ENVIRONMENTAL REQUIREMENTS FOR NON FEDERALLY FUNDED PROJECTS

Compliance with Environmental regulations is required for non FHWA funded projects

Environmental Checklist for Non Federally Funded Projects

- Important to have a qualified consultant complete the checklist to make sure that the information is complete and accurate

- ODOT Cultural Resources will provide the initial Cultural Resources Data. It IS NOT a Cultural Resources Studies.

- USACE may require complete Cultural Resources studies for 404 permit

- USACE may require additional Waters and Wetlands delineation and Biological Assessment of Species for 404 Permit in Counties with endangered species

Endangered and Threatened Species requirements for non federally funded projects

- Migratory Bird Treaty applies to all projects regardless of source of funding – it is ok to use ODOT's plan notes for County projects being let by ODOT

- ODOT's Programmatic Agreement for American Burying Beetle (ABB) covers all ODOT let projects regardless of source of funding. However Local Governments are responsible for purchasing credits or doing surveys (it may be more cost effective to do surveys for large areas outside of the fringe of conservation areas). DO use the ABB notes from ODOT as it is required for all projects under the PA

Endangered and Threatened Species requirements for non federally funded projects - Contd

- DO NOT use ODOT plan notes for any species other than Birds and ABB. These notes are result of project specific consultation with USFWS or as part of Programmatic Agreement between FHWA (not USACE or any other federal entity) and USFWS and CANNOT be used for non FHWA funded projects

- Any restrictions for species will need to come from the federal entity consulting with USFWS for that project. EPD can assist with providing plan notes to comply with these restrictions.

- If you use ODOT plan notes without the appropriate consultation, you will be stuck when the regulations change