

STATE OF DELAWARE



DEPARTMENT OF TRANSPORTATION

DESIGN-BUILD PROJECT

for

INDIAN RIVER INLET BRIDGE

Replacement of Bridge 3-156,
SR1 over Indian River Inlet
State Contract # 26-073-03 Readvertised
Federal Contract # BRN-S050(14)

SCOPE OF SERVICES PACKAGE

CONTRACT DOCUMENTS

PART 7

ENVIRONMENTAL REQUIREMENTS

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STATE OF DELAWARE
DEPARTMENT OF TRANSPORTATION
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CAROLANN WICKS, P.E.
SECRETARY

ENVIRONMENTAL REQUIREMENTS

for
Design-Build Replacement of
Bridge 156, SR 1 over Indian River Inlet
State Contract No.: 26-073-03 Readvertised
Federal Aid. No: BRN-S050(14)

In accordance with the procedural provisions for implementing the National Environmental Policy Act of 1969, as amended, the referenced project has been processed through the Department's Environmental Review Procedures and has been classified as a Level B/Class III Action. As such, an Environmental Assessment has been prepared to evaluate potential adverse impacts to result from construction of the proposed action (per 23 CFR 771.119) and the following special provisions have been developed to mitigate and/or minimize these impacts:

PERMIT REQUIREMENTS:

The construction work involving replacement of Bridge 156, SR 1 over Indian River Inlet, Sussex County, Delaware requires permit approval from those agencies listed below. It is the responsibility of the contracting agency, the Department of Transportation, Division of Highways to obtain the necessary permits and to ensure that the contractor complies with the requirements and conditions established by the permitting agencies. Copies of permits will be provided to the contractor by the District at the Pre-Construction meeting and must be available on site during all phases of construction activity. When available, advanced copies of the permits will be made available for review from DelDOT's Contract Administration.

Permits and Status

U.S. Coast Guard General Bridge Permit - Approved, see Appendix A
U.S. Army Corps of Engineers 404 Individual Permit - Approved, see Appendix A
DNREC Subaqueous Lands Permit - Approved, see Appendix A
DNREC 401 Water Quality Certification Permit - Approved, see Appendix A
DNREC Coastal Zone Consistency Certification - Approved, see Appendix A
DNREC Wetlands Permit - Approved, See Appendix A

The contractor will follow and adhere to all permit stipulations and conditions.

ENVIRONMENTAL COMPLIANCE PLAN SHEETS:

1. As indicated in plans and specifications, the contractor shall pay special attention to specific time, notification, and construction restrictions as indicated on the project's Environmental Compliance Sheets.

SPECIFIC REQUIREMENTS:

The following construction requirements have been developed to minimize impact to the surrounding environs. Compliance with all requirements of the permit is also the responsibility of the contractor subject to penalties, fines, and risk of shut down as mandated by laws governing permitting agencies. Additional provisions are also provided below that the contractor must follow.

1. Construction activities will be restricted to within the defined limits of construction, avoiding adjacent wetland and parkland areas outside the project's limit of construction. Areas temporarily disturbed will be restored to pre-construction grade and conditions.
2. Wetland boundaries for those wetlands in the project area are included in the plans. It is the contractors responsibility to ensure that there is **no access or storage** permitted in these designated areas.
3. All fill material shall be free of fines, oil and grease, debris, wood general refuse, plaster, and other pollutants, and shall contain no asphalt.
4. No movement of equipment within wetlands and subaqueous lands will be permitted without prior approval.
5. The movement of equipment within wetlands or subaqueous lands shall be limited to that necessary to accomplish the work authorized in the permits or contract.
6. There will be no stockpiling or temporary matting for storage of construction equipment materials in wetlands or subaqueous lands.
7. Any incidental material shall be properly stabilized to prevent its entry or re-entry into drainage areas, wetlands, or waterways.
8. Temporary and permanent seeding will be done in a timely manner to limit potential impacts from erosion and sedimentation.
9. That any fill material shall be placed, stabilized, and maintained in a manner that precludes its entrance or erosion into adjacent wetlands, waterways, or drainage areas.
10. The disposal of trees, brush and other debris in any stream corridor, wetland surface water, or drainage area is prohibited.
11. After completion of construction, all disturbed areas shall be permanently stabilized by seeding and mulching, rip-rap placement, or by the planting of native vegetation - see plans and/or wetland requirements.
12. The contractor shall be advised that no encroachment will be permitted beyond the denial of access line through the limits of construction or temporary easements.

13. The contractor will be required to notify the District Engineer for locations to preform fueling and equipment maintenance activities. The contractor shall also employ measures during construction to prevent spills of fuels, degreasers, or lubricants. If a spill should occur, immediate efforts shall be taken to prevent its entry into wetlands and aquatic areas. Any spills entering wetlands and aquatic areas shall be removed immediately. DNREC shall be notified of any spill(s) within six hours of occurrence. DNREC will determine the effectiveness of spill and contamination removal and specify remediation as necessary.

14. Construction shall be conducted so as not to violate the State of Delaware Department of Natural Resources and Environmental Control, "Surface Water Quality Standards" as amended August 11, 1999.

15. The Corps of Engineers and DNREC shall be notified of all preconstruction meetings so that agency representatives may have the opportunity to attend. The on-site construction supervisor shall be present at all preconstruction meetings involving the Corps of Engineers.

CULTURAL RESOURCE REQUIREMENTS

1. The contractor will submit to the District Engineer the location(s) of permanent disposal sites to be used for the disposition of all clean waste materials (see DNREC regulations regarding clean waste materials) resulting from the construction contract. The contractor will submit at the Preconstruction meeting, a location map and a plot plan (sketch or diagram) of where on the property all material is to be placed. The limits of the site(s) will be physically staked or surveyed on the property. The District Engineer will submit the contractor's disposal site location(s) to the State Historic Preservation Office (DE SHPO) for approval.

The DE SHPO will determine if a cultural resource survey is required before the site can be approved. If additional survey work is required, it will be the contractor's responsibility to hire a qualified professional to assess the site(s) for the presence or absence of cultural resources (historic or prehistoric archaeological sites). The contractor's consultant will be responsible for producing documentation of the survey results for submission to the DE SHPO.

If the contractor proposes the use of disposal sites outside the State of Delaware, the contractor must provide written approval from the State Historic Preservation Office of each respective state.

A project's disposal operation will not commence until the DE SHPO has notified the DelDOT District Engineer that the site locations(s) is approved for use.

The use of the disposal site will not result in discharge of materials into US Army Corps of Engineers or DNREC jurisdictional wetlands or waters. It is the responsibility of the contractor to provide any site surveys or wetland delineations needed to preclude wetland encroachment.

The contractor will be responsible for all sediment and erosion control measures and subsequent approvals for the disposal site(s) operations.

It is the contractor's responsibility to obtain all other appropriate Federal, State, or local approvals required by law for the disposal site(s).

Delaware Department of Transportation

PERMIT SUMMARY

Description	Permit #	Date Issued	Expiration Date	Special Conditions	Notification Requirement	Comments
U.S. Coastguard	3-04-5 and 3a-04-5 (Amendment)	12/28/2004 1/17/2008	12/28/2009 1/17-2013	Yes. See Pages 1-2.	45 days	Department shall file for extension due to change in structure type and proposed completion date. All other coordination for temporary works, etc. shall be done by Design/Builder.
U.S. Army Corps*	CENAP-OP-R-200400194-1	3/4/2005	12/31/2010	Yes. See Pages 4-7	10 days	Department shall file for extension due to change in structure type and proposed completion date. Any permit modifications or mitigation required because of additional impacts to wetlands caused by the new design shall be obtained by the Design Builder.
Subaqueous Lands*	SP-020/04	9/8/2004	9/8/2012	Yes. See Pages 2-4, in particular condition 8.	10 days	Department shall file for extension due to change in structure type and proposed completion date. Any permit modifications or mitigation required because of additional impacts to wetlands caused by the new design shall be obtained by the Design Builder.
DNREC Wetlands*	WE-020/04	9/8/2004	9/8/2012	Yes. See Pages 2-5, in particular #12	10 days	Department shall file for extension due to change in structure type and proposed completion date. Any permit modifications or mitigation required because of additional impacts to wetlands caused by the new design shall be obtained by the Design Builder.
DNREC Water Quality*	WQ-021/04	9/8/2004	9/8/2012	Yes. See Pages 2-5, in particular #12	10 days	Department shall file for extension due to change in structure type and proposed completion date. Any permit modifications or mitigation required because of additional impacts to wetlands caused by the new design shall be obtained by the Design Builder.
FAA Determination of No Hazard	XX	XX	XX	XX	XX	Design Builder

*Special Conditions that are the responsibility of the Department:

1. Creation of wetlands to mitigate permanently impacted jurisdictional (155,303 s.f.) and U.S. waters (21,853 s.f.) as dictated based on the current roadway alignment.
2. Wetland monitoring for areas listed in #1.
3. Creation of diamondback terrapin habitat (already completed)
4. Installation of terrapin protection fencing (already completed). Design Builder shall repair/ replace any fencing he damages as part of his construction.
5. Construction of 3 elliptical culverts for terrapin passage. (Shall be completed as part of the roadway approach contract.