

**017 MA 229 H6800 01L
STP-017-A(ARV)S
I-17, Anthem Way to Jct. SR 69**

ENVIRONMENTAL COMMITMENTS

The following shall be included in the project special provisions:

- I. **“The project mitigation measures are not subject to change without written approval from ADOT Environmental Planning. The Contractor shall follow all the requirements of the permits specified herein and comply with the project specifications.”**

The following contractor’s mitigation measures, permits and guidelines (as applicable) shall be included in the project special provisions:

II. Project Mitigation Measures

Northwest District Responsibilities

- If active bird nests are identified within the project limits, construction activities will avoid disturbing any active nest. Avoidance areas, if necessary, will be marked in the field with temporary fencing or T-posts with flagging by the approved biologist. The Engineer will confer with the approved biologist to determine the appropriate avoidance strategies until the nestlings have fledged from the nest and the nest is no longer active.
- If any active bird nests cannot be avoided by vegetation clearing or construction activities, the Engineer will contact the Arizona Department of Transportation Environmental Planning biologist (602.712.7134 or 602.712.7767) to evaluate the situation.
- The Engineer will contact the Arizona Department of Transportation Environmental Planning biologist (602.712.7134 or 602.622.9622) to provide Sonoran Desert tortoise survey results prior to vegetation removal or construction in areas that will be disturbed.
- If the contractor encounters any Sonoran Desert tortoise during construction, the Engineer will report all encountered tortoises (live, injured, or dead) to the Arizona Department of Transportation Environmental Planning biologist (email: bioteam@azdot.gov) within 24 (twenty-four) hours of the encounter using the attached Arizona Department of Transportation “Sonoran Desert Tortoise Observation Form.” Photographs should be taken of tortoises encountered and included in the report, if possible.
- No work will occur within jurisdictional Waters of the United States until the appropriate Clean Water Act Section 401 and 404 permits are obtained.

Northwest District Responsibilities (continued)

- The Engineer will contact the Arizona Department of Transportation archaeologist (602.712.6371 or 602.712.7767) to schedule the preconstruction meeting or partnering meeting on a mutually agreeable date to ensure a qualified Environmental Planning representative will be available to attend the meeting.
- The Engineer will contact the Arizona Department of Transportation Historic Preservation Team (602.712.6371 or 602.712.7767) 14 (fourteen) days prior to construction to ensure that the terms and stipulations of the Programmatic Agreement Pursuant to Section 106 of the National Historic Preservation Act Regarding Implementation of Federal-aid Transportation Projects in the State of Arizona executed December 16, 2015, have been fulfilled.
- No work at Table Mesa Road, Moores Gulch Bridge northbound, Little Squaw Creek Bridge northbound, Mud Springs underpass, Rock Springs traffic interchange underpass southbound, Bumble Bee traffic interchange underpass northbound, northbound Interstate 17 off-ramp (milepost 252.5), Agua Fria National Monument access road (from Sunset Point traffic interchange), Sunset Point traffic interchange overpass northbound (milepost 252.5), Sunset Point frontage road (near milepost 252.5), and Bumble Bee Road at the traffic interchange underpass southbound will occur until the Lead-Based Paint Removal and Abatement Plan is approved and implemented (refer to attached list of Lead-Based Paint and Asbestos-Containing Materials Detections).
- If any non-municipal water source is used by the contractor, the Engineer will forward the proof of the environmental clearance/permitting to the Arizona Department of Transportation Environmental Planning Group {602.712.8858} upon receipt.

Roadside Development Responsibilities

- The Arizona Department of Transportation Roadside Development Section will provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits. The Arizona Department of Transportation Roadside Development Section will review and approve or reject the Noxious and Invasive Plant Species Treatment and Control Plan prepared by the contractor and submitted to the Engineer as required in the specifications within 10 (ten) working days of receipt. Once approved, the Arizona Department of Transportation Roadside Development Section will return the plan to the Engineer.
- Protected native plants within the project limits will be impacted by this project; therefore, the Arizona Department of Transportation Roadside Development Section will determine whether Arizona Department of Agriculture notification is needed. If notification is needed, the Arizona Department of Transportation Roadside Development Section will send the notification at least 60 (sixty) calendar days prior to the start of construction.

Roadside Development Responsibilities

- The Arizona Department of Transportation Roadside Development Section will coordinate with the Bureau of Land Management regarding the removal of native plants on Bureau of Land Management lands.
- The Arizona Department of Transportation Roadside Development Section will provide special provisions for the control of noxious and invasive plant species during construction that may require treatment and control within the project limits.

Contractor Responsibilities

- Prior to construction activity, the contractor's field personnel, including the project manager, assistant project manager, general superintendent, and project superintendent, shall review the attached Arizona Department of Transportation Environmental Planning "Sonoran Desert Tortoise Awareness Program Handout," become familiar with the identification and avoidance of the Sonoran Desert tortoise, and follow the notification request, as applicable.
- If any Sonoran Desert tortoises are encountered during construction, the contractor shall adhere to the attached Arizona Game and Fish Department "Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects" revised September 22, 2014. If any tortoise is encountered during construction, the contractor shall notify the Engineer to report the encounter.
- If clearing, grubbing, or tree/limb removal will occur between March 1 and August 31, the contractor shall employ a qualified biologist to conduct a migratory bird nest search of all vegetation within the 10 (ten) days prior to removal. Vegetation may be removed if it has been surveyed and no active bird nests are present. If active nests cannot be avoided, the contractor shall notify the Engineer to evaluate the situation. During the nonbreeding season (September 1 to February 28), vegetation removal is not subject to this restriction.
- The contractor shall develop a Noxious and Invasive Plant Species Treatment and Control Plan in accordance with the requirements in the contract documents. Plants to be controlled shall include those listed in the state and federal noxious weed and the state invasive species lists in accordance with state and federal laws and executive orders. The plan and associated treatments shall include all areas within the project right-of-way and easements as shown on the project plans. The treatment and control plan shall be submitted to the Engineer for the Arizona Department of Transportation Construction Professional Landscape Architect for review and approval prior to implementation by the contractor.
- Prior to the start of ground-disturbing activities, the contractor shall arrange for and perform the control of noxious and invasive species in the project area.

Contractor Responsibilities (continued)

- To prevent the introduction of invasive species seeds, the contractor shall inspect all earthmoving and hauling equipment at the storage facility. All vehicles and equipment shall be washed and free of all attached plant/vegetation and soil/mud debris prior to entering the construction site.
- To prevent invasive species seeds from leaving the site, the contractor shall inspect all construction equipment and remove all attached plant/vegetation and soil/mud debris prior to leaving the construction site.
- All disturbed soils not paved that will not be landscaped or otherwise permanently stabilized by construction shall be seeded using species native to the project vicinity.
- The contractor shall contact the Arizona Department of Transportation Historic Preservation Team (602.712.6371 or 602.712.7767) at least 10 (ten) business days prior to the start of ground-disturbing activities to arrange for a qualified archaeologist to flag avoidance areas.
- The contractor shall avoid all flagged and otherwise designated sensitive resource areas within or adjacent to the project area.
- The contractor shall contact the Arizona Department of Transportation Historic Preservation Team (602.712.6371 or 602.712.7767) at least 10 (ten) business days prior to the start of ground-disturbing activities to arrange for qualified personnel to monitor and be present during construction actions specific to excavation, rock work, earthwork, staging, and stockpiling.
- An approved contractor shall develop and implement an approved Lead-Based Paint and Asbestos Abatement Plan for the removal of the lead-based paint and asbestos, Toxicity Characteristic Leaching Procedure testing of the generated waste stream, and proper disposal of the waste stream derived from the removal of lead-based paint and asbestos (refer to attached list of Lead-Based Paint and Asbestos-Containing Materials Detections). The contractor shall select a lead abatement contractor that meets the qualification requirements specified in the special provisions and as approved by the Engineer. The contractor shall follow all applicable federal, state, and local codes and regulations, including "Arizona Department of Transportation Standard Specifications for Road and Bridge Construction" (2008 Edition), related to the treatment and handling of lead-based paint.
- The contractor shall submit a Lead-Based Paint Removal and Abatement Plan for the removal of (refer to attached list of Lead-Based Paint and Asbestos-Containing Materials Detections) within the project limits to the Engineer and the Arizona Department of Transportation Environmental Planning hazardous materials coordinator (602.920.3882 or 602.712.7767) for review and approval at least 10 (ten) working days prior to work.

Contractor Responsibilities (continued)

- No work (refer to attached list of Lead-Based Paint and Asbestos-Containing Materials Detections) shall occur until the Lead-Based Paint Removal and Abatement Plan is approved by the Arizona Department of Transportation Environmental Planning hazardous materials coordinator and implemented.
- Visible fugitive dust emissions from paint removal shall be controlled through wet or dry (e.g., vacuum) means during the removal process. If the liquid waste stream generated by a water-blasting obliteration method passes the Toxicity Characteristic Leaching Process analysis, it may be used as a dust palliative or for compaction on the project. If the water is not used on the project, it shall be properly disposed of in accordance with all applicable federal, state, and local regulations.
- The contractor shall not utilize any abrasive tools or methods for the removal of the cattle guards that would disturb the lead-based paint. This includes, but is not limited to, sawing, grinding, sanding, or heating. Woven straps (not linked chains) may be used to lift the cattle guard grate from the frame.
- For milling activities, the roadway surface preceding the milling machine shall be kept sufficiently wet so as to prevent the generation of any visible fugitive dust particles but not so wet as to cause excess runoff from the roadway surface onto the roadway shoulder.
- The contractor shall complete a National Standards for Hazardous Air Pollutants (NESHAP) notification for the work associated with (refer to attached list of Lead-Based Paint and Asbestos-Containing Materials Detections) and submit to the Engineer, who shall submit it to the Arizona Department of Transportation environmental planning hazardous material coordinator (602.920.3882 or 602.712.7767) for a five (5) working day review and approval. Upon approval, the contractor shall file the notification with the Arizona Department of Environmental Quality and the Maricopa County Air Quality Department at least ten (10) working days prior to the commencement of work associated with (refer to attached list of Lead-Based Paint and Asbestos-Containing Materials Detections) disturbance to load-bearing structures.
- No work will occur within jurisdictional Waters of the United States until the appropriate Clean Water Act Section 401 and 404 permits are obtained.
- If any non-municipal water source is used by the contractor, for any reason, then the contractor shall be responsible for obtaining any environmental clearance and permitting needed. Proof of environmental clearance/permitting shall be given to the Engineer at least 1 day prior to using the water source.

III. Guidelines

- Arizona Game and Fish Department "Guidelines for Handling Sonoran Desert Tortoises Encountered on Development Projects" revised September 22, 2014

IV. Attachments

- Lead-Based Paint and Asbestos-Containing Materials Detections