

AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT			1. CONTRACT ID CODE	PAGE OF PAGES	
			J	1	2
2. AMENDMENT/MODIFICATION NO. 0003	3. EFFECTIVE DATE 11-Apr-2003	4. REQUISITION/PURCHASE REQ. NO. W26GLG-3065-7308		5. PROJECT NO.(If applicable)	
6. ISSUED BY CONTRACTING OFFICE (CA/CW) US ARMY ENGR DIST NORFOLK ATTN: CENAO-SS-C 803 FRONT STREET NORFOLK VA 23510-1096	CODE DACW65	7. ADMINISTERED BY (If other than item 6) See Item 6		CODE	
8. NAME AND ADDRESS OF CONTRACTOR (No., Street, County, State and Zip Code)			X	9A. AMENDMENT OF SOLICITATION NO. DACW65-03-B-0009	
			X	9B. DATED (SEE ITEM 11) 19-Mar-2003	
				10A. MOD. OF CONTRACT/ORDER NO.	
				10B. DATED (SEE ITEM 13)	
CODE	FACILITY CODE				
11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS					
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offer <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offer must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing Items 8 and 15, and returning _____ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.					
12. ACCOUNTING AND APPROPRIATION DATA (If required)					
13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS. IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.					
A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.					
B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14, PURSUANT TO THE AUTHORITY OF FAR 43.103(B).					
C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF:					
D. OTHER (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the issuing office.					
14. DESCRIPTION OF AMENDMENT/MODIFICATION (Organized by UCF section headings, including solicitation/contract subject matter where feasible.) AMENDMENT NO. 0003 to DACW65-03-B-0009, AIW Great Bridge Roadway, Chesapeake, VA.					
Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.					
15A. NAME AND TITLE OF SIGNER (Type or print)			16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)		
			TEL: _____ EMAIL: _____		
15B. CONTRACTOR/OFFEROR	15C. DATE SIGNED	16B. UNITED STATES OF AMERICA		16C. DATE SIGNED	
_____ (Signature of person authorized to sign)		BY _____ (Signature of Contracting Officer)		11-Apr-2003	

SECTION SF 30 BLOCK 14 CONTINUATION PAGE

The following items are applicable to this modification:

CONTINUATION

Technical specifications are amended. Make appropriate changes in accordance with the attached.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF ENVIRONMENTAL QUALITY

James S. Gilmore, III
Governor

John Paul Woodley, Jr.
Secretary of Natural Resources

5636 Southern Boulevard
Virginia Beach, VA 23462
Tel# (757) 518-2000
<http://www.deq.state.va.us>

Dennis H. Treacy
Director

Francis L. Daniel
Tidewater Regional Director

VWP Permit No. 94-0035
Effective Date: July 23, 1999
Expiration Date: July 23, 2004

VIRGINIA WATER PROTECTION PERMIT ISSUED PURSUANT TO THE STATE WATER CONTROL LAW AND SECTION 401 OF THE CLEAN WATER ACT

Based upon an examination of the information submitted by the owner and in compliance with Section 401 of the Clean Water Act as amended (33 USC 1251 et seq.) and the State Water Control Law and regulations adopted pursuant thereto, the Department has determined that there is reasonable assurance that the activity authorized by this permit, if conducted in accordance with the conditions set forth herein, will protect instream beneficial uses and will not violate applicable water quality standards.

Permittee Chief, Planning Division
U.S. Army Corps of Engineers
803 Front Street
Norfolk, Virginia 23510-1096

Director of Public Works
City of Chesapeake
P.O. Box 15225
Chesapeake, Virginia 23328

Activity Location: Chesapeake

Activity Description: The permittee proposes replacement of the existing two-lane, double swing bridge over the Atlantic Intracoastal Waterway with a five-lane bascule bridge, to include the reconstruction of 2,000 linear feet Battlefield Boulevard to accommodate bridge approaches; the widening of the existing two-lane culvert bridge over the Southern Branch of the Elizabeth River to five lanes, to include the construction of 300 linear feet of bulkhead to contain approach fill; the placement of water, sewer, and gas mains under the Southern Branch of the Elizabeth River via mechanical dredging of 500 cubic yards to create a temporary trench 140 feet long, 14 feet wide and 6 feet deep; and the dredging of 2,000 cubic yards by clamshell method along the existing bridge fender system in the Atlantic Intracoastal Waterway to obtain a navigational depth of -14 feet mean low water.

The permitted activity shall be in accordance with this cover page, Part I - Special Conditions, and Part II - General Conditions.

Karen Jacob Simon for the
Director, Department of Environmental Quality

July 23, 1999
Date

PART I - SPECIAL CONDITIONS

A. Adherence to Application

The conditions and limitations specified in the application and the supplemental materials submitted by the owner shall be adhered to.

B. Spill Control

The permittee shall employ measures to prevent spills of fuels or lubricants into State waters. The Department of Environmental Quality must be notified if spills do occur at the Tidewater Regional Office (757) 518-2077 or Department of Emergency Services 1-800-468-8892.

C. Construction Activity

All construction and installation associated with the activity shall be accomplished in such a manner that construction material or waste material is not discharged into State waters.

D. DEO Notification

The permittee shall advise the Department of Environmental Quality in writing when unusual or potentially complex conditions are encountered which require debris removal or involve potentially toxic pollutants, and shall not take measures to remove the obstruction, material, or toxic pollutant, or change the location of any structure until approval by the Department is received.

E. Permit Expiration

This permit is valid for a maximum of 5 years from the date of issuance. In accordance with the VWPP Regulation (9 VAC 25-210-80, formerly VR 680-15-02), reapplication must be made no less than 180 days prior to the expiration date of this permit. This permit must be renewed until the mitigation is deemed adequate and complete by the Department of Environmental Quality.

F. Clearing, Construction, and Operation

- 1 Any petroleum contaminated soils or material encountered during site work east of the Atlantic Intracoastal Waterway (AIW), Great Bridge, bridge shall be properly characterized and disposed of in accordance with applicable State laws and regulations. Precautions shall be taken to preclude the

entry of these materials or associated contaminant runoff into State waters. Discharge of petroleum contaminated groundwater into State waters shall be prohibited.

2. The existing two-lane, double-swing bridge over the AIW shall be replaced on a new, easterly alignment with a five-lane, fast-acting bascule bridge. Approximately 2,000 linear feet of reconstruction along Battlefield Boulevard shall occur to accommodate the bridge approaches. In addition, the existing two-lane culvert bridge over the Southern Branch of the Elizabeth River shall be widened to five lanes.
3. The approach fill for the crossing over the Southern Branch of the Elizabeth River shall be contained by approximately 300 linear feet of steel sheet pile bulkhead. The bulkhead will be backfilled with approximately 1500 cubic yards of 100% free-draining gravel.
4. The abutments of the existing culvert crossing over the Southern Branch of the Elizabeth River shall remain in place to provide additional stabilization and containment of the existing approach fill. The abutments shall be secured in place with soil anchors.
5. A 20-inch water main, 20-inch sanitary force main, and 6-inch gas main shall be placed 6 feet under the existing bottom of the Southern Branch of the Elizabeth River by excavating and backfilling a trench via mechanical dredge method (clamshell or dragline).
6. The construction or work authorized by this permit shall be performed in such a manner as to minimize any adverse impact to instream beneficial uses as defined in Title 62.1-10(b).
7. All work shall be accomplished in such a manner as to minimize sedimentation/siltation of State waters in accordance with Virginia Erosion and Sedimentation Regulations (4-VAC 50-30, formerly VR 625-02-00) and the most recent edition of the Virginia Erosion and Sedimentation Control Handbook.
8. Appropriate erosion and sedimentation controls and practices shall be utilized during construction and until all disturbed areas have been properly stabilized.

- 9 The conditions and limitations as specified in the application shall be adhered to during the life of this project.
- 10 All construction and installation associated with the project shall be accomplished in such a manner as to preclude the discharge of construction or waste materials into State waters.
- 11 The Department of Environmental Quality - Tidewater Regional Office VWPP Program staff shall be notified in writing 10 days prior to commencement of project activities and 10 days following completion of project activities.

F Dredging and Disposal

1. Dredging of the utility line trench shall be performed by dragline or clamshell method. Dredging along the existing fender system shall be performed by clamshell method.
2. Approximately 2,500 cubic yards of new material shall be dredged channelward of the mean high water line. Approximately 500 cubic yards of this material will be generated during creation the utility line trench, with approximately 375 cubic yards returned to the trench as backfill.
3. Dredging associated with the replacement of the existing fender system shall be performed to a depth of -14 feet mean low water in accordance with permit application drawings, sheet 5 of 19 and sheet 6 of 19, dated 1/5/94.
4. Dredging associated with the installation of the utility lines shall be performed in accordance with revised permit application appendix Q and drawings, sheets 1 to 4, submitted by letter dated April 14, 1999.
5. Prior to commencement of utility line installation, the permittee shall submit an operation plan to the Department of Environmental Quality - Tidewater Regional Office VWPP Program for approval. The plan shall provide details on the fate of the dredged material. If dredged material is to be stored on site prior to backfill, the plan shall include details and specifications on the dredge material offloading area, method of offloading, location and design of the dewatering area, location and design of any dredged material storage area, and erosion and sedimentation control provisions.

- 6 All dredged material dewatering/storage operations shall be carried out in such a manner as to prevent the discharge of dredged material into State waters. Upon completion of these operations, all disturbed areas shall be seeded, riprapped or given some other type of protection from soil erosion.
- 7 With the exception of approximately 375 cubic yards which will be used as backfill for the utility line trench, all dredged material shall be disposed of in the Craney Island Rehandling Basin or other upland disposal location approved by this office.
- 8 Barges used for the transportation of dredged material shall be filled in such a manner as to minimize spillage into State waters.
9. All dredging and/or filling shall be accomplished so as to minimize disturbance of the bottom and turbidity in the water column.
- 10 After dredge surveys shall be submitted to the Department of Environmental Quality - Tidewater Regional Office within 60 days following completion of dredging activities.
- 11 Water quality standards for pH, dissolved oxygen and temperature shall not be violated during dredging or dewatering activities. These standards, from 9 VAC 25-260-00, for Class II waters are as follows: pH (6.0-9.0 pH units); dissolved oxygen, 4.0 mg/l (minimum) and 5.0 mg/l (daily average); and a rise above ambient temperature of no more than 30 C from an appropriate upstream sampling point. If these standards are violated, DEQ shall be notified immediately and dredging activities shall halt until authorization is received from DEQ to proceed.
- 12 The Department of Environmental Quality - Tidewater Regional Office VWPP Program staff shall be notified in writing 10 days prior to commencement of dredging operations and utility line installation so that site inspections can be performed if deemed necessary.

F Mitigation, Monitoring, and Reporting

The permittee shall mitigate for the loss of 250 square feet of tidal, emergent wetlands by the creation of 500 square feet of tidal, emergent marsh at Great Bridge Lock Park. The site will be constructed by grading back uplands

adjacent to an existing salt marsh. With the reported tide range of 2.8 feet, the site should be graded to an elevation of +1.8 feet mean low water to +2.3 feet mean low water or to elevations matching an existing biological benchmark approved by this office. The mitigation area shall be planted with Spartina alterniflora on twelve-inch centers. Adjoining intertidal areas shall also be sprigged with Spartina alterniflora to enhance restoration. The Mitigation plan revised 2/18/94, and Figure 16 - Proposed Wetland Mitigation, dated 1/5/94, shall be revised to reflect the above requirements, and shall be submitted to the Tidewater VWPP Program for approval prior to initiating impacts to vegetated wetlands.

2. The Department of Environmental Quality - Tidewater Regional Office VWPP staff shall be notified following completion of mitigation site grading so that inspections can be made prior to planting.
3. Once the site grading is approved, planting shall occur as soon as possible, during the next appropriate planting period.
4. The establishment of wetland vegetation shall be indicated by survival rates and percent cover. There shall be a minimum survival rate of 70 percent for the first year, with no less than 80 percent cover the second year and third year. Percent cover shall be estimated using 3 randomly placed quadrats. The approximate species composition of the emergent vegetation shall be documented.
5. The permittee shall implement an invasive species control plan targeted specifically at Phragmites australis. This control plan shall include procedures to notify the VWPP staff of any invasive species occurrences, methods of removal, and successful control.
6. Photo stations shall be established to document the various aspects of this project. These stations shall be established to document the existing and post construction conditions of the site. These stations shall be photographed prior to construction and within one week after the completion of construction. No less than six photographs shall be taken over the life of the project.

The vegetation monitoring results shall be reported to the Department of Environmental Quality - Tidewater Regional Office by December 31 following the first growing season.

8. Reports of invasive species occurrences and control of these occurrences shall be reported immediately upon discovery and resolution.
9. The permittee shall monitor for dissolved oxygen (DO) and temperature at a central location within the dredge site. A reference sample shall be taken at dawn each day prior to the start of dredging. Samples should then be taken each day two hours after start-up and two hours prior to shutdown. A final sample shall be taken two hours after the final day of dredging. Samples shall be taken from the bottom to the surface in 2 foot increments, in duplicate.
10. Photographs shall be submitted to the Department of Environmental Quality - Tidewater Regional Office within 30 days of the completion of the project or once per week if the project takes longer than one week to complete.
11. All reporting shall be submitted to:

Department of Environmental Quality
Tidewater Regional Office
Virginia Water Protection Permit Program
5636 Southern Boulevard
Virginia Beach, Virginia 23462

PART II - GENERAL CONDITIONS

A Duty to Comply

The permittee shall comply with all conditions of the permit. Nothing in the regulations shall be construed to relieve the permittee of the duty to comply with all applicable Federal and State statutes, regulations and toxic standards and prohibitions. Any permit non-compliance is a violation of the Clean Water Act and State Water Control Law, and is grounds for enforcement action, permit termination, revocation, modification, or denial of a permit renewal application.

B. Mitigation Requirements

1. The permittee shall take all reasonable steps to
 - a) avoid all adverse environmental impact which could result from the activity,
 - b) where avoidance is impractical, minimize the adverse environmental impact, and
 - c) where impacts cannot be avoided, provide mitigation of the adverse impact on an in kind basis.

C Reopener

This permit may be reopened to modify the conditions of the permit to meet new regulatory standards duly adopted by the Board. Causes for reopening permits include, but are not limited to:

1. When State law prohibits conditions in a permit which are more stringent than an applicable effluent limitation guideline;
2. When subsequently promulgated effluent guidelines are modified, and are based on best conventional pollutant control technology; or
3. When the circumstances on which the previous permit was based have materially and substantially changed or special studies conducted by the Department or permittee show material and substantial change since the time the permit was issued and thereby constitute cause for permit modification or revocation and reissuance.

D. Change in Management of Pollutants

All discharges and other activities authorized by this permit shall be made in accordance with the terms and conditions of this permit. The permittee shall submit a new application 180 days prior to any modification to their activity which will:

1. Result in a significantly new or substantially increased discharge of dredged or fill material, or a significant change in the nature of the pollutants; or
2. Violate or lead to the violation of the terms and conditions of the permit or the Water Quality Standards of the Commonwealth.

E. Duty to Halt or to Reduce Activity

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

F. Compliance with State and Federal Law

Compliance with this permit constitutes compliance with Virginia Water Protection Permit requirements of the State Water Control Law. Nothing in this permit shall be construed to preclude the institution of any legal action under or relieve the permittee from any responsibilities, liabilities, or other penalties established pursuant to any other State law or regulation or under the authority preserved by Section 510 of the Clean Water Act.

G. Property Rights

The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges nor does it authorize any injury to private property or any invasion of personal property rights, nor any infringement of federal, state or local laws or regulations.

H. Severability

The provisions of this permit are severable.

I Right of Entry

The permittee shall allow authorized State and Federal representatives, upon the presentation of credentials at reasonable times and under reasonable circumstances:

- To enter the permittee's property, public or private, and have access to, inspect and copy any records that must be kept as part of the permit conditions;
- 2 To inspect any facilities, operations, or practices (including monitoring equipment) regulated or required under the permit;
- 3 To sample or monitor any substance, parameter or activity for the purpose of assuring compliance with the conditions of the permit or as otherwise authorized by law.

For the purpose of this section, the time for inspection shall be deemed reasonable during regular business hours. Nothing contained herein shall make an inspection time unreasonable during an emergency.

J Transferability of Permits

This permit may be transferred to another person by a permittee if:

- 1 The current permittee notifies the Department of Environmental Quality 30 days prior to the proposed transfer of the title to the facility or property;
- 2 The notice of the proposed transfer includes a written agreement between the existing and proposed new owner containing a specific date of transfer of the permit responsibility, coverage and liability between them; and
- 3 The Department of Environmental Quality does not within the 30 day time period notify the existing owner of its intent to modify or revoke and reissue the permit.

Such a transferred permit shall, as of the date of the transfer, be as fully effective as if it had been issued directly to the new permittee.

K. Permit Modification

The applicant shall notify the Department of Environmental Quality of any modification of this project and shall demonstrate in a written statement to the Department that said modification will not violate any conditions of this permit. If such demonstration cannot be made, the permittee shall apply for a modification of this permit. This permit may be modified when any of the following developments occur:

1. When additions or alterations have been made to the affected facility or activity which require the application of permit conditions that differ from those of the existing permit or are absent from it;
2. When new information becomes available about the operation or discharge covered by the permit which was not available at permit issuance and would have justified the application of different permit conditions at the time of permit issuance;
3. When a change is made in the promulgated standards or regulations on which the permit was based;
4. When it becomes necessary to change final dates in schedules due to circumstances over which the permittee has little or no control such as acts of God, materials shortages, etc. However, in no case may a compliance schedule be modified to extend beyond any applicable statutory deadline of the Clean Water Act;
5. When an effluent standard or prohibition for toxic pollutant must be incorporated in the permit in accordance with provisions of Section 307(a) of the Clean Water Act;
6. When changes occur which are subject to "reopener clauses" in the permit;
7. When the Department of Environmental Quality determines that minimum instream flow levels resulting from the permittee's withdrawal of water are detrimental to the instream beneficial use, the withdrawal of water should be subject to further net limitations or when an area is declared a Surface Water Management Area pursuant to State water Control Law Sections 62.1-242 through 253, during the term of the permit;

8. When the level of discharge of a pollutant not limited in the permit exceeds the level which can be achieved by available methodology for controlling such discharges;
9. When the permittee begins or expects to begin to cause the discharge of any toxic pollutant not reported in the application; or
10. When other states were not notified of the change in the permit and their waters may be affected by the discharge

Permit Termination

This permit, after public notice and opportunity for a hearing, is subject to termination. Causes for termination are as follows:

1. Noncompliance by the permittee with any condition of the permit;
2. The permittee's failure in the application or during the permit issuance process to disclose fully all relevant facts or the permittee's misrepresentation of any relevant facts at any time;
3. The permittee's violation of a special or judicial order;
4. A determination that the permitted activity endangers human health or the environment and can be regulated to acceptable levels by permit modification or termination; or
5. A change in any condition that requires either a temporary or permanent reduction or elimination of any discharge of dredged and fill material controlled by the permit.

M. Civil and Criminal Liability

Nothing in this permit shall be construed to relieve the permittee from civil and criminal penalties for noncompliance

N. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Clean Water Act or Sections 62.1-44.34:14 through 62.1-44.34:23 of the State Water Control Law.

O. Unauthorized Discharge of Pollutants

Except in compliance with this permit, it shall be unlawful for the permittee to:

Discharge into state waters sewage, industrial wastes, other wastes, or any noxious or deleterious substances, or

2. Otherwise alter the physical, chemical, or biological properties of such state surface waters and make them detrimental to the public health, or to animal or aquatic life, or to the uses of such waters for domestic or industrial consumption, or for recreation, or for other uses.

VWP Permit No. 94-0035
Effective Date: July 23, 1999
Modification Date: June 6, 2002
Expiration Date: July 23, 2004

**VIRGINIA WATER PROTECTION PERMIT
ISSUED PURSUANT TO THE STATE WATER CONTROL LAW
AND SECTION 401 OF THE CLEAN WATER ACT**

Based upon an examination of the information submitted by the owner and in compliance with Section 401 of the Clean Water Act as amended (33 USC 1251 et seq.) and the State Water Control Law and regulations adopted pursuant thereto, the Department has determined that there is reasonable assurance that the activity authorized by this permit, if conducted in accordance with the conditions set forth herein, will protect instream beneficial uses and will not violate applicable water quality standards.

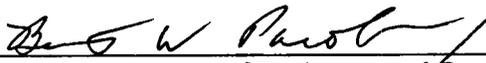
Permittee: U.S. Army Corps of Engineers
Attn: Mr. Mark T. Mansfield
Environmental Analysis Branch
803 Front Street
Norfolk, Virginia 23510-1096

City of Chesapeake
Attn: Mr. John A. O'Conner
P.O. Box 15225
Chesapeake, Virginia 23328

Activity Location: Chesapeake

Activity Description: The permittee proposes replacement of the existing two-lane, double swing bridge over the Atlantic Intracoastal Waterway with a five-lane bascule bridge, to include the reconstruction of 2,000 linear feet Battlefield Boulevard to accommodate bridge approaches; the widening of the existing two-lane culvert bridge over the Southern Branch of the Elizabeth River to five lanes, to include the construction of 300 linear feet of bulkhead to contain approach fill; the placement of water, sewer, and gas mains on aerial crossings consisting of concrete pile bents, pipes and conduits, and attachment hardware; and the dredging of 2,000 cubic yards by clamshell method along the existing bridge fender system in the Atlantic Intracoastal Waterway to obtain a navigational depth of -14 feet mean low water.

The permitted activity shall be in accordance with this cover page, Part I - Special Conditions, and Part II - General Conditions.


for _____
Director, Department of Environmental Quality

June 6, 2002

PART I - SPECIAL CONDITIONS**A. Adherence to Application**

The conditions and limitations specified in the application and the supplemental materials submitted by the owner shall be adhered to. The permittee will also adhere to the supplemental revised permit drawings prepared by the Army Corps of Engineers, dated April 2002, for the placement of water, sewer, and gas mains by an aerial crossing consisting of concrete pile bents, pipes and conduits, and attachment hardware instead of the previously permitted April 14, 1999 Army Corps of Engineers drawings depicting the creation of a temporary trench and backfill to bury the utilities.

B. Spill Control

The permittee shall employ measures to prevent spills of fuels or lubricants into State waters. The Department of Environmental Quality must be notified if spills do occur at the Tidewater Regional Office (757) 518-2077 or Department of Emergency Services 1-800-468-8892.

C. Construction Activity

All construction and installation associated with the activity shall be accomplished in such a manner that construction material or waste material is not discharged into State waters.

D. DEQ Notification

The permittee shall advise the Department of Environmental Quality in writing when unusual or potentially complex conditions are encountered which require debris removal or involve potentially toxic pollutants, and shall not take measures to remove the obstruction, material, or toxic pollutant, or change the location of any structure until approval by the Department is received.

E. Permit Expiration

This permit is valid for a maximum of **5 years** from the date of issuance. In accordance with the VWPP Regulation (9 VAC 25-210-80, formerly VR 680-15-02), reapplication must be made no less than 180 days prior to the expiration date of this permit. This permit must be renewed until the mitigation is deemed adequate and complete by the Department of Environmental Quality.

F. Clearing, Construction, and Operation

- 1 Any petroleum contaminated soils or material encountered during site work east of the Atlantic Intracoastal Waterway (AIW), Great Bridge, bridge shall be properly characterized and disposed of in accordance with applicable State laws and regulations. Precautions shall be taken to preclude the entry of these materials or associated

contaminant runoff into State waters. Discharge of petroleum contaminated groundwater into State waters shall be prohibited.

2. The existing two-lane, double-swing bridge over the AIW shall be replaced on a new, easterly alignment with a five-lane, fast-acting bascule bridge. Approximately 2,000 linear feet of reconstruction along Battlefield Boulevard shall occur to accommodate the bridge approaches. In addition, the existing two-lane culvert bridge over the Southern Branch of the Elizabeth River shall be widened to five lanes.
3. The approach fill for the crossing over the Southern Branch of the Elizabeth River shall be contained by approximately 300 linear feet of steel sheet pile bulkhead. The bulkhead will be backfilled with approximately 1500 cubic yards of 100% free-draining gravel.
4. The abutments of the existing culvert crossing over the Southern Branch of the Elizabeth River shall remain in place to provide additional stabilization and containment of the existing approach fill. The abutments shall be secured in place with soil anchors.
5. A 20-inch water main, 20-inch sanitary force main, and 6-inch gas main shall be placed 10.5 feet above Mean Low Water of the Southern Branch of the Elizabeth River by an aerial crossing consisting of concrete pile bents, pipes and conduits, and attachment hardware. Piles will be driven.
6. The construction or work authorized by this permit shall be performed in such a manner as to minimize any adverse impact to instream beneficial uses as defined in Title 62.1-10(b).
7. All work shall be accomplished in such a manner as to minimize sedimentation/siltation of State waters in accordance with Virginia Erosion and Sedimentation Regulations (4-VAC 50-30, formerly VR 625-02-00) and the most recent edition of the Virginia Erosion and Sedimentation Control Handbook.
8. Appropriate erosion and sedimentation controls and practices shall be utilized during construction and until all disturbed areas have been properly stabilized.

9. The conditions and limitations as specified in the application shall be adhered to during the life of this project.
10. All construction and installation associated with the project shall be accomplished in such a manner as to preclude the discharge of construction or waste materials into State waters.
11. The Department of Environmental Quality - Tidewater Regional Office VWPP Program staff shall be notified in writing 10 days prior to commencement of project activities and **10 days** following completion of project activities.

G. Dredging and Disposal

1. Dredging along the existing fender system shall be performed by clamshell method.
2. Approximately 2,000 cubic yards of new material shall be dredged channelward of the mean high water line.
3. Dredging associated with the replacement of the existing fender system shall be performed to a depth of -14 feet mean low water in accordance with permit application drawings, sheet 5 of 19 and sheet 6 of 19, dated 1/5/94.
4. Utilities will be positioned 10.5 feet above mean low water using concrete pile bents, pipes, and conduits, and attachment hardware as shown in the drawings submitted on April 19, 2002. Piles will be driven.
5. Prior to commencement of any dredging, the permittee shall submit an operation plan to the Department of Environmental Quality - Tidewater Regional Office VWPP Program for approval. The plan shall provide details on the fate of the dredged material. If dredged material is to be stored on site prior to backfill, the plan shall include details and specifications on the dredge material offloading area, method of offloading, location and design of the dewatering area, location and design of any dredged material storage area, and erosion and sedimentation control provisions.

6. All dredged material dewatering/storage operations shall be carried out in such a manner as to prevent the discharge of dredged material into State waters. Upon completion of these operations, all disturbed areas shall be seeded, riprapped or given some other type of protection from soil erosion.
7. All dredged material shall be disposed of in the Craney Island Rehandling Basin or other upland disposal location approved by this office.
8. Barges used for the transportation of dredged material shall be filled in such a manner as to minimize spillage into State waters.
9. All dredging and/or filling shall be accomplished so as to minimize disturbance of the bottom and turbidity in the water column.
10. After dredge surveys shall be submitted to the Department of Environmental Quality - Tidewater Regional Office within 60 days following completion of dredging activities.
11. Water quality standards for pH, dissolved oxygen and temperature shall not be violated during dredging or dewatering activities. These standards, from 9 VAC 25-260-00, for Class II waters are as follows: pH (6.0-9.0 pH units); dissolved oxygen, 4.0 mg/l (minimum) and 5.0 mg/l (daily average); and a rise above ambient temperature of no more than 30 C from an appropriate upstream sampling point. If these standards are violated, DEQ shall be notified immediately and dredging activities shall halt until authorization is received from DEQ to proceed.
12. The Department of Environmental Quality - Tidewater Regional Office VWPP Program staff shall be notified in writing 10 days prior to commencement of dredging operations and utility line installation so that site inspections can be performed if deemed necessary.

F. Mitigation, Monitoring, and Reporting

1. The permittee shall mitigate for the loss of 250 square feet of tidal, emergent wetlands by the creation of 500 square feet of tidal, emergent marsh at Great Bridge Lock Park. The site will be constructed by grading back uplands