ADMINISTRATIVE INFORMATION:

- This Engineering Bulletin (EB) is effective beginning with projects submitted for the letting of September 1, 2018. The Environmental Commitments Checklist (ECC) may be incorporated into the PS&E package sooner than the effective letting date at the discretion of the Project Manager/designee.
- The ECC will reside in §3.6.1 of the Environmental Manual (TEM).
- References to the “ECOPAC” will be removed and replaced with “Environmental Commitments Checklist” as updates are made to the following manuals:
  - Project Development Manual (PDM) §2.5.2.1; and, PDM Appendix 1 – Section 2.0;
  - 2010 Office Engineer’s Guidance Manual – Chapter 8 and Chapter 8R;
  - Manual for Uniform Record Keeping (MURK), Part 1A Contract Administration Manual (CAM), Section 95.

PURPOSE: The purpose of this EB is to announce the issuance of TEM §3.6.1– Environmental Commitments Checklist for capital and local projects.

TECHNICAL INFORMATION:
The Department makes numerous environmental commitments to regulatory agencies throughout the design of projects. These commitments are incorporated in project-specific permits and in the contract documents. To address these key commitments, the ECC will:
1) Replace the ECOPAC (Environmental Commitments and Obligations Package) form.
2) Provide a standardized tool to highlight, provide links to, and transfer environmental commitments made during project design to construction staff; and
3) Serve as an environmental awareness tool for design and construction staff.

IMPLEMENTATION:
During Design:
- The Project Manager/Designee, in coordination with the Regional Environmental Unit (REU), will use the ECC to document and track the key regulatory requirements as determined during Phases I-V of the design process. For Local Projects, the Regional Local Projects Liaison (RLPL) will coordinate with the REU, as necessary.
- During Design Phase V, of the design process, a draft of the ECC will be included with the Advanced Detail Plans (ADP).
- During Phase VI, the Project Manager/Designee will complete the ECC and include it in the PS&E Transmittal. For Local Projects, the Sponsor (or Consultant) will complete the ECC, and include
Instructions for completing the ECC form are provided with the form and summarized below:
  o Fill out PIN/D#, Project Description and County Fields;
  o Check Boxes
    • Box A: Check if permits/approvals apply to the project.
    • Box B: Check if permits/approvals are completed.
    • Box C: Check if special notes or additional permits/approvals are included.
  o Identify Permits #'s, Expiration/Termination Dates, and Restriction Dates (during which work cannot occur) where appropriate.
  o Under File Name & Link (or Location) column:
    • Identify the file name provided in the project’s ProjectWise folder. Provide a hyperlink to the file location in ProjectWise. (For Local Projects, include the Permits/Approval with the ECC.)
    • For conditions identified (e.g.: Section 106, Section 14.09, etc.), identify the location(s) of permit/approvals conditions, if shown in the plan sheets/proposal.
    • When no permits/approvals are required or other commitments made indicate that in the “Notes” section of the ECC.
  o Project Manager/Designee signs and dates the signature block on reverse side.
    • Attach the ECC to the Design Approval Document and include in the Handoff Memo.

At the discretion of the Project Manager/designer the ECC will be inserted into contract proposals beginning with the Letting of September 1, 2018. However, the Environmental Commitments Checklist may be incorporated into the PS&E package sooner than the effective letting date at the discretion of the Project Manager/designer.

During pre-Construction/Construction:
  • After the project letting date or during the pre-construction meeting, the Project Manager/Designee will provide the Construction Environmental Coordinator (CEC) and Engineer-In-Charge (EIC) with any update to the completed ECC via the Handoff Memo for Construction (see HDM §21.13 Design Data to be Supplied to Construction).
  • In coordination with the CEC, the EIC will use the checklist during construction to help assure the contractor complies with all of the environmental commitments made during project design and assess any proposed changes to the contract in accordance with the commitments.

TRANSMITTED MATERIALS: TEM §3.6.1 including the ECC form may be found at the following: https://www.dot.ny.gov/divisions/engineering/environmental-analysis/manuals-and-guidance/epm.

BACKGROUND: Issued by EB 99-055, the ECOPAC was intended to be used as an awareness tool, assist in completing the annual environmental audit, and to provide a general notification to Construction of permits and approvals. Since the ECOPAC was issued, reporting requirements for the annual environmental audit have changed and no longer require tracking in the ECOPAC. Additionally, the implementation of the CECs has provided awareness and oversight of various environmental concerns in construction. Due to these, and other, changes, the ECOPAC has become largely obsolete. The ECC will carry on the functions as an awareness tool and a means of transferring permit approvals/requirements from design to construction.

CONTACT: Questions regarding the Environmental Commitments Checklist and TEM Section may be directed to Stephanie DeLano of the Environmental Science Bureau at (518) 417-6686 or (stephanie.delano@dot.ny.gov) and Adam Tökés of the Environmental Science Bureau at (518) 485-2865 or (adam.tokes@dot.ny.gov).