

**Notice for FHWA-funded projects that are assigned to DOT&PF
under the 327 NEPA Assignment Program**

The 327 Memorandum of Understanding (MOU) between DOT&PF and the Federal Highway Administration (FHWA) assigns FHWA's NEPA responsibilities to DOT&PF. As part of the assumed responsibilities, the MOU requires the following disclosure on each historic properties or cultural resources report prepared for projects under the NEPA Assignment Program. The disclosure is to be placed on the cover of the report where it is conspicuous to the reader:

The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by DOT&PF pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated November 3, 2017 and executed by FHWA and DOT&PF.

Attachment:

DOT&PF Statewide Environmental Office Guidance for Use of the 327 MOU Disclosure Language



Department of Transportation and Public Facilities Statewide Environmental Office

Guidance for Use of the 327 MOU Disclosure Language

The 327 Memorandum of Understanding (MOU) between DOT&PF and FHWA assigns FHWA's NEPA responsibilities to DOT&PF. As part of the assumed responsibilities, DOT&PF is required to include a disclosure of this assumption on all NEPA documentation prepared under the MOU. The notice must be displayed in a way that is conspicuous to the reader.

327 MOU Disclosure Language:

- The environmental review, consultation, and other actions required by applicable Federal environmental laws for this project are being, or have been, carried out by DOT&PF pursuant to 23 U.S.C. 327 and a Memorandum of Understanding dated November 3, 2017, and executed by FHWA and DOT&PF.

The disclosure language requirement is stated in Sections 3.1.2, 3.1.3, 3.2.5, and 3.2.6 of the 327 MOU. The complete 327 MOU is located at:

- http://dot.alaska.gov/stwddes/desenviron/assets/pdf/nepa/nepa_mouapproved.pdf

Documentation that requires inclusion of the disclosure language:

- Cover page of all Environmental Documentation, including:
 - o Categorical Exclusions
 - o Environmental Impact Statements
 - Record of Decision
 - o Environmental Assessments
 - Finding of No Significant Impact
- All agency outreach materials and transmittal documents
 - o Including all informal email correspondence, it is recommended to have an email signature for use only on FHWA 327 projects that includes the disclosure language
- All actions in accordance with DOT&PF public involvement procedures, including, but not limited to:
 - o Notice of Intent advertisements
 - o Public meeting notices
- Cover page of analysis reports prepared under the authority granted by the MOU, including, but not limited to:
 - o Biological evaluations and assessments
 - o Historic property and cultural resource reports
 - o Section 4(f) evaluations
 - o Traffic noise analyses
 - o Essential Fish Habitat Assessments

Please ensure that all templates used in preparation of the above materials include the appropriate language. For additional information or questions please contact any of the Statewide Environmental Office staff.