Environmental Review Guide for ADOT Operations Activities

ARIZONA DEPARTMENT OF TRANSPORTATION

June, 2016

Environmental Review Guide for ADOT Operations Activities

The purpose of this document is to provide guidance to ADOT personnel on environmental review procedures for Operations activities and to achieve statewide consistency in the environmental review process for activities related to maintenance, natural resources and traffic operations. Two main ADOT Divisions, IDO and TSMO, are responsible for conducting Operations activities. This guide also integrates those processes stipulated in partnering and programmatic agreements among ADOT with other entities, including federal, state, and local public agencies, and Native American tribes.

The guide addresses the environmental review procedures for ADOT's major activity types under both responsible Divisions: IDO (maintenance, landscaping and vegetation management) and TSMO (signing and striping, signals and lighting)

Acronyms used in this guide are defined below for easy reference:

ADOT	Arizona Department of Transportation
BMP	Best Management Practice
DEC	District Environmental Coordinator
IDO	Infrastructure, Delivery and Operations Division
TSMO	Transportation Systems Management and Operations Division

---

HIGHWAY OPERATIONS UNDER IDO AND TSMO

Planned Activities

The Environmental Review Guide will assist Highway Operations personnel in the identification of potential environmental impacts for planned activities using a basic screening process and consultation, as needed, with the DEC. ADOT will determine that all Highway Operations activities fall into one of the following three categories:

- Activities that do not require environmental review
- Activities that require a District-level environmental review*
- Activities that require an Environmental Planning-level environmental review

* Environmental Planning may provide some technical assistance for District-level environmental reviews

Planned maintenance activities should be discussed at the Annual Meetings held between ADOT Districts and the federal land management agencies per the Four Agency Partnership. Major activities that require environmental review should be planned for and reviewed for environmental issues as far in advance of the work as possible.

Environmental Review

Environmental review may be triggered by:

a) The site specific characteristics of the work zone

b) The type of activity being performed

Environmental review may consist of permit actions such as:

- Army Corps 404 permit for work in washes
- Technical biological review for animal species or habitat when trees are to be removed or vegetation sprayed with herbicides
- Certain ground disturbing activities that require archaeological review
- Hazardous materials review for pavement marking obliteration

While environmental review is not required for all activities, most Operations activities have associated Best Management Practices (BMPs) and/or resource protection measures that must be implemented, as described in the *Maintenance and Facilities Best Management Practices Manual* and the *Erosion and Pollution Control Manual for Highway Design and Construction*. The current versions of these manuals are available at http://www.azdot.gov/business/environmental-services-and-planning/water-quality/manuals. For additional information or guidance on BMPs (also called control measures) for any activity, contact your DEC.

ADOT Environmental Awareness Training is one of the critical components of the ADOT overall strategy to provide the appropriate environmental consideration for maintenance activities. Environmental awareness and familiarity with the environmental issues related to maintenance actions are imperative to the effective implementation of this Environmental Review Guide. Front-line Operations staff will be aware that environmental considerations are part of maintenance work. Operations supervisors will have a full understanding of the requirements of this Review Guide.

STEP 1: Screening for Levels of Environmental Review

When Highway Operations staff is planning a needed maintenance activity, the Supervisor will consider the location of the activity and what type of work is involved. As part of planning maintenance work activities, the Supervisor shall review each of the seven screening topics below. The screening topics will be used to identify levels of environmental review that may be needed. The experience level of maintenance staff and familiarity with the work locations and the requirements of tribal and federal land management agencies may influence the degree of need for consulting the DEC.

1. ***Work on Federal or Tribal land***

   Activities on federal lands [US Forest Service (USFS) or Bureau of Land Management (BLM)] easement such as vegetation maintenance (tree cutting, herbicide application, etc.) are subject to the conditions of easement deeds, Memorandums of Understanding between the land-managing agencies and

ADOT and the *Guidelines for Highways on Bureau of Land Management and U.S. Forest Service Lands*. Activities on tribal lands may also be subject to conditions of easement or partnering agreements, or to tribal ordinances. ADOT will ensure compliance with laws that are intended to protect natural and cultural resources and there will be coordination with federal land management and tribal natural resources specialists at the local level when appropriate. Land management agencies and Tribes have expectations that certain actions off the pavement will be reviewed by qualified environmental staff such as biologists and cultural resource professionals. Consult resource and land management agency maps as needed. Check with your DEC when maintenance actions off the pavement such vegetation removal or ground disturbing activities are planned on federal or tribal land to see if additional environmental review is required.

Also, though not common, certain non-routine maintenance activities may require a federal land management agency to approve an action that requires compliance with federal environmental laws. Possible examples could include new high mast poles that could have a visual impact, reconstructing an access road that could impact archaeological resources or tree cutting that requires formal consultation for a protected species. Coordination and communication between ADOT staff (DEC and/or Environmental Planning) and the federal land management agency would confirm the necessity for a federal NEPA decision.

2. *Work in a known area of special concern (as defined below)*

Some areas have specific environmental concerns due to the presence of important resources or land management agreements. Resources could include known locations of protected species/habitats (state, federal or tribal protected), designated impaired or outstanding waterways, wetlands, nesting birds, or areas where cultural resources are present in the right-of-way. In some cases District personnel may already be aware of areas of special concern due to previous work in a particular area. Check with your DEC when an activity is planned in an area of known special concern.

3. *Activity outside of the existing roadway prism*

Areas that were not disturbed by original construction of the roadway have a greater potential to contain resources that must be avoided, such as biological resources or intact cultural resources. Consult your DEC if your activity requires the use of heavy equipment or other ground disturbing actions outside of the roadway prism. A graphic of the roadway prism is included as Attachment A.

4. *Vegetation removal or spraying*

Vegetation removal and management activities have the potential to damage plants wildlife, and/or soils; may spread noxious weeds; or may require analysis

due to regulations on the use of herbicides. Coordination is required to ensure a valid Pesticide Use Proposal is in place for use of herbicides on any federal land. Information on coordination of herbicide use and vegetation management on federal lands can be found on the ADOT Roadside Resources webpage and in Chapters 7 and 11 of the Four Agency Partnership Manual. Coordination is also required for use of herbicides and vegetation removal on tribal lands. Identify how the vegetation will be treated or removed – by hand, mowing, mechanical, spraying, burning, or another method – and consult your DEC for guidance as needed.

5. ***Work within a wash or waterway***

Activities that involve crossing a wash with heavy equipment or working within a wash may require a permit and/or certification under the Clean Water Act (404 permits), depending on the type of work being done, the area that will be disturbed or filled within the wash, and the location of the waterway. Consult your DEC to determine whether a permit is necessary, which permit is appropriate, and for guidance on how to comply with the permit conditions.

6. ***Work area that will disturb (clearing, grading, excavating) 5 acres or more***

The National Pollution Discharge Elimination System (NPDES) sets 5 acres as a permit threshold for maintenance activities. The 5-acre threshold includes all temporary and permanent disturbances to soil from such activities as ditch cleaning and shoulder repair. Any Operations activity that results in disturbing 5 or more acres of unpaved surface (shoulders included) will need to have a Storm Water Pollution Prevention Plan (SWPPP) prepared in accordance with ADOT's Construction General Permit. Consult your DEC for guidance. Regardless of the area of disturbance, ADOT is required to take measures to prevent stormwater pollution for all Operations activities. Consult the BMP Manual for guidance on use of appropriate BMPs as needed.

7. ***Dust generating activity***

Activities that create dust must conform to state and local air quality regulations. Dust and other particulates shall be kept to a minimum by employing effective dust control practices that limit visible emissions and stabilizes any unpaved surfaces. Dust control permits are required in several counties and local jurisdictions. For example, in Maricopa and Pinal County permits are required for dust generating activities disturbing 1/10th of an acre or more and Pima County requires a fugitive dust activity permit for a project area of acre or more. Consult your DEC to determine local dust control regulations and for guidance on how to comply.

8. ***Material containing asbestos or lead-based paint***

Both asbestos and lead are hazardous materials that require special work methods and handling to protect the worker and the environment. The paint on bridge structures and in road striping may contain lead. There is potential for asbestos in bridge rail gaskets and expansion joints as well as in structural concrete (structural concrete is used to construct load-bearing structures such as bridges, concrete box culverts, and culvert headwalls and wing walls). Pavement marking obliteration requires testing and possible permitting for removal. If asbestos or lead testing is needed for the planned activity, contact the Environmental Planning Hazardous Materials Coordinator.

STEP 2: Environmental Review

If the screening results did not direct you to consult your DEC, the activity may be scheduled and implemented with no further environmental review. Associated BMPs and/or resource protection measures as described in the *Maintenance and Facilities Best Management Practices Manual* and the *Erosion and Pollution Control Manual for Highway Design and Construction* will be implemented as appropriate in conjunction with these activities.

If the screening results directed you to consult your DEC, Highway Operations staff will contact the DEC to discuss the planned work. The DEC can assist in determining if the activity can proceed with a District-level review or if an Environmental Planning review will be required. If there is no DEC in the District, contact Environmental Planning.

- The DEC will determine if further information is needed, document the review findings, and provide information to Highway Operations staff on required BMPs and/or mitigation measures to be implemented and complied with for the activity. If technical reviews are necessary the DEC will consult with Environmental Planning to determine if an Environmental Planning review is necessary.

- For herbicide treatments, the District Invasive Species/Herbicide Contact (designated for Office of Pest Management [OPM] licensing purposes) will coordinate with the DEC to ensure a valid Maintenance Work Order (MWO) is in place (that is, there is no potential for species to occur in the work area that have been added to the Endangered Species List since the MWO was completed). For treatments on federal land, the District Invasive Species/Herbicide Contact will obtain approval of a PUP for activities on federal land; Roadside Resources staff will assist upon request. For treatments on both federal and tribal lands, the land managing agency/appropriate tribal contacts will be notified 2 to 4 weeks ahead of starting work.

- For projects that have an Environmental Planning review, the DEC and Highway Operations staff will coordinate to gather the required information. The DEC will submit the information via a Maintenance Work Order (maintenanceworkorders@azdot.gov),

to Environmental Planning (email) for processing. A copy of a Maintenance Work Order is included as Attachment B. Environmental Planning will provide the information on applicable BMPs and appropriate mitigation measures to the DEC and Highway Operations staff. The DEC will notify the federal land management agency once they receive a completed environmental review from Environmental Planning for work on federal lands.

- Supervisors should plan on sufficient time to coordinate the screening review and any required environmental review. If the screening directs the supervisor to consult the DEC they should do so at least two months in advance of the proposed activity. This will give the DEC time to respond to the supervisor and for federal and/or tribal agencies to be given time to respond to ADOT inquiries. This will also allow time to coordinate the preparation and approval of a Maintenance Work Order if one is required. Six weeks should be accounted for in the review and approval of a Maintenance Work Order after it is submitted to Environmental Planning.

Maintenance Work Order Process

When work is planned on federal or tribal lands continuous communication and cooperation between ADOT staff and federal land management agencies and Native American Tribes is crucial in ensuring that environmental considerations are factored into maintenance. When a Maintenance Work Order is processed additional communication between the ADOT Environmental Planning Technical Staff and the land management agencies and Tribes ensues. For example when biological resources are reviewed as part of a Maintenance Work Order the ADOT Biologist will send a scoping letter to the Forest and prepare a closeout memo documenting the scope of work and any applicable mitigation measures.

Emergency Activities

In the event of an emergency situation that poses an immediate danger to the traveling public, environmental review may be conducted simultaneously with the repair work or upon completion of the work to ensure that ADOT meets the needs of the traveling public in a safe and timely manner. Early coordination with your DEC, Emergency Preparedness and Management, Safety and Risk and Environmental Planning are essential to ensure that all review requirements are satisfied. The required environmental review, if necessary, will be determined by the DEC and/or Environmental Planning in coordination with the lead agency and/or any federal partner, as appropriate.

Attachment "A"

Roadway Prism means the three-dimensional area of a roadway from the top of slope to the toe of slope that has been previously disturbed by roadway construction and as depicted in Figure 1. This also includes bridges, drainage culverts, walls, ditches, road surfaces, road shoulders, and road fills.

Attachment "B"

Arizona Department of Transportation

Maintenance Work Order

Environmental Planning

GENERAL PROJECT INFORMATION	
Project Name	
Project #	
Project Location:	County:
Requestor name:	Date submitted:
Estimated project start date (mm/dd/yyyy):	
To be completed by EPG:	EPG Planner:
Estimated clearance date (mm/dd/yyyy):	
Date EPG received complete submittal information (mm/dd/yyyy):	

PROJECT INFORMATION
Project Description *(scope of work)*: ***NOTE:*** ***Attach a state map, project location and design maps (with landownership clearly marked), and photos showing the project area.***
(*Scope of work should include, but is not limited to, a complete narrative of the project activity, location [e.g., MPs], project dimensions [length x width], equipment, off-road travel, access, whether all activities will take place within the R/W [if a portion is outside of the R/W, provide dimensions of the TCE that is needed along with a reference point, such as MPs], adjacent land ownership, If available, USGS maps)*

Y	N	?	PROJECT LANDS
☐ **	☐	☐ **	Any new R/W or TCE (Temporary Construction Easement) needed?
☐ **	☐	☐ **	Will work be on Federal lands? *if yes, list agency and office in comments*
☐ **	☐	☐ **	Will work be on Tribal lands? *if yes, list Tribe in comments*
☐	☐	☐	Will work be on other easement? (e.g., State lands)

Land Ownership(s):

** = *Work Order required for these projects.*

Comments:

Y	N	?	PROJECT TYPES
☐ **	☐	☐	Will work change roadway as-built plans? (e.g., adding turn lane, widening paved shoulders, extending culverts, building turnouts, installing new guardrail)
☐ ***	☐	☐	Will project include drilling or other geotech? *If yes, explain in comments*

** = *Work Order required for these projects.*
*** = *Geotech work ALWAYS requires its own clearance; Geotech gets those clearances itself through EPG*

Comments:

Required mitigation measures:
Refer to the appropriate PeCoS activity in the ADOT Maintenance and Facilities Best Management Practices Manual for best management practices to be implemented before, during, and after work.

TECHNICAL SPECIALTIES INFORMATION

WATER QUALITY

404 permit?	No ☐	Yes ☐	Unknown ☐ **	404 PCN likely?	No ☐	Yes ☐ **	Unknown ☐ **
Wetland Impact likely?	No ☐	Yes ☐ **	Unknown ☐ **	Individual 404 likely?	No ☐	Yes ☐ **	Unknown ☐ **
Riparian Impact likely?	No ☐	Yes ☐ **	Unknown ☐ **	401 Certified?	No ☐ **	Yes ☐	Unknown ☐ **
Within a non ADOT MS4?	No ☐	Yes ☐ **		Outstanding Arizona waters within ¼ mi?	No ☐	Yes ☐ ** and ***	
Wild & Scenic River within ¼ mi?	No ☐	Yes ☐ **		Impaired water within ¼ mi?	No ☐	Yes ☐ ** and ***	
				If routine maintenance will the project disturb >5 acres?	No ☐	Yes ☐ ** and ***	

If the project will change roadway as-built plans, will the project disturb >1 acre? No ☐ Yes ☐ ** and ***

Will any pesticide/herbicide be applied within a water of the U.S.?	No ☐	Yes ☐ **

*** = Work Order required.*
**** = SWPPP and NOI required, either by DEC & DE, include documentation in Work Order.*

Comments**:**

Y	N	?	BIOLOGY
☐ **	☐		Any vegetation removal expected?
☐	☐	☐	Will revegetation be required?
☐ **	☐	☐ **	Any work within standing/moving waters expected?
☐ **	☐	☐ **	Any ESA listed species (threatened/endangered/candidate) within 2 miles (Per the AGFD online tool)? *if yes, list in comments*
☐ *	☐	☐ *	Will work be performed between the months of March and September? *if yes, explain in comments*

** = Attach AZGFD on-line tool and/or tribal native plant lists.*
*** = Work Order is required.*

Comments:

Y	N		CULTURAL RESOURCES
☐ **	☐		Will the project involve ground disturbing activities?
☐ **	☐		Will the project involve driving off pavement?
☐ **	☐		If the disturbed area is existing fill, will the disturbance extend deeper than the existing fill layer?

*** = Work Order is required.*

Comments:

Required mitigation measures:
If previously unidentified cultural resources are encountered during work, work will cease immediately at that location and the ADOT Environmental Planning Group will be contacted at 602-712-7767 or 602-712-6427. No work shall resume at this location until approval is given.

Y	N	?	HAZARDOUS MATERIALS
☐ **	☐	☐ **	Are there surface indications of pollutants or contamination?
☐ **	☐	☐ **	Will there be any excavation?
☐ **	☐	☐ **	Is asbestos testing likely required? (*Non-metal structures present? e.g., bridges, concrete culverts, buildings*)
☐ **	☐		Is lead paint testing likely required? (*Paint on any structure that will be impacted?)*

*** = Work Order is required.*

Comments:
Required mitigation measures: If suspected hazardous materials are encountered during work, work will cease at that location and the ADOT Hazardous Materials Coordinator will be contacted at 602-920-3882 to arrange for proper assessment, treatment, or disposal of those materials.
SUBMISSION OF ENVIRONMENTAL REVIEW FORM
☐ Review submitted as a Work Order for clearance. Will the DEC be completing any portions of the clearance document? No ☐ Yes ☐ If Yes, which portion? (check all that apply) ☐ Water Quality ☐ Biology ☐ Cultural Resources ☐ Hazardous Materials (If any box is checked please provide the documentation to EPG to be included in the clearance document, final clearance will not be issued until EPG receives all documentation)
Instructions: ▪ *Requestor completes this form to the greatest extent possible.* ▪ *If the Requestor in completing this form checks a box that requires any part of the project to be submitted as a Work Order, the Requestor will complete this form to the greatest extent possible and submit it to EPG* MAINTENANCEWORKORDERS@azdot.gov*. Please include state and project location maps.*
Note: This form does not constitute a final determination on project scope or impacts, but indicates information currently understood about the project. ***THIS IS NOT AN ENVIRONMENTAL CLEARANCE DOCUMENT***