


11.8. TEXAS ENVIRONMENTAL COMMITMENT CHECKLIST

Table 1: Texas Environmental Commitment Checklist

	TxDOT ENVIRONMENTAL COMMITMENT CHECKLIST For Construction, Maintenance and Facilities Projects		
PROJECT:		DATE:	
CSJ:		DEQC:	
HIGHWAY:		<i>Name</i>	
Stormwater Pollution Prevention			
Required Information and Documentation			
Does the construction site have a Stormwater Permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is a notice posted in a publicly accessible location near where construction is actively underway (and moved as necessary)?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Does the notice contain the following information:			
The permit number or a copy of the NOI?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
The name and telephone number of a local contact person?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
A brief description of the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Location of SW3P (Job site or other location).	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	
Is there a copy of the Construction General Permit in the SW3P? (a copy of the Federal Register is sufficient)	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is there a copy of a Delegation of Authority Letter authorizing the inspector to sign inspection reports in the SW3P file?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is the SW3P retained on-site at the facility that generates the stormwater? (If no, where is it located _____)?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is the SW3P updated and documented in the plans as necessary to remain consistent with any changes in design, construction, operation, or maintenance applicable to protecting surface water resources in sediment and erosion site plans or site permits, or stormwater management site plans or site permits approved by State, Tribal or Local Officials for which the permittee receives notice?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is the description of construction and waste materials expected to be stored on-site updated?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are the following records maintained and available for inspection, or included in the SW3P?			
Dates when major grading activities occur?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>

Dates when construction activities temporarily or permanently cease on a portion of the site?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Dates when stabilization measures are initiated?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Did stabilization occur within 14 days at locations where soil disturbing activities have ceased or will cease for at least 21 days or were temporary measures installed?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
General Conditions			
Are Best Management Practices (BMPs) being utilized?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are silt fences, buffer strips, or equivalent sediment controls at a minimum used for all side-slope and down-slope boundaries of the construction area?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Controls & Measures			
Have erosion and sediment controls been designed to retain sediment on-site to the extent practical during the construction phase?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Were control measures, in accordance with manufacturer specifications and good engineering practices:			
Properly selected?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Properly installed?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Properly maintained?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
In effective operating conditions?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are controls in place to minimize:			
Dust generation?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Off-site vehicle tracking of sediments?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are off-site accumulations of sediment removed at a frequency sufficient to minimize off-site impacts? (sediment near off-site inlets, etc)	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is sediment removed from the sediment traps or sediment ponds when design capacity is reduced by 50 percent?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are litter, construction debris, and construction chemicals exposed to stormwater prevented from becoming a pollutant source from stormwater discharges? (e.g., screening outfalls, picked up daily)	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are solid materials including building materials being discharged? (except those authorized by a permit issued under section 404 of the CWA)	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Were velocity dissipation devices (i.e. rock filter dams, holding ponds, etc) placed at discharge locations and along the length of any outfall channel to provide a non-erosive flow velocity from the structure to the water course?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Inspections			
Were the inspections performed at least once every 14 calendar days and within	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>

24 hours of the end of a 0.5 inch or more rain event (or once every 30 days in areas with less than an average 20 inches of rainfall per year)? (Note: some projects may require more frequent inspections, refer to the plans).		*	<input type="checkbox"/>
Did the inspector check the following:			
Disturbed areas of the construction site that have not been stabilized?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Areas used for storage of materials that are exposed to precipitation?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Structural control measures?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Locations where vehicles enter or exit the site?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Based on the inspection, are the SW3P Sheet and SW3P Layouts modified within 7 calendar days following the inspection?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is it documented and available for inspection?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Based on the inspection, are controls and measures modified or added before the next anticipated storm event (or as soon as practicable)?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Did the inspection Summary Report include:			
The name of the inspector?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
The date(s) of the inspection?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Measures/area inspected?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Actions needed/taken as a result of the inspection?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Signature of inspector with certification statement?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Inspector properly delegated in writing to EPA?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Water Resources Compliance			
USAC Permits			
U.S. Army Corps of Engineers (USACOE) Permits: Does the project have a USACOE (Section 10 or Section 404) permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
If yes, is a copy of the permit kept onsite (in the form of Nationwide Permit text and/or a letter or other documents from the USACOE)?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are any Project Specific Locations, on or off Right-of-Way, that are <i>directly related to the USACOE permit</i> addressed in the permit or Corps letters to the contractor (for off ROW PSLs)?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Has clearance been obtained for any changes in design or construction methods in the areas covered by the permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>

Does the project meet all conditions listed in the permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is a copy of the completed Section 401 Water Quality Certification Tier I checklist (or other specific Section 401 requirements) attached to the permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Does the project have the BMPs installed as designated in the Tier I checklist or as otherwise specified?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are the BMPs working effectively? (If not, immediately bring the problem to the attention of the project engineer)	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are there wetlands on the project site?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are wetlands that are required to be preserved by the USACOE permit being effectively protected?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Other Water Requirements			
Does the project require an Edwards Aquifer Protection Plan (for central Texas counties Kinney, Uvalde, Medina, Bexar, Comal, Hays, Travis, & Williamson only)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, is a copy of the Water Abatement Plan kept on-site?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are all appropriate conditions affecting construction being met?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Does the project have a U.S. Coast Guard Section 9 permit?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, is a copy of the permit kept onsite?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are all appropriate conditions affecting construction being met?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Does the Project fall under the requirement of the Texas Coastal Management Plan?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
If yes, are all appropriate conditions affecting construction being met?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Other Environmental Requirements			
Vegetation Management			
Are there any mitigation issues involving vegetation impacts?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is the ROW to be used for mitigation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is there any vegetation that requires fencing, or other protection, to preserve it from damage or removal?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any vegetative management issues within the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Has project been coordinated with district environmental staff before removal of trees/shrubs within proposed ROW?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Has project been coordinated with district environmental staff to salvage native plants in project area?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>

Invasive species addressed as required?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is revegetation/landscaping with native grasses and shrubs in accordance with project plans?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are recycled plant trimmings to be used as mulch and to reduce runoff?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Is any stockpiled organic layer of soil from existing wetlands to be used on mitigation site?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are the wetlands to be preserved already delineated?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Noise			
Are there any noise level concerns within the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Minimized construction noise:			
In residential areas	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
In sensitive receptors in area.	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Historical and Archaeological			
Are there any historical or archaeological issues in the PS&E?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Archaeological survey to be conducted during/after ROW purchase. Parcel #_____	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any archaeological surveys needed to be done on outstanding parcels? Parcel #_____.	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any archaeological sites that must be avoided until mitigation is complete and THC concurs no additional work is required prior to construction?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any designated avoidance areas?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, are they delineated such that they are not disturbed? (If disturbed, notify project engineer immediately)	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are there any historical elements to be salvaged or protected? (i.e. bridge plaques or historic bridge rail)	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If any archaeological evidence were discovered during the course of construction (bones, burnt rock, flint, pottery), were the TxDOT Emergency Discovery Guidelines followed?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Change Orders			
Has the district environmental staff reviewed all draft change orders to determine whether an environmental analysis and/or resource agency coordination is necessary?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
If any environmental analyses are required, has it received clearance?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>

Federal Listed and Proposed Threatened and Endangered Species, Critical Habitat, State Listed Species, and Candidate Species			
Are there any listed species, etc., within project limits?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is there designated critical habitat in the project area?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Was there consultation with the U. S. Fish and Wildlife Service and/or National Marine Fisheries Service for the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes to any of the above 3, are there any commitments or requirements for on-site mitigation for endangered species?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are they being done properly?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any species/wildlife commitments for scheduling the construction activities for the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, are they complied with?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any requirements for species monitoring during construction?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, are they complied with?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any commitments for state listed species within the limits of the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Does the inspector have a current list of species on the “watch list” for the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Are pictures and descriptions that help identify these species available on the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/> *	N/A <input type="checkbox"/>
Have any of the species been spotted on the project site during construction?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Do TxDOT and Contractor staff know what they do if they see a listed species on-site?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Essential Fish Habitat			
Is there any essential fish habitat within project limits?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is there designated essential fish habitat in the project area?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Was there consultation with the U. S. Fish and Wildlife Service and/or National Marine Fisheries Service for the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes to any of the above, are there any commitments or requirements for on-site mitigation for essential fish habitat?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If so, are they being done properly?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are there any essential fish habitat commitments for scheduling the construction activities for the project?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, are they complied with?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>

			<input type="checkbox"/>
Natural Habitat Commitments			
Are there any commitments for natural habitat mitigation in the right-of-way other than vegetation management issues?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Are the mitigation commitments stated in the project plans?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Migratory Birds			
Are there any concerns that migratory birds are nesting within project limits?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Have migratory birds or nests been noticed on the project in such a situation that a 'take' of the birds might occur?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If a migratory bird 'take' might occur, has coordination with the resource agencies cleared the action?	Yes <input type="checkbox"/>	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Hazardous Materials			
Are there any hazardous materials on the site or are there plans to use any hazardous materials during construction?	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
Is there evidence of hazardous materials not identified in the PS&E? (for example underground storage tanks, containers, spills)	Yes <input type="checkbox"/> *	No <input type="checkbox"/>	N/A <input type="checkbox"/>
If yes, immediately contact the Area Engineer.			