



**SPECIAL PROVISIONS  
FOR  
ENVIRONMENTAL PROTECTION**

**Allamakee County  
STP-009-9(82)--2C-03  
STP-009-9(83)--2C-03  
STP-009-9(84)--2C-03**

**Effective Date  
August 1, 2023**

**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.**

**159019.01 DESCRIPTION**

- A.** The work under this contract is located in an environmentally sensitive area of the Mississippi River (the River) and a culturally-sensitive area within the City of Lansing; see Figure 1. The Contractor's work area shall be restricted to the minimum to complete the project and to accomplish related work. Contractor shall make every reasonable effort to execute the project in a manner to minimize any adverse impact of the work on fish, mussels, wildlife, wetlands, other natural areas in and adjacent to the Mississippi River, and to historical structures and other culturally sensitive areas within the City of Lansing.
- 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.

**150.XXX.02 WORK ZONE REQUIREMENTS**

- A.** The project area crosses the Mississippi River, which is an environmentally sensitive resource. All project activity in the Mississippi River, along its riverbanks, and within the area that drains into the Mississippi River should be considered work in an environmentally sensitive resource.
- B.** Work on the within Figure 1 will occur within an area of the River that contains suitable habitat for federal and state-listed mussel species.
- C.** Any project related conditions deemed to be potentially damaging to environmentally sensitive resources by the Engineer shall be rectified immediately or demolition will cease until such time as the condition is rectified. At the discretion of the Engineer, demolition activities may resume once provisions to rectify the situation are made.

- D. The Contractor shall confine equipment and operations to the project right-of-way shown in the contract documents. These designated project 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.
- E. No tributaries, oxbows or other backwater areas will be "cut off" or blocked from normal flow conditions. Recreational boat traffic closures may be necessary in the Mississippi River due demolition activities. The contractor is required to secure necessary permits and clearances for closure of any portion of the river, in accordance with the plans and contract documents.
- F. Any erosion control or sediment control measures implemented, on land or water, shall remain in place and maintained until demolition in the area is completed. For areas on the riverbank, 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.
- G. Temporary sediment control measures removed or damaged due to demolition 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.
- H. The clearing of woody and herbaceous vegetation will be limited to that which is absolutely necessary for project activities. Clearing of woody vegetation beyond approved right of way on the Wisconsin side of the River shall be prohibited. All areas disturbed by construction activities and not covered with revetment 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 ensure they succeed.
- I. Any and all barges and other watercraft used for activities within the water, shall be inspected for the presence of zebra mussels prior to placing the barges into the Mississippi River. Barges shall be completely out of the water for 10 days with all compartments opened that could potentially contain water and therefore harbor adult, larval or juvenile zebra mussel. This will ensure proper drying of the barge(s) and reduction of potential infestation. If the barge is obtained from a local source, US Fish and Wildlife Service, Wisconsin DNR and Iowa DNR staff must still be contacted to discuss previous locations at which the barge has been used.
- J. The Contractor shall develop and submit a plan for all temporary construction to the Engineer and the US Army Corps of Engineers (USACE) prior to commencing work. The plan must include but is not limited to the location identified on an aerial photo, the dimensions, construction methods, duration of use and measures that will be used to control turbidity and/or sedimentation. Once approved by the Engineer and the USACE, the Engineer will notify the Contractor of approval.
- K. Temporary construction in the Mississippi River may include an appropriate combination of barges, temporary slips, temporary bridges and supports (falsework), and temporary cofferdams. An elevated earthen/sand/rock work platform (causeway or equipment pad) shall not be used for any construction; fills in the River for temporary crossings, causeway, or equipment pad structures are not permitted.
- L. The USACE shall be notified when temporary work is constructed and when it is removed from the River. All temporary construction required shall be removed from the River in its entirety once it is no longer needed for the project.
- M. Dredging will be permitted if water depths do not allow for conveyance of barges to the project area. Dredging must be kept to the minimum amount necessary. The Contractor shall submit a dredging plan to the Engineer and the USACE prior to commencing work. The dredging plan

must include the location of dredging, the amount to be dredged, and the location and limits of the proposed disposal site. The dredged material may not be discharged in the Mississippi River and must be placed in an upland, non-wetland disposal area. Should dredged or excavated material be deposited on the shore before being hauled away, silt fences, perimeter and slope sediment control devices, or low silt berms shall be required to limit the re-entry of sediments into the River. In addition, the materials shall be placed in a confined area that is not classified as a wetland.

- N. Prior to commencement of any hydraulic dredging, the applicant shall perform a modified elutriate test procedure to predict the effluent quality or the total concentration of contaminants in the effluent. This test simulates the processes occurring during confined disposal and provides information on the dissolved and particulate contaminant concentrations. Results of the elutriate test shall be forwarded to the Iowa DNR and Wisconsin DNR when available. Should test results prove unsatisfactory, additional coordination with the Iowa DNR and/or Wisconsin DNR may be necessary to assure that effluent water quality requirements are met. Please note that if mechanical dredging is performed, the testing will not be required.
- O. Native materials removed from cofferdams may be replaced in the cofferdam. Other than replacing native materials, any fill materials introduced into the River must be clean (meaning less than 10% fines that would pass through a No. 200 sieve).
- P. No materials, including cleared vegetation or construction debris, shall be disposed of in such a way that it could enter a wetland or waterway.
- Q. The Contractor shall perform their 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.
- R. No fuels, lubricants or oils, 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.
- S. The Contractor shall perform 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.
- T. 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.
- U. Comply with Article 2101.03, C of the Standard Specifications.
- V. The Iowa DNR also administers regulations that pertain to fugitive dust and opacity (visible emissions). Owners or operators must take reasonable precautions to prevent fugitive dust from becoming airborne and crossing the property line. In general, visible emissions in excess of 40% opacity are not allowed unless specifically exempted under rule. The rules for fugitive dust and opacity are contained in 567 IAC rule 23.3(455B) and are available on-line at <https://www.legis.iowa.gov/law/administrativeRules/agencies>.

### **159019.03 PROTECTED SPECIES**

- A. The Higgins eye pearlymussel (*Lampsilis higgins*), which is federally listed as endangered, inhabits mussel beds within the project area in the Mississippi River. While a relocation effort for

mussels in the project area will occur prior to construction, contractors will ensure proper implementation of erosion and sedimentation control and spill avoidance/remediation practices to protect the project area.

- B. Comply with Article 1107.18, C of the Standard Specifications.
- C. Comply with Article 2101.01 of the Standard Specifications to avoid potential impacts to northern long-eared bat (*Myotis septentrionalis*).and its habitat.
- D. 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.

#### **159019.04 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 the Iowa DNR and the Wisconsin DNR, which contain numerous special conditions that are included by reference in this Special Provision.
- D. It is the goal of Iowa's and Wisconsin's Water Quality Standards that all uses of the Mississippi River be maintained and protected. Project work will cease if the water quality standards of either the State of Iowa or the State of Wisconsin are violated.

#### **159019.05 NATIONAL HISTORIC PRESERVATION ACT COMPLIANCE**

- A. National Historic Preservation Act compliance has been obtained for the project by the Iowa and Wisconsin DOTs in cooperation with the FHWA, the Advisory Council on Historic Preservation, the Iowa State Historic Preservation Officer (SHPO), the Wisconsin SHPO, various Sovereign Tribes/Nations and additional consulting parties that authorizes all construction-related activities with potential to effect various historic properties.
- B. It will be the Contractor's responsibility to ensure that areas identified as "Restricted Area" on the project plans receive no access at all times. Enforcement actions may include an order to immediately cease all construction activity and/or fines. The Contractor shall furnish and install orange safety fence according to Article 4188.03 of the Standard Specifications. The Contractor shall contact Brennan Dolan [515-239-1795] with the Location and Environment Bureau of the Iowa DOT with questions.
- C. As part of project compliance with the National Historic Preservation Act, the following elements shall be retained by the Contractor and be provided to the Engineer.
  - All four center span connection pins
  - An eye bar end segment (approximately 24-inches)
  - Both 1931 McClintic-Marshall date plaques
  - Western portal of the bridge (at the Engineer's discretion, but not to exceed 33-feet)

**159019.05 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.

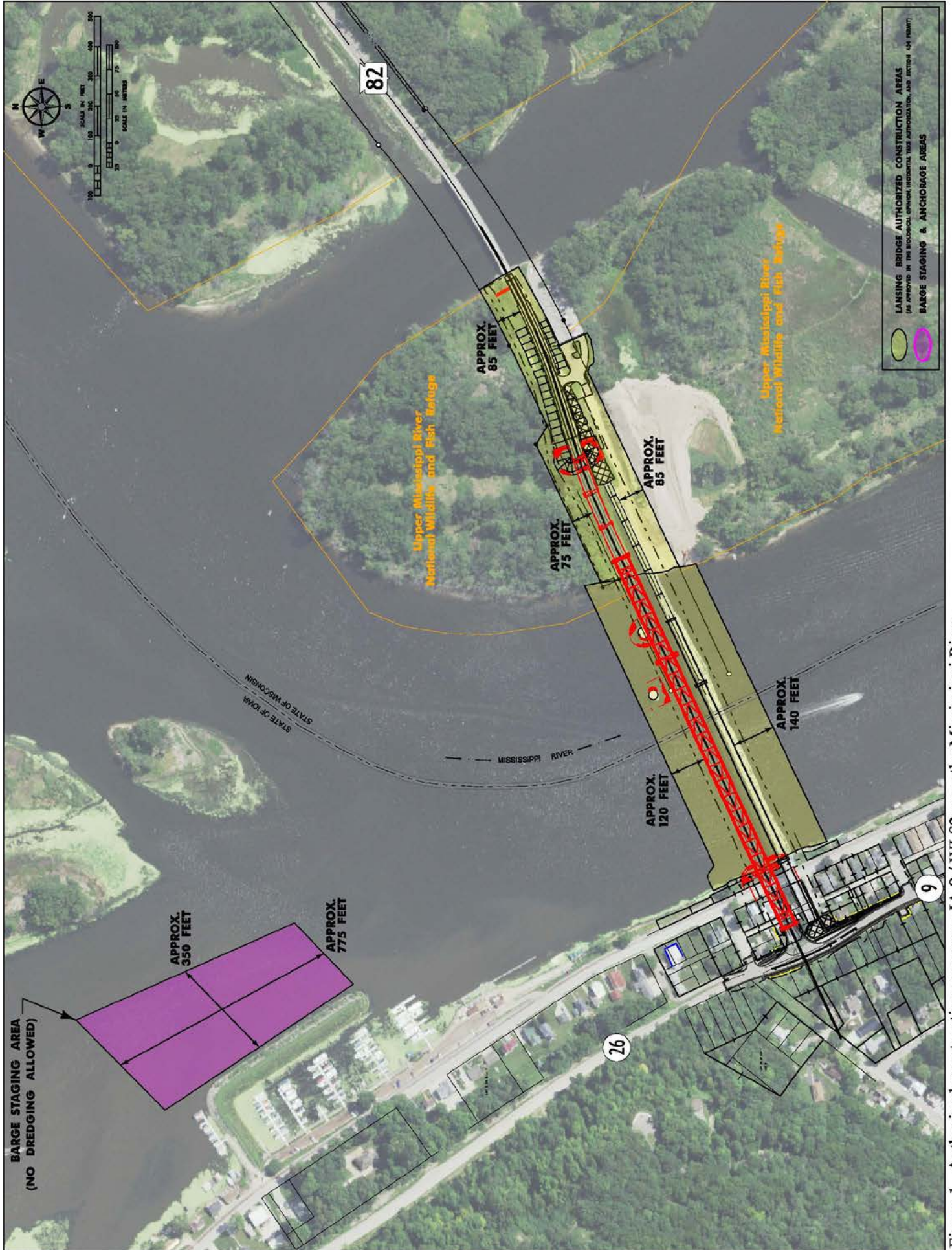


Figure 1. Authorized construction area map, IA 9 / WI 82 over the Mississippi River