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I. STORMWATER POLLUTION PREVENTION-CLEAN WATER ACT SECTION 402

TPDES TXR 150000: Stormwater Discharge Permit or Construction General Permit 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 506.

List MS4 Operator(s) that may receive discharges from this project. They may need to be notified prior to construction activities.

1. N/A

No Action Required Required Action

Action No.

1. The proposed work of this project consists of bridge preventative maintenance and repair at various locations within the Nacogdoches and Angelina Maintenance Sections. These activities maintain the original line and grade, hydraulic capacity and original purpose of the structures. Therefore, this project meets the definition of a routine maintenance activity as defined in the TPDES General Permit No. TXR150000 issued March 5, 2023 and TCEQ's TPDES CGP does NOT apply.

II. WORK IN OR NEAR STREAMS, WATERBODIES AND WETLANDS CLEAN WATER ACT SECTIONS 401 AND 404

USACE Permit required for filling, dredging, excavating or other work in any water bodies, rivers, creeks, streams, wetlands or wet areas.

The Contractor must adhere to all of the terms and conditions associated with the following permit(s):

- No Permit Required
- Nationwide Permit 14 - PCN not Required (less than 1/10th acre waters or wetlands affected)
- Nationwide Permit 14 - PCN Required (1/10 to <1/2 acre, 1/3 in tidal waters)
- Individual 404 Permit Required
- Other Nationwide Permit Required: NWP 3A and 3C-PCN not required

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.

A. Nationwide Permit applies to the following locations: 1. BUS 69 at Beloxi Branch, 2. FM 226 at Lavaca Creek, 3. FM 1275 at Burrows Branch, 4. SH 21 at Little Loco Creek Relief, 5. US 259 at Beech Creek, 6. US 59 at Tiger Branch, 9. SH 7 at Black Branch, 13. FM 95 at Amaladeros Creek, 14. FM 226 at Duranzo Creek, 16. FM 1878 at Carrizo Creek,

B. No fill or equipment shall be placed within the stream for use of temporary work access. If methods are deemed necessary, contractor shall develop and provide access plan to Area Engineer for approval. Methods must not obstruct stream flow or life cycles of aquatic species.

C. Maintenance activities require work within waters of the U.S. Removal of silt and debris within streams is limited to within 50' of culvert ends or end of bridge.

D. Refer to EPIC Sheet 2 of 2 for Nation Wide Permit (NWP) 3A and 3C requirements in regard to maintaining stream flow, temporary work, temporary access, suitable material, and general conditions.

Best Management Practices:

Erosion	Sedimentation	Post-Construction TSS
<input type="checkbox"/> Temporary Vegetation	<input checked="" type="checkbox"/> Silt Fence	<input type="checkbox"/> Vegetative Filter Strips
<input type="checkbox"/> Blankets/Matting	<input type="checkbox"/> Rock Berm	<input type="checkbox"/> Retention/Irrigation Systems
<input type="checkbox"/> Mulch	<input type="checkbox"/> Triangular Filter Dike	<input type="checkbox"/> Extended Detention Basin
<input checked="" type="checkbox"/> Sodding	<input type="checkbox"/> Sand Bag Berm	<input type="checkbox"/> Constructed Wetlands
<input type="checkbox"/> Interceptor Swale	<input type="checkbox"/> Straw Bale Dike	<input type="checkbox"/> Wet Basin
<input type="checkbox"/> Diversion Dike	<input type="checkbox"/> Brush Berms	<input type="checkbox"/> Erosion Control Compost
<input type="checkbox"/> Erosion Control Compost	<input type="checkbox"/> Erosion Control Compost	<input type="checkbox"/> Mulch Filter Berm and Socks
<input type="checkbox"/> Mulch Filter Berm and Socks	<input type="checkbox"/> Mulch Filter Berm and Socks	<input type="checkbox"/> Compost Filter Berm and Socks
<input type="checkbox"/> Compost Filter Berm and Socks	<input type="checkbox"/> Compost Filter Berm and Socks	<input checked="" type="checkbox"/> Vegetation Lined Ditches
	<input type="checkbox"/> Stone Outlet Sediment Traps	<input type="checkbox"/> Sand Filter Systems
	<input type="checkbox"/> Sediment Basins	<input type="checkbox"/> Grassy Swales

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 the Engineer immediately.

No Action Required Required Action

1. Equipment storage or stockpiling of materials is NOT permitted in any pulloff or parking area labeled as a historic marker, or where historic markers are present.

2. Contractor to repair or replace in kind, at their own expense, any historic materials damaged (buildings, historical markers, etc) in the course of executing work. Contractor is responsible for locating replacement source for historical materials damaged in the course of the work. TxDOT-Environmental Affairs Division is to be informed of proposed repairs to facilitate consultation with Texas Historical Commission prior to the execution of repairs.

IV. VEGETATION RESOURCES

Preserve native vegetation to the extent practical. Contractor must adhere to Construction Specification Requirements Specs 162, 164, 192, 193, 506, 730, 751, 752 in order to comply with requirements for invasive species, beneficial landscaping, and tree/brush removal commitments.

No Action Required Required Action

1. N/A

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

No Action Required Required Action

A. In order to maintain compliance with Chapter 64 of the Texas Parks and Wildlife Code and Migratory Bird Treaty Act (MBTA), construction activities that may affect nests (i.e. tree removal, tree limbing) shall be conducted outside of the nesting season (March 15 to September 15). In the event birds or active nests (eggs and/or nestlings present) are encountered, contact the engineer prior to conducting work.

B. In order to comply with the Federal Migratory Bird Treaty Act (MBTA) for work on bridge structure, the following actions shall be taken:
 1. Inactive nests (unoccupied by birds or eggs) may be removed. The use of exclusion devices, nesting prevention measures or removal and disposal of partially constructed and unoccupied nests on a regular basis to prevent their occupation is permissible.
 2. (Nesting Season March 15-September 15) In the event that migratory birds or active nests (nestlings and/or eggs) are present within the immediate construction area, cease work and contact the Area Engineer

LIST OF ABBREVIATIONS

BMP: Best Management Practice	SPCC: Spill Prevention Control and Countermeasure
CGP: Construction General Permit	SWP3: Storm Water Pollution Prevention Plan
DSHS: Texas Department of State Health Services	PCN: Pre-Construction Notification
FHWA: Federal Highway Administration	PSL: Project Specific Location
MOA: Memorandum of Agreement	TCEQ: Texas Commission on Environmental Quality
MOU: Memorandum of Understanding	TPDES: Texas Pollutant Discharge Elimination System
MS4: Municipal Separate Stormwater Sewer System	TPWD: Texas Parks and Wildlife Department
MBTA: Migratory Bird Treaty Act	TxDOT: Texas Department of Transportation
NOT: Notice of Termination	T&E: Threatened and Endangered Species
NWP: Nationwide Permit	USACE: U.S. Army Corps of Engineers
NOI: Notice of Intent	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 Contractor shall be responsible for the proper containment and cleanup of all product spills.

Contact the Engineer if any of the following are detected:

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

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

Yes No

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 No

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 notify DSHS 15 working days prior to any scheduled demolition.

In either case, the Contractor is responsible for providing the date(s) for abatement activities and/or demolition with careful coordination between the Engineer 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 Required Action

1. N/A

VII. OTHER ENVIRONMENTAL ISSUES

No Action Required Required Action

A. The following locations are within USACE Sam Rayburn Flowage Easement Elevation of 179-feet:
 2. FM 226 at Lavaca Creek, 10. SH 7 at Loco Bayou, 11. SH 7 at Loco Bayou Relief, 12. SH 7 at Angelina River, 14. FM 226 at Duranzo Creek,

-NO fill below this elevation without the approval of USACE. If fill is deemed necessary, contact the Area Engineer.

B. Location 3. FM 1275 at Burrows Branch is adjacent to SFASU Mize Azalea Garden. -Area Engineer shall notify SFASU prior to commencing work at this location and NO trees or vegetation shall be cut or otherwise damaged without approval from Area Engineer and SFASU.

Design Division Standard

ENVIRONMENTAL PERMITS,
 ISSUES AND COMMITMENTS
 EPIC

SHEET 1 OF 2

FILE: epic.dgn	DN: TxDOT	CK: RG	DW: VP	CK: AR
©TxDOT: February 2015	CONT	SECT	JOB	HIGHWAY
12-12-2011 (DS) REVISIONS	6441	86	001	US 59, ETC.
05-07-14 ADDED NOTE SECTION IV.	DIST	COUNTY	SHEET NO.	
01-23-2015 SECTION I (CHANGED ITEM 1122 TO ITEM 506, ADDED GRASSY SWALES.	LFK NACOGDOCHES, ETC.	57		

NWP GENERAL CONDITIONS

AS APPLICABLE TO THIS PROJECT

2. AQUATIC LIFE MOVEMENTS. NO ACTIVITY MAY SUBSTANTIALLY DISRUPT THE NECESSARY LIFE CYCLE MOVEMENTS OF THOSE SPECIES OF AQUATIC LIFE INDIGENOUS TO THE WATERBODY, INCLUDING THOSE SPECIES THAT NORMALLY MIGRATE THROUGH THE AREA, UNLESS THE ACTIVITY'S PRIMARY PURPOSE IS TO IMPOUND WATER.

3. SPAWNING AREAS. ACTIVITIES IN SPAWNING AREAS DURING SPAWNING SEASONS MUST BE AVOIDED TO THE MAXIMUM EXTENT PRACTICABLE. ACTIVITIES THAT RESULT IN THE PHYSICAL DESTRUCTION (E.G., THROUGH EXCAVATION, FILL, OR DOWNSTREAM SMOTHERING BY SUBSTANTIAL TURBIDITY) OF AN IMPORTANT SPAWNING AREA ARE NOT AUTHORIZED.

6. SUITABLE MATERIAL. NO ACTIVITY MAY USE UNSUITABLE MATERIAL (E.G., TRASH, DEBRIS, CAR BODIES, ASPHALT, ETC.). MATERIAL USED FOR CONSTRUCTION OR DISCHARGED MUST BE FREE FROM TOXIC POLLUTANTS IN TOXIC AMOUNTS (SEE SECTION 307 OF THE CLEAN WATER ACT).

8. ADVERSE EFFECTS FROM IMPOUNDMENTS. IF THE ACTIVITY CREATES AN IMPOUNDMENT OF WATER, ADVERSE EFFECTS TO THE AQUATIC SYSTEM DUE TO ACCELERATING THE PASSAGE OF WATER, AND/OR RESTRICTING ITS FLOW MUST BE MINIMIZED TO THE MAXIMUM EXTENT PRACTICABLE.

9. MANAGEMENT OF WATER FLOWS. TO THE MAXIMUM EXTENT PRACTICABLE, THE PRE-CONSTRUCTION COURSE, CONDITION, CAPACITY, AND LOCATION OF OPEN WATERS MUST BE MAINTAINED FOR EACH ACTIVITY, INCLUDING STREAM CHANNELIZATION AND STORM WATER MANAGEMENT ACTIVITIES, EXCEPT AS PROVIDED BELOW. THE ACTIVITY MUST BE CONSTRUCTED TO WITHSTAND EXPECTED HIGH FLOWS. THE ACTIVITY MUST NOT RESTRICT OR IMPEDE THE PASSAGE OF NORMAL OR HIGH FLOWS, UNLESS THE PRIMARY PURPOSE OF THE ACTIVITY IS TO IMPOUND WATER OR MANAGE HIGH FLOWS. THE ACTIVITY MAY ALTER THE PRE-CONSTRUCTION COURSE, CONDITION, CAPACITY, AND LOCATION OF OPEN WATERS IF IT BENEFITS THE AQUATIC ENVIRONMENT (E.G., STREAM RESTORATION OR RELOCATION ACTIVITIES).

11. EQUIPMENT. HEAVY EQUIPMENT WORKING IN WETLANDS OR MUD FLATS MUST BE PLACED ON MATS, OR OTHER MEASURES MUST BE TAKEN TO MINIMIZE SOIL DISTURBANCE.

12. SOIL EROSION AND SEDIMENT CONTROLS. APPROPRIATE SOIL EROSION AND SEDIMENT CONTROLS MUST BE USED AND MAINTAINED IN EFFECTIVE OPERATING CONDITION DURING CONSTRUCTION, AND ALL EXPOSED SOIL AND OTHER FILLS, AS WELL AS ANY WORK BELOW THE ORDINARY HIGH WATER MARK OR HIGH TIDE LINE, MUST BE PERMANENTLY STABILIZED AT THE EARLIEST PRACTICABLE DATE. PERMITTEES ARE ENCOURAGED TO PERFORM WORK WITHIN WATERS OF THE UNITED STATES DURING PERIODS OF LOW-FLOW OR NO-FLOW.

13. REMOVAL OF TEMPORARY FILLS. TEMPORARY FILLS MUST BE REMOVED IN THEIR ENTIRETY AND THE AFFECTED AREAS RETURNED TO PRE-CONSTRUCTION ELEVATIONS. THE AFFECTED AREAS MUST BE REVEGETATED, AS APPROPRIATE.

14. PROPER MAINTENANCE. ANY AUTHORIZED STRUCTURE OR FILL SHALL BE PROPERLY MAINTAINED, INCLUDING MAINTENANCE TO ENSURE PUBLIC SAFETY AND COMPLIANCE WITH APPLICABLE NWP GENERAL CONDITIONS, AS WELL AS ANY ACTIVITY-SPECIFIC CONDITIONS ADDED BY THE DISTRICT ENGINEER TO AN NWP AUTHORIZATION.

23. MITIGATION. THE DISTRICT ENGINEER WILL CONSIDER SEVERAL FACTORS WHEN DETERMINING APPROPRIATE AND PRACTICABLE MITIGATION NECESSARY TO ENSURE THAT ADVERSE EFFECTS ON THE AQUATIC ENVIRONMENT ARE MINIMAL.

25. WATER QUALITY. WHERE STATES AND AUTHORIZED TRIBES, OR EPA WHERE APPLICABLE, HAVE NOT PREVIOUSLY CERTIFIED COMPLIANCE OF AN NWP WITH CWA SECTION 401, INDIVIDUAL 401 WATER QUALITY CERTIFICATION MUST BE OBTAINED OR WAIVED (SEE 33 CFR 330.4(C)). THE DISTRICT ENGINEER OR STATE OR TRIBE MAY REQUIRE ADDITIONAL WATER QUALITY MANAGEMENT MEASURES TO ENSURE THAT THE AUTHORIZED ACTIVITY DOES NOT RESULT IN MORE THAN MINIMAL DEGRADATION OR WATER QUALITY.

27. REGIONAL AND CASE-BY-CASE CONDITIONS. THE ACTIVITY MUST COMPLY WITH ANY REGIONAL CONDITIONS THAT MAY HAVE BEEN ADDED BY THE DIVISION ENGINEER (SEE 33 CFR 330.4(E)) AND WITH ANY CASE SPECIFIC CONDITIONS ADDED BY THE CORPS OR BY THE STATE, INDIAN TRIBE, OR U.S. EPA IN ITS SECTION 401 WATER QUALITY CERTIFICATION, OR BY THE STATE IN ITS COASTAL ZONE MANAGEMENT ACT CONSISTENCY DETERMINATION.

USACE - PERMIT #3(A) & (C)

AS APPLICABLE TO THIS PROJECT

(A) THE REPAIR, REHABILITATION, OR REPLACEMENT OF ANY PREVIOUSLY AUTHORIZED, CURRENTLY SERVICEABLE STRUCTURE, OR FILL, OR OF ANY CURRENTLY SERVICEABLE STRUCTURE OR FILL AUTHORIZED BY 33 CFR 330.3, PROVIDED THAT THE STRUCTURE OR FILL IS NOT TO BE PUT TO USES DIFFERING FROM THOSE USES SPECIFIED OR CONTEMPLATED FOR IT IN THE ORIGINAL PERMIT OR THE MOST RECENTLY AUTHORIZED MODIFICATION. MINOR DEVIATIONS IN THE STRUCTURE'S CONFIGURATION OR FILLED AREA, INCLUDING THOSE DUE TO CHANGES IN MATERIALS, CONSTRUCTION TECHNIQUES, REQUIREMENTS OF OTHER REGULATORY AGENCIES, OR CURRENT CONSTRUCTION CODES OR SAFETY STANDARDS THAT ARE NECESSARY TO MAKE THE REPAIR, REHABILITATION, OR REPLACEMENT ARE AUTHORIZED. ANY STREAM CHANNEL MODIFICATION IS LIMITED TO THE MINIMUM NECESSARY FOR THE REPAIR, REHABILITATION, OR REPLACEMENT OF THE STRUCTURE OR FILL; SUCH MODIFICATIONS, INCLUDING THE REMOVAL OF MATERIAL FROM THE STREAM CHANNEL, MUST BE IMMEDIATELY ADJACENT TO THE PROJECT. THIS NWP ALSO AUTHORIZES THE REMOVAL OF ACCUMULATED SEDIMENT AND DEBRIS WITHIN, AND IN THE IMMEDIATE VICINITY OF, THE STRUCTURE OR FILL. THIS NWP ALSO AUTHORIZES THE REPAIR, REHABILITATION, OR REPLACEMENT OF THOSE STRUCTURES OR FILLS DESTROYED OR DAMAGED BY STORMS, FLOODS, FIRE OR OTHER DISCRETE EVENTS, PROVIDED THE REPAIR, REHABILITATION, OR REPLACEMENT IS COMMENCED, OR IS UNDER CONTRACT TO COMMENCE, WITHIN TWO YEARS OF THE DATE OF THEIR DESTRUCTION OR DAMAGE. IN CASES OF CATASTROPHIC EVENTS, SUCH AS HURRICANES OR TORNADOES, THIS TWO-YEAR LIMIT MAY BE WAIVED BY THE DISTRICT ENGINEER, PROVIDED THE PERMITTEE CAN DEMONSTRATE FUNDING, CONTRACT, OR OTHER SIMILAR DELAYS.

(C) THIS NWP ALSO AUTHORIZES TEMPORARY STRUCTURES, FILLS AND WORK, INCLUDING THE USE OF TEMPORARY MATS, NECESSARY TO CONDUCT THE MAINTENANCE ACTIVITY. APPROPRIATE MEASURES MUST BE TAKEN TO MAINTAIN NORMAL DOWNSTREAM FLOWS AND MINIMIZE FLOODING TO THE MAXIMUM EXTENT PRACTICABLE, WHEN TEMPORARY STRUCTURES, WORK AND DISCHARGES, INCLUDING COFFERDAMS, ARE NECESSARY FOR CONSTRUCTION ACTIVITIES, ACCESS FILLS, OR DEWATERING OF CONSTRUCTION SITES. TEMPORARY FILLS MUST CONSIST OF MATERIALS, AND BE PLACED IN A MANNER, THAT WILL NOT BE ERODED BY EXPECTED HIGH FLOWS. TEMPORARY FILLS MUST BE REMOVED IN THEIR ENTIRETY AND THE AFFECTED AREAS RETURNED TO PRE-CONSTRUCTION ELEVATIONS. THE AREAS AFFECTED BY TEMPORARY FILLS MUST BE REVEGETATED, AS APPROPRIATE.


NOTE: THIS NWP AUTHORIZES THE REPAIR, REHABILITATION, OR REPLACEMENT OF ANY PREVIOUSLY AUTHORIZED STRUCTURE OR FILL THAT DOES NOT QUALIFY FOR THE CLEAN WATER ACT SECTION 404(F) EXEMPTION FOR MAINTENANCE.

NOTE:

THE PROJECT CROSSES JURISDICTIONAL WATERS OF THE U.S. AND A NWP #3A and C WILL BE UTILIZED. THIS PERMIT AUTHORIZES THE REPAIR, REHABILITATION, OR REPLACEMENT OF CURRENTLY SERVICEABLE STRUCTURES OR FILL THAT WERE PREVIOUSLY AUTHORIZED. THE NWP GENERAL CONDITIONS AND THE NWP GUIDELINES MUST BE FOLLOWED IN ORDER TO MAINTAIN COMPLIANCE WITH NWP. NO COORDINATION HAS TAKEN PLACE WITH THE USACE. IF COORDINATION MAY BE NEEDED, CONTACT THE TXDOT LUFKIN DISTRICT ENVIRONMENTAL SECTION AT 1-800-687-8087.

ENVIRONMENTAL PERMITS, (EPIC) □
ISSUES AND COMMITMENTS

USACE



EPIC
(ENVIRONMENTAL PERMITS, ISSUES AND COMMITMENTS)

SHEET 2 OF 2

FILE: epic.dgn	DN: TxDOT	CK: RG	DW: VP	CK: AR
©TxDOT: February 2015	CONT	SECT	JOB	HIGHWAY
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FOR A COMPLETE LIST OF GENERAL CONDITIONS GO TO:

<http://www.swf.usace.army.mil/Missions/Regulatory/Permitting/NationwideGeneralPermits.aspx>

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