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Project Development Preparing the PS&E Environmental Requirements

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The authorization to advertise a Federal-aid project for construction is conditional on meeting all environmental obligations



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.



When you describe project-specific environmental commitments in plan sheets and in special provisions, your agency alerts contractors to requirements during the bidding process and allows them to reflect the costs of delivering commitments in their bids.

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 Projects may not be authorized for construction if the environmental document is outdated or the project scope has changed.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.



To see how these practices work to highlight the environmental requirements, let's follow the review of a bridge rehabilitation project.

The project's reviewer begins by confirming that the environmental document is current. She then compares the document's scope and nature of work with the project plans. She verifies that the boundaries and the nature of the work are unchanged.

In the environmental document, she finds two commitments: One not to disturb a wetland area, and another restricting when work is allowed because it will impair the spawning of a protected species of trout.

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&rqn=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
<http://www.fhwa.dot.gov/construction/cgit/pse.cfm>
- Link to FHWA policies, guidance, best practices, training and other updates
<http://environment.fhwa.dot.gov/index.asp>

The content of this document is not a substitute for information obtained from State departments of transportation, appropriate FHWA Division Offices, and applicable laws. Scenarios have been simplified for emphasis and do not necessarily reflect the actual range of requirements applicable to the scenario or this topic. This document was created under contract number DTFH61-11-D-00025 by the Federal Highway Administration, U.S. Department of Transportation, and is offered to the public to heighten and focus awareness of Federal-aid requirements within the local public agencies community and reinforces the importance of these necessary policies, procedures, and practices.

This companion resource is the script content for the video production of the same name.