

# Land use constraints and FAQs



**SDG&E's preference is that you review your options and choose one that will not require you to encroach upon or encumber SDG&E property and easements.**

**Please review the questions below and if you answer YES to any of them, an SDG&E Corporate Real Estate & Land Services Department representative will need to assess the project request.**

- Will the project require relocation of any SDG&E gas or electric facilities (above or below ground wires, transformers, vaults, poles, etc.)?
- Will the project encroach on or be located near any SDG&E fee-owned property, right-of-way, easement, or access road?
- Will the project require the sale or transfer of any SDG&E fee-owned property, right-of-way, easement, or access road?
- Will the project require the quitclaim of any existing SDG&E easement?

**If SDG&E is able to accommodate your project request, your project may also require:**

- Approval by the California Public Utilities Commission (CPUC), which by law must review and approve any sale, lease, encumbrance or other disposal of all or any part of the property of a public utility. The law is found in Section 851-857 of the California Public Utilities Code. CPUC review could add a **minimum** of 6 to 12 months to a project's timeline and approval is not guaranteed. Approval is required before SDG&E could proceed.
- If CPUC approval is required, SDG&E may also be required to first offer the property under CPUC review to a tribe whose ancestral territory surrounds the property under the CPUC's Tribal Land Policy, which was adopted in December, 2019. The Tribal Land Policy may add an **additional 4 months minimum** to a project's timeline and may result in a tribe's involvement in the process.



## Frequently Asked Questions (FAQs)

### 1. What is an easement or right-of-way?

An easement or right-of-way is a right to use the property of another for certain purposes. SDG&E obtains easements on property, owned by others, for the right to install, maintain, operate and access our facilities on that property. The easement may restrict certain uses within the easement or right-of-way area.

### 2. What is a utility corridor?

An SDG&E utility corridor is a strip of land that forms a passageway through which SDG&E installs, operates and maintains its gas and electric facilities both above and below ground. An SDG&E utility corridor can either be located within land owned by SDG&E, or within land owned by another upon which SDG&E has an easement or right-of-way.

### 3. What is an encroachment?

An encroachment occurs when a person builds on or intrudes on, under or over the property of another, including within an easement, without permission.

### 4. What if I want to use SDG&E land or space within an SDG&E easement?

At SDG&E, we take great care to keep our facilities clear of anything that might cause a safety or reliability issue. SDG&E typically does not allow other structures within SDG&E-owned land or an SDG&E easement area.

### 5. What happens if an encroachment onto SDG&E's land or easement is discovered?

SDG&E may choose to enforce its easement or ownership rights to require removal of the encroachment at the property owner's expense.

### 6. Does SDG&E have an easement on my property?

Property owners should order a title report or refer to their title policy for the easements encumbering their property.

### 7. If SDG&E has an easement on my property, who maintains the easement area?

The Owner of the property has the responsibility to maintain clearance of all encroachments from an SDG&E easement, which can include clearing of vegetation, trash, or any other materials that interfere with SDG&E facilities. SDG&E's easements give us the right, but not the obligation, to trim trees and remove vegetation as needed. SDG&E may choose to enforce its easement rights to require such clearing at the property owner's expense.



## Requests

### Types of encroachments typically denied:

- Buildings, homes, porches, additions and decks
- Stored trailers, recreational vehicles and inoperable vehicles
- Swimming pools located above and below ground
- Retention ponds
- Fuel storage facilities, above ground or below grade
- Billboards
- Fences that deny SDG&E access to the easement corridor
- Uses of easement area for fill dirt or other refuse
- Lights, flag poles and antennas
- Swing sets, slides and climbing equipment
- Certain types of trees and other vegetation
- Fire hydrants
- Retaining walls
- Flammable or combustible materials

If your project request cannot be completed or designed without encroaching into an SDG&E property or easement, then keep in mind that you may encounter delays in your project timeline. If you would like to proceed, please provide the documents listed below with your project submittal to Builder Services or the Service Order Team. SDG&E cannot begin internal review of your project without the required documents. Once your complete forms and required documents are received by SDG&E, an internal review will be completed to ensure the proposed project will not interfere with operations, maintenance and access to SDG&E facilities.



## Required documents to provide

- Title Report
- All available plans (e.g., grading, improvement/site, landscape, irrigation)
- Map or plan illustrating the easement location and any existing or proposed SDG&E facilities
- Any other relevant documents that pertain to your request



## Contact us

To learn more, scan the QR code, or visit, [sdge.com/Landservices](https://sdge.com/Landservices)

Feel free to contact us if you have any questions at [SDGELandServices@sdge.com](mailto:SDGELandServices@sdge.com)

