
THIRD READING

Bill No: AB 830
Author: Rogers (D)
Amended: 8/29/25 in Senate
Vote: 21

SENATE TRANSPORTATION COMMITTEE: 15-0, 7/8/25

AYES: Cortese, Strickland, Archuleta, Arreguín, Blakespear, Cervantes, Dahle, Gonzalez, Grayson, Limón, Menjivar, Richardson, Seyarto, Umberg, Valladares

SENATE APPROPRIATIONS COMMITTEE: 7-0, 8/29/25

AYES: Caballero, Seyarto, Cabaldon, Dahle, Grayson, Richardson, Wahab

ASSEMBLY FLOOR: 79-0, 6/4/25 - See last page for vote

SUBJECT: State highways: encroachment permits: relocating or removing encroachments: public utility districts: County of Mendocino

SOURCE: Author

DIGEST: This bill requires the California Department of Transportation (Caltrans) to bear the sole expense for relocating or removing the encroachment of a public utility district (PUD) with a ratepayer base of 5,000 households or fewer in the County of Mendocino in the event of a future improvement to the highway, and to notify the PUD at each stage of a project.

ANALYSIS:

Existing law:

- 1) Establishes Caltrans and provides that it has full possession and control of all state highways and property and rights in property acquired for state highway purposes, construct all state highways.
- 2) Defines “encroachment” to mean any tower, pole, pole line, pipe, pipeline, fence, billboard, stand or building, or any structure, object of any kind, or

special event such as a street festival, sidewalk sale, community-sponsored activity, or community-approved activity which is in, under, or over any portion of the state highway right of way.

- 3) Authorizes Caltrans to issue written permits for a permittee to make an opening or excavation in any state highway, place, and change or renew an encroachment, place advertising on a state highway, plant or remove trees and shrubs on the state highways, and install or remove chain tires on the state highway.
- 4) Requires a permittee to pay the sole expense to relocate or remove the encroachment if necessitated by a future improvement of the highway.
- 5) Requires the permittee to commence the relocation or removal within the time specified in the permit and thereafter diligently prosecute until completion.
- 6) Exempts a permittee from bearing the sole expense of relocating or removing an encroachment, if the encroachment consists of a track or roadway that serves as an exclusive public mass transit guideway owned, operated, and maintained by a publicly owned mass transit authority.
- 7) Caltrans may require any person who has placed and maintained any pole, pole line, pipe, pipeline, conduit, street railroad tracks, or other structures or facilities upon any state highway, whether under that or any franchise, to move it at his or her own cost and expense to such different location in the highway as is specified in a written demand of the department, whenever necessary to insure the safety of the traveling public or to permit the improvement of the highway.

This bill:

- 1) Requires Caltrans bear the sole expense of relocating or removing the PUD's encroachment in the event a future improvement of the highway necessitates the relocation or removal of the encroachment for a permittee that is a public utility district in the County of Mendocino with a ratepayer base of 5,000 or fewer.
- 2) Requires Caltrans to notify a PUD, as specified, at each stage of a project that necessitates the relocation or removal of the PUD's encroachment.
- 3) Defines "public utility district" to mean a PUD formed pursuant to existing law, as specified.

- 4) Includes a sunset provision of January 1, 2031.
- 5) Stipulates that the Legislature finds and declares that a special statute is necessary because the unique geography and rural nature of the County of Mendocino, combined with a state highway dividing many communities throughout the county, place unique burdens on local governmental entities in the County of Mendocino when relocating utilities for transportation projects.

Comments

- 1) *Purpose of this bill.* According to the author, “This bill would support rural community of Hopland by allowing Caltrans to fund the relocation or removal of the Hopland Public Utility District’s utilities under the district’s encroachment permit with Caltrans. This bill would ensure that highway improvements are completed in a timely manner and rural communities would not bear the burden of any infrastructure improvements.”
- 2) *What is an encroachment?* An encroachment is a temporary use of the state right-of-way for purposes other than transportation. An encroachment permit is required for any activity on the state right-of-way. Some examples of work requiring an encroachment permit are utilities, excavations, encroachment renewals, advertisements, vegetation planting or trimming, surveys, mailboxes, driveways, installation or removal of tire chains for compensation, special events, and commercial filming activities.

Specifically, a utility is any privately, publicly or cooperatively owned line, facility or system for producing, transmitting or distributing electricity, gas, water, communications, waste or other similar commodity which serves the public.

To obtain an encroachment permit from Caltrans, applicants must complete an application and attach supporting documentation such as plans, location map, environmental documentation, letter of authorization, surety bonds, liability insurance, and any applicable fees. The completed application package must be submitted to the Caltrans’ district encroachment permit office that has jurisdiction over the proposed encroachment site.

Caltrans must approve or deny an encroachment permit application within 60 calendar days, upon determination that the submittal is complete. The actual

time needed to review and approve an application depends on the completeness of the submittal, scope, and complexity of the proposed work.

If an encroachment needs to be relocated as a result of improvements on the state highway system, it is the responsibility of the encroachment permit holder (permittee) to pay for the relocation of the infrastructure encroaching on Caltrans right-of-way.

- 3) *Hopland 101 Project.* Caltrans proposes to construct improvements on U.S. Highway 101 (US 101) in downtown Hopland in Mendocino County for compliance with the Americans for Disabilities Act (ADA). Work includes improving curb ramps, sidewalks, and driveways, reconstructing the roadway, rehabilitating pavement, and signage.

Caltrans identified access barriers within the project location. These barriers include pedestrian facilities that are non-compliant with current accessibility standards such as missing curb ramps, sidewalks, and driveways that prevent persons with mobility challenges from accessing public facilities, local stores, and restaurants. Caltrans completed a feasibility study in September 2015 with the objectives to optimize the Hopland “main street” corridor on US 101 and provide complete streets that consider all road users, including pedestrians, cyclists, trucks, transit vehicles, and motorists.

Other deficiencies within the project limits include roadway pavement in fair condition, aging or degraded signage, insufficient Transportation Management Systems (TMS) assets, and drainage facilities in poor condition. TMS assets are technology-based communications infrastructure on the highway system dedicated to improving the safety, operational efficiency, and sustainability of the transportation network by reducing traffic congestion, such as changeable message signs, traffic lights, and traffic census stations.

As noted, the purpose of this project is to upgrade existing ADA pedestrian facilities to comply with current standards and to upgrade roadway pavement, signage, TMS assets, and drainage to good condition. According to Caltrans, the project is estimated to cost roughly \$11 million and construction is scheduled to begin spring 2026 with a completion schedule of December 2027.

- 4) *Hopland Public Utility District.* The Hopland Public Utility District (HPUD) was established in 1950 in the Sanel Valley, located approximately 12 miles south of Ukiah, and provides water and sewer service to the Hopland

community. There are approximately 326 water connections and 274 sewer connections within HPUD's jurisdiction, and approximately 340 ratepayers.

Hopland is considered a disadvantaged unincorporated community (DUC), according to the Local Agency Formation Commission. A DUC is defined as any area with 12 or more registered voters where the median household income is less than 80% of the statewide median household income. Within a DUC, three basic services are evaluated: water, sewage, and fire protection. HPUD provides water and wastewater, and is responsible for assuring that these services are adequately provided to the community. In 2023, Hopland's average per capita income is \$48,466, and Hopland's median household income was \$80,298.

- 5) *Hopland's water main needs to be moved.* There is currently HPUD existing water and sewer infrastructure encroaching on Caltrans right-of-way needed for the US 101 project. As detailed above, if an encroachment needs to be relocated as a result of improvements on the state highway system, current law requires the encroachment permit holder, HPUD, to pay for the relocation of the infrastructure encroaching on Caltrans right-of-way. Therefore, HPUD is required to bear the sole cost of moving the utility infrastructure for the Hopland 101 Project.

According to Caltrans, the expected cost to HPUD as a result of the Hopland 101 Project is between \$1 to \$3 million to move or relocate the water main. According to HPUD, it does not have the funding to pay for the needed utility relocation. The water main was replaced in 2000-2001 and HPUD is still repaying a federal loan that funded the project. According to HPUD, they have also approved a rate study but noted that rates are already rising.

In reaction to the Hopland situation, Caltrans has proposed the Hopland 101 project be completed in two phases with Phase II of the project being contingent upon HPUD acquiring the necessary funding to relocate utilities in the project area. Phase I construction would commence early next year. According to Caltrans, Phase II would be delayed until 2033 and costs could increase by up to \$4 million.

- 6) *AB 830 hopes to solve the problem.* AB 830 would require Caltrans to bear the sole expense for the relocation of public utilities infrastructure for a an encroachment permit holder if the permittee is a public utility district in the County of Mendocino with a ratepayer base of 5,000 or fewer, which would be

Hopland PUD. This bill also requires Caltrans to inform the public utility district at each stage of the project.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Senate Appropriations Committee:

- Caltrans indicates that costs for removing or relocating a single encroachment can be in the range of \$2-3 million, depending on the scope and scale of the necessary relocation or removal. While there is one known qualifying PUD with an encroachment in Caltrans right-of-way that requires relocation in the near term, it is unclear at this time how many qualifying PUDs in Mendocino County have encroachments that may require relocation or removal as a result of future highway improvements. (State Highway Account)

SUPPORT: (Verified 8/29/25)

California Municipal Utilities Association
California Special Districts Association
County of Mendocino
Hopland Public Utility District
Mendocino Council of Governments
Rural County Representatives of California
Trinity Public Utilities District

OPPOSITION: (Verified 8/29/25)

None received

ARGUMENTS IN SUPPORT: Writing in support of this bill, the Mendocino Council of Governments states, “As the regional transportation planning agency for Mendocino County, we at MCOG are well aware of the need for this bill. The state highways serve a “Main Street” in many of our small, rural communities, including the community of Hopland. A Caltrans project in this community has been facing severe challenges in moving forward due to the project’s impacts on the small, local public utility district (PUD). Caltrans has worked with the PUD to try to reduce the impacts, but despite these efforts, the necessitated relocations would still be a huge financial burden to the district and its few hundred rate payers. Current law prohibits Caltrans from using their funds to move utilities for construction improvements including crucial pedestrian safety projects, on state highways. As a result, Caltrans will have to delay critical project components, including some safety features, without a change in law. AB 830 would allow

important projects like the Hopland project to move forward without unfair financial burden on the community.”

ASSEMBLY FLOOR: 79-0, 6/4/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Farías, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon, Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Nguyen, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

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