Ohio's Four Steps for Commitment Tracking

OHIO DEPARTMENT OF
TRANSPORTATION

Ohio DOT Environmental Commitments System

Introduction

Ohio Department of Transportation (ODOT) established a detailed process for environmental commitment development and tracking. ODOT's Environmental Commitment Manual, originally prepared by the Office of Environmental Services in 2017 and updated annually, summarizes how to decide what actions become environmental commitments, how to write environmental commitments, how to communicate commitments with the responsible individuals, and how to record and track successful implementation of environmental commitments. Ohio has assumed NEPA authority from the Federal government under 23 U.S.C. 327, and therefore environmental commitment tracking and compliance fall under the State's NEPA assignment responsibilities.
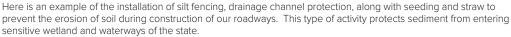
Environmental Commitment Manual

ODOT's Environmental Commitment Manual defines four steps to commitment tracking:

1. **Decide**—During NEPA, decide what actions ODOT will take to avoid, minimize, mitigate and improve the human and natural environment;

2. **Write**—Write environmental commitments into the NEPA document that are actionable, trackable, measurable, and biddable;

3. **Communicate**—Communicate via EnviroNet to the assigned parties their obligation to assist with and carry out the environmental commitment(s); and

4. **Follow Through**—The assigned parties will verify that all the commitments have been successfully implemented, met their intent and document how the commitment was implemented in EnviroNet.

The Appendices to the manual provide standardized commitment language that can be modified and individualized based on a specific project's impacts. These templates standardize the commitment language across all of ODOT's projects. Another Appendix details how to write a commitment monitoring plan and shows specific examples of compliance or non-compliance of a commitment. These helpful examples are important to ensuring that all commitment preparers and monitors are following the same protocol throughout the environmental process.

Here is an example of the installation of silt fencing, drainage channel protection, along with seeding and straw to prevent the erosion of soil during construction of our roadways. This type of activity protects sediment from entering sensitive wetland and waterways of the state.

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ODOT's EnviroNet System

Tracking and record keeping is completed through EnviroNet, ODOT's online environmental commitment tracking tool. EnviroNet is ODOT's online environmental document tracking database and the warehouse for all ODOT projects' environmental commitments and monitoring information. EnviroNet is meant to be a transparent and accurate representation of the status of environmental commitments, such that approved ODOT staff, consultants, and partner agencies have access to review at any time. Commitments are tracked and documented throughout their lifecycle using the steps laid out in the Environmental Commitment Manual.

The photographs above show historical/cultural monuments/markers that are demarcated (fenced) for protection during construction activities. There are times where sensitive objects will be removed and stored during construction and then replaced back into its original spot to prevent damage. This is one example of an environmental commitment that ODOT undertakes.

Compliance

When commitments are found to have issues, ODOT reviews and handles the issues on a case-by-case basis and implements corrective actions to the level appropriate, as needed. Often, ODOT staff or third-party consultants will identify a commitment in not meeting compliance, but other agencies are responsible for regulating or enforcing action against the non-compliance

item. Therefore, ODOT must maintain regular communication with other agencies to bring a site back into compliance. The process involves extensive communication and coordination between ODOT and other agencies. ODOT has used tools such as organizing and participating in multi-state peer exchange meetings to discuss best practices and has also requested support for standardizing the non-compliance process from FHWA. More often than not, simple non-compliance issues are worked out between environmental and construction staff, to make corrections and bring the issue back into compliance. In rare instances, projects are recorridinated with the resource agencies to address a non-compliance issue, a NEPA reevaluation may also be needed to adjust commitments. ODOT works with partner agencies to handle these scenarios when they arise.

ODOT's Environmental Commitment Manual and use of the EnviroNet online database are prime examples of a clean and clear process for generating actionable commitments that are delivered to the public.