



Illinois Department of Transportation

2300 South Dirksen Parkway / Springfield, Illinois / 62764

August 25, 2003

Project Commitment Policy for Local Agencies

#03-13

COUNTY ENGINEERS / SUPERINTENDENT OF HIGHWAYS
MUNICIPAL ENGINEERS / DIRECTOR OF PUBLIC WORKS
CONSULTING ENGINEERS

The Federal Highway Administration (FHWA) and Illinois Department of Transportation (IDOT) performed a joint process review concerning the implementation of environmental commitments. One of the recommendations of the committee was for the Bureau of Local Roads and Streets (BLR&S) to develop and issue a policy addressing the tracking of environmental commitments throughout all phases of a roadway project.

As a result of this process review, attached for your use is the "Policy for Follow-Through on Project Commitments for Local Agencies." The procedures in this policy apply to all local agency federal and state-funded projects and are recommended for MFT-funded projects. This policy is effective immediately.

Additional question may be directed to your district office or Gary Galecki at (217) 785-8564.

Sincerely,

A handwritten signature in cursive script that reads "Darrell Lewis".

Darrell W. Lewis, P.E.
Acting Engineer of Local Roads and Streets

Attachment

Policy for Follow-Through on Project Commitments for Local Agencies

Applicability

The procedures in this policy apply to all federal and state-funded projects and are recommended for MFT-funded projects.

Definitions

Commitment– For purposes of this policy, a commitment is a documented obligation or promise, made by a properly authorized representative of the local agency, for carrying out a specific action or actions affecting the planning, design, land acquisition, construction, or operation of a highway project that involves special consideration and action(s). (If statements are included in the Phase I document to the effect that adverse impacts to wetlands or other sensitive resources will be avoided, minimized, or mitigated, it should be recognized that they create an obligation to take specific actions [i.e., to follow-up on avoiding, minimizing, and mitigating impacts] and, therefore, should be treated as commitments).

Commitment list- A cumulative list of commitments which states the date, a brief description of the commitment, who made the commitment, and when it was completed. This list shall be initiated with the Phase I study, included in the plan submittal, discussed at the pre-construction meeting, and checked during final inspection of the project. See Attachment 1 for an example.

Commitment file- A file created and maintained by the local agency for each federal, state, or MFT-funded project. The file should include a commitment list, information on the nature of each commitment, the date the commitment was made, the parties affected, permits or environmental clearances, and documentation showing that the commitment has been fulfilled.

Recording Commitments

As commitments are made throughout the different phases of the project, they will be added to a cumulative commitment list. The local agency shall also document commitments made during the earlier phases in the Environmental Survey Request, Project Development Report, and/or environmental document, when applicable. When applicable, the commitments shall be noted or flagged in the project agreements and contract documents. Such commitments shall be documented on the commitment list which will be included in the plan submittal. The local agency shall maintain a commitment file for each project which will include all the documentation as noted above. If the local agency is under an

MFT Agreement of Understanding, they shall provide the district with a copy of their commitment file at the same time as the rest of the project file is submitted.

Discussion of Commitment Information

On federal projects when a bi-monthly coordination meeting with the FHWA is held, any known commitments should be discussed to ensure that all affected parties are aware of the nature and scope. When a preconstruction conference is held, commitments should be discussed to ensure awareness and understanding of any special considerations affecting construction and to emphasize the importance of follow-through as construction proceeds. Other parties affected by the commitment(s) may be invited to the preconstruction conference.

Addressing Proposed Changes to Previous Commitments

If at any point in the project development, implementation, or maintenance operation, a previous commitment will be impacted by subsequent project decisions or commitments, the affected parties will be considered prior to making a final decision on the previous commitment. The commitment list shall be updated, and the commitment file shall provide documentation of coordination with the affected parties and ultimate decision on the proposed changes to previous commitment(s).

Closure of Commitment File

The local agency shall include in the commitment file, documentation that each commitment has been fulfilled.

The local agency shall provide the district with a copy of the commitment list at the final inspection after the project is completed. The district will forward a copy of the finalized commitment list to the Central Bureau of Local Roads and Streets.

COMMITMENTS

A commitment was made to Jane Doe to provide a field entrance at Sta. 65+00 RT (curve relocation) to ease the farm operation spoil by the curve relocation. This will give her field entrances on both sides of the relocation in the same location.

A commitment was made to John Doe to move the ditch flowing to Little Creek off of his property and back to state R.O.W. Mr. Engineer informed Mr. Doe that riprap will be placed along the backside of the ditch to prevent future erosion. Mr. Engineer also informed Mr. Doe that the solution may only be temporary and the water may still erode the back of the ditch.

An environmental commitment has been made to avoid, minimize or mitigate any impacts to biological or cultural resources. This includes the detailed assessment of threatened and endangered species, wetlands, and archaeological sites. The Illinois Department of Natural Resources, the United States Army Corps of Engineers and the United States Fish & Wildlife service will serve as regulatory agencies in this commitment.

An environmental commitment has also been made following the PESA review. The PESA indicated potential problems at one location where construction depth restrictions were given. Construction excavation shall not exceed six feet in depth within fifty feet of Station 190+00 (old gas station). And, the local agency will not acquire ownership of any property with underground storage tanks. The two locations and their depth restrictions will be identified and listed in the plans as environmental commitments.