# WEST VIRGINIA DEPARTMENT OF TRANSPORTATION

# DESIGN-BUILD ENVIRONMENTAL COMPLIANCE TRACKING

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| State Project: | X142-H-38.99 C-2 |
| Federal Project: | APD-484 (59) |
| Project Name/ Description: | CORRIDOR H Kerens to Parsons, Section 1 |
| CE/EA/EIS Clearance Date: | Corridor H FEIS signed in 1996, with ROD signed 8/2/96;<br>Kerens to Parsons ("Battlefield Avoidance") Supplemental FEIS (SFEIS) signed in 2002, with Amended ROD (AROD) signed 5/12/03;<br>Approval of Kerens to Parsons SFEIS/AROD Re-evaluation is pending. |

| Mitigation Item | Requirements | Information Source | Location |
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| Construction Measures | | | |
| Excess Excavation and/or Borrow Sites | Locations as indicated on construction plans;<br><br>Sites must be outside of areas of known sensitive resources (i.e. wetlands, known T & E species habitat, known archaeology sites, perennial streams, and floodplains) and proper permits must be obtained;<br><br>Contouring and revegetation to match surrounding landscape; and<br><br>All sites owned by the Forest Service within the MNF must have Forest Service concurrence. | Corridor H FEIS Volume III ("Mitigation Document"), p. 22;<br><br>AROD, p. A-3;<br><br>*2003 MOU Among FHWA, WVDOT, and Forest Service,* p.4 | Locations as indicated within the MNF;<br><br>Otherwise, to be finalized during design-build process. |
| Acid Producing Material and Drainage Sites | Geo-technical drilling to locate potential acid producing formations within section;<br>If acid producing formations are present:<br>- Quantitative assessments of acid drainage potential are to be conducted concurrent with geotechnical drilling and include acid-base accounting or other standard chemical procedures to characterize the acid forming potential of the formations associated with a highway cut;<br>- An Acid Producing Materials Handling Plan must be approved by WVDOH;<br>- Disposal sites for acid producing material must be | Corridor H FEIS Mitigation Document, pp. 22- 25;<br><br>AROD, p. A-4;<br><br>Coordination with the Forest Service | Full length of the Project.<br><br>Report has been completed; however, additional study required if alignment strays from areas studied. |

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| | approved by WVDOH; and<br>- Special design item for acidic streams or acid producing material drainage. | | |
| Buffer Zone | Alignment deviations from those detailed in the RFP Plans must be reviewed and approved by the WVDOH, FHWA, and Forest Service. | Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Full length of the Project.<br><br>Panther Run watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |
| Minimization of Disturbance | Minimize limits of disturbance. | *Bat Conservation Plan,* p.2 | Full length of the Project. |
| Minimization of Clearing and Grubbing | Clearing and grubbing is limited to construction limits and clearing only for an additional 10 feet.<br><br>Minimize overall clearing of vegetation in Panther Run watershed, particularly in valley where SWP populations have been found. | Corridor H FEIS Mitigation Document, p. 17;<br><br>AROD, p. A-1;<br><br>*Bat Conservation Plan,* p.2<br><br>Requests received from USFWS, email dated 12/18/12. | Full length of the Project.<br><br>Panther Run watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |
| Timber Cutting | Tree cutting (greater than 3" dbh) shall occur only between November 15 and March 31.<br><br>Tree clearing may only occur within designated clearing limits.<br><br>No clearing of trees shall occur prior to having the market value of the trees established and agreed upon by the Forest Service.<br><br>If tree clearing must occur outside the designated clearing limits, a new Bat Conservation Plan must be prepared and approved by the DOH, USFWS, and Forest Service (for areas owned by the Forest Service within the MNF) prior to beginning tree removal activities.<br><br>These restrictions are valid for all work that is associated with the project including but not limited to alignment shifts, staging areas, haul roads, access roads, office areas, material storage areas, waste or borrow areas, etc. | *Bat Conservation Plan,* pp.2 and 4<br><br>*2003 MOU Among FHWA, WVDOT, and Forest Service*, p.4 | Full length of the Project.<br><br>Coordination required with the USFWS for full length of the Project.<br><br>Coordination required with the Forest Service for plans involving areas owned by the Forest Service within the MNF. |
| Pollution Control | Implement approved SWPPP(s) and SPCC(s). | *Bat Conservation Plan,* p.2<br><br>Requests received from USFWS, email dated 12/18/12 | Full length of the Project.<br><br>Panther Run watershed SWPPP implemented between Stations 252+00 (end |

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| | | | of Baldlick Fork Bridge) and 337+00. |
| Erosion and Sedimentation Control Measures | Implementation of a strong Erosion and Sediment Control Plan (SWPPP) approved by WVDOH, including SWPPP already prepared and approved for the Panther Run watershed area;<br><br>Preparation and submittal of a Spill, Prevention, Control, and Countermeasure (SPCC) Plan to WVDOH;<br><br>Inspections for storm water runoff erosion;<br><br>Photo documentation of conditions and maintenance of erosion and sediment control measures;<br><br>Within areas owned by the Forest Service within the MNF: use BMPs, all erosion control plans must be reviewed by the Forest Service, and the Forest Service will be invited to attend all erosion control reviews. | Corridor H FEIS Mitigation Document, p. 13;<br><br>AROD, p. A-1;<br><br>*2003 MOU Among FHWA, WVDOT, and Forest Service,* p.4<br><br>*Bat Conservation Plan*, p. 2<br><br>Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Full length of the Project.<br><br>Approvals by the Forest Service required for areas owned by the Forest Service within the MNF.<br><br>Panther Run watershed SWPPP implemented between Stations 252+00 (end of Baldlick Fork Bridge) and 337+00. |
| Topsoil Stockpiling for Redistribution | Consideration will be given to stripping topsoil in those areas of the Kerens to Parsons Section of Corridor H that are not wooded for utilization in roadside landscaping;<br><br>Topsoil stockpiles should be clearly marked; and<br><br>Runoff diversion measures will be used around the stockpiles. | Corridor H FEIS Mitigation Document, p. 17;<br><br>AROD, p. A-3 | Full length of the Project. |
| Topsoil Redistribution | Topsoil will be redistributed on cut slopes of 3 to 1 or flatter as shown on the plans; and<br><br>Topsoil will be redistributed at areas of vegetative screening or special landscaping. | Corridor H FEIS Mitigation Document, p. 17;<br><br>AROD, p. A-3 | Full length of the Project. |
| Noise Restrictions and Pile Driving/Vibratory Work Requirements | 10:00 PM to 6:00 AM Restriction; and<br><br>Residents within 600 feet of the construction limits will be notified prior to commencement of pile driving or other vibratory work activities. | Corridor H FEIS, p. III-246;<br><br>SFEIS, p. III-148;<br><br>AROD, p. A-1 | Full length of the Project. |

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| Snow Removal | Snow removal for MNF access roads outside construction limits shall be conducted in a manner that protects roads, ensures safe and efficient transportation of materials, and prevents erosion damage to roads, streams, and adjacent lands.<br>With regard to snow removal on MNF access roads outside of designated construction limits, the Contractor shall:<br>1. Remove snow from the entire width of the road surface, including turnouts;<br>2. Remove snow slides, earth slides, fallen timber, and boulders that obstruct the road surface;<br>3. Remove snow, ice, and debris from ditches and culverts so that the drainage system will function efficiently at all times;<br>4. Deposit all debris, except snow and ice, removed from the road surface and ditches at locations approved by the WVDOH Compliance/Erosion and Sediment Control Officer and away from stream channels;<br>5. Leave at least two (2) inches of snow to protect the road;<br>6. Restore any damage resulting from snow removal in a timely manner; and<br>7. Ensure that snow plowing is conducted in accordance with a traffic control plan.<br>With regard to snow removal for access roads outside construction limits, the Contractor shall not:<br>1. Undercut constructed slopes or remove gravel or other surfacing material from the road surface;<br>2. Leave snow berms on the road surface. Berms on the shoulder of the road shall be removed or drainage holes shall be opened and maintained. Drainage holes shall be spaced as necessary to obtain satisfactory surface drainage without discharge on erodible fills; and<br>3. Use equipment with cleats or other tracks to plow snow without prior written approval of the WVDOH or the Forest Service. | Adapted from Special Drilling Provisions, dated 7/22/14 | Areas within the MNF. |
| Permits | Special Use Permits are required within the MNF. It is the Contractor's responsibility to secure applicable permits. | Forest Service Coordination | Areas within the MNF. |
| Notification | Contractor shall not enter private property or areas owned by the Forest Service within the MNF without 3- | Adapted from *Special Drilling Provisions, dated 7/22/14* | Full length of the Project. |

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| | day notification, and shall not enter private property without confirming the WVDOH has secured written authorization to perform work on the property. | | |
| Water Sources during Construction | Withdrawal of water from streams shall only be permitted from Leading Creek, Baldlick Fork, Cherry Fork, and Haddix Run. | Adapted from *Special Drilling Provisions, dated 7/22/14* | Areas within the MNF. |
| Emergency Preparedness | Contractor shall have on site at all times: a first aid kit, a fire suppression device, and a spill kit with emergency materials and absorbent pads to contain oil, fuel and hydraulic leaks from the equipment and to control other critical spill situations. | Adapted from *Special Drilling Provisions, dated 7/22/14* | Areas within the MNF. |
| Superintendent | The Contractor shall have on-site at all times a competent Superintendent. | Adapted from *Special Drilling Provisions*, dated 7/22/14 | Areas within the MNF. |
| Panther Run Watershed | | | |
| Run-off | Direct run-off or spills from roadway and bridge away from Panther Run. | Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Panther Run watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |
| Hydrology | Avoid changes to the hydrology of the stream & banks (avoid fill in stream or floodplain) of Panther Run including at the bridge and any sections of the road upstream in the watershed). | Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Panther Run watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |
| Environmental Monitor & Compliance/Erosion & Sediment Control Inspection | Develop plan to monitor Contractor so that all conservation measures are implemented as planned.<br><br>WVDOH shall have Compliance/ Erosion & Sediment Control Inspector on the project. | Requests received from USFWS, email dated 12/18/12<br><br>Adapted from Special Drilling Provisions, dated 7/22/14 | Panther Run Watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |
| Long-Term Maintenance | Make sure that long-term maintenance activities (spraying, mowing, etc.) will not affect the species. | Requests received from USFWS, email dated 12/18/12 | Panther Run Watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |
| Streams, Wetlands, and Groundwater | | | |
| Permits | 1996 US Army Corps of Engineers Section 404 permit, extension issued in 2008, will need to be modified, as necessary, for this section; and<br><br>West Virginia Water Quality Certification Section 401 permit will need to be obtained.<br><br>Section 402 NPDES Permit secured by the Contractor. | SFEIS, p. V-7 | Full length of the Project. |
| Wetland Avoidance | Avoid or minimize impacts to wetlands. | SFEIS, p. III-77;<br><br>AROD, p. A-3 | Further consideration will be given at impacted wetland sites. |

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| Proposed Stream Crossing/Relocation | Locations as indicated on construction plans;<br><br>Attempt to avoid skewed crossings of perennial streams; and<br><br>Limit stream relocations to first and second order headwater streams. | SFEIS, pp. III-104-106;<br><br>AROD, p. A-2 | Locations as indicated on construction plans. |
| High Quality, Native Trout, and/or Stocked Trout Streams | Must bridge the following streams within the MNF portion of the section: Baldlick Fork, Panther Run, UNT South Branch Haddix Run 5, South Branch Haddix Run, and Haddix Run. | SFEIS, pp. III-104-106;<br><br>AROD, p. A-2<br><br>Concurrence from Forest Service on selection of the alignment through the National Forest (letter dated June 24, 2015). | Full length of the Project.<br><br>Approximate Station numbers: 247, 280, 281, 395, 420, and 484. |
| Natural Channel Design on Stream Relocations/Culverts | Where practicable, use natural channel design for all high quality stream relocations and selected culvert crossings within the MNF. | *2003 MOU Among FHWA, WVDOT, and Forest Service,* p.4 | To be finalized during design-build process. |
| Floodplain or Floodway Requirements | Floodplain of Haddix Run will be bridged. | SFEIS, pp. 52-53;<br><br>AROD, p. A-3 | Approximately between Stations 480+ and 484+. |
| Mitigation Measures for Sensitive Waters | Use of Tier 3 advanced BMPs;<br><br>Construction of permanent stormwater management facilities; and/or<br><br>Water quality special design for karst areas. | Corridor H FEIS Mitigation Document, p. 13 | A SWPPP was developed for the Panther Run project area and was provided in Exhibit F of the RFP. The contractor may use the Panther Run SWPPP as a reference to develop the SWPPPs for other project areas. |
| In-Stream Work Restrictions | Minimize in-stream construction activities;<br><br>Eliminate chemical and/or petroleum-product discharges into streams; and<br><br>All in-stream construction activity will be restricted during fish spawning seasons. | Corridor H FEIS, p. III-247;<br><br>AROD, p. A-1 | Full length of the Project. |
| Water Quality Monitoring | On perennial streams located along project for the duration of construction; and<br><br>Long term water quality monitoring before, during, and after construction will be conducted on selected streams by West Virginia University. | Corridor H FEIS Mitigation Document, p. 4 | At all bridge locations.<br><br>Other sites to be determined. |

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| Groundwater/Wells | Replace any wells lost due to construction activities;<br><br>Abandoned wells will be properly sealed in accordance with standards set by current regulations;<br><br>Wells within 500 feet of the Selected Alternative will be monitored for both water quality and quantity before, during, and after construction; and<br><br>Any Public Service District (PSD) intakes located within the project area will require separate permits and additional water quality monitoring during construction. | SFEIS, p. III-114-121, Tables III-45, III-46, and III-47;<br><br>AROD, p. A-2 | To be finalized during design-build process.<br><br>It is the responsibility of the Design-Build Contractor to identify, monitor, mitigate, and secure applicable permits. |
| Recreation Areas | | | |
| Trail Relocation and/or Trailhead Improvement | Within the MNF, all bridged crossings and/or realignments of hiking trails will require Forest Service coordination and review.<br><br>Forest trails that are impacted by the bridges shall be re-connected (in coordination with the Forest Service) similar to what is shown in plans. Trails that remain under the bridge during and after construction is complete shall be maintained during construction. Trail construction is not included in this contract.<br><br>Trailhead and parking area improvements will be established at specific locations shown in plans. | SFEIS, p. III-45;<br><br>AROD, p. A-5;<br><br>*2003 MOU Among FHWA, WVDOT, and Forest Service*, p.4 | See plans for additional details and requirements for the various trails and trailhead improvement actions. |
| Endangered Species, Forest Sensitive Species, and Other Animal Protections | | | |
| Section 7 Coordination | Should project plans change or amendments be proposed that have not been considered by USFWS as part of proposed action in 2014 correspondence, or if additional information on listed and proposed species becomes available, or if new species become listed or critical habitat is designated, reconsider the determinations for which concurrence was received in December 9, 2014 letter from the USFWS. | Concurrence letter from USFWS dated December 9, 2014. | For changes to action or listings, full length of the Project. |
| Monitoring Plant Habitat | Develop a monitoring plan for plant & habitat conditions (including invasive species) around known populations of endangered plant species pre- and post-construction. | Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Panther Run watershed. Stations 252+00 (end of Baldlick Fork Bridge) to 337+00. |

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| Botanical Surveys | Botanical surveys will need to be conducted for shifts outside previously surveyed areas. | Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Areas of potential shifts along full length of the Project. |
| T&E or FSS Species | If any federally listed or National Forest Service sensitive species are encountered during project implementation, the designated Local Forest Officer shall be notified. | Adapted from *Special Drilling Provisions, dated 7/22/14* | Areas within the MNF for National Forest Service sensitive species.<br><br>All areas for federally listed species. |
| Bird Nests | For operations between March 1 and July 25, all Contractor personnel are to report any large stick bird nests that are discovered to the Forest Service and halt operations in the area until identification of species is made and appropriate mitigation is determined. | Adapted from *Special Drilling Provisions, dated 7/22/14* | Areas within the MNF. |
| Snakes and Turtles | Any timber rattlesnakes or turtles encountered shall not be harmed or harassed. | Adapted from *Special Drilling Provisions, dated 7/22/14* | Areas within the MNF. |
| Upland Habitat Mitigation | | | |
| Invasive plants | Rinse any construction equipment entering Panther Run area; replant areas not to be maintained as ROW with native woody vegetation. | Requests received from USFWS, email dated 12/18/12, and concurrence letter from USFWS dated December 9, 2014. | Areas within the MNF. |
| Reclamation | Contractor will be responsible for reclamation, with consideration for impact minimization. Reclamation is to include, but not be limited to: dozer back-dragging, regrading, sump backfill, seeding, fertilizer, mulching, silt sock installation and disposal, spot treatment of MNF roads with WVDOH Class 6 Limestone Aggregate, and implementation of BMPs for E&SC.<br><br>Re-seed disturbed areas with seed mixes approved by the Forest Service. | Adapted from *Special Drilling Provisions, dated 7/22/14* | Areas within the MNF. |
| Reclamation Monitoring | Pre-disturbance vegetation documentation;<br><br>Re-vegetation monitoring post construction; and<br><br>Permanent photo-monitoring points established. | Corridor H FEIS Mitigation Document, pp. 18-19;<br><br>AROD, p. A-4 | Full length of the Project. |
| Purchase of Uneconomical Land Remnants and/or Unique Habitat | Purchase and preservation of uneconomical land remnants during the purchase of Corridor H right of way; and/or<br><br>Purchase and preservation of unique habitat to mitigate for upland habitat lost to highway construction and operation. | Corridor H FEIS Mitigation Document, pp. 25-26 | To be determined during final design. |

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| Cultural Resources | | | |
| General Commitment for Cultural resources | Design activities will not preclude the shifting of the Project if necessary to avoid, minimize or mitigate adverse impacts. No design engineering shall be finalized until Programmatic stipulations have been completed. | Corridor H FEIS, Appendix B (also SFEIS, Appendix C), "Section 106 Programmatic Agreement," Stipulation I-B. | Full length of the Project. |
| Historic Resource Requirements | Measures to avoid or minimize impacts to historic resources. | SFEIS, pp. III-126-130;<br><br>AROD, p. A-4 | No historic resources were determined eligible for listing on the NRHP within the Selected Alternative APE. |
| Additional Archaeological Testing Requirements | Pedestrian surveys and sub-surface testing will need to be performed for areas that may be disturbed by the project but were not covered in previous surveys. | SFEIS, pp. C-4 to 6 | Areas of potential shifts falling outside previously surveyed areas along full length of the Project. |
| SHPO Coordination | For any new findings of sites potentially eligible to the National Register of Historic Places, conduct coordination with the WV SHPO. | SFEIS, pp.C-4 to 6. | Full length of the Project. |
| Hazardous Waste | | | |
| Hazardous Waste Site(s) | Avoid hazardous waste sites; and<br><br>If any hazardous waste sites are identified during final design, an environmental site assessment will be performed prior to the acquisition of the property. | SFEIS, p. III-126 | Full length of the Project. |

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Division Director Approval: Date:

Distribute to:

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