

Governor Cost Share Project Guidance

When Right of Way is being acquired for Governor's Cost Share Projects the following procedures should be followed:

If any federal funds are used in any portion of the project, the normal process for environmental and right of way must be followed - regardless of on system or off system.

If a project is impacting an interstate or interstate ROW, the applicable District ROW staff will review the a-date/NTP documentation and process as well as the ROW clearance certification review and approval.

On-System Projects

1. Right of Way Plan Review will be minimal as the district LPA and Oversight ROW Consultant is making sure what was acquired is included on the plans.
2. Environmental; assuming state funded only, staff review on system with shortened resource list.

Floodplain, FEMA buyout, Stormwater, Land Disturbance, Socioeconomic, Haz Waste, T&E, and 404 wetlands/streams are the only resources reviewed. If a 404 permit is needed, the USACE becomes the federal lead and would do their own NEPA assessment. We only give all env cleared based on those resources, we do not give NEPA since we don't have a federal nexus. If there is problem identified during CE review – project will be stopped.

3. A-date/Notice to Proceed step: (Approved Right of Way Plans; approved NEPA and SHPO; Funding in the STIP/TIP is not required) There is no ADATE request since ROW cost should be covered by the agency
4. Acquisition process is a cursory review to ensure the uniform act was followed, which can be confirmed by the acquiring agency with an email/letter statement which states “The Uniform Act was followed for project _____”, along with verbiage stating, “the entity certifies that the ROW is clear.”
5. Right of Way Clearance confirmation will be issued via email.

Off-System Projects

1. The entity will provide a statement via letter/email that the uniform act was followed and that the ROW is clear. The statement should include that Right of Way Plans

were reviewed and approved by the LPA ROW oversight consultant, the entity received a Notice to Proceed with ROW Acquisition, and the Right of Way Clearance is reviewed and approved by the LPA ROW oversight consultant on _____ date.

- 2. Environmental requirements:** assuming state funded only, staff does not review off system at all but there are some exceptions such as applicant applied for MoDOT Cost Share or they already have MoDOT Cost Share.

When in question contact COROW and Environmental staff.