

Arkansas Department of Transportation

Special Provisions List

May 9, 2022

Note: Please contact ARDOT for full details pertaining to these special provisions.

1. Section 404 Nationwide 14 Permit Requirements

- a. Amendment to Specification 110 of the Standard Specifications, 2014 Edition

2. Section 404 Nationwide 23 Permit Requirements

- a. Amendment to Specification 110 of the Standard Specifications, 2014 Edition

3. Cave Discovery

- a. DESCRIPTION: This Special Provision shall be supplemental to Section 107.10 of the Standard Specifications, 2014 Edition, and concerns the procedure to be followed upon discovery of a cave.
- b. CONSTRUCTION METHODS: In the event the construction operations encounter any indications that a cave has been discovered, the Contractor shall notify the Engineer immediately of the location, and work will be discontinued in the area. If any opening into a cave is discovered, access shall be denied and the area secured to prevent unauthorized entry. The Environmental Division shall be contacted for a determination of the proper procedures to be followed.

4. LED Luminaire Assembly (BUG UO TYPE)

- a. DESCRIPTION: This work shall consist of furnishing and installing LED luminaire assemblies on traffic signal poles, including the accessories, in accordance with these specifications and at the locations shown on the plans or as directed.

5. LED Roadway Illumination Pole

- a. DESCRIPTION: This work consists of constructing and furnishing all materials to ensure a properly operating roadway lighting system according to these specifications and the plans, or as directed by the Engineer.

6. Management of Hydrodemolition Wastewater

- a. Section 110 of the Standard Specifications for Highway Construction, Edition of 2014 is hereby amended as follows:
- b. DESCRIPTION: This project requires the use of hydrodemolition on bridge decks as shown in the plans. The Arkansas Department of Environmental Quality regulates the discharge of the wastewater associated with this process.

7. Off-Site Restraining Conditions for Indiana and Northern Long-eared Bats

- a. Section 107.10 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:
The following is added to Section 107.10(c)(2) Non-commercially Operated Site:
- b. DESCRIPTION: The Indiana Bat (IBAT), *Myotis sodalis*, and Northern Long-eared Bat (NLEB), *Myotis septentrionalis*, are protected under the Federal Endangered

Species Act and may use forested areas near the project for roosting, feeding and pup rearing.

The current U.S. Fish and Wildlife Service (USFWS) guidance for the IBAT allows tree clearing activities as long as those activities do not occur during the summer active period, March 15 – November 14 or within 0.5 mile of any IBAT hibernaculum.

The current USFWS guidance for the NLEB allows tree clearing activities as long as those activities do not occur within 150 feet of any known occupied maternity roost tree during the pup rearing season (defined as June 1-July 31) or within 0.25 mile of any NLEB hibernaculum.

The Contractor shall, in all operations, make provisions to minimize any impacts to the bats resulting from work performed on off-site areas as described in the following information.

8. Off-Site Restraining Conditions for Northern Long-eared Bats

- a. Section 107.10 of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended as follows:

The following is added to Section 107.10(c)(2) Non-commercially Operated Site:

- b. DESCRIPTION: The Northern Long-eared Bat (NLEB), *Myotis septentrionalis*, is protected under the Federal Endangered Species Act and may use forested areas near the project for roosting, feeding and pup rearing.

The current U.S. Fish and Wildlife Service (USFWS) guidance for the NLEB allows tree clearing activities as long as those activities do not occur within 150 feet of any known occupied maternity roost tree during the pup rearing season (defined as June 1-July 31) or within 0.25 mile of any NLEB hibernaculum. The Contractor shall, in all operations, make provisions to minimize any impacts to the bats resulting from work performed on off-site areas as described in the following information.

9. Special Clearing Requirements

- a. Section 201 Subsection 201.03 of the Standard Specifications for Highway Construction, 2014 Edition, is hereby amended by the addition of the following: The Federally designated endangered Indiana bat (*Myotis sodalis*) and threatened northern long-eared bat (*Myotis septentrionalis*) have the potential to occur within the project area. When not in hibernation, Indiana and northern long-eared bats utilize hardwood forests for foraging, roosting and maternal activities. In an effort to avoid potential impacts to endangered species, the

clearing of trees is prohibited from April 1 through November 15. However, grubbing activities will be allowed during the entire calendar year.

The Contractor will be restricted from working in areas that were not cleared during the time period described. Failure to clear work areas will not be considered a cause for extending contract time and working days will continue to be assessed.

10. Vegetated Buffer Zone

- a. Subsection 201.06 Preserved Vegetation and Subsection 201.09 Basis of Payment of the Standard Specifications for Highway Construction, Edition of 2014, is hereby amended to include the following:
- b. Waterbody, located from Station xx+xx.xx - xx+xx.xx, is classified as an Ecologically Sensitive Waterbody/Extraordinary Resource Water. Construction activities that will damage the existing vegetation or compact the soil shall not be allowed within a buffer zone of 50 (fifty) feet either side of the Waterbody (preserved vegetation areas), until specific approval is granted by the Engineer. (Refer to Attachment.)
- c. If clearing, grubbing, removal of existing vegetation, or other soil disturbing construction activities are required through the buffer zone areas to complete the work of the project, the Contractor shall submit a written request to the Engineer with justification for the proposed work, including Temporary Erosion Control Plan Sheets detailing methods and devices for protection of (waterbody) and the buffer zones. Approved work within the buffer zones shall be allowed only if and where directed by the Engineer and shall be in compliance with any requirements of the Individual Water Quality Certification issued by ADEQ and the 404 permit issued by the Corps of Engineers.
- d. Subsection 201.09 Basis of Payment. Work required to comply with the above requirements will not be paid for separately, but shall be considered included in the unit prices bid for the contract items Clearing and Grubbing.

11. Water Pollution Control

- a. Section 110 of the Standard Specifications for Highway Construction, Edition of 2014 is hereby amended as follows:
The following is added to Section 110:
 - i. Sedimentation, turbidity, water pollution, and other possible impacts to underground cave resources through tributaries of Little Sugar Creek shall be carefully controlled and minimized on this project. Required actions of the Contractor shall include, but are not limited to, the following:
 1. The Contractor shall have absorbents in forms such as booms, pillows, or rolls on the job site capable of absorbing up to 500 gallons of petroleum based liquids. The Contractor shall be

prepared at any time to utilize these absorbents immediately as a defense response for hazardous waste spills such as emulsified asphalt products occurring as a result of this project. No work will be permitted to occur on the project unless one of the above referenced absorbents is physically on the project limits.

2. Emulsified asphalt products shall not be placed when there is any likelihood of adverse weather. Emulsified asphalt products shall be limited to 1,500 linear feet at any one time.
3. No equipment with leaking fluids shall be allowed on the project.
4. Storage areas for petroleum and/or chemical products cannot be placed within 500 feet of a stream crossing or as directed by the Engineer. No material shall be wasted or temporarily stockpiled in wetlands, flood plains, recharge areas, or where it can be eroded or washed into waters of the United States.

METHOD OF MEASUREMENT AND BASIS OF PAYMENT:

The work involved in complying with the remainder of this Special Provision will not be measured or paid for separately, but will be considered included in the contract unit prices bid for other items of the contract.