

I-02.01 General

The Milestone Program provides a means for scheduling and monitoring the multiple number of prescribed activities required to advance a project to the actual bid opening for a construction contract. The Milestone Program indicates the inter-relationship of activities and establishes a time schedule that will permit the accomplishment of projected completion dates. The Design Division is responsible for managing the Milestone Program. Local entity developed projects and smaller District projects are not normally tracked in the Milestone Program.

Projected end dates for the various activities are established by the Milestone Committee, made up of representatives from Design, Environmental & Transportation Services, Bridge, Materials and Research, Local Government, Planning/Asset Management, and Programming Divisions. A meeting is held when one of the divisions involved wishes to adjust the time frame for an activity, typically bi-monthly. Projected end dates for the various activities are set after considering workloads, available personnel, and the already-established bid opening date.

The Milestone Program may be accessed by NDDOT employees using the mainframe “RIMS#HP” computer system.

I-02.02 Summary of Milestone Activities/Tasks

The following is a brief description of the Milestone Activities along with their abbreviations in parentheses. It is the intent of this section to identify the general preliminary engineering activities and responsible divisions beginning with project inception and ending with the project bid opening. It is not meant to imply each activity is necessary on each project, nor will the projected completion dates follow the order as presented here. Activities are major work items, while tasks are work items necessary to complete an activity. Appendix I-02 A provides flow charts for certain milestone items.

Unless otherwise stated in the activity descriptions, the milestone actual end date represents the completion and submittal of the milestone activity.

1. Citizen Advisory Committee Meeting (ACACM). Citizen advisory groups are established on complex projects to obtain early public involvement and input on the project. The citizen advisory groups may be comprised of adjacent property owners, business people, the general public, or special interests, as appropriate for the project. Normally, the first meetings with the group are held before the completion of the detailed engineering studies and continue throughout the project development process. The environmental document author will conduct citizen advisory meetings to provide review and comment of project development activities; prepare informational handouts and exhibits, as necessary; prepare and distribute written summary of comments received; and prepare and distribute project newsletter to participants, as necessary.

The milestone actual end date represents the date of the first Citizen Advisory Committee Meeting.

2. Additional Survey (ADSVY). If a survey is completed and the project is not designed and/or let to contract for a number of years, additional survey information may be needed to update the existing survey. A survey would be done to pick up the additional data and this information is transmitted by the Survey Section of Design to the Records Management Section of the Information Technology Division.

The milestone actual end date represents the date that the additional survey information has been transmitted to the Records Management Section of the Information Technology Division.

3. Airport Clearance (AIRCL). The Design Division – Technical Support Section, Utilities Engineer will coordinate the survey and prepare an FAA airport clearance permit (Notice of Proposed Construction or Alteration). The designer should begin coordinating with the Utilities Engineer after the environmental document approval, and on an on-going basis as the preliminary roadway design becomes available.

The milestone actual end date represents the date that the Airport Clearance Permit has been obtained.

4. Aerial Survey (ARIAL) and Ground Survey (GRND). This work is identified in the Design Division - Survey Manual. The ground and aerial survey consists of identifying or reestablishing public land survey corners, horizontal and vertical control, topography, utilities, signing, and hydraulic data. These surveys are normally completed by the Survey or Photogrammetry Section of Design or consultants. The districts may be requested to set aerial targets and perform small ground surveys. 90-1 surveys are identified in chapter 18 of the Survey Manual. The survey is used to complete the safety review and the results are incorporated in the environmental document and project plan

sheets. These surveys are normally completed by the districts. After completing the survey, the district submits the survey data to the Survey Section.

The milestone actual end date represents the date that the Ground/Aerial Survey information has been transmitted.

5. AV Presentation (AVPRE). The Communication Division will provide an audiovisual presentation for the public hearing, and will prepare the script for the presentation. The environmental document author will provide the necessary project information and coordinate this work activity to ensure completion of the presentation for the public hearing.

The milestone actual end date represents the date that the Communication Division completes and delivers the AV presentation to the environmental document author.

6. Biological Assessment (BIOAS) (USFWS). The Department must prepare a Biological Assessment (BA) when a project has potential effects to listed resources protected under the Endangered Species Act. Environmental staff or consultants will prepare the BA, which will include an effects analysis for all listed species or critical habitat that may be exposed to project activities. After the BA has been written and any required fieldwork completed; the BA will be sent to FHWA after internal review. When the document is approved by FHWA, it will be formally submitted to USFWS for concurrence. The USFWS concurrence process typically takes 30-60 days. Depending on the project and species involved; this process may take up to 135 days.

The milestone actual end date represents the date that USFWS issues a concurrence letter agreeing with the determinations made in the BA. ETS will enter the actual end date in RIMS.

7. Biological Evaluation (BIOEV) (USFS). The Department must prepare a Biological Evaluation (BE) when a project occurs on U.S. Forest Service (USFS) land. Environmental staff or consultants will prepare the BE, which will include an effects analysis for all USFS species of concern (including both plant and animal species). After the BE has been written and any required fieldwork completed; the BE will be sent to FHWA after internal review. When the document is approved by FHWA, it will be formally submitted to USFS for concurrence. Concurrence from the USFS may take up to 6-8 months, dependent upon the project.

The milestone actual end date represents the date that the USFS issues a concurrence letter agreeing with the determinations made in the BE. ETS will enter the actual end date in RIMS.

8. Borrow Quantities To R/W (BOR). For internal projects, the designer will email the estimated borrow quantity to the Right of Way Program Manager in Environmental and Transportation Services (ETS). For external projects, the consultant will email the estimated borrow quantity to technical support person for review.

The milestone actual end date represents the date that the Borrow quantities have been submitted to the Right of Way Program Manager in ETS for internal projects or the date the borrow quantities have been delivered to the technical support person for consultant projects. The designer or technical support person will enter the actual completion date in RIMS.

9. Borrow Investigation (BORIN). This work is identified as follows: Once the ETS Division issues a Material Source Certificate of Approval (COA) for the Optioned area(s), the geotechnical investigation will include conducting soil borings in order to obtain and analyze samples. A Borrow Area Report detailing what was found and if it is suitable for the intended use will be generated from the data obtained. The Borrow Area Report will be included in the proposal of the plans.

The milestone actual end date represents the date that the Borrow Area Report has been approved and distributed.

10. Bridge Design (BRDES). This work is identified in Chapter IV of the Design Manual. The Bridge Division or consultant will provide bridge and box culvert design.

The milestone actual end date represents the date that the bridge designer has completed the calculations and turned them over to the drafter for detailing.

11. Bridge Preliminary Concept (BRGPC). The Bridge Division will prepare bridge preliminary concepts documenting the bridge number, description, condition, supporting data, and proposed improvements or recommendations for the bridges and box culverts within the proposed project limits. The Bridge Preliminary Concept Report is usually completed after the field review and appended by reference to the environmental document.

The milestone actual end date represents the date that the Bridge Preliminary Concept has been completed and distributed.

12. Bridge Plan Preparation (BRGPP). This work is identified in Chapter IV of the Design Manual. The Bridge Division or consultant will provide bridge and box culvert plan preparation.

The milestone actual end date represents the date that the Bridge Plans are ready for PS&E.

13. Bridge Soil Borings (BSB). The Materials and Research Division or consultant will provide bridge soil borings and analysis and design recommendations for bridge piling and foundation design, embankment consolidation, and slope stability problems which may affect bridge design and construction.

The milestone actual end date represents the date that the Bridge Soil Borings have been submitted to the bridge designer.

14. Concept Approval (CAPRL). This milestone actual end date represents the approval of the environmental document by NDDOT - Deputy Director for Engineering. The approved environmental document is then submitted by NDDOT to FHWA on this date.
15. Categorical Exclusion (CATEX). These are projects that do not individually or cumulatively have a significant environmental effect and do not require an EA or EIS. A listing of projects that normally fall into this category is contained in 23 CFR 771.117, paragraphs (c) and (d).

The milestone actual end date represents the date that the CATEX has been approved by FHWA.

16. Conditional Categorical Exclusion (CCATX). This activity will be added by the environmental document author when a categorical exclusion (CATEX) is received which has conditions included in the CATEX authorization. The condition should be included in the remarks area of the milestone activity.

The milestone actual end date represents the date upon which the condition in the CATEX is satisfied.

17. Section 404 Permit (CE404). Section 404 of the Clean Water Act authorizes the U.S. Army Corps of Engineers (USACE) to issue permits for the discharge of dredged or fill material into Waters of the United States (WOUS), including wetlands. WOUS are identified in the Jurisdictional Determination. If any construction activity includes placing fill within WOUS, a Section 404 Permit is required. If impacts do not meet the Nationwide Permit thresholds an Individual Permit would be needed. See the Design Manual Chapter II - Section 4 for more information.

Nationwide 404 Permits

The USACE has 45 days to issue the permit after the USACE determines the permit complete.

Individual 404 Permit Applications

For a typical Individual Section 404 Permit the turnaround time ranges from 90 to 180 days.

The projected end date is **2 weeks** prior to the plan complete date for both a Nationwide Permit and Individual Permit. The milestone actual end date represents the date that the Section 404 permit is signed by the USACE and is entered in by the ETS Division - Environmental Services Section. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information.

18. Section 408 Permission (CE408). Pursuant to 33 USC 408 (Section 408) Section 408 permission is needed from the USACE Secretary of the Army to make alteration to, or temporarily or permanently occupy or use, any USACE Corps of Engineers (USACE) federally authorized Civil Works Project, referred to as USACE Project. A USACE Project can consist of USACE owned lands, USACE flowage easements, USACE managed levees, USACE channel realignments...etc. If any construction activity impacts a USACE Project, temporarily or permanently, Section 408 Permission will be needed and this activity should be added. The turnaround time for 408 permission varies from 2 months to 2.5 years after final information is submitted to the USACE depending on the complexity of the project.

The projected end date is 2 weeks prior to the plan complete date. The milestone actual end date represents the date that the Section 408 Permission is signed by the USACE and is entered in by the ETS Division - Environmental Services Section. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

19. Section 408 Permission Request (CE408R) This activity requires that the Section 408 Permission Request Information be submitted to the ETS section after a Section 408 coordination meeting is held between the USACE and NDDOT. The meeting will identify the information needed for the application and determine the approximate turnaround time which will be reflected in the projected milestone end date.

The milestone actual end date represents the date that Environmental Services receives the Section 408 Permission Request information with any revisions completed and is entered in by the project designer or consultant technical support. It is the lead designer's responsibility to ensure the milestone date is met.

20. Coast Guard Permit (CGP). Section 9 of the Rivers and Harbors Act of 1899 and the General Bridge act of 1946 preserve the public right of navigation and prevent

interference with interstate and foreign commerce. These acts place navigable water of the US under control of the US Coast Guard. A Section 9 Coast Guard Permit is needed for any plans to construct or modify a bridge or causeway across a navigable waterway of the United States. This includes temporary bridges used for construction access or traffic detour.

The milestone projected end date is **2 weeks** prior to the plan complete date. The average turnaround time to obtain a Coast Guard Permit is a minimum 6 months. The milestone actual end date represents the date that the Coast Guard Permit is signed and is entered in by the Environmental Section.

See the Design Manual Chapter II - Section 4 for more information and the US Coast Guard website for additional information.

21. Coast Guard Permit Application (CGPA).

For a consultant project

This activity requires that non-NDDOT entities working on NDDOT projects submit a complete Section 9 Coast Guard Permit application. Information is to be submitted to ETS Division – Environmental Services Section through the NDDOT Technical Support representative by the projected end date.

For NDDOT Design Project

This activity requires that the NDDOT Lead Project Designer to submit Section 9 Coast Guard Permit Information to ETS Division – Environmental Services Section by the projected end date.

The milestone projected end date should be **7 months** prior to plan complete date. The projected end date ensures that the information can be reviewed, processed by Environmental Services Section, and submit and obtain a Section 9 Coast Guard Permit by the plan completion date.

The milestone actual end date represents the date that a *complete* Section 9 Coast Guard Permit Application has been submitted to Environmental Services Section and is entered in by the project designer or consultant technical support. It is the lead designer's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information.

22. Cost Maintenance Agreement (CMAGR). The Programming Division or Local Government Division will provide a Cost Maintenance Agreement with the Municipalities. The Bridge Division will provide a Cost Maintenance Agreement with

the Railroad on railroad bridges. This agreement states the maintenance responsibilities and cost participation responsibilities of the municipality.

The milestone actual end date represents the date that the Agreement has been signed by all parties involved.

23. Concept of Operations (COA). Concept of Operations, also referred to as the ConOps, describes the operation of the ITS system being developed or deployed from the various stakeholder's viewpoints. The ConOps is defined as:

- WHO – stakeholders roles and responsibilities (refer to Regional Architecture(s))
- WHAT – system elements and high-level capabilities
- WHERE – geographic and physical extent of system (e.g. if you are installing a single signal, this must describe the geographic/extent of the entire signal system that this signal is part of)
- WHEN – describes the sequence of events that will deploy the entire system
- HOW – describes the development, operation and maintenance of the system

The ConOps will show agreement among stakeholders on:

- Goals, objectives and expectations
- Project scope
- Stakeholder responsibilities
- Operational needs
- How the system will operate
- Operational and support environment

Benefits of the ConOps is stakeholder agreement on system capabilities, roles and responsibilities, key performance measures and basic plan for system validation.

The Concept of Operations will typically be complete before the draft environmental document goes out for comment. The milestone actual end date represents the date the Concept of Operations has been approved.

24. Construction Permit (CONSP). Century Code 61-03, 61-04, and 61-16.1 authorizes the Office of the State Engineer to regulate the construction and modification of dams, dikes, and other devices. The solicitation of views response from the ND State Water Commission will identify if there is the proposed activity will require a Construction Permit.

The projected end date is **2 weeks** prior to the plan complete of a Construction Permit. The typical turnaround time to receive a Construction Permit is 2 months. The milestone actual end date represents the date that the Construction Permit is signed by the State Engineer and is entered in by the ETS Division - Environmental Services Section. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information. Additional information can be founded on the ND State Water Commission & Office of the State Engineers website.

25. Construction Permit Application (CONSPA).

For a consultant project

This activity requires that non-NDDOT entities working on NDDOT projects submit a complete Construction Permit application. Information is to be submitted to ETS Division – Environmental Services Section through the NDDOT Technical Support representative by the projected end date. The solicitation of views response from the ND State Water Commission should identify the need for a Construction Permit.

For NDDOT Design Project

This activity requires that the NDDOT Lead Project Designer submit Construction Permit Information to ETS Division – Environmental Services Section by the projected end date.

The milestone projected end date should be **5 months** prior to plan complete date. The projected end date ensures that the information can be reviewed, processed by Environmental Services Section, and submit and obtain a Construction Permit 2 weeks prior to the plan completion date. The milestone actual end date represents the date that Environmental Services receives the Construction Permit information with any revisions completed. The information and forms required can be found in the Reference and Forms area of the Design Manual, Environmental Information.

The milestone actual end date represents the date that a *complete* Construction Permit Application has been submitted to Environmental Services and is entered in by the project designer or consultant technical support. It is the lead designer's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information.

26. District To Get Core Sample (CORE). The appropriate district or consultant obtains existing pavement core samples for the milestone core analysis.

The milestone actual end date represents the date that Core Samples have been taken and sent into the central lab.

27. Preconstruction Cost History (COSHI). This activity tracks the dates and estimated construction and construction engineering costs at different stages of preconstruction. The stages include the cost estimate determined at the time a project is put on the bid opening schedule; the cost estimate determined in the environmental document; the final engineer's cost estimate prior to the bid opening; and the contractor's estimated bid. This information is entered by the Programming Division.

The milestone actual end date represents the date of the scheduled bid opening for the project.

28. Decision Document (DECD). The Decision Document is used to make decisions on the project during the project development phase, but is not included in the environmental document. A Decision Document may also be needed when questions/concerns that have arose during the design phase that need decisions. The environmental document author or designer prepares the Decision Document and distributes it to the Offices, Engineering Divisions, Districts, and other interested parties for review and comment. The author or designer then revises the document and submits it for approval and decisions.

The Decision Document consists of a cover sheet, certification page, table of contents, introduction (background), proposed improvements, comments, decisions, and an appendix if needed.

The milestone actual end date represents the date of the completion and approval. FHWA approval of the decisions may be needed if applicable.

29. Draft EIS (DEIS). Draft Environmental Impact Statement. These are projects which may significantly effect the environment and require an EIS. The DEIS is prepared in accordance with FHWA Technical Advisory Guidance Material. The DEIS normally consists of a cover sheet, summary, table of contents, purpose and need for action, alternates, affected environment, environmental consequences or impacts, list of preparers, list of DEIS distribution, comments and coordination, index, appendices, and Section 4(f) and 6(f) evaluations.

The milestone actual end date represents the date that the Draft EIS is sent to FHWA for review.

30. Documented CatEx (DCE). These are projects that based on past experience with similar actions, do not involve significant impact. The document contains an executive summary and an environmental impact checklist.

The milestone actual end date represents the date the document is sent to FHWA for review.

31. Environmental Assessment (EA). These are projects in which the significance of the environmental impacts are not clearly established and require an EA to determine the necessary environmental documentation. The EA is prepared in accordance with FHWA Technical Advisory Guidance Material. The EA normally consist of a cover sheet, table of contents, purpose and need for action, alternatives, impacts, comments and coordination, appendices and Section 4(f) and 6(f) evaluations. The EA shall be revised as required following agency and public involvement and department review.

The milestone actual end date represents the date that the EA is sent to FHWA for review.

32. Environmental Checklist (ECL). This activity will be added to milestone when an ECL is to be used for a project. The ECL consists of three pages:
 - Page 1 of ECL: Programmatic Categorical Exclusion
 - Page 2 of ECL: Worksheet A
 - Page 3 of ECL: Worksheet B
 - Page 4 of ECL: Worksheet C

The milestone actual end date represents the date that the ECL is submitted to the Technical Support Contact for District and Consultant projects, or the Administrative Assistant for Central Office projects.

33. ECL Decision Document (ECLDD). This activity will be added to milestone in addition to the ECL if any work item selected on the ECL requires the decision document. The ECLDD will follow the same draft distribution process as a DCE.

The milestone actual end date represents the date that the ECLDD is submitted to the Technical Support Contact for District and Consultant projects, or the Administrative Assistant for Central Office projects. OPD will forward the ECLDD for signature and decision by the Deputy Director for Engineering.

34. ETS Final DCE Review (ETSRE). A hard copy of the Final DCE shall be forwarded to the ETS Division for final NEPA compliance review prior to submittal to the Deputy Director for Engineering for signature. All ETS comments shall be addressed by the Designer or Consultant. If revisions are needed, the Designer or Technical Support Contact Person shall return a revised hard copy to the ETS Division, and the revisions shall be incorporated into the Final DCE.

The milestone actual end date represents the date that all comments from the

ETS Division have been addressed and incorporated into the final DCE and hard copy.

35. Field Review (FDRVW). Generally, a field review will be conducted for all major highway construction projects. The field review is conducted prior to or in conjunction with the beginning of the environmental document. The field review is used to verify office information and to determine if any additional materials testing or traffic analysis is necessary. The field review also provides participants a chance to get an on-site look at the proposed project to discuss project alternatives and possible problem areas.

The designer and/or environmental document author will conduct a project field review with representatives as required on the distribution list shown on the Reference and Forms page of the Design Manual. Other representatives may be invited as deemed appropriate by the District or Local Entity. The distribution list can be found at: <http://www.dot.nd.gov/manuals/design/designmanual/designmanual.htm>. The designer and/or environmental document author will prepare preliminary project information and conduct a field review to determine the range of possible alternatives and proposed improvements; and prepare and distribute written summary to meeting participants and districts/divisions after the meeting.

Developing a field review agenda and field review packet (preliminary project information and data available before field review) for attendees is very instrumental in achieving effective results when conducting the field review discussion. The information needed includes engineering data on existing pavement condition, geometry, structures, traffic operations and milestone schedule.

A field review outline and discussion should generally include the following:

- Visual evaluation of roadway conditions, structures, drainage, railroad crossings, traffic control devices, etc.
- Verification of beginning and ending points of the project and compatibility of the proposed project with adjacent segments of the roadway.
- cursory review of presently compiled project information.
 - Existing typical section
 - Project history
- Purpose and need for project.
- Scope of project, possible alternatives, and compatibility of the proposed alternatives with adjacent segments of the roadway.
- Identify possible problem areas:
 - Scope of additional surveys and material testing
 - Review existing and potential right of way needs
 - Review structures and conditions

- Review potential environmental and social issues - How will the number and severity of environmental issues affect how the project is advanced? Note any potential 4(f) issues (parks, grasslands, easement wetlands, historic sites, etc).
- Railroad Crossing Review.
 - Recommendations should be discussed and included in the environmental document, if applicable.
- Review Milestone - activities and schedule.
 - Scope of additional surveys, if needed
 - Scope of additional material testing, if needed
 - Scope of additional traffic analysis, if needed
 - Extent of public involvement
- Review Utilities
 - Note existing utilities that might be impacted by the project
 - Ask District Utility Coordinator about recent and proposed utility permits within the project limits
- Extent of possible city/county involvement and participation. The District should have made contact with the respective city/county at the time the project was planned so the city/county becomes part of the scoping of the project.
- Identify the class of action (CE, EA, EIS)

After the field review is completed, a summary of the field review discussion should be documented and sent to the people who attended the meeting and the project file.

The milestone actual end date represents the date that the Field Review is held. If it is agreed that no Field Review is needed, then that date should be entered and a note made in mainframe.

36. Final EIS (FEIS). Final Environmental Impact Statement. The FEIS is prepared following the circulation of the DEIS for public and agency comments, and public hearing. The FEIS normally consists of reference or revision of DEIS, selection of preferred alternates and basis of decisions, selection of mitigation and enhancement measures, environmental findings, results of coordination, summary of agency and public comments received on DEIS and department responses, final Section 4(f) and 6(f) findings. The environmental document author in conjunction with Environmental Services will prepare a FEIS in accordance with FHWA Technical Advisory Guidance Material.

The milestone actual end date represents the date that the FEIS is completed.

37. Finding of No Significant Impact (FONSI). The FONSI summarizes the selected project alternative and mitigation measures and is completed for projects that require an EA. The FONSI normally consists of a cover sheet, summary of selected alternates, summary of environmental commitments, summary of agency and public comments received on EA and department responses, and a request that a finding of no significant impact be made. Environmental Services will prepare a FONSI in accordance with FHWA Technical Advisory Guidance Material.

The milestone actual end date represents the date that the FONSI has been approved by FHWA.

38. Floodplain Permit Application (FPAPP).

For a consultant project:

This activity requires that non-NDDOT entities working on NDDOT projects submit a completed Floodplain Permit application to ETS Division – Environmental Services Section through their NDDOT Technical Support representative by the projected end date. This ensures that the Floodplain Permit can be obtained prior to the project bid opening.

For a NDDOT Design Project:

This activity requires that the Lead Designer submit the project floodplain impact information to ETS Division – Environmental Services Section by the projected end date.

The projected end date ensures that the information is submitted to ETS Division – Environmental Services Section so that the Floodplain Permit can be obtained prior to the plan complete date. Upon receipt of the information, Environmental Services will proceed with the Floodplain Permit application.

See the Design Manual Chapter II - Section 4 for more information

The milestone projected end date is **3 months** prior to plan complete date. The milestone actual end date represents the date that *complete* Floodplain Permit information has been submitted to ETS Division – Environmental Services. It is the lead designer's responsibility to ensure the milestone date is met.

39. Flood Plain Permit (FPPRM). Per Century Code 61-16.2 and Title 44 Code of Federal Regulations Part 59, work within a regulatory floodplain may require a Floodplain Permit to be obtained from the local City, County, Township, or Reservation floodplain administrator. The solicitation of views response from the ND State Water Commission – Office of the State Engineer will identify if there is a floodplain within the project area, the floodplain administrator contact information, and the Flood Insurance Rate Map (FIRM) or panel number which identifies the floodplain location. Additional Floodplain

information can be found on the ND State Water Commission & Office of the State Engineers website and also on the Federal Emergency Management Agency's website.

The average turnaround time to obtain a Floodplain Permit is typically one month after the application submittal.

The milestone projected end date is **2 weeks** prior to plan complete date. The milestone actual end date represents the date that the Floodplain Permit is signed and is entered in by the Environmental Section. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

40. Floodway Authorization Request (FWAR).

For a consultant project:

This activity requires that non-NDDOT entities working on NDDOT projects submit a completed Floodway Authorization Request to ETS Division – Environmental Services Section through their NDDOT Liaison representative by the projected end date. This ensures that the Permit Floodway Authorization along with a Floodplain Permit can be obtained prior to the project bid opening.

For a NDDOT Design Project:

This activity requires that the Lead Designer submit the project floodplain impact information to ETS Division – Environmental Services Section by the projected end date.

The projected end date ensures that the information is submitted to ETS Division – Environmental Services Section so that the Floodway Authorization can be obtained and included in the Floodplain Permit Application to receive a Floodplain Permit two weeks prior to the plan complete date. Upon receipt of the information, Environmental Services will proceed with the Floodplain Permit application. The information required for a Floodway Authorization Request can be found in the Reference and Forms area of the Design Manual, Environmental Information.

The milestone projected end date is **5 months** prior to plan complete date. The milestone actual end date represents the date that *complete* Floodway Permit information has been submitted to ETS Division – Environmental Services. It is the lead designer's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information

41. Floodway Authorization (FWAUT). Per Century Code 61-16.2 and Title 44 Code of Federal Regulations Part 59, work within a regulatory floodway may require authorization from the State Engineer prior to applying for a Floodplain Permit. The solicitation of views response from the ND State Water Commission will identify if there is a floodway

within the project area.

The milestone projected end date is **3 months** prior to the plan complete date to ensure enough time to review and obtain the Floodway Authorization and obtain a Floodplain Permit. The average turnaround time to obtain a Floodway Authorization is typically 2 months after the Authorization Request submittal is determined complete. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

42. Falling Weight Deflectometer (FWD). The Materials and Research Division provides falling weight deflectometer data and analysis. This information is used to develop surface thickness recommendations and for the identification of subcut areas.

The milestone actual end date represents the date that the Falling Weight Deflectometer data has been collected and the analysis is complete.

43. USFWS Easement Exchange (FWSEE). A wetland easement is a legal agreement through which the US Fish and Wildlife Service pays a landowner to permanently protect wetlands. Similarly, a grassland easement is a legal agreement through which the USFWS pays a landowner to permanently keep land in grass. If a project impacts either a wetland or grassland easement, the Department will need to replace easements that will be released with lands of similar or greater biological and financial value. This is considered an easement exchange.

The milestone projected end date is **2 weeks** prior to plan complete date. It takes upwards of 120 days to go through an easement exchange for USFWS to complete the easement exchange. If the 120 time frame does not fit into the project timeline, a Special Use Permit Application should be milestone.

The milestone actual end date represent the date that the easement exchange has been approved by USFWS. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

44. Gravel Prospecting (GRAVL). The Materials and Research Division provides gravel and prospecting information for aggregate materials and provides pit plats and boring logs for inclusion into the plan sheets when it is available.

The milestone actual end date represents the date that the pit plats and boring logs have been completed and distributed to the project designer or technical support person.

45. Ground Survey (GRND). Under Aerial Survey.

46. HBP Mix Recommendations (HBPR). The Materials and Research Division will provide recommendations for HBP aggregate classification, compaction requirements and specifications, asphalt cement classification, and asphalt cement percentage.

The milestone actual end date represents the date that the HBP Mix Recommendation has been distributed to the environmental document author or technical support person.

47. Interagency Negotiated Timeframe (IANTF). This activity is added on high level environmental documents; Environmental Assessments (EA) and Environmental Impact Statements (EIS). Immediately upon notification to FHWA that an EA or EIS will be necessary for the project, the environmental document author will add the activity and set up timeframes which place estimated times for completion on primary steps in the environmental review process. The list of activities and dates will then be sent to outside agencies who have been determined to be primary reviewers on the document. The agencies to which the activities and dates will be sent will be selected based on the nature of the project, and in conjunction with FHWA. The agencies will be asked for their review and concurrence on the dates.

The milestone actual end date represents the date that the concurrence of the activity dates is reached with the agencies solicited.

48. Interstate System Access Change Request (ISACR). A request made to FHWA by NDDOT that provides written documentation to support the formal request and the documentation of the coordination with other agencies. Early coordination between NDDOT and the FHWA Division office is recommended to refine the scope of the analysis and to make an initial determination if the project is reasonable. This coordination will allow for the project analysis to be performed in a cost-effective manner and provide for a more effective review of the request.

The request is required to be a standalone document. Referencing information that is needed to support decision making in other documents is discouraged. Relevant information from these documents should be provided in the appropriate section of the access request. Excerpts may be included as appendices.

NDDOT is responsible for ensuring that the collection of all data, conducting of all required analysis and development of the required documentation is complete, correct and appropriate for the proposed change in access.

The milestone actual end date represents the date the request has been approved by FHWA.

49. ITS Checklist (ITSCL). In consultation with the District ITS Managers, complete a systems engineering analysis for all ITS projects and projects with ITS components as part of the environmental document. The systems engineering analysis includes items one through seven listed below and are detailed by completing the Systems Engineering Checklist.

As projects are developed, they will include normal systems engineering analysis associated with each ITS program area for items two through seven.

1. Identify the ITS elements (and associated program areas) to be installed or improved as part of the proposed project and provide a brief description of the work to be accomplished to complete installation or improvement of those elements.
2. Identify roles, responsibilities, and positions of agencies that will participate in designing, purchasing, installing, operating, maintaining, expanding, or removing the system and what their responsibility will be.
3. Identify what is needed to complete each system and how each element must function within the system. This includes all items necessary to complete a fully operational system including hardware, software, installation, training, etc.
4. Evaluate alternatives that will meet systems configuration and technology requirements and determine preferred alternatives.
5. Identify and evaluate procurement options (contractor fabricate and install, purchase proprietary system and contractor install, purchase proprietary system and install with State forces, etc). Identify the preferred option.
6. Identify the applicable standards and testing procedures from the regional ITS architecture standards section that apply to the project's ITS elements.
7. Identify all procedures and resources that are needed to manage, operate, and maintain the project's ITS elements.

Depending on the type of ITS project various divisions complete the ITS Checklist. Below is a list of possible devices and the applicable division's. There are other devices that may be deployed, usually the project champion is the division requesting the equipment.

Cameras – District
ESS/RWIS – District
HAR – District
ATR – Planning/Asset Management
WIM – Planning/Asset Management
DMS – Maintenance
Fixed Automatic Spray Technology F.A.S.T – District
Variable Speed – District
Signals/Video Detection only when connected to another intersection or center –
District/City
Interconnect – District/City
Ramp Metering – District
Over-Height Detection System – District

The milestone actual end date represents the date that the ITS Engineer has received the ITS Checklist from the Project Champion.

50. Wetland Jurisdictional Determination (JRDET). Subsequent to the submittal of a Wetland Jurisdictional Request, the USACE will respond with a Wetland Jurisdictional Determination. This determination will correspond to a complete determination that is located on the USACE website (<https://www.nwo.usace.army.mil/html/od-rnd/jur/jur.htm>). The permit number will correspond to the filename on the website.

When a project is completed in house, upon receipt of the Jurisdictional Determination from the USACE, the wetland table and maps are updated by Environmental Services and placed into FileNet, the original is sent to the environmental document author.

When a project is completed by a consultant, upon receipt of the Jurisdictional Determination from the USACE, the wetland table and maps are updated by the consultant, and entered into FileNet. The complete updated document is then provided to Environmental Services from the NDDOT Technical Support Contact by FileNet link.

The milestone actual end date represents the date that the determination was made by the USACE.

51. Linear Soil Survey (LSS). The Materials and Research Division or consultant will provide Linear Soil Survey Report and Recommendations. The report identifies soil classifications, properties, moisture contents, and design recommendations. The design recommendations generally address subcuts, scarification, compaction, backfill materials, slopes, geotextile fabrics, etc. The Linear Soils Reports are sometimes omitted or abbreviated based on the type of project and proposed scope of work, such as restorations

and resurfacing projects. The Linear Soils Report shall be included within the proposal for the plans.

The milestone actual end date represents the date that the Linear Soil Survey Report has been completed and distributed to the environmental document author.

52. Management Presentation (MGTPR). A management presentation is required on “Strategic Projects,” as identified on the Project-Development Status Report (PSR) published by Design Division. The presentation will occur after the initial field review, and before the development of the environmental document. The purpose of this meeting is to provide project information to management and to receive guidance and direction on the project scope. This early management concurrence of the scope of proposed improvements is an effort to streamline and improve the efficiency of the project development process and reduce the time spent developing the formal environmental document.

The designer, environmental document author, or consultant will provide a presentation to management that summarizes the scoping and field review activities. The presentation shall be complete with existing roadway data and photographs, current roadway standards, and options for resurfacing, restoration, rehabilitation, potential environmental issues, public concern, and reconstruction.

Attendees at the presentation should include:

- 1) *Deputy Director for Engineering
- 2) *Director of Project Development
- 3) *Director of Transportation Programs
- 4) *Director of Operations
- 5) affected City/County Engineers and Planners
- 6) affected Division/District & Assistant District Engineers
- 7) affected District Design Coordinator and District Designers
- 8) FHWA (PODI projects only): District Operations Engineer and Assistant Division Administrator

* At least two of the above asterisked attendees must be able to attend the management presentation or the presentation needs to be rescheduled.

The milestone actual end date represents the date that the Management Presentation was held.

53. Milestone Committee Review (MICOM). All projects that are milestone should have this activity.

The milestone actual end date represents the date that the milestone team assigns the milestone activities and projected completion dates. If the project is re-milestoned, the 2nd date is entered into the end date and the date of the first meeting is entered as a comment in the remark section.

54. Prepare Notice of Intent (NOI). When a proposed project requires an Environmental Impact Statement (EIS), a NOI is prepared for publication in the Federal Register. The NOI initiates the EIS process and summarizes the proposed project and scoping process. The format and content of the NOI are specific and must be strictly adhered to as provided in the FHWA Technical Advisory Guidance Material and Section 6002. The environmental document author in conjunction with Environmental Services will prepare a NOI in accordance with FHWA Technical Advisory Guidance Material and Section 6002.

The milestone actual end date represents the date that the NOI is submitted to FHWA.

55. Noise Analysis (NOISA). A traffic noise analysis will be conducted for a proposed project for the construction of a highway on new location or the physical alteration of an existing highway, which significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes. These can include projects such as urban street reconstruction, rural and urban construction on new alignment, lane addition projects, new construction on urban freeways, or construction of new freeways. Prediction of traffic noise will be made twenty years into the future based on projected traffic volumes and posted speed limit upon completion.

The milestone actual end date represents the date that FHWA has concurred on the findings of the analysis.

56. Opportunity For Public Hearing (OPPHR). Used when a proposed project is required to have a public hearing but public interest in the proposed project is limited and not controversial. This tool can be used to skip a Public Hearing but can be complicated and lengthen the project development process if used incorrectly.

The milestone actual end date represents the date at the end of the two consecutive weeks in which the notice of opportunity for a hearing is published in one or more newspapers having general circulation in the area of the project.

57. Milestone Core Analysis (PACOR). The Materials and Research Division provides analysis on existing pavement core samples for the development of surface thickness recommendations.

The milestone actual end date represents the date that the cores have been submitted by the district and Material and Research's analysis of the cores is complete.

58. Project Completion (PC). This date represents the delivery date of project items to Programming Division such as plans, SPs, R/W, permits, etc. This date is typically the plan complete date.
59. Plan Delivery To Design Division (PDDD). This activity is when the Consultant, District, Bridge Division, Materials & Research, or Traffic Section working on NDDOT plans submits the completed set of plans, or respective portion of the plans to the Lead Designer or Technical Support Person for the project.

The milestone actual end date represents the date that the completed set of plans is submitted to the Lead Design or Technical Support Person.

60. Pavement Design Review (PDR). This activity is intended to verify the pavement design is accurate and sufficient for the project. The milestone end date is typically 3 months prior to PSE.
61. Assign Project Designer (PDSGR). This activity is a tracking device for who is responsible for the roadway or bridge design, traffic control design, and technical support.

This milestone actual end date represents the date that the activities have been assigned.

62. Preliminary Engineering (PE) Agreement (PEAGR). The Programming Division or Local Government Division will provide a Preliminary Engineering Agreement with the Municipalities. This non-binding agreement states what portions of the project the municipality is responsible for and their approximate participation cost.

The milestone actual end date represents the date that the Preliminary Engineering Agreement has been signed by all parties involved.

63. Preliminary Engineering (PE) Agreement 2 (PEAG2). The Programming Division or Local Government Division will provide a Preliminary Engineering Agreement with the Municipalities. This agreement states that if the city should unilaterally and voluntarily terminate this agreement by whatever means or action, it should reimburse NDDOT for any and all costs it has incurred for engineering services under this agreement.

The milestone actual end date represents the date that the Preliminary Engineering Agreement 2 has been signed by all parties involved.

64. Floodplain Permit Application(s) to Environmental (PERA2). This activity requires that

non-NDDOT entities working on NDDOT projects submit a completed Floodplain Permit application to ETS Division – Environmental Services. This ensures that the completed permit application can be obtained prior to the project bid opening. Upon review and acceptance of the Floodplain Permit application, it will be sent to the appropriate Floodplain Administrator. The requirements and forms necessary to properly submit a Floodplain Permit application can be obtained from the

North Dakota State Water Commission at:
North Dakota State Water Commission
900 East Boulevard Avenue, Dept. 770
Bismarck, ND 58505
(701) 328-2750

The information can also be obtained by accessing the internet at:
<http://www.swc.state.nd.us/4dlink9/4dcgi/redirect/index.html>

The milestone actual end date represents the date that a completed Floodplain Permit application has been submitted to ETS Division – Environmental Services.

65. Post Hearing Meeting (PHRM). The environmental document author will conduct a post public hearing meeting to review the proposed project, transcript of public hearing, and to determine project recommendations. The meeting consists of all federal, state, and local officials involved in the project.

The milestone actual end date represents the date that the meeting is held.

66. Public Input Meeting (PIMTG). Public input meetings provide an early opportunity for the public and other agencies to comment on the need for the project, discuss and suggest project alternatives, and identify areas of concern. The environmental document author will coordinate meeting location and time, advertise meeting, and invite meeting attendees, prepare informational handouts and exhibits, conduct public input meeting, and prepare and distribute written summary of comments received.

The meeting advertisement should be reviewed and approved by the Communication Division and can be found on the web at
<http://www.dot.nd.gov/manuals/design/designmanual/reference-forms.htm>.

The milestone actual end date represents the date that the Public Input Meeting is held.

67. District Plans Complete And Sent To P&P (PLANA). When districts have completed a set of plans, they submit the plans to the technical support contact. The technical support contact person then submits the plans to the Programming Division.

The milestone actual end date represents the date that the completed plans are submitted to the Programming Division.

68. Plan Completion Date (PLCD). The designer or technical support person will submit the original plan sheets and cost estimate to the Programming Division - Programming Section, on or before this date. Any changes to the original plans after this submittal must be coordinated with the Programming Section. If included in the PODI Plan, any changes to the original plans occurring two weeks after the plan completion date must also be coordinated with FHWA for notification and approval.

The milestone actual end date represents the date that the Plans have been turned into the Programming Division – Programming Section.

69. Right of Way Plats Preliminary to ETS (PLETS). This work is identified in Section VIII of the Right of Way Manual. The Right of Way Plats Section, or the consultant will prepare the right of way plats and legal descriptions of the right of way parcels. For consultant projects, the consultant will submit the plats and legal descriptions to the technical support person who will forward to the Right of Plats Section for review and approval. When the Right Way Plats Section has approved, they will submit the completed plats to the ETS Division. ETS may need revisions as their process proceeds. The actual end date will be updated after each revision and the previous submittal dates will be tracked in the comments section of this activity.

The milestone actual end date shall be entered by the Right of Way Plats Section and represents the date the most recent version of the right of way plats have been submitted to ETS Division.

70. Right of Way Plats Final (PLFIN). The final approved Right of Way plats are stamped, signed and submitted to ETS for recording, after the certification of right of way negotiations.

The milestone actual end date represents the date the Right of Way plats are stamped, signed and submitted to ETS.

71. Right of Way Plats Recorded (PLREC). The final approved Right of Way Plats are recorded with the County Recorder.

The milestone actual end date represents the date the right of way plats have been recorded.

72. Pavement Condition Information (PMS). The Planning/Asset Management Division - Pavement Management Section provides a historical summary of the pavement condition and maintenance costs for the proposed project. Pavement conditions are obtained from Pavement Management data and may include information about pavement distress and

ride. The pavement condition information is summarized in the environmental document, and is used to evaluate the appropriate scope of work, and to develop the purpose and need for the project.

The milestone actual end date represents the date that the Pavement Condition Information has been obtained and the information has been distributed.

73. Plans In Hand Field Inspection (PSE). The designer will conduct PS&E Plan Review and complete necessary plan revisions. This task is explained in detail in Chapter 1 of the Design Manual.

The milestone actual end date represents the date that the PS&E was conducted.

74. Public Hearing (PUBHR). Public hearing meetings provide an opportunity for the public and other agencies to comment on the proposed improvements identified in the DCE, Environmental Assessment, or Environmental Impact Statement, and to discuss and comment on the social, economic, environmental, or other areas of concern regarding the project. The environmental document author will coordinate meeting location and time; advertise meeting and invite meeting attendees; prepare informational handouts and exhibits; provide project information for AV presentation; conduct public hearing meeting; and prepare and distribute the Public Involvement Report for DCE projects. For projects processed under an EA or EIS, the materials shall be contained in the appendices.

The meeting advertisement should be reviewed and approved by the Communication Division and can be found on the web at <http://www.dot.nd.gov/manuals/design/designmanual/reference-forms.htm>.

The milestone actual end date represents the date that the Public Hearing is held.

75. Public Information Meeting (PUBIM). Public Information meetings provide an early opportunity to inform the public and other agencies of the project proposal, not to receive input from the public. The environmental document author will coordinate meeting location and time, advertise meeting, invite meeting attendees, prepare informational handouts and exhibits, and conduct public information meeting.

The meeting advertisement should be reviewed and approved by the Communication Division and can be found on the web at <http://www.dot.nd.gov/manuals/design/designmanual/reference-forms.htm>.

The milestone actual end date represents the date that the Public Information Meeting is held.

76. Pavement Design (PVMTD). The Materials and Research Division provides HBP pavement, PCC pavement, and aggregate base thickness recommendations and pavement design life. Asphalt Depth Core Data is normally included to establish existing surfacing depths and to develop blended base projects. This information is included in the environmental document and is used to develop the appropriate scope of work and proposed project improvements. The report should document the engineering analysis used to determine the recommendations.

The milestone actual end date represents the date that the surface information has been obtained and the information has been distributed.

77. Roadway Hydraulics (RDHYD). Bridge Division or the Consultant will perform a hydraulic analysis to determine the appropriate size of culverts for replacement of existing culverts or new culverts.

The following hydraulic analysis and calculations for both centerline and approach culverts shall be submitted for review and approval concurrently with the submission of the PS&E plans. The submitted hydraulic analysis and calculation shall include:

- Delineated drainage areas shown on a map:
 - Label drainage area size
 - Label longest drainage path and slope
 - Label each culvert stationing
- USGS Regression Calculations or Rational Method Calculations.
- HY-8 or other computer generated output which was used to determine culvert size, including design discharge, design headwater, velocity, and other data required to prepare the hydraulic data sheet in the plans.

The milestone actual end date represents the date that the hydraulic analysis and calculations have been approved by the Hydraulics Section.

78. Record Of Decision (ROD). The ROD summarizes the selected project alternative and mitigation measures and is completed for projects that require an EIS. The ROD normally consists of a cover sheet, summary of selected alternates and basis of decision, summary of alternatives considered and basis of decision, summary of Section 4(f) and 6(f) basis of decision, summary of measures to minimize harm and environmental commitments, summary of monitoring and enforcement program, summary of agency and public comments received on EIS and department responses, and a signature block. The environmental document author in conjunction with Environmental Services will prepare a draft ROD in accordance with FHWA Technical Advisory Guidance Material and will submit it to FHWA for comment and finalization.

The milestone actual end date represents the date that the ROD has been approved by FHWA.

79. Design Right Of Way Limits (ROWL). The designer or consultant will provide the permanent and temporary right of way limits and construction easements for the purpose of obtaining of title preliminaries and pencil abstracts, and preparation of right of way plats. NDDOT designers will submit to their assigned liaison from Right of Way Services in ETS Division, and also submit to the Right of Way Plats Section Team Leader in Design Division. Consultants will submit to the Technical Support Person.

The following information shall be submitted for Design Right of Way Limits:

- Map showing temporary construction easements and permanent right of way needs with approximate dimensions, and color or hatching to distinguish which needs are permanent and which are temporary.
- Legal Description to the quarter-quarter section (e.g. NW4-NW4 of Sec.2) and shall include the County, Section, Township, and Range.
- If the property is located in a platted subdivision include the: Lot, Block, Subdivision, and City and/or County (e.g. Lot 1, Block 2, Sundown Acres, Mandan)
- The subject of the email or request shall include the Project Number, PCN, and text "Request for Title Information"

The milestone actual end date represents the date that the Design Right of Way Limits are transmitted to Right of Way Services or to the Technical Support Person.

80. Railroad Agreement Bridge (RRABR). The Bridge Division will provide a railroad agreement for projects that involve railroad structures. The provisions of the agreement are typically incorporated into the project's plans with a special provision.

The milestone actual end date represents the date that the railroad agreement is signed by the associated railroad company.

81. Railroad Crossing Application (RRCRA). The Planning/Asset Management Division will coordinate and obtain railroad crossing permits. The designer should advise and discuss the railroad crossing with the Planning/Asset Management Division - Rail Section. The designer should begin coordinating with the Rail Section after the environmental document approval and on an on-going basis as the preliminary roadway design becomes available.

The milestone actual end date represents the date that the applications have been completed and submitted to the Design Division or Technical Support Person with a copy going to the Planning/Asset Management Division.

A Railroad Crossing Review should be completed for each railroad crossing within the project limits. The railroad crossing review should take place in conjunction with the field review conducted for the environmental document. This review is intended to acquire the necessary crossing information and to facilitate early coordination of the proposed highway improvements with the railroad crossing. This facilitation is necessary because of the lead time required (several months) to prepare a Railroad Crossing Application and to secure an agreement with the railroad and to coordinate railroad and contractor schedules.

The Railroad Crossing Review form is provided on the web on the Reference and Forms Page of the Design Manual at:

<http://www.dot.nd.gov/manuals/design/designmanual/reference-forms.htm>.

The review forms may be completed by the District during or after the field review. The completed forms should be submitted to the Design Division with a copy to the Planning/Asset Management Division – Rail Section. Separate forms should be filled out for each railroad crossing.

Under “other comments” note the following:

1. The designer shall review the need to operate on the railroad right of way with the Rail Section in the Planning/Asset Management Division. If so, the number of flagging days should be estimated at \$1200/day and incorporated in the estimate as a SPECIAL PROJECT ITEM so Federal Funds may be obtained.
2. The actual hours of flagging will be monitored by the Project Engineer.
3. Note the type and condition of warning devices (flashing signals with gates, flashing signals without gates, cantilever flashing signals or cross bucks).
4. Note the existing visibility (quadrants with restricted sight distance and the degree of the restriction, i.e. elevator, tree, etc.).
5. Note if highway-rail grade crossing Advanced Warning Signs and Pavement Markings are present and the general condition of each.
6. Railroads require a detour to install a new surface. An on-site review of the detour route should be made to determine the suitability to serve as a detour.

7. The crossing review should include crossings that are within 500 feet of the beginning and end of an urban project and 1320 feet of the beginning and end of a rural project, for the construction of a new highway or improvement of an existing roadway where federal funds will be used. This includes cross roads as well as the mainline. The crossing should not be open to unrestricted traffic until adequate warning devices are in place and operating properly.

The Planning/Asset Management Division will coordinate and obtain railroad crossing permits. The designer should advise and discuss the railroad crossing with the Planning/Asset Management Division - Rail Section. They will determine Warning Device adequacy.

The designer should begin coordinating with the Rail Section during the environmental document development and on an on-going basis as the preliminary roadway design becomes available.

82. Abstracts/Title Information (RWABS). This work is identified in the Right of Way Manual. ETS Division – Right of Way Services or the Consultant will order and obtain title preliminaries from the title insurance company upon receipt of the permanent and temporary right of way limits from the designer. Pencil abstracts will be obtained on temporary parcels where permanent right of way is not needed.

The milestone actual end date represents the date that the last Abstract/Title is received by the Right of Way Section or Consultant.

83. Acquisition (RWACQ). ETS Division – Right of Way Services, or its consultant, will commence with the negotiation and acquisition of the right of way after authorization to proceed from FHWA.

Negotiations shall be conducted, complete with documentation (negotiation worksheet, reports, offers, etc.) Any increases or deviations from approved appraisal value shall be justified and submitted to Right of Way Services for final acceptance. Any deviations from the approved appraisals will require advance approval of the Right of Way Section. If required, include cost estimates for hazardous material clean-up and disposal. The negotiated parcel files should be submitted to Right of Way Services as soon as the paperwork has been completed.

Cost principles and allowable costs are covered under Title 48 CFR Part 31, and procurement procedures are covered under Title 49 CFR Part 18.

Right of Way Services shall be notified if any condemnation action will be necessary. Those parcel files to be condemned shall be submitted to Right of Way Services ten weeks prior to the bid opening.

ETS Division – Right of Way Services will certify to FHWA, six weeks prior to bid opening that the permanent and temporary right of way has been acquired and is free of encroachments. They must also certify that all individuals and families have been relocated to decent, safe and sanitary housing, or have been offered adequate replacement housing in accordance with current FHWA directives covering the administration of the Highway Relocation Assistance Program. Right of Way Services will submit one original copy of the certification to the Programming Section of the Programming Division for inclusion with the original plan sheets. Consultants shall certify to the NDDOT for consultant projects.

The milestone actual end date represents the date that the last property owner signs the right of way acquisition documents for property being acquired or condemned.

84. Appraisal (RWAPP). ETS Division – Right of Way Services will provide preliminary cost estimates for all permanent and temporary right of way parcels. The right of way plats and preliminary parcel cost estimates are submitted to the FHWA as part of the request for right of way authorization to appraise and negotiate. Right of Way Services, or its consultant, will then commence with the appraisals of the right of way parcels. All consultant prepared appraisals shall be completed by a qualified fee appraiser and need to be reviewed by Right of Way Services, Review Appraiser.

No appraisals are required if: 1) The property owner agrees to donate and waives their right to an appraisal; or 2) the property owner accepts the State's minimum payment of \$150 for all temporary easement parcels and \$300 for all permanent right of way parcels and waives their right to an appraisal; or 3) The appraisal problem is determined to be uncomplicated and complies with the NDDOT's criteria for acquisition via Waiver Valuation.

The milestone actual end date represents the date that the last appraisal has been completed.

85. Right of Way Authorization (RWAUT). Upon completion of a right of way cost estimate by ETS Division – Right of Way Services, or its consultant, Right of Way Services will obtain authorization from FHWA to commence with appraisals, acquisition of right of way, and relocation assistance if necessary.

The milestone actual end date represents the date that authorization has been obtained from FHWA.

86. Right of Way Application to BIA (RWBIA). The milestone end date represent the date the application has been sent and shall be 30 days prior to the Acquisition date.
87. Borrow (RWBOR). ETS Division – Right of Way Services or the consultant will acquire borrow options for additional borrow material needed for the project, utilizing the NDDOT borrow option agreement form.

Borrow Site Naming Convention: The first optioned site within a project will be designated, “B-1”. Subsequent sites will be similarly designated in sequential order, i.e. B-2, B-3, B-4, B-5, etc. Sites will not to be designated with the same number, even if the number is preceded by a name. For example, do not designate sites as “Smith B-1” and “Jones B-1”.

Sites will not be optioned for multiple projects.

For each optioned site, the NDDOT negotiator, or the consultant negotiator through the technical support person, will:

- a. E-mail the estimate of the NDDOT’s borrow cost share to the designer or technical support person.
- b. Submit Material Source Request form to Environmental & Transportation Services.
- c. Submit option agreement to ETS Right of Way Program Manager through the Technical Support contact for approval and processing of option fee.

The right of way agent or consultant will assemble a balance spreadsheet that tracks the quantity of borrow needed, the amount optioned, the amount provided with a clue, and the remained as contractor furnished. Once the balance sheet is complete, the right of way agent or consultant through the Technical Support contact will notify the Right of Way Program Manager via e-mail when the balance sheet is complete. This notification will list all borrow sites that have been optioned for the project, any clues, and any remaining need as contractor furnished borrow. The optioned sites will include the borrow site number, date optioned, name of optionee, site acreage, section-township-range, county, and option quantity (cubic yards). The final balance spreadsheet will also be distributed to the designer or Technical Support contact, and Materials and Research Division.

The milestone actual end date represents the date that the balance spreadsheet for borrow and COA is complete.

88. Right of Way Encroachments (RWENC). This work is identified in the NDDOT Maintenance Operations Manual. The District Engineers are responsible for the elimination of unauthorized encroachments and control of authorized encroachments within their districts. The Districts will conduct a right of way encroachment survey and arrange for removal or permit of encroachments. At the recommendation of the District Engineer, ETS Division - Right of Way Services will request the necessary approval from FHWA for any permitted encroachments. The environmental document author will provide the District and Right of Way Services with exhibits detailing encroachments for review and recommendations. Encroachments will be included and discussed in the environmental document.

This milestone actual end date represents the completion survey and identification of encroachments. The agreements for removal or permit of encroachments must be obtained prior to certification of right of way.

89. Mailboxes (RWMLB). ETS Division – Right of Way Services will process mailbox notices to the affected postmasters, informing them that the state will be replacing the existing mailbox support with a new crash tested support. Right of Way Services will inform the lead designer of the amount of mailboxes that will be affected.

The milestone actual end date represents the date that the postmasters and lead designer have been notified.

90. Relocation Assistance (RWREL). All relocation assistance shall comply with 49 CFR Part 24 and FHWA's current edition of the Real Estate Acquisition Guide for Local Public Agencies, Publication FHWA-PD-93-027. No lawful occupant shall be required to move unless they have received at least 90 days advanced written notice from the date the written appraisal offer was made. The 90 Day Relocation Notices will include expiration dates.

The milestone actual end date represents the date that anything that was required to be relocated has been relocated off of the right of way.

91. Scoping Report (SCPRP). This activity is added to any project that requires a scoping report. Scoping reports will not be done on Preventive Maintenance projects such as seal coats, microsurfacing, thin lift overlays, pavement marking, minor bridge repair, or major urban projects. Scoping reports will consist of general project information along with information on traffic, existing roadway characteristics, geometry, structures, adjacent land, other structural and incidental items, proposed performance guidelines, and proposed improvements. They will also include a cost estimate and decision items along with comments from the District Engineer. The Deputy Director for Engineering will sign

off on the scoping reports after a meeting with the Office Holders and the Programming Engineer.

The milestone actual end date represents the date the scoping report is signed by the Deputy Director for Engineering.

92. Section 4(f) Evaluation (SEC4F). Section 4(f) refers to part of the 1966 U.S. Department of Transportation Act, which gave specific protection to certain classes of public properties. These lands include public parks, recreation areas, wildlife and waterfowl refuges, and most Historic Properties (i.e., cultural resources eligible for the National Register of Historic Places).

Whenever a project involves such properties, a Section 4(f) document must be prepared for each location before the land use is approved. The 4(f) document shows that the provisions of the law are met. The environmental document author should coordinate the need and preparation of Section 4(f) documentation with Environmental Services.

The milestone actual end date represents the date that the Section 4(f) Evaluation is complete.

93. Solicitation of Views (SOLVW). The environmental document author or consultant will conduct solicitation of views by letter to agencies, associations, or officials that may have an interest in the proposed improvements. A copy of the letters used, mailing list, and comments received should be incorporated into the environmental document as an appendix. The original letters and responses should be stored in FileNet.

The milestone actual end date represents the date that the Solicitation of Views letters have been signed and sent out.

94. Sovereign Lands Permit Application (SOVL1).

For a consultant project

This activity requires that non-NDDOT entities working on NDDOT projects submit a complete Sovereign Lands Permit application. Information is to be submitted to ETS Division – Environmental Services Section through the NDDOT Technical Support representative by the projected end date.

For NDDOT Design Project

This activity requires that the NDDOT Lead Project Designer submit Sovereign Lands Permit Information to ETS Division – Environmental Services Section by the projected end date.

The milestone projected end date is **5 months** prior to plan complete date. The projected end date ensures that the information can be reviewed, processed by Environmental Services Section, and submit and obtain a Sovereign Lands Permit by the plan completion date. The milestone actual end date represents the date that Environmental Services receives the Sovereign Lands Permit information with any revisions completed. The information and forms required can be found in the Reference and Forms area of the Design Manual, Environmental Information.

The milestone actual end date represents the date that a *complete* Sovereign Lands Permit Application has been submitted to Environmental Services and is entered in by the project designer or consultant technical support. It is the lead designer's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information.

95. Sovereign Lands Permit (SOVLD). Century Code 61-33 and Administrative Code Article 89-10 states a Sovereign Lands Permit is needed when a portion of a transportation project lies partially or wholly below the ordinary high water mark of navigable lakes and streams and is managed by the State Engineer. The solicitation of views response from the ND State Water Commission will identify if there are Sovereign Lands within the project area.

The projected end date is **2 weeks** prior to the plan complete a Sovereign Lands Permit. The typical turnaround time to receive a sovereign lands permit after submitting a complete application is 2 months. The milestone actual end date represents the date that the Sovereign Lands Permit is signed by the State Engineer and is entered in by the ETS Division - Environmental Services Section. It is the Environmental Services Section's responsibility to ensure the milestone date is met.

See the Design Manual Chapter II - Section 4 for more information. The list of waters considered Sovereign Lands and additional information can be found on the ND State Water Commission & Office of the State Engineers website.

96. Special Use Permit Application (SUPA).
For a consultant project:
This activity requires that non-NDDOT entities working on NDDOT projects submit a completed Special Use Permit Application to ETS Division – Environmental Services Section through their NDDOT Liaison representative by the projected end date. This ensures that the Special Use Permit can be obtained prior to the project bid opening.

For a NDDOT Design Project:

This activity requires that the Lead Designer submit the project Special Use Permit

Information to ETS Division –Environmental Services Section by the projected end date.

The projected end date ensures that the information is submitted to ETS Division – Environmental Services Section so that the Special Use Permit can be obtained two weeks prior to the plan complete date. Upon receipt of the information, Environmental Services will proceed with the Special Use Permit Application. The information required for Special Use Permit Application can be found in the Reference and Forms area of the Design Manual, Environmental Information.

The milestone projected end date is **3 months** prior to plan complete date. The milestone actual end date represents the date that *complete* Special Use Permit Application information has been submitted to ETS Division – Environmental Services. It is the lead designer’s responsibility to ensure the milestone date is met.

97. Special Use Permit (SUPER). A Special Use Permit is required for temporary impacts on a US Fish and Wildlife Service property interests which typically occur outside of the road right of way. This permit is also used when there are permanent impacts to US Fish and Wildlife Service property requiring mitigation to allow the project to proceed while a USFWS easement exchange is being processed and will not be completed two weeks prior to the plan complete date.

The milestone projected end date is **2 weeks** prior to plan complete date. It takes approximately 2 months to receive a permit after submitting a complete application. The milestone actual end date represents the date that the Special User Permit is signed and is entered in by the Environmental Section. It is the Environmental Services Section’s responsibility to ensure the milestone date is met.

98. Public Involvement Report (PIR). The Report is prepared for DCE projects after the public meetings are conducted and includes information and documentation pertaining to the public meeting preparation, meeting materials, and comments received, as well as responses provided, as necessary.

The milestone actual end date represents the date that the Report is completed and ready for distribution.

99. Safety Review (SRMIR, SRSIM, or SRMAR). This work is identified in Chapter III of the Design Manual and in the Manual 90-1 for Minor Rehabilitation, Structural Improvements, and Major Rehabilitation projects.

Safety Reviews fall under the following investment strategy categories:

- Safety Review – Minor Rehab (SRMIR)
- Safety Review – Structural Improvement (SRSIM)

- Safety Review – Major Rehab (SRMAR)

The safety review is used to determine the existence and location of roadside obstructions and to propose cost-effective roadside safety improvements for the proposed project. The recommendations of the safety review should be summarized in the environmental document; it is used to evaluate the appropriate scope of work and to develop the purpose and need for the project.

The milestone actual end date represents the date that the Safety Review has been completed and the designer has been notified.

100. Slope Stability (SS). This activity is for stability evaluation of existing and proposed slopes and will be completed by the Geotechnical Section of Materials and Research or a Consultant. This activity is conducted on, but is not limited to: backslopes, foreslopes, bridge end slopes, and landslide areas. The report will provide an analysis and recommend corrective measures or acceptable slopes to obtain or increase stability.

The milestone actual end date represents the date that the Slope Stability Report have been completed and distributed.

101. Structure Hydraulics (STHYD). The Bridge Division or consultant will perform a hydraulic analysis and report at the bridge and box culvert locations that require replacement. After the completion of the hydraulic report, the Bridge Division or consultant will conduct a Type, Size, and Location (TS&L) field review and prepare and distribute a written summary. The milestone actual end date represents the date that the hydraulic analysis and report is completed.

102. Special Use Permit (SUPER). A Special Use Permit is a permit that is temporary in nature due to the temporary impacts on a US Fish and Wildlife Service property interests.

The designer will coordinate with the Environmental Services Section to prepare the Special Use Permit. The application can be found on the USFWS website. The permit must be obtained prior to the bid date. If the project impacts change from that originally proposed in the project milestone, the designer should advise and discuss the proposed changes with the Environmental Services Section. The milestone actual end date represents the date that the Special Use Permit is issued by USFWS.

103. Traffic Count Review (TCR). This activity is intended to verify the traffic count is accurate and sufficient for the project. The milestone end date is typically 4 months prior to PSE.

104. TERO Agreement (TERO). ETS Division - Technical Services will provide a TERO agreement for projects that require agreements. The provisions of the agreement are typically incorporated into the project with a special provision. The designer should advise and discuss the need for the TERO Agreement with Technical Services Section.

The designer should begin coordinating with Technical Services Section after the environmental document approval and on an on-going basis as the preliminary roadway design becomes available. The TERO agreement must be obtained prior to the plan completion date.

The milestone actual end date represents the date that the TERO agreement is completed.

105. Traffic Data (TRAFF). The Planning/Asset Management Division – Roadway Data Section provides current and forecast mainline traffic volumes, pavement loadings, and equivalent single axle loadings (ESALS) for the proposed project. This information is used for some traffic operation analysis, to complete safety reviews, and to develop pavement surface thickness recommendations. Preventative Maintenance and Minor Rehabilitation projects only use current traffic volumes for design. Structural Improvement, Major Rehabilitation, and New/Reconstruction projects use 20 or 30 year projected volume. The traffic data information should be summarized in the environmental document; it is used to evaluate the appropriate scope of work and to develop the purpose and need for the project.

The milestone actual end date represents the date that the Traffic Data has been completed and the mainframe has been updated.

106. Survey Transmittal (TRANS). The completed survey, which includes the original survey books, utility plats, and a CD of the electronic data, will be transmitted (given) by the Survey Section of Design Division to the Records Management Section of the Information Technology Division. All completed surveys from consultants are sent to Survey Section of Design Division and are then transmitted through the above process.

The milestone actual end date represents the date that the completed survey is transmitted to the Records Management Section of the Information Technology Division.

107. Traffic Operations (TRPOS). The Programming Division - Traffic Operations Section or consultant provides traffic operations analysis and report **consisting of lighting, crashes, capacity, traffic control, and recommendations**. Traffic operations analysis and reports will be completed for Structural Improvement, Major Rehabilitation, New/Reconstruction, and sometimes Safety projects. The information provided in the traffic operations report is included in the environmental document and is used to develop the appropriate scope of work and to develop the purpose and need for the project.

The milestone actual end date represents the date that the Traffic Operations report has been completed, approved, and the information has been distributed.

108. Utilities Certification (UCERT). Certification letters in regard to utility relocations and adjustments must be included with the submission of the original plan sheets. There are various types of letters depending on the type of project. It is the responsibility of the Utility Engineer to submit the appropriate letters to the Programming Section of the Programming Division. The certification letters must be submitted by the plan completion date.

The milestone actual end date represents the date that the Utility Certification Letter has been submitted.

109. Preliminary Utility Coordination (UTPRE). The desired schedule date is 2 weeks after the CATEX.

This work is identified in Chapter III of the Design Manual and in the “Coordination and Notification for Utility Relocation, Adjustments, and Reimbursement Policies and Procedure” manual on the NDDOT website.

This milestone actual end date represents the date the Lead Designer or Consultant Project Manager and Technical Support Person have met, discussed, and coordinated with the NDDOT Utilities Engineer.

This meeting will discuss the alternate selected for the project and any preliminary potential utility impacts, review any available preliminary information or comments from the SOV letters, and discuss future utility coordination.

This milestone activity also indicates when the Lead Designer or Consultant Project Manager and Technical Support Person have provided the following deliverables needed for utility coordination letters:

- Title Sheet
- Scope of Work Sheets
- Preliminary Utility Coordination Form

The Actual Completion Date for this activity shall be recorded in milestone by the Lead Designer or Technical Support Person.

The NDDOT Utilities Engineer or Consultant Project Manager will send a preliminary

utility coordination letter to all potential impacted Utility Co. after this meeting requesting comments, share preliminary information, or further correspondence with Utility Company.

110. Preliminary Utility Engineering (UTENG). The desired schedule date is 6 months before the project completion date.

This work is identified in Chapter III of the Design Manual and in the “Coordination and Notification for Utility Relocation, Adjustments, and Reimbursement Policies and Procedure” manual on the NDDOT website.

This milestone actual end date represents the date when draft plans, including cross sections, have been refined enough to complete utility conflict plans. At this point coordination between the Utility Engineer, Lead Designer or Consultant Project Manager and Technical Support Person should be sufficient to have minimized or eliminate utility impacts. Utility Engineering has been completed to a point where changes to the amount of impacts are not anticipated.

The Actual Completion Date for this activity shall be recorded in milestone by the Lead Designer or Technical Support Person. This coordination is to ascertain the location and extent of any utility relocations necessary to accommodate the planned project including any state optioned borrow sites, and where feasible and within acceptable design standards, to avoid relocation or adjustment of major or costly utilities without changing the scope of the project. The NDDOT Utilities Engineer or Consultant Project Manager may at this time request comments, share information, or further correspondence with Utility Co.

111. Utility Conflict Plans (UCPL). The desired schedule date is 4 months before project completion. It is the Departments policy to notify Utility Company of specific conflicts a minimum of 3 months before the bid opening date.

This work is identified in Chapter III of the Design Manual and in the “Coordination and Notification for Utility Relocation, Adjustments, and Reimbursement Policies and Procedure” manual on the NDDOT website. These manuals refer to this activity as “Notification to Utility Company”. The UCPL are a large part of the “Notification to Utility Company” and the terms are synonymous.

This milestone actual end date represents the date the Utility Engineer or Consultant sends documentation notifying the Utility Company of its facilities that must be relocated or adjusted and which portions, if any, will be eligible for reimbursement. This milestone date also represents when all required utility agreements, if needed, have been sent to the utility companies.

The Actual Completion Date for this activity shall be recorded in milestone by the Utility Engineer. The Utility Company is requested to proceed with the necessary field inspection, preparation of plans, and a cost estimate for the relocation work upon receipt of the UCPL.

112. Value Engineering (VAENG). ETS Division – Technical Services Section will coordinate a Value Engineering (VE) study on projects with an estimated cost of:
- \$50 million or more for a highway project on the NHS receiving Federal assistance
 - \$40 million or more for a bridge project on the NHS receiving Federal assistance
 - VE not required off the NHS
 - VE not required for design-build projects
-
- Each project located on the National Highway System (NHS) with an estimated total project cost of \$50 million or more that utilizes Federal-aid highway program (FAHP) funding.
 - Each bridge project located on the NHS with an estimated total project cost of \$40 million or more that utilizes FAHP funding.
 - Any major project located on or off the NHS that utilized FAHP funding in any contract or phase comprising the major project.
 - Any project where a VE analysis has not been conducted and a change is made to the project's scope or design between the final design and the construction letting which results in an increase in the project's total cost exceeding the thresholds as identified in III.a.1, 2, or 3.
 - Any other project FHWA determines to be appropriate that utilized FAHP funding.
 - Any project that has been split into smaller projects or programmed to be completed by the letting of multiple construction projects that has a total combined cost that exceeds the above federal requirements for VE.
 - Additional VE analysis is not required when a VE analysis has been completed for a project which is then subsequently split into smaller projects during the design phase or the project is programmed to be completed by the letting of multiple construction projects. VE analysis is also not required for projects delivered using the design/build method of construction.

- A VE analysis will be conducted for any project that has been recommended from the Technical Services Section of the ETS Division where there is a high potential to realize the benefits of a VE analysis and has also been recommended by the Office of Project Development and approved by the Deputy Director for Engineering.

Program procedures should provide for the identification of candidate projects for VE studies early in the development of the State's multi-year STIP.

The milestone actual end date represents the date that the Value Engineering study is completed.

113. Wetland Delineation – Field (WETDF) is an on-site wetland delineation. The field delineation will be conducted in accordance with the United States Army Corps of Engineers publication “Corps of Engineers Wetlands Delineation Manual” January 1987 – Final Report (87 Manual).

This milestone actual end date represents the date of the completion of the field wetland delineation and submittal of a complete delineation report and shape files.

114. Wetland Delineation – Office (WETDO) is a wetland delineation using readily available references to determine where wetlands lie within the project area. Unless told otherwise, the environmental document author will be responsible for doing the office delineation.

This milestone actual end date represents the date of the completion of the office wetland delineation and submittal of a complete delineation report and shape files.

115. Section 404 and Wetland Information (WETIE).

For a consultant project

This activity requires non-NDDOT entities, working on NDDOT projects, submit final wetland information which may include completing a Section 404 Permit application. Information is to be submitted to ETS Division – Environmental Services Section through the NDDOT Technical Support representative by the projected end date.

For NDDOT Design Project

This activity requires the NDDOT Lead Project Designer to submit final wetland information to ETS Division – Environmental Services Section by the projected end date.

If a Section 404 Permit Application is not required the milestone projected end date is **3 months** prior to the plan complete date to ensure enough time to review the information and make any revisions prior to plans complete.

Nationwide 404 Permit Applications

If a Section 404 Permit Application is required the milestone projected end date is **3 months** prior to the plan complete date to ensure enough time to review the permit application, make any revision, and receive the permit prior to plans complete. For a typical Nationwide Section 404 Permit the USACE has 15 days after receiving the 404 permit application to determine if the application is complete and 45 days to complete the permit.

Individual 404 Permit Applications

If a Section 404 Permit Application is required the milestone projected end date is **5 months** prior to the plan complete date to ensure enough time to review the permit application, make any revisions, and receive the permit prior to plans complete. For a typical Individual Section 404 Permit the turnaround time ranges from 90 to 180 days.

The milestone actual end date represents the date that Environmental Services receives the wetland impact information with any revisions completed and is entered in by the project designer or consultant technical support. It is the lead designer's responsibility to ensure the milestone date is met.

The information and forms required can be found in the Reference and Forms area of the Design Manual, Environmental Information. The information will satisfy a typical Nationwide or 404 Permit Application.

See the Design Manual Chapter II - Section 4 for more information.

116. Section 404 Agency Mitigation Site Review (WETMP). This activity is required for onsite mitigation areas requiring an agency site visit to verify that the site is an acceptable compensatory mitigation location. Site visits are for onsite mitigation areas not located within a typical ditch section or are requested by an agency. ETS Division – Environmental Services Section will coordinate with the appropriate agencies to determine if a site visit is warranted and will also work with Design to determine the appropriate documents needed. Coordination of the site visit will be conducted by ETS Division – Environmental Services Section prior to final design.

The projected end date represents the date the onsite visit is to be conducted and will be set by ETS Division – Environmental Services Section to fit the projects timeline.

The milestone actual end date represents the date that a site visit was conducted or determined not required and is entered in by ETS Division – Environmental Services Section. It is the ETS Division – Environmental Services Section responsibility to ensure the milestone date is met.

117. Wetland Jurisdictional Request (WJREQ). Office and/or field delineations completed by the NDDOT require USACE review to determine if the wetlands contained within the project limits are jurisdictional.

For projects completed in house (Bridge, Design, and District), Environmental Services will transmit the maps, USACE Data Forms, wetland table, additional information to USACE, along with SOV letter #2, requesting a wetland jurisdictional determination. This information will be placed on FileNet and a link will be provided to the environmental document author.

When the delineation is completed by a consultant (Bridge, Design, Local Government – Urban Regional), the consultant will transmit all delineation documentation, along with SOV letter #2 to Environmental Services through the NDDOT Technical Support Contact. Upon satisfactory review of the delineation by Environmental Services, Environmental Services will submit the information provided by the consultant to the USACE requesting a wetland jurisdictional determination.

For Local entity projects, the Local Government Technical Support Contact will transmit all delineation documentation after a satisfactory review by the Rural Program Manager.

The milestone actual end date represents the date that the request was sent to the USACE for review.

118. Section 106 Compliance (Cultural Resources) (106). Normally, cultural resource reviews are required on projects that require a safety review and/or grading. Cultural resource reviews are always necessary if there are proposed improvements that disturb existing ground cover such as slope flattening, culvert extension, widening, and grading. ETS Division - Cultural Resource Services will normally provide a Section 106 Cultural Resource review and recommendations to the Engineer for inclusion into the environmental document. The Section 106 Compliance is also required for NDDOT option and contractor option borrow site locations and gravel pit locations. If the project scope of work changes from that originally proposed in the project milestone, the designer should advise and discuss the proposed changes with Cultural Resource Services.

This milestone actual end date represents the date Section 106 activities have been completed. Cultural Resource Services is working on Section 106 issues before a date is listed. The comments section includes information on cultural resource review and where we are in the Section 106 process. Contact Cultural Resource Services if you need to know the anticipated Section 106 completion date.

119. 6(f) Process (6FPRO). Section 6(f) refers to a portion of the 1965 Land and Water Conservation Fund Act (L&WCF). This act provides grants to communities to be used for acquiring or improving lands for recreation uses. Transportation projects which acquire land that has received a Section 6(f) grant are considered to be converting the use of the land. When this occurs, replacement lands must be acquired.

Whenever a project involves such properties, a Section 6(f) document must be prepared for each location before the land use is approved. The 6(f) document shows that the provisions of the law are met. The environmental document author should coordinate the need and preparation of Section 6(f) documentation with Environmental Services.

The milestone actual end date represents the date that the Section 6(f) process is complete.

I-02.03 Adding Activities/Tasks or Revising Projected Completion Dates

Bid opening and authorization dates are revised by Programming Division when a new bid opening schedule is published. Activities are added and deleted by the Milestone Committee. Dates for other activities are revised by the Milestone Committee.

I-02.04 Entering Completion Dates for Activities/Tasks

The responsible division/district enters the actual end (completion) dates for their respective milestone activities. The milestone team sets the projected end dates and revises the projected actual end dates as required.