

**Environmental Management System  
Guidance Document**

**Environmental Permits, Issues, & Commitments (EPIC) Sheet**

**1.0 Acronyms and Definitions**

1.1 Acronyms

Acronym	Definition
AP&D	Advance Planning and Development
BMP	Best Management Practice
CGP	Construction General Permit
DSHS	Texas Department of State Health Services
ENV	Environmental Affairs Division
EMS	Environmental Management System
EPICs	Environmental Permits, Issues, & Commitments
MS4	Municipal Separate Storm Sewer System
MBTA	Migratory Bird Treaty Act
NOI	Notice of Intent
NOT	Notice of Termination
NWP	Nationwide Permit
OHWM	Ordinary High Water Mark
PP	Public Participation
PS&E	Plans Specification and Estimates
PSL	Project Specific Location
SCEM	Standing Committee on Environmental Management
SWP3	Storm Water Pollution Prevention Plan
TCEQ	Texas Commission on Environmental Quality
TPDES	Texas Pollution Discharge Elimination System

1.2 Definitions

Description	Definition
Environmental Permits, Issues, and Commitments	EPICs are any permit, issue, coordination commitment, or mitigation obligation necessary to address, offset, or compensate for social, economic, or environmental impacts of a project, including sole source aquifer coordination, wetland permits, stormwater permits, traffic noise abatement, threatened or endangered species coordination, or archeological permits, and any mitigation or other commitment associated with the project.
Ordinary High Water	Pertains to Section 404 jurisdictional stream channel boundaries
Project Specific Location	Related to work areas used by contractors for equipment and material storage, including batch plants and field offices
Section 402	Pertains to Texas Pollutant Discharge Elimination System (TPDES) storm

Description	Definition
	water permits, including CGP (SW3P) and MS4.
Section 404	Pertains to permits for certain impacts to waters of the U.S. (streams, wetlands, etc.) including Nationwide Permits (NWP) and Individual Permits (IPs)
Section 401	State Water Quality Certification

## 2.0 Purpose and Scope

This document provides a portable guidance document for completing Environmental Permits, Issues, & Commitments (EPICs) sheets. Completed EPIC Sheets are required documentation for the Project Scoping and Advance Planning and Development (AP&D) processes. The EPIC Sheet is a summary of resolved and unresolved environmental issues and commitments that must be included in all PS&E packages as part of a bid proposal. The EPIC Sheet should also be updated to show environmental issues that may arise during construction due to field changes.

## 3.0 Responsibility and Authority

The EPICs process shall be followed by Districts, Divisions, and Offices that are responsible for documenting the EPIC Sheet. The Project Design Engineer is responsible for ensuring that all relevant environmental permits, issues, and commitments are correctly communicated to the construction contractor.

Responsibilities of the Project Design Engineer include the following.

- Review the environmental review document or CE/BCE/PCE documentation and all permits and clearances to determine what requirements or restrictions apply to the project.
- Ensure the completeness of environmental permits, issues, and commitments and their inclusion in the PS&E package.
- Ensure the areas to be avoided during construction due to endangered species, wetlands, or for other reasons are clearly identified on the plan sheet(s).
- Ensure the Storm Water Pollution Prevention Plan (SWP3) and/or Construction General Permit requirements are clearly indicated and described.
- Ensure the District Environmental Coordinator reviews the draft EPIC Sheet for compliance with the environmental review document, PP commitments, permits, and other approvals and commitments.

The District Director of Transportation Planning and Development certifies that all environmental commitments have been incorporated into the PS&E and the EPIC Sheet.

## 4.0 Objective

The EPIC Sheet is used to summarize the special environmental requirements and restrictions related to permitted construction activity and the conditions and status of any permits. For example, it may depict areas to avoid during construction due to the presence of, but not limited to endangered species, migratory birds, and wetlands.

The EPIC Sheet may also include commitments made to the public, other entities, and regulators. These commitments may include, among others, the constructing of sound barriers or the preservation of historic bridge plaques. All stipulated conditions of any

permit must be met to prevent unnecessary project delays. All conditions shall be clearly outlined on the EPIC Sheet.

## 5.0 EPIC Sheet Process

Instruction	Guidance
EPIC Sheet Standard Last Revised: <b>(Date)</b>	
<p>Place the name of the Designer and Date the EPIC Sheet was prepared on the far left side of the EPIC Sheet.            (Example: Prepared by <u>(Name of Designer)</u> on <u>(Date EPICs prepared)</u>).</p>	<p>Never place an incomplete or inaccurate EPIC Sheet in the plans. If the environmental review document or CE/BCE/PCE documentation are not yet finally approved by TxDOT (or by FHWA, as applicable), indicate the status on the EPIC Sheet. The sheet will be completed when the environmental review document or CE/BCE/PCE documentation is finally approved,.</p>
Section I: Clean Water Act, Section 402, Texas Pollutant Discharge Elimination System	

Instruction	Guidance
<p>This section of the EPIC Sheet addresses CGP and MS4 Storm Water requirements for the project. Designers should know how much area will be disturbed for their project.</p> <p>The environmental review document, if one is prepared for the project, also has a section which typically describes the total disturbed area. This is usually found in the Water Quality, CGP and/or MS4 Section of the environmental review document.</p> <p>Contact the District Environmental Quality Coordinator for questions regarding storm water.</p> <p style="text-align: center;"><b>This section should <u>ALWAYS</u> include a <u>Required Action</u>.</b></p>	<p><b><u>If the project disturbs less than 1 acre, use the following statement:</u></b></p> <p>Action 1: The project disturbs less than one acre of surface area. The contractor is responsible for the PSL as defined in the <a href="#">Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges</a> (2004 Edition, Section 7.19.F, Page 55). The total disturbed acreage is the combined acreage to be disturbed on the project and the contractors PSL.</p> <p>This EPIC must be updated if the disturbed area increases to one or more acres during the course of construction (refer to following sections). It may become necessary to post a site notice and/or NOI for the project and/or PSL.</p> <p>Commitment 1: Refer to the SW3P Plan Sheet, BMPs, and Detail. It will address sweeping, chemical storage, sanitary waste, and all other management practices.</p> <p><b><u>If the project disturbs more than 1 acre, but less than 5 acres use the following statement:</u></b></p> <p>Action 1: The project disturbs more than one acre but less than five acres of surface area. The contractor is responsible for the PSL as defined in the</p>

Section I (Continued): Clean Water Act, Section 402, Texas Pollutant Discharge Elimination System

Instruction	Guidance
	<p data-bbox="857 247 1485 445"><a href="#">Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges</a> (2004 Edition, Section 7.19.F, Page 55). The total disturbed acreage is the combined acreage to be disturbed on the project and the contractor's PSL.</p> <p data-bbox="857 487 1485 655">This EPIC must be updated if the disturbed area increases to five or more acres during the course of construction (refer to following section). It may become necessary to post a site notice and NOI for the project and/or PSL.</p> <p data-bbox="857 697 1421 760">Identify all MS4 Permit holders that may be impacted by the project.</p> <p data-bbox="857 802 1469 1003"><b>Commitment 1:</b> Comply with TPDES CGP. TxDOT must post a Small Site Notice and send a copy to any non-TxDOT MS4 operator that receives discharge from the project. Refer to the SW3P Plan Sheet, BMPs, and Detail.</p> <p data-bbox="857 1075 1469 1180"><b>Commitment 2:</b> The contractor must stabilize the project site as stated in SW3P.</p> <p data-bbox="857 1222 1469 1285"><b>If the Project Disturbs <u>Five or More Acres of Soil</u>, Use the Following Statement:</b></p> <p data-bbox="857 1327 1485 1726"><b>Action 1:</b> The project disturbs five or more acres of surface area: TxDOT must file a NOI and coordinate with TCEQ for CGP. The contractor is responsible for the PSL as defined in the <a href="#">Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges</a> (2004 Edition, Section 7.19.F, Page 55.) The total disturbed acreage is the combined acreage to be disturbed on the project and the contractors PSL. This includes, as required, posting a site notice and NOI for the PSL.</p> <p data-bbox="857 1768 1421 1831">Identify all MS4 Permit holders that may be impacted by the project.</p>
Section I (Continued): Clean Water Act, Section 402, Texas Pollutant Discharge Elimination System	

Instruction	Guidance
	<p>Commitment 1: Comply with TPDES CGP. The project requires that a NOI and a Large Site Notice be posted. TxDOT must file an NOI with TCEQ and send a copy to any non-TxDOT MS4 operator that receives discharge from the project. Implement and maintain the SW3P. Refer to the SW3P Plan Sheet, BMPs, and Detail.</p> <p>Action 2: TxDOT must file a NOT for the project when final stabilization has been achieved.</p> <p>Commitment 2: The contractor must stabilize the project site as stated in the SW3P.</p>
<b>Section II: Clean Water Act, Section 401 and 404 Compliance</b>	
<p>This section of the EPIC Sheet addresses Nationwide Permits, Individual Permits, and Wetlands. Coordinate with the Advanced Planning and Development Environmental Specialist for questions regarding nationwide permits and impacts to waters or wetlands.</p> <p>The environmental review document, if one is prepared for the project, typically describes the impacts to waters and wetlands in the Water Quality Section. Full completion of this section of the EPIC Sheet is required when a nationwide permit is used, if an individual permit is obtained, or if any other 404 authorization is applicable (e.g. Letter of Permission).</p> <p>If waters of the U.S. are present on the project site but no 404 authorization is used, document the location of waters of the U.S. that must be avoided. If no 404 authorization is used and there are no waters of the U.S., document No Action Required on the EPIC Sheet.</p> <p>Do not list any BMPs in this section unless a 404 permit for impacts to waters of the US is used. <u>The BMPs listed in Section II are only for those applied under a nationwide permit.</u> If an IP is used, this section should be edited to include the unique Tier I or Tier II 401 certification BMPs</p>	<p>List any Nationwide Permits. For example:</p> <ul style="list-style-type: none"> <li>• NWP 14: Comply with general conditions of the permit; preconstruction notification to the Corps is required</li> <li>• NWP 3(a): Comply with general conditions of the permit; no preconstruction notification is required.</li> <li>• NWP 21: Comply with general conditions of the permit; no preconstruction notification is required.</li> </ul> <p>List the water being crossed or impacted, as well as the Station Number and Plan Sheet Number of those impacts.</p> <p>Also list any special circumstances: For example:</p> <ul style="list-style-type: none"> <li>• Do not cross the red fenced area</li> <li>• Avoid Wetland B etc.</li> </ul> <p>Also include what the nearest water of the US the project would discharge to, and the Station Number, if applicable. Note: Some projects do not cross jurisdictional water &amp; would not have a station number.</p> <p>For example: Pecan Creek, Station 150 + 00.</p>

Instruction	Guidance
and/or requirements. These items should not be confused with those associated with Section 402 BMPs.	Design is required to place the OHWMs on the bridge layout sheets and reference them on the EPIC Sheet.
<b>Section III: Cultural Resources</b>	
This section of the EPIC Sheet addresses any special circumstances associated with cultural resources, such as archeological or historic sites.	Refer to the Cultural Resource Section of the environmental review document, if one is prepared for the project, to determine if there are any special sites to be avoided during construction. Contact the Advanced Planning and Development environmental specialist for additional questions regarding cultural resources.
<b>Section IV: Vegetation Resources</b>	
This section of the EPIC Sheet addresses any special circumstances associated with vegetation, such as large trees to be avoided, or mitigation that will occur as part of the project.	<p>Refer to the Vegetation Section of the environmental review document, if one is prepared for the project, to ascertain if there are any special sites to be avoided during construction or if any compensatory or habitat mitigation will occur as a result of the project.</p> <p>Contact the District Environmental Coordinator for additional questions regarding vegetation resources.</p>
<b>Section V: Federal Listed, Proposed Threatened, Endangered Species, Critical Habitat, State Listed Species, Candidate Species, and Migratory Bird Treaty Act (MBTA)</b>	

Instruction	Guidance
<p>This section of the EPIC Sheet addresses any special habitat that may need to be avoided, lists any threatened or endangered species where habitat was observed and might be impacted within the project area, and lists any precautions such as nesting seasons for migratory birds.</p>	<p>Refer to the Biological Resources Section, Endangered Species Act Section and/or State Species of Concern Section of the environmental review document, if one is prepared for the project, to determine if there are any special considerations or commitments associated with any particular Species.</p> <p>Contact the District Environmental Coordinator for additional questions regarding Threatened or Endangered Species.</p> <p><u>Example of Special Notes:</u>  Between October 1 and February 15, the contractor would remove all old migratory bird nests from any structures that would be affected by the proposed project, and complete any bridge work/demolition and/or vegetation clearing. In addition, the contractor would be prepared to prevent migratory birds from building nests by utilizing nest prevention methods, such as bird-deterrent netting and bird-repelling sprays and/or gels, between February 15 and October 1. In the event that migratory birds are encountered on-site during project construction, adverse impacts on protected birds, active nests, eggs, and/or young would be avoided.</p>
<b>Section VI: Hazardous Materials or Contamination Issues</b>	
<p>This section of the EPIC Sheet addresses any previously identified high risk sites associated with hazardous materials that may be encountered during construction.</p>	<p>Refer to the Hazardous Materials Section of the environmental review document, if one is prepared for the project.</p> <p>Ensure bridge does not have asbestos and/or lead based paint for any bridges that will be repaired, widened or replaced. If found to have asbestos and/or lead based paint, document and address how will be handled as applicable.</p> <p>Contact the Hazardous Materials Spills Coordinator for additional questions regarding hazardous materials.</p>

Instruction	Guidance
<b>Section VII: Other Environmental Issues</b>	
<p>This section of the EPIC Sheet addresses any other environmental issues that may not have been covered in other sections. An example would be Sound Barriers (Noise Walls) associated with the project.</p>	<p>Contact Advanced Planning and Development Environmental Specialist for additional questions regarding noise.</p>
<b>Section VIII: Notes and Definitions</b>	
<p>More notes and definitions may be added as needed.</p>	<p>This may cause an additional sheet to be added as this Section does not exist on Standard EPIC Sheet. Reformatting of Standard EPIC Sheet, where Sections can be reduced due to lack of need, may occur as to keep all info on one sheet.</p>
<b>Road Construction Details</b>	
<p>Document road construction details in the bottom right of the EPIC Sheet.</p>	<p>This refers to the Title Block currently in the bottom right hand corner of the EPIC sheet page. Includes project information such as Highway Number, CSJ, etc.</p>

## 6.0 Records

Records shall be stored and maintained in accordance with TxDOT record control procedures.

Record Type	Storage Method	User
EPIC Sheet	Per TxDOT Process	Divisions and Districts

## Revision Control

Rev	Document Owner	Changes, Edits	Date	Approval
1	EMS	Initial document creation and revision	11/21/2011	Standing Committee on Environmental Management