Texas Department of Transportation Book 2 - Technical Provisions

IH 35E Managed Lanes Project

Attachment 4-5

Environmental Permits, Issues, and Commitments (EPIC)

νi	If additional space is needed for a numbered section, fence and adjust sections up or down as needed for proportioning and readability but do not relocate from its relative position.
ω,	3. All areas should be addressed thoroughly and verify the necessary pay items are set up to
	support actions needed.
Rev:	Revised: October 2012

I.	STORMWATER POLLUTION	PREVENTION PLAN-CLEAN	WATER ACT SECTION 402	III. CULTU	IRAL RESOURCES		VI. HAZARDOUS MATERIALS OR CONTAMIN	ATION ISSUES	
TPDES TXR 150000: Stormwater Discharge Permit or Construction General Perrmit		Refer to TxDOT Standard Specifications in the event historical issues or archeological artifacts are found during construction. Upon discovery of archeological artifacts (bones, burnt rock, flint, pottery, etc.) cease			General (applies to all projects):				
required for projects with 1 or more acres disturbed soil. Projects with any disturbed soil must protect for erosion and sedimentation in accordance with Item 1122.					Comply with the Hazard Communication Act (the Act) for personnel who will be working with				
			grion in accordance with		-	contact TxDOT immediately.	hazardous materials by conducting safety meetings prior to beginning construction and making workers aware of potential hazards in the workplace. Ensure that all workers are		
				Develo	per is responsible for th	e required actions below.	provided with personal protective equipment appropriate for any hazardous materials used.		
	☐ No Action Required	Required Action		X	No Action Required	Required Action	Obtain and keep on-site Material Safety Data used on the project, which may include, but	Sheets (MSDS) for all hazardous products are not limited to the following categories:	
	Action No.	Cor	mmitment	IV. VEGE	TATION RESOURCES		Paints, acids, solvents, asphalt products, compounds or additives. Provide protected st	themical additives, fuels and concrete curing orage, off bare ground and covered, for	
1	. File NOI with TCEQ for CGP	Deve	eloper must stabilize the project	1	erve native vegetation to	the extent practical.	products which may be hazardous. Maintain pr	oduct labelling as required by the Act. response materials, as indicated in the MSDS.	
		site	e as stated in the SW3P.		No Action Required	X Required Action	In the event of a spill, take actions to mit in accordance with safe work practices, and	igate the spill as indicated in the MSDS,	
2	. File NOT with TCEQ		eloper must stabilize the project e as stated in the SW3P.				immediately. The Developer shall be responsi of all product spills.		
				Action No.	Location Entire project	Commitment Permanent soil erosion features would be constructed	Contact TxDOT if any of the following are de	etected:	
				''	Emme project	as soon as possible during the early stage of construction through proper seeding and/or sodding techniques.	* Dood or distressed vegetation (not ide	oblified as cormal)	
						in ough proper seeding did/or souding red in quest	 Dead or distressed vegetation (not ide Trash piles, drums, canisters, barrels 		
				2	Entire project	Disturbed areas would be restored and stabilized as soon	 Undesirable smells or odors Evidence of leaching or seepage of subsections 	estances	
				2.	ziii ii e pi ojeoi	as developers schedule permits. Temporary seeding would be considered where large areas of disturbed ground would	Does the project involve any bridge class:	structure rehabilitation(s) or	
						be left bare for a considerable length of time. Use only native plants for landscaping and in seeding mixtures	replacement(s) (bridge class structures no	t including box culverts)?	
ΙI		EAMS, WATERBODIES AND	WETLANDS CLEAN WATER			where practicable.	X Yes No		
	ACT SECTIONS 401 AN	-		3.	Entire project	Trees within the ROW, but not in the construction zone, would not be removed if possible.	If "No", then no further action is require If "Yes", then TxDOT is responsible for cor		
	•	r filling, dredging, excava eeks, streams, wetlands or	-				Are the results of the asbestos inspection	positive (is asbestos present)?	
		nnel below the ordinary High	h Water Mark except on				☐ Yes X No		
	•	m crossings or drill pads.		v. FEDEF	RAL LISTED, PROPOSED	THREATENED, ENDANGERED SPECIES,	If "Yes", then TxDOT must retain a DSHS I		
	The Developer must adher the following permit(s):	e to all of the terms and c	onditions associated with			ISTED SPECIES, CANDIDATE SPECIES	the notification, develop abatement/mitiga- activities as necessary. The notification		
	_			AND M	MIGRATORY BIRDS TREAT	Y ACT.	15 working days prior to scheduled demolition.		
	No Permit Required	- PCN not Required (less tha	on 1/10th core weters or	Developer is responsible for the required actions below.			If "No", then TxDOT is still required to notifiy DSHS 15 working days prior to any		
	wetlands affected)	- FCN HOT REQUITED TESS HIC	di 1710111 dere waters or		No Action Required	X Required Action	scheduled demolition.		
	X Nationwide Permit 14	- PCN Required (1/10 to <1/2	2 acre, 1/3 in tidal waters)	_		_	In either case, the Developer is responsible activities and/or demolition with careful of	The state of the s	
	☐ Individual 404 Permit	•	adic, 173 III ridai warerez	Act	on No.		asbestos consultant in order to minimize co	onstruction delays and subsequent claims.	
Other Nationwide Permit Required:			1. P	rior to any construction	activities a qualified biologist shall survey	Any other evidence indicating possible hazardous materials or contamination discovered			
		the proposed project corridor for any listed terrestrial species, due			on site. Hazardous Materials or Contamination Issues Specific to this Project:				
	Required Actions: List Wo	iters of the US Permit appli	es to, location in project		o the time period that wo tart of construction acti	uld elapse between this evaluation and the vities.	☐ No Action Required	quired Action	
	and check Best Management and post-project TSS.	Practices planned to contr	ol erosion, sedimentation						
	did posi-project 133.						REFER TO EPIC SHEET 2 OF 2 -	RIGHT COLUMN	
							SECTION VI - CONTINUATION		
	REFER TO EPIC SHEET 2 0	F 2 - LEFT COLUMN					FOR OTHER HAZARDOUS MATERIALS	OR CONTAMINATION ISSUES	
	FOR SECTION II - CONTIN	UATION ESCRIPTIONS AND APPROXIMATE	LOCATION						
	AND ACTIONS	230NTI TIONS AND ALTHONIUM E	255A TON		R TO EPIC SHEET 2 OF 2 - SECTION V - CONTINUATION	MIDDLE COLUMN	VII. OTHER ENVIRONMENTAL ISSUES		
		FOR LIST OF SPECIES POTENTIALLY WITHIN PROJECT AREA WITH HABITAT			(includes regional issues such as Edwards Aquifer District, etc.)				
				DES	CRIPTION AND ADDITIONAL AC	CTIONS	_	quired Action	
		nary high water marks of an Hers of the US requiring th							
	permit can be found on th	e Bridge Layouts.					Action No. Location 1. Floodplains Elm Fork Th	Commitment	
	Best Management Pract	ices for applicable 401	General Conditions:				Trinity De	e project is within the Trinity River Corridor velopment Regulatory Zone; therefore, a Corridor velopment Certificate would be required.	
	Erosion	Sedimentation	Post-Construction TSS				River Floodplain	veropinem cerminate would be required.	
	X Temporary Vegetation	X Silt Fence	Vegetative Filter Strips					4.0	
	Blankets/Matting	X Rock Berm	Retention/Irrigation Systems				GENERAL NOTE:	© 2012 Texas Department of Transportation	
	X Mulch	☐ Triangular Filter Dike	Extended Detention Basin				Any change orders and/or deviations from	∠∕ Dallas District Standard	
	X Sodding	Sand Bag Berm	Constructed Wetlands		LIST OF ABI	BREVIATIONS	the final design must be reported to TxDOT prior to commencement of construction	ENVIRONMENTAL PERMITS.	
	☐ Interceptor Swale	Straw Bale Dike	☐ Wet Basin	BMP: Best Mana CGP: Construct	gement Practice ion General Permit	SPCC: Spill Prevention Control and Countermeasure SW3P: Storm Water Pollution Prevention Plan	activities, as additional environmental	ISSUES AND COMMITMENTS	
	Diversion Dike	☐ Brush Berms	☐ Erosion Control Compost	DSHS: Texas Dep	ortment of State Health Service tal Affairs Division		clearance may be required.	(EDIC)	
	Erosion Control Compost	Erosion Control Compost	☐ Mulch Filter Berm and Socks	FEMA: Federal E	nergency Management Agency	PSL: Project Specific Location		FED. RD. DIV. NO. FEDERAL AID PROJECT NO. HIGHWAY NO. NO.	
	Mulch Filter Berm and Socks Mulch Filter Berm and Socks Compost Filter Berm and Socks		MOA: Memorandu				6 IH 35E		
	Compost Filter Berm and Soc	cks Compost Filter Berm and So	cks X Vegetation Lined Ditches	MS4: Municipal		TPDES: Texas Pollutant Discharge Elimination System em TPWD: Texas Parks and Wildlife Department	D R A F T This document is released for informational purposes	STATE DISTRICT COUNTY SOUTH	
		Stone Outlet Sediment Trap	s Sand Filter Systems	MBTA: Migratory NOT: Notice of	Bird Treaty Act	TxDOT: Texas Department of Transportation T&E: Threatened and Endangered Species	and is subject to change based on comments from approving agencies and public input. It is not to be	TEXAS DALLAS DALLAS CONTROL SECTION JOB NO.	
		Sediment Basins		NWP: Nationwide NOI: Notice of	e Permit	USACE: U.S. Army Corp of Engineers USFWS: U.S. Fish and Wildlife Service	used for construction purposes.	CONTROL SECTION JOB NO. 0196 03 138, 180, 240	

ter Sheet Design or Ponal space is needed of for proportioning should be addressed nations needed.

II. WORK IN OR NEAR STREAMS. WATERBODIES AND WETLANDS CLEAN WATER ACT SECTIONS 401 AND 404 -- (CONTINUATION FROM EPIC SHEET 1 OF 2)

Required Actions: List Waters of the US Permit applies to, location in project and check Best Management Practices planned to control erosion, sedimentation and post-project TSS.

- 1. Section 404 permits from USACE/Section 401 Water Quality Certification from Texas Commission on Environmental Quality (TCEQ) based on the specific roadway work and linear transportation crossings identified in the permits and associated with the Draft Interim Schematic and Draft Interim Schematic ROW.
- 2. Table of preliminary jurisdictional features would be provided in Addendum 4 or the RID.

V. FEDERAL LISTED, PROPOSED THREATENED, ENDANGERED SPECIES, CRITICAL HABITAT, STATE LISTED SPECIES, CANDIDATE SPECIES AND MIGRATORY BIRDS TREATY ACT. -(CONTINUATION FROM EPIC SHEET 1 OF 2)

Species Potentially within Project Area w/ Description

- 1. Alligator snapping turtle: characterized by a large, heavy head, and a long, thick shell with three dorsal ridges of large scales; are a solid gray, brown, black, or olive-green in color, and often covered with algae; radiating yellow patterns around the eyes.
- 2. Timber/canebrake rattlesnake: black and brown crossbands down the back, broad dark shape present behind the eye, black tail above the rattle up to 25% of the body length.
- 3. Texas garter snake: A small to medium sized terrestrial snake that can grow to about a 39-48 inches long. Their backs are green to black, with a distinctive stripe of red or orange, and either side features yellowish stripes.
- 4. Mussells (Little spectaclecase, Louisiana pigtoe, Texas heelsplitter, and Wabash pigtoe): Adult can range from approximately 1-inch to 12-inches in length. Some species have thin shells and shells vary both on the inside and outside of mussels. depending upon the mussel species. Color, texture, and shape variations in shells are used to help identify different types of mussels.

Habitat Description

Perennial water bodies, deep water of rivers, canals, lakes and oxbows; also swamps, bayous, ponds near deep running water: usually in water with mud bottom and abundant aquatic

Swamps, floodplains, upland woodlands, riparian zones, abandoned farmland; prefers dense ground cover, i.e. grapevines or palmetto.

Wet or moist microhabitats are conducive to the species occurrence, but the snoke is not necessarily restricted to them; hibernates underground or in or under surface cover; breeds March-August.

Small and large rivers especially on sand, mud, rocky mud, and sand and gravel, also silt and cobble bottoms in still to swiftly flowing waters.

If any of the listed terrestrial species are observed, cease work in the immediate area, do not disturb species or habitat and contact the TxDOT immediately. The work may not remove active nests from bridges and other structures during nesting season of the birds associated with the nests. If caves or sinkholes are discovered, cease work in the immediated area, and contact the TxDOT immediately.

Special Note: The Migratory Bird Act of 1918 states that it is unlawful to kill, capture, collect, possess, buy, sell, trade or transport any migratory bird, nest, young, feather or egg in part or in whole, without a federal permit issued in accordance within the Act's policies and regulations. The contractor would remove all old migratory bird nests from any structure where work would be done from October 1 to February 15. In addition, the contractor would be prepared to prevent migratory birds from building nest(s) between February 15 to October 1. In the event that migratory birds are encountered on-site during project construction. efforts to avoid adverse impacts on protected birds, active nests, eggs and/or young would be observed.

VI. HAZARDOUS MATERIALS OR CONTAMINATION ISSUES (CONTINUATION FROM EPIC SHEET 1 OF 2)

Action No.

- 1. A review of hazardous materials regulatory databases was conducted to determine if any known sites might affect the construction activites based on the interim schematic. See the Limited Phase 1 Environmental Site Assessment Report. Based on this review 8 sites are categorized as high risk, 6 sites are characterized as moderate risk, 38 sites are categorized as low risk. For the high and moderate risk sites Phase II ESAs are recommended prior to the development of the plans and specifications to confirm or deny the potential presence of contamination. The Phase II ESAs should follow the ASTM Designation E1903-11, Standard Practice for Environmental Site Assessments: Phase II ESAs.
- 2. Developer shall prepare Hazardous Materials Management Plan (HMMP) which will be followed during construction.

GENERAL NOTE:

Any change orders and/or deviations from the final design must be reported to IxDOI prior to commencement of construction activities, as additional environmental

Dallas District Standard ENVIRONMENTAL PERMITS. ISSUES AND COMMITMENTS (EPIC)

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FEDERAL AID PROJECT NO. IH 35E 6 STATE DISTRICT SOUTH TEXAS DALLAS DALLAS SHEET CONTROL SECTION JOB 0196 03 138, 180, 240

clearance may be required.

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for	Revised: 00.10bgr 2012
7x	support actions needed.
V	All areas should be addressed thoroughly and verify the necessary pay items are set up to
7,126	as needed for proportioning and readability but do not relocate from its relative position.
22	Z. If additional space is needed for a numbered section, fence and adjust sections up or down

I. STORMWATER POLLUTION P	REVENTION PLAN-CLEAN W	VATER ACT SECTION 402			
TPDES TXR 150000: Stormwater					
required for projects with					
disturbed soil must protect Item 1122.	for erosion and seamentar	ion in accordance with			
	_				
	□ Required Action				
Action No.	Comm	itment			
1. File NOI with TCEQ for CGP		oper must stabilize the project			
	site o	as stated in the SW3P.			
2. File NOT with TCEQ	Develo	oper must stabilize the project			
	site o	as stated in the SW3P.			
II. WORK IN OR NEAR STREA		ETLANDS CLEAN WATER			
ACT SECTIONS 401 AND	404				
USACE Permit required for	filling, dredging, excavati	na or other work in any			
	eks, streams, wetlands or we				
	nel below the ordinary High	Water Mark except on			
approved temporary stream	crossings or drill pads.				
The Developer must adhere	to all of the terms and con	ditions associated with			
the following permit(s):					
☐ No Permit Required					
	PCN not Required (less than	1/10th acro waters or			
wetlands affected)	ren not kequired tress man	1710111 acre waters or			
_					
X Nationwide Permit 14 - I	PCN Required (1/10 to <1/2 (acre, 1/3 in tidal waters)			
☐ Individual 404 Permit R	equired				
Other Nationwide Permit	Required: NWP#				
	· · · · · · · · · · · · · · · · · · ·				
Required Actions: List Wate	ers of the US Permit applies	to location in project			
	Practices planned to control				
and post-project TSS.					
REFER TO EPIC SHEET 2 OF	2 - LEFT COLUMN				
FOR SECTION II - CONTINUA					
	SCRIPTIONS AND APPROXIMATE L	OCATION			
AND ACTIONS					
The elevation of the ordinary high water marks of any areas requiring work					
	ers of the US requiring the	use of a nationwide			
permit can be found on the	Bridge Layouts.				
Rest Management Prostin	es for appliaghts 401 C	eneral Conditions:			
besi Munugement Practic	es for applicable 401 G	eneral conditions:			
Erosion	Sedimentation	Post-Construction TSS			
X Temporary Vegetation	X Silt Fence	Vegetative Filter Strips			
Blankets/Matting	X Rock Berm	Retention/Irrigation System			
X Mulch	☐ Triangular Filter Dike	☐ Extended Detention Basin			
X Sodding	Sand Bag Berm	Constructed Wetlands			
☐ Interceptor Swale	Straw Bale Dike	☐ Wet Basin			
Diversion Dike	☐ Brush Berms	☐ Erosion Control Compost			
Erosion Control Compost	Erosion Control Compost	Mulch Filter Berm and Socks			
Mulch Filter Berm and Socks	Mulch Filter Berm and Socks	Compost Filter Berm and Soc			
		=			
Compost Filter Berm and Socks	. □ compost Filter Berm and Sock	s [X] Vegetation Lined Ditches			
	Stone Outlet Sediment Traps	Sand Filter Systems			

III. CULTURAL RESOURCES

Refer to TxDOT Standard Specifications in the event historical issues or archeological artifacts are found during construction. Upon discovery of archeological artifacts (bones, burnt rock, flint, pottery, etc.) cease work in the immediate area and contact TxDOT immediately.

No Action Required Required Action

IV. VEGETATION RESOURCES

Preserve native vegetation to the extent practical. Developer is responsible for the required actions below.

☐ No Action Required

X Required Action

Action No. Location Permonent soil erosion features would be constructed Entire project as soon as possible during the early stage of construction through proper seeding and/or sodding techniques. Disturbed areas would be restored and stabilized as soon Entire project 2.

as contractors schedule permits. Temporary seeding would be considered where large areas of disturbed ground would be left bare for a considerable length of time. Use only native plants for landscaping and in seeding mixtures where procticable

to minimize impacts to trees within the ROW, unusual

Approximately 18 acres of woody vegetation may be impacted Entire project by the proposed project. Of this amount, approximately 0.6 acre. is considered riparian woodlands for which compensatory mitigation is required. Efforts would be made

> vegetation features, and special habitat features. On-site mitigation and/or a fee payment to Lewisville Lake USACE property Environmental Learning Area (LLELA) or any other Government

Entity deemed necessary to satisfy USACE requirements for impacts to natural resources on USACE Property. Coordination with USACE is required for final approval of appropriate mitigation.

V. FEDERAL LISTED. PROPOSED THREATENED. ENDANGERED SPECIES. CRITICAL HABITAT. STATE LISTED SPECIES. CANDIDATE SPECIES AND MIGRATORY BIRDS TREATY ACT.

Developer is responsible for the required actions below.

☐ No Action Required

X Required Action

Action No.

3.

1. Prior to any construction activities a qualified biologist shall survey the proposed project corridor for any listed terrestrial species, due to the time period that would elapse between this evaluation and the start of construction activities.

*TPWD records indicate that the Texas garter snake has been found within the corporate limits of the Town of Hickory Creek on the west side of IH 35E.Care should be taken and brief pre-construction presence/absence survey for the Texas garter snake shall be conducted prior to construction clearing.

REFER TO EPIC SHEET 2 OF 2 - MIDDLE COLUMN FOR SECTION V - CONTINUATION

FOR LIST OF SPECIES POTENTIALLY WITHIN PROJECT AREA WITH HABITAT DESCRIPTION AND ADDITIONAL ACTIONS

LIST OF ABBREVIATIONS

BMP: Best Management Practice CGP: Construction General Permit DSHS: Texas Department of State Health Services ENV: Environmental Affairs Division

FEMA: Federal Emergency Management Agency FHWA: Federal Highway Administration SPILLS: Spill Listings LLELA: Lewisville Lake Environmental Learning AreaTCEQ: Texas Commission on Environmental Quality

NOI: Notice of Intent

MOA: Memorandum of Agreement MOU: Memorandum of Understanding Municipal Separate Stormwater Sewer System

MBTA: Migratory Bird Treaty Act NOT: Notice of Termination Nationwide Permit

SPCC: Spill Prevention Control and Countermeasure SW3P: Storm Water Pollution Prevention Plan Pre-Construction Notification PPCC: Spill Prevention Control and Countermeasure

PSL: Project Specific Location

TPDES: Texas Pollutant Discharge Elimination System Texas Parks and Wildlife Department TxDOT: Texas Department of Transportation Threatened and Endangered Species

USACE: U.S. Army Corp of Engineers
USFWS: U.S. Fish and Wildlife Service

VI. HAZARDOUS MATERIALS OR CONTAMINATION ISSUES

General (applies to all projects):

Comply with the Hazard Communication Act (the Act) for personnel who will be working with hazardous materials by conducting safety meetings prior to beginning construction and making workers aware of potential hazards in the workplace. Ensure that all workers are provided with personal protective equipment appropriate for any hazardous materials used. Obtain and keep on-site Material Safety Data Sheets (MSDS) for all hazardous products used on the project, which may include, but are not limited to the following categories: Paints, acids, solvents, asphalt products, chemical additives, fuels and concrete curing compounds or additives. Provide protected storage, off bare ground and covered, for products which may be hazardous. Maintain product labelling as required by the Act. Maintain an adequate supply of on-site spill response materials, as indicated in the MSDS. In the event of a spill, take actions to mitigate the spill as indicated in the MSDS, in accordance with safe work practices, and contact the District Spill Coordinator immediately. The Developer shall be responsible for the proper containment and cleanup of all product spills.

Contact TxDOT if any of the following are detected:

- Dead or distressed vegetation (not identified as normal)
- Trash piles, drums, canisters, barrels, etc. Undesirable smells or odors
- * Evidence of leaching or seepage of substances

Does the project involve any bridge class structure rehabilitation(s) or replacement(s) (bridge class structures not including box culverts)?

If "No", then no further action is required.

If "Yes", then TxDOT is responsible for completing asbestos assessment/inspection.

Are the results of the asbestos inspection positive (is asbestos present)?

☐ Yes

If "Yes", then TxDOT must retain a DSHS licensed asbestos consultant to assist with the notification, develop abatement/mitigation procedures, and perform management activities as necessary. The notification form to DSHS must be postmarked at least 15 working days prior to scheduled demolition.

If "No", then TxDOT is still required to notifiy DSHS 15 working days prior to any scheduled demolition.

In either case, the Developer is responsible for providing the date(s) for abatement activities and/or demolition with careful coordination between TxDOT and the asbestos consultant in order to minimize construction delays and subsequent claims.

Any other evidence indicating possible hazardous materials or contamination discovered on site. Hazardous Materials or Contamination Issues Specific to this Project:

☐ No Action Required

X Required Action

Action No.

- 1. A review of hazardous materials regulatory databases was conducted to determine if any known sites might affect the construction activites based on the interim schematic. See the Limited Phase 1 Environmental Site Assessment Report.
- 2. Based on this review 7 sites are categorized as high risk, 7 sites are characterized as moderate risk, 22 sites are categorized as low risk, For the high and moderate risk sites Phase II ESAs are recommended prior to the development of the plans and specifications to confirm or deny the potential presence of contamination. The Phase II ESAs should follow the ASTM Designation E1903-11, Standard Practice for Environmental Site Assessments: Phase II ESAs.
- 3. Developer shall prepare Hazardous Materials Management Plan (HMMP) which will be followed during construction.

VII. OTHER ENVIRONMENTAL ISSUES

(includes regional issues such as Edwards Aquifer District, etc.)

REFER TO EPIC SHEET 2 OF 2 - RIGHT COLUMN SECTION VII - CONTINUATION FOR OTHER ENVIRONMENTAL ISSUES

GENERAL NOTE:

Any change orders and/or deviations from the final design must be reported to TxDOT prior to commencement of construction activities, as additional environmental clearance may be required.

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ENVIRONMENTAL PERMITS. ISSUES AND COMMITMENTS (EPIC)

FEDERAL AID PROJECT NO. 6 IH 351 MIDDL STATE DISTRICT TEXAS DALLAS DALLAS SHEET CONTROL SECTION 03 0196

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II. WORK IN OR NEAR STREAMS. WATERBODIES AND WETLANDS CLEAN WATER ACT SECTIONS 401 AND 404 -- (CONTINUATION FROM EPIC SHEET 1 OF 2)

Required Actions: List Waters of the US Permit applies to, location in project and check Best Management Practices planned to control erosion, sedimentation and post-project TSS.

- 1. Section 404 permits from USACE/Section 401 Water Quality Certification from Texas Commission on Environmental Quality (TCEQ) based on the specific roadway work and linear transportation crossings identified in the permits and associated with the Draft Interim Schematic and Draft Interim Schematic ROW.
- 2. Table of preliminary jurisdictional features would be provided in Addendum 4 or the RID.

V. FEDERAL LISTED, PROPOSED THREATENED, ENDANGERED SPECIES, CRITICAL HABITAT, STATE LISTED SPECIES, CANDIDATE SPECIES AND MIGRATORY BIRDS TREATY ACT. -(CONTINUATION FROM EPIC SHEET 1 OF 2)

Species Potentially within Project Area w/ Description

- 1. Timber/canebrake rattlesnake; black and brown crossbands down the back, broad dark shape present behind the eye, black tail above the rattle up to 25% of the body length.
- 2. Alligator snapping turtle: characterized by a large, heavy head, and a long, thick shell with three dorsal ridges of large scales; are a solid gray, brown, black, or olive-green in color, and often covered with algae; radiating yellow patterns around the eyes.
- 3. White-faced ibis: A dark, chestnut colored-bird and feet and red bare skin on the face around the mats.
- 4. Mussells (Fawnsfoot, Little spectaclecase, Louisiana pigtoe, Pistolgrip, Rock pocketbook, Sandbank pocketbook, Texas heelsplitter, and Wabash pigtoe): Adult can range from approximately 1-inch to 12-inches in length. Some species have thin shells and shells vary both on the inside and outside of mussels, depending upon the mussel species. Color, texture, and shape variations in shells are used to help identify different types of mussels.
- 5. Texas garter snake*: A small to medium sized a distinctive stripe of red or orange, and either side features yellowish stripes.
- 6. Plains spotted skunk: Small slender body with fine black body fur, a white triangular patch on the forehead, four to six broken white stripes from the neck along the back and sides, and solid black tail.

Habitat Description

Swamps, floodplains, upland woodlands, riparian zones, abandoned farmland; prefers dense around cover, i.e. arapevines or palmetto.

Perennial water bodies, deep water of rivers, canals, lakes and oxbows; also swamps, bayous, ponds near deep running water; usually in water with mud bottom and abundant aquatic

Prefers freshwater marshes, sloughs, and irrigated rice fields, with green or purple on its head and upper parts. but will attend brackish and saltwater habitats; nests in marshes. and a long, down-curved bill. It has reddish legs in low trees, on the ground in bulrushes or reeds, or on floating

> Small and large rivers especially on sand, mud, rocky mud, and sand and gravel, also silt and cobble bottoms in still to swiftly flowing waters.

Wet or moist microhabitats are conducive to the species occurrence terrestrial snake that can grow to about a 39-48 but the snake is not necessarily restricted to them; hibernates inches long. Their backs are green to black, with underground or in or under surface cover; breeds March-August.

> Catholic; open fields, prairies, croplands, fence rows, farmyards, forest edges, and woodlands; prefers wooded, brushy areas and tallgrass prairie.

If any of the listed terrestrial species are observed, cease work in the immediate area, do not disturb species or habitat and contact TxDOT immediately. The work may not remove active nests from bridges and other structures during nesting season of the birds associated with the nests. If caves or sinkholes are discovered, cease work in the immediated area, and contact the TxDOT immediately.

Special Note: The Migratory Bird Act of 1918 states that it is unlawful to kill. capture, collect, possess, buy, sell, trade or transport any migratory bird, nest, young, feather or egg in part or in whole, without a federal permit issued in accordance within the Act's policies and regulations. The contractor would remove all old migratory bird nests from any structure where work would be done from October 1 to February 15. In addition, the contractor would be prepared to prevent migratory birds from building nest(s) between February 15 to October 1. In the event that migratory birds are encountered on-site during project construction, efforts to avoid adverse impacts on protected birds, active nests, eggs and/or young would be observed.

VII. OTHER ENVIRONMENTAL ISSUES - (CONTINUATION FROM EPIC SHEET 1 OF 2)

☐ No Action Required

X Required Action

Action No.

1. Section 4(f)

Location

USACE property including Copperas Branch Park, Copperas Branch Park East, Arrowhead Park, and Highland Lakes Park

Impacted amenities at Copperas Branch Park would be replaced as described in Book 2, Attachment 4-4. Since the Section 40 was approved, additional mitigation for loss of park revenue and amenities in the form of an in-lieu fee payment has been

agreed to and will be the responsibility of TxDOT. The Developer shall be responsible for any modifications or additional requirements related to in-lieu fee payments above

Construct traffic noise barriers 2Å and 2B with a 150 ft offset to the right of the centerline. Barrier heights would be 10 ft.

Construct traffic noise barriers 5A with a 107 ft offset to the left of the centerline. Barrier heights would be 14 ft.

Construct traffic noise barriers 5B with a 189 ft offset to the left of the centerline. Barrier heights would be 10 ft.

Construct traffic noise barriers 5C with a 82 ft to 145 ft offset to the left of the centerline. Barrier heights would be 10 ft.

Construct traffic noise barriers 5D with a 79 ft offset to the left of the centerline. Barrier heights would be 12 ft.

Construct traffic noise barriers 5E with a 148 ft to 152 ft offset to the left of the centerline. Barrier heights would be 12 ft.

Construct traffic noise barriers 6A with a 148 ft to 152 ft offset to the left of the centerline. Barrier heights would be 12 ft. Construct traffic noise barriers 6B with a 79 ft offset to the left of the centerline. Barrier heights would be 12 ft.

2. Traffic Noise Mitigation

Noise Barrier 2A Sta. 1158+19 To Sta. 1159+27 (Right of C/L) Noise Barrier 2B Sta. 1160+08 To Sta. 1169+59 (Right of C/L) Noise Barrier 5A Sta. 1348+50 To Sta. 1354+80 (Left of C/L) Noise Barrier 5B Sta. 1353+76 To Sta. 1357+69 (Left of C/L) Noise Barrier 5C Sta. 1357+10 To Sta. 1372+95 (Left of C/L)

Noise Barrier 5D Sta. 1380+66 To Sta. 1400+60 (Left of C/L)

Noise Barrier 5E Sta. 1400+32 To Sta. 1409+33 (Left of C/L)

Noise Barrier 6A Sta. 1446+13 To Sta. 1454+19 (Left of C/L)

Sta. 1454+19 To Sta. 1473+80 (Left of C/L)

Special Note Measures to control fugitive dust would be considered and incoporated into the final design and construction specifications.

See Book 2 (4.3.2) for additional requirements.

GENERAL NOTE:

Any change orders and/or deviations from the final design must be reported to TxDOT prior to commencement of construction activities, as additional environmental clearance may be required.

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ENVIRONMENTAL PERMITS. ISSUES AND COMMITMENTS (EPIC)

---D R A F T---

FEDERAL AID PROJECT NO. 6 IH 358 MIDDL STATE DISTRICT TEXAS DALLAS DALLAS SHEET CONTROL SECTION JOB 0196 03

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j	יו מפתיותות בלתכנ ום ויכניכת ותו מיותות כל מכניותו מל מת למיות	
	as needed tor proportioning and readability but do not relocate trom its relative position.	The use of
₩,	3. All areas should be addressed thoroughly and verify the necessary pay items are set up to	No warran
	support actions needed.	TxDOT as
Revi:	Revised: October 2012	formats or
Prep	ored by HNTB on 10/24/12	

Ι.	STORMWATER POLLUTION F TPDES TXR 150000: Stormwate required for projects with	III.	CULTURAL RESOURCES Refer to TxDOT Standard Spearcheological artifacts are archeological artifacts (bo				
	disturbed soil must protect Item 1122.	disturbed soil must protect for erosion and sedimentation in accordance with					
	No Action Required	Required Action			X No Action Required		
	Action No.	С	ommitment	IV.	VEGETATION RESOURCES		
1	. File NOI with TCEQ for CGP		veloper must stabilize the project te as stated in the SW3P.		Preserve native vegetation Developer is responsible		
2	. File NOT with TCEQ		veloper must stabilize the project te as stated in the SW3P.		No Action Required		
				Action	No. Com		
				1.	Permanent erosion features during the early stage of a seeding techniques.		
				2.	Disturbed areas would be reconstruction schedule perm where large areas of distu		
ΙI.	. WORK IN OR NEAR STREA ACT SECTIONS 401 AND		WETLANDS CLEAN WATER		length of time. Use only mixtures where practicable.		
	USACE Permit required for	filling dredging excay	ating or other work in any	3.	Approximately 1.2 acres of		
	water bodies, rivers, cree	eks, streams, wetlands or	wet areas. No equipment is		residences, would be impact for the impacts to these ar		
	allowed in any sream chann approved temporary stream	•	gh Water Mark except on		to trees within the ROW, un features.		
	The Developer must adhere the following permit(s):	to all of the terms and	conditions associated with				
	☐ No Permit Required						
	X Nationwide Permit 14 - wetlands affected)	X Nationwide Permit 14 - PCN not Required (less than 1/10th acre waters or					
	☐ Nationwide Permit 14 -	PCN Required (1/10 to <1/	/2 acre, 1/3 in tidal waters)				
	☐ Individual 404 Permit R	equired		v	FEDERAL LISTED, PROPO		
	Other Nationwide Permit	Required:		''	CRITICAL HABITAT, STA AND MIGRATORY BIRDS T		
	Required Actions: List Water and check Best Management F		ies to, location in project		Developer is responsible for		
	and post-project TSS.	,			No Action Required		
					Action No.		
	REFER TO EPIC SHEET 2 OF FOR SECTION II - CONTINUA FOR WATERS OF THE U.S DES AND ACTIONS	ATION	E LOCATION		Prior to any construction survey the proposed projections, due to the time evaluation and the start		
	The elevation of the ordinate to be performed in the water	ers of the US requiring t	-				
	permit can be found on the	Bridge Layouts.			REFER TO EPIC SHEET 2 OF		
					FOR SECTION V - CONTINUA FOR LIST OF SPECIES POTE		
	Best Management Practic	es for applicable 401	General Conditions:		DESCRIPTION AND ADDITION		
	Erosion	Sedimentation	Post-Construction TSS				
	X Temporary Vegetation	X Silt Fence	☐ Vegetative Filter Strips				
	☐ Blankets/Matting	X Rock Berm	Retention/Irrigation Systems				
	X Mulch	☐ Triangular Filter Dike	Extended Detention Basin				
	Sodding	Sand Bag Berm	Constructed Wetlands		LIST O		
	☐ Interceptor Swale	Straw Bale Dike	☐ Wet Basin	CGP: C	est Management Practice onstruction General Permit		
	☐ Diversion Dike	☐ Brush Berms	Erosion Control Compost		exas Department of State Health Se vironmental Affairs Division		
	Erosion Control Compost	Erosion Control Compost	☐ Mulch Filter Berm and Socks	FEMA: F	ederal Emergency Management Agency		
	☐ Mulch Filter Berm and Socks	☐ Mulch Filter Berm and Soc	ks Compost Filter Berm and Socks	MOA: M	ederal Highway Administration emorandum of Agreement		
	Compost Filter Berm and Socks	Compost Filter Berm and S	ocks X Vegetation Lined Ditches	MS4: M	emorandum of Understanding unicipal Separate Stormwater Sewer		
		Stone Outlet Sediment Tra	ps Sand Filter Systems	NOT: N	igratory Bird Treaty Act otice of Termination		
		Sediment Basins		NWP: N	ationwide Permit		

RCES ndard Specifications in the event historical issues or facts are found during construction. Upon discovery of facts (bones, burnt rock, flint, pottery, etc.) cease ate area and contact TxDOT immediately.

equired Required Action

regetation to the extent practical. ponsible for the required actions below.

X Required Action eauired

- features would be constructed as soon as feasible stage of construction through proper sodding and/or
- ould be restored and stabilized as soon as the dule permits. Temporary sodding would be considered of disturbed ground would be left bare for a considerable Jse only native plants for landscaping and in seeding acticable.
- acres of upland woody vegetation, associated with be impacted. Compensatory mitigation is not proposed these areas. Efforts would be made to minimize impacts ne ROW, unusual vegetation features, and special habitat

PROPOSED THREATENED. ENDANGERED SPECIES. AT. STATE LISTED SPECIES. CANDIDATE SPECIES BIRDS TREATY ACT.

nsible for the required actions below.

X Required Action

nstruction activities a qualified biologist shall osed project corridor for any listed terrestrial the time period that would elapse between this the start of construction activities.

HEET 2 OF 2 - MIDDLE COLUMN

CONTINUATION CIES POTENTIALLY WITHIN PROJECT AREA WITH HABITAT

ADDITIONAL ACTIONS

LIST OF ABBREVIATIONS

Health Services ision ment Agency

water Sewer System TPWD:

NOI: Notice of Intent

SPCC: Spill Prevention Control and Countermeasure Storm Water Pollution Prevention Plan PCN: Pre-Construction Notification PPCC: Spill Prevention Control and Countermeasure Project Specific Location SPILLS: Spill Listings

Texas Carmission on Environmental Quality TPDES: Texas Pollutant Discharge Elimination System Texas Parks and Wildlife Department TxDOT: Texas Department of Transportation

Threatened and Endangered Species USACE: U.S. Army Corp of Engineers USFWS: U.S. Fish and Wildlife Service

VI. HAZARDOUS MATERIALS OR CONTAMINATION ISSUES

General (applies to all projects):

Comply with the Hazard Communication Act (the Act) for personnel who will be working with hazardous materials by conducting safety meetings prior to beginning construction and making workers aware of potential hazards in the workplace. Ensure that all workers are provided with personal protective equipment appropriate for any hazardous materials used. Obtain and keep on-site Material Safety Data Sheets (MSDS) for all hazardous products used on the project, which may include, but are not limited to the following categories: Paints, acids, solvents, asphalt products, chemical additives, fuels and concrete curing compounds or additives. Provide protected storage, off bare ground and covered, for products which may be hazardous. Maintain product labelling as required by the Act. Maintain an adequate supply of on-site spill response materials, as indicated in the MSDS. In the event of a spill, take actions to mitigate the spill as indicated in the MSDS. in accordance with safe work practices, and contact the District Spill Coordinator immediately. The Developer shall be responsible for the proper containment and cleanup of all product spills.

Contact TxDOT if any of the following are detected:

- Dead or distressed vegetation (not identified as normal)
- Trash piles, drums, canisters, barrels, etc. Undesirable smells or odors
- * Evidence of leaching or seepage of substances

Does the project involve any bridge class structure rehabilitation(s) or replacement(s) (bridge class structures not including box culverts)?

If "No", then no further action is required.

If "Yes", then TxDOT is responsible for completing asbestos assessment/inspection.

Are the results of the asbestos inspection positive (is asbestos present)?

If "Yes", then TxDOT must retain a DSHS licensed asbestos consultant to assist with the notification, develop abatement/mitigation procedures, and perform management activities as necessary. The notification form to DSHS must be postmarked at least 15 working days prior to scheduled demolition.

If "No", then TxDOT is still required to notifiy DSHS 15 working days prior to any scheduled demolition.

In either case, the Developer is responsible for providing the date(s) for abatement activities and/or demolition with careful coordination between TxDOT and asbestos consultant in order to minimize construction delays and subsequent claims.

Any other evidence indicating possible hazardous materials or contamination discovered on site. Hazardous Materials or Contamination Issues Specific to this Project:

☐ No Action Required

X Required Action

REFER TO EPIC SHEET 2 OF 2 - RIGHT COLUMN SECTION VI - CONTINUATION

FOR OTHER HAZARDOUS MATERIALS OR CONTAMINATION ISSUES

VII. OTHER ENVIRONMENTAL ISSUES

(includes regional issues such as Edwards Aquifer District, etc.)

☐ No Action Required

X Required Action

Action No.

Location

1. Noise Barrier NW5 Sta. 1995+66 To Sta. 2004+74 (Right of C/L)

Construct traffic noise barriers NW5 with a 146 ft to 147 ft offset to the right of the centerline. Barrier heights would be 12 ft.

Commitment

Measures to control fugitive dust would be considered and incoporated into the final design and construction specifications.

See Book 2 (4.3.2) for additional requirements.

GENERAL NOTE:

Special Note

Any change orders and/or deviations from the final design must be reported to the Engineer prior to commencement of construction activities, as additional environmental clearance may be required.

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ENVIRONMENTAL PERMITS. ISSUES AND COMMITMENTS (EPIC)

FEDERAL AID PROJECT NO. 6 IH 35E STATE DISTRICT NORTH TEXAS DALLAS DALLAS SHEET CONTROL SECTION JOB 195, 196

II. WORK IN OR NEAR STREAMS. WATERBODIES AND WETLANDS CLEAN WATER ACT SECTIONS 401 AND 404 -- (CONTINUATION FROM EPIC SHEET 1 OF 2)

Required Actions: List Waters of the US Permit applies to, location in project and check Best Management Practices planned to control erosion, sedimentation and post-project TSS.

- 1. Section 404 permits from USACE/Section 401 Water Quality Certification from Texas Commission on Environmental Quality (TCEQ) based on the specific roadway work and linear transportation crossings identified in the permits and associated with the Draft Interim Schematic and Draft Interim Schematic ROW.
- 2. Table of preliminary jurisdictional features would be provided in Addendum 4 or the RID.

V. FEDERAL LISTED, PROPOSED THREATENED, ENDANGERED SPECIES, CRITICAL HABITAT, STATE LISTED SPECIES, CANDIDATE SPECIES AND MIGRATORY BIRDS TREATY ACT. -(CONTINUATION FROM EPIC SHEET 1 OF 2)

Species Potentially within Project Area w/ Description

Habitat Description

1. Timber/canebrake rattlesnake: black and brown crossbands down the back, broad dark shape present behind the eye, black tail above the rattle up to 25% of the body length.

Swamps, floodplains, upland woodlands, riparian zones, abandoned farmland; prefers dense ground cover, i.e. grapevines or palmetto.

If any of the listed terrestrial species are observed, cease work in the immediate area, do not disturb species or habitat and contact TxDOT immediately. The work may not remove active nests from bridges and other structures during nesting season of the birds associated with the nests. If caves or sinkholes are discovered, cease work in the immediated area, and contact TxDOT immediately

Special Note: The Migratory Bird Act of 1918 states that it is unlawful to kill, capture, collect, possess, buy, sell, trade or transport any migratory bird, nest, young, feather or egg in part or in whole, without a federal permit issued in accordance within the Act's policies and regulations. The contractor would remove all old migratory bird nests from any structure where work would be done from October 1 to February 15. In addition, the contractor would be prepared to prevent migratory birds from building nest(s) between February 15 to October 1. In the event that migratory birds are encountered on-site during project construction, efforts to avoid adverse impacts on protected birds, active nests, eggs and/or young would be observed.

VI. HAZARDOUS MATERIALS OR CONTAMINATION ISSUES (CONTINUATION FROM EPIC SHEET 1 OF 2)

Action No.

- 1. A review of hazardous materials regulatory databases was conducted to determine if any known sites might affect the construction activites based on the interim schematic. See the Limited Phase 1 Environmental Site Assessment Report.
- 2. Based on this review 4 sites are categorized as high risk, 2 sites are characterized as moderate risk, 41 sites are categorized as low risk. For the high and moderate risk sites Phase II ESAs are recommended prior to the development of the plans and specifications to confirm or deny the potential presence of contamination. The Phase II ESAs should follow the ASTM Designation E1903-11, Standard Practice for Environmental Site Assessments: Phase II ESAs.
- 3. Developer shall prepare Hazardous Materials Management Plan (HMMP) which will be followed during construction.

GENERAL NOTE:

Any change orders and/or deviations from the final design must be reported to IxDOI prior to commencement of construction activities, as additional environmental

ENVIRONMENTAL PERMITS. ISSUES AND COMMITMENTS (EPIC)

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FEDERAL AID PROJECT NO. IH 35E 6 STATE DISTRICT NORTH TEXAS DALLAS DALLAS SHEET CONTROL SECTION JOB 050, 071, 056, 195, 196

clearance may be required.

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