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TO:  <b>SUPERSEDED BY</b> <u>EB 09-004</u> <b>EFFECTIVE</b> <u>7/1/09</u>	 <b>ENGINEERING INSTRUCTION</b> NEW YORK STATE DEPARTMENT OF TRANSPORTATION
Distribution: <input checked="" type="checkbox"/> Main Office <input checked="" type="checkbox"/> Regions <input type="checkbox"/> Special	SUBJECT: LANDSCAPE ITEMS WHICH MAY BE INCLUDED IN REHABILITATION AND PRESERVATION CONTRACTS Subject Code: 7.28
APPROVED:  Deputy Chief Engineer, Facilities Design	Code: <u>EI 73-26</u> Date: <u>4/19/73</u> Supersedes: MODIFIES EI 72-101 DATE 11/13/72

While the main purpose of the R&P program is as implicit as its name indicates, there are various items of work not directly concerned with the highway cross section (pavement, shoulder, and provisions for drainage) which should be considered for inclusion in such contracts. Some of these are outlined briefly below:

1. The removal of trees which are hazardous to the highway user because of their physical condition or their location in relation to the highway.
2. The replacement of trees in certain areas, particularly in villages or heavily settled rural areas, where the removal of trees necessary to carry out the project may cause a radical change in the appearance of the area. In such cases, it is permissible to plant the appropriate kinds of trees in sizes up to 3"-3 1/2" caliper.
3. There may be occasions where construction will result in exposing earth due to widening, construction of shoulders, etc. Proper provisions should be included in the contract to re-establish the appropriate kind of turf in such areas. In certain instances, this may require sodding or building a good lawn where our work immediately adjoins an existing privately owned, high quality lawn. In areas outside villages, etc. the usual seeding and mulching should suffice for the reasons of preventing soil erosion, appearances, and good public relations.

The necessity for tree removal will be discussed with local officials and area residents prior to the completion of design and contract letting. At this time, stress that we will plant trees to replace those which we are forced to remove due to the tree's physical condition or their location in relation to the highway. Keep in mind that we can plant trees on private property if we obtain permission to do so from the owner. The method by which our Department can plant outside of our right of way is discussed in Engineering Instruction Code EI 72-101 dated 11/13/72.

All of your R&P projects presently under design should be reviewed in light of the above.

MDG:JJR:B