Most local public agencies and contractors are knowledgeable about general environmental regulations—such as the need for erosion control. But it’s the specific environmental commitments made during the environmental phase of your project development that can become obscured or left out of contract documents.

Every federally funded transportation project must comply with all environmental requirements, and the authorization to advertise a project for construction is conditional on meeting all environmental obligations.

Let’s look at some proven and effective practices that can help your agency meet the project’s environmental requirements during construction.

Before requesting authorization to advertise a project for construction, review the latest environmental document approval to ensure it is current and that the scope of the work has remained consistent since its initial development—meaning that the project boundaries or activities have not expanded. Projects may not be authorized for construction if the environmental document is outdated or the project scope has changed. To expedite the approval for construction, document the review.

Next, the environmental document is examined for any commitments your agency has made.
The reviewer identifies these commitments and matches them to mitigation efforts in the plan sheets and specifications. For example, the reviewer might verify that necessary environmentally sensitive and off-limit areas are clearly shown.

Lastly, the reviewer verifies that significant commitments and mitigation measures are listed in the notice to all bidders. By highlighting items that might affect the construction schedule or cost estimate, agencies alert bidders of the item’s importance.

From experience, she knows to look for buffer zones and protective fencing at the wetland boundaries and stream banks in the plan sheets, as well as specific time of year restrictions when work is not allowed during the trout spawning season.

She focuses first on what's been planned to delineate and protect the wetland. In the project plans, she confirms a requirement to install a protective fence. She then checks that there is a special provision for the fence and finds it is appropriate and clear.

Next, the reviewer turns to the protection of the spawning trout. The plan includes a buffer zone and silt fence along both banks of the stream.

She finds a corresponding special provision for erosion and sediment control and another special provision restricting work during the anticipated spawning season. Bidders could easily overlook the work time restriction, and she finds no mention of it in the notice to all bidders. She alerts the project manager of the omission and completes her review.

The agency is now ready to request an authorization to advertise the project for construction.
Project sponsors are responsible for meeting project-specific environmental commitments.

For additional guidance on preparing your Federal-aid project for construction, contact your State department of transportation. Its staff can provide you with State-specific guidance on how to ensure you incorporate environmental commitments into your project plans.
Web Resources

- Federal regulation covering PS&Es needed to be authorized for construction
  [http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&sid=c77406a2f82ad3763e963b092b2c308d&rgn=div8&view=text&node=23:1.0.1.7.23.3.1.5&idno=23](http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&sid=c77406a2f82ad3763e963b092b2c308d&rgn=div8&view=text&node=23:1.0.1.7.23.3.1.5&idno=23)

- FHWA Web site on preparing and approving a project PS&E

- Link to FHWA policies, guidance, best practices, training and other updates