox"/> Federal Government | <input type="checkbox"/> OTH Government |
| <input type="checkbox"/> VA State Agency | <input type="checkbox"/> Other |

Exempt payee code (if any):

(from backup withholding)

Exemption from FATCA reporting code (if any):

Contact Information

Legal Address:

Name:

Email Address:

City: State : Zip Code:

Business Phone:

Remittance Address:

Fax Number:

Mobile Phone:

City: State : Zip Code:

Alternate Phone:

Section 2 - Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined later in general instructions), and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions: You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See instructions titled Certification

Printed Name:

Authorized U.S. Signature:

Date:

