



**SPECIAL PROVISIONS  
FOR  
ENVIRONMENTAL PROTECTION**

**Scott County  
IM-NHS-074-1(207)5--03-82**

**Effective Date  
March 17, 2020**

**THE STANDARD SPECIFICATIONS, SERIES 2015, ARE AMENDED BY THE FOLLOWING MODIFICATIONS AND ADDITIONS. THESE ARE SPECIAL PROVISIONS AND THEY SHALL PREVAIL OVER THOSE PUBLISHED IN THE STANDARD SPECIFICATIONS.**

**150637.01 DESCRIPTION.**

- A.** The work under this contract is located in an environmentally sensitive area within or near the Mississippi River (the River). The Contractor's work area shall be restricted to the minimum to construct the project and to accomplish related work. Contractor shall make every reasonable effort to execute the construction in a manner so as to minimize any adverse impact of the construction or work on fish, mussels, wildlife, or natural areas.
- B.** Areas disturbed by excavation for construction of haul roads, docks and other permanent or temporary structures, shall be restored to original contours as noted in contract documents. Areas required for equipment movement, offices, stockpiling, service repairs, and storage shall be kept to a minimum and shall be restricted to the boundaries noted in the plans and contract documents.

**150637.02 WORK ZONE REQUIREMENTS.**

- A.** The I-74 corridor project area crosses the Mississippi River which is an environmentally sensitive resource. All construction activity in the Mississippi River, along its riverbank, and within the area that drains into the Mississippi River should be considered work in an environmentally sensitive area. Work on the Illinois side of the river should be considered work in a particularly sensitive area.
- B.** Any construction related conditions deemed to be potentially damaging to environmentally sensitive resources by the Engineer shall be rectified immediately or construction will cease until such time as the condition is rectified. At the discretion of the Engineer, construction activities may resume once provisions to rectify the situation are made. The Contractor shall confine equipment and operations to the project right-of-way shown in the contract documents. These designated construction zones shall be protected with temporary

sediment control measures in accordance with the details in the contract documents. No work shall commence on this contract until temporary erosion control and sediment control measures identified in the plans have been installed.

- C.** Any erosion control and sediment control measures implemented, on land or water, shall remain in place and maintained until construction in the area is completed.
- D.** Any sediment control measures implemented, on land or water, shall remain in place and maintained until construction in the area is completed. For areas on the river bank, sediment control measures shall remain in place and be maintained until the area has been stabilized with temporary or permanent seeding. All earthwork operations on shore will be carried out in such a manner to ensure no sediment runoff and soil erosion will enter the river.
- E.** Temporary sediment control measures removed or damaged due to construction activities or high water levels shall be replaced or repaired, where possible, within the emergency mobilization time of 8 hours or within standard mobilization time of 72 hours. If it is not possible to meet the designated time frames, sediment controls shall be replaced prior to recommencing work that would cause turbidity issues in the water.
- F.** The clearing of vegetation will be limited to that which is absolutely necessary for construction and operation of the project. All areas disturbed by construction activities and not covered with riprap shall be re-seeded with native grass mix according to Article 2601.03, C, 5 of the Standard Specifications, unless otherwise specified in the contract documents. All re-vegetated areas shall be monitored to make certain they succeed.
- G.** Removal and replacement of any revetment stone placed as part of the project should yield a structure with no significant change in gradation. Any damaged stone shall be replaced with new stone to ensure proper gradation.
- H.** No materials, including cleared and grubbed vegetation or construction debris, shall be disposed of in such a way that it could enter a wetland or waterway.
- I.** The contractor shall perform his work in such a way to ensure that no wet or dried concrete shall enter the River, any waterway or wetlands. If concrete does enter these areas the Contractor shall be solely responsible for any remediation necessary. Wash concrete trucks out in such a manner that wash water cannot enter the River, waterway, or wetlands. If a designated area is constructed or identified, that location shall be included in the temporary construction plans.
- J.** Care shall be taken to prevent materials spilled or stored on site from washing into any wetland or waterway as a result of cleanup activities, natural runoff, or flooding, and that, during construction, any materials, which are accidentally spilled into these areas, will be retrieved.
- K.** No fuels, lubricants, form oil, or similar products shall be stored in an area that has not been protected by a berm or other spill materials within the project area. All handling and storage of these materials must be done in such a manner as to comply with federal Spill Prevention Control and Countermeasure regulations and protect all water bodies from accidental spills and leaks.
- L.** The contractor shall perform his work in such a way as to prevent materials spilled or stored on site from washing into the River or any wetland or waterway as a result of cleanup activities, natural runoff, or flooding. If, during construction, any materials are accidentally spilled into these areas, the materials will be retrieved and/or remediated immediately.
- M.** Spill protection material (i.e., spill kit) shall be readily available at the project site, and on work

barges, to contain and absorb accidental spills of fluids from construction equipment. Personnel trained in the implementation of the spill kit shall be readily available onsite to respond to accidental spills.

- N. The Iowa DNR regulates open burning and administers regulations that pertain to fugitive dust and opacity (visible emissions). In general “open burning” is prohibited except for the special exemptions listed in the state open burning rules. The open burning rules are contained in 567 IAC rule 23.2(455B). In addition there are a number of definitions in 567 Chapter 20 that are applicable to open burning. The IAC is available on-line at [www.legis.state.ia.us/IAC.html](http://www.legis.state.ia.us/IAC.html). In general, owners or operators must take reasonable precautions to prevent fugitive dust from becoming airborne and crossing the property line. These regulations are contained in 567 IAC paragraph 23.3(2)“c”, and can be found at the website above. In general, visible emissions in excess of 40% opacity are not allowed unless specifically exempted under rule. The rules for opacity are under paragraph 567 IAC 23.3(2)“d”, and can be found at the website above.

**150637.03 PROTECTED SPECIES.**

- A. Removal of trees is prohibited between the dates of December 15 to February 20 to protect bald eagles.
- B. If during the course of construction, any discoveries of protected plant or animals are made in the project area, the Contractor should notify the Engineer immediately.

**150637.04 CLEAN WATER ACT COMPLIANCE.**

- A. A Clean Water Act Section 404 Permit has been obtained by the Contracting Authority that authorizes all construction-related activities affecting waters of the U.S. The 404 Permit contains numerous special conditions, all of which may not have been included in this Special Provision. Failure to follow the provisions of the 404 Permit or this Special Provision may result in enforcement actions being initiated by the USACE. Enforcement actions may include an order to immediately cease all construction activity and/or fines.
- B. It will be the Contractor’s responsibility to ensure that the day-to-day operations of the project comply with this Special Provision. The Engineer will be available throughout the project to offer guidance to the Contractor regarding compliance with this Special Provision and the Clean Water Act.
- C. Included with the Clean Water Act Section 404 Permit are Section 401 Water Quality Certifications from Iowa Department of Natural Resources and the Illinois Environmental Protection Agency, which contain numerous special conditions that are included by reference in this Special Provision.

**150637.05 PAYMENT.**

- A. No separate payment will be made for costs incurred due to compliance with this Special Provision.
- B. No additional time will be provided to the contract unless approved in writing by the Engineer.