

ENVIRONMENTAL BULLETIN

A routine news bulletin to provide environmental related guidance to NDOT District Staff and Contractors.

FLOOD REPAIR ACTIVITIES AND STORMWATER PERMITS/EROSION CONTROL

Emergency flood related projects may require that NDOT apply for Construction Stormwater Permits for construction activities that exceed one acre of disturbance. Note that this only applies to the construction activity and not the actual flood impacts, as these areas can be drastically different. When a permit is required, NDEQ regulations allow that NDOT apply for the permit up to 30 days after construction has begun in emergency project situations. With this timeline, there will be cases where we are applying for a permit after the construction is complete. We are asking for the Districts' assistance in determining which sites are in excess of an acre along with the scope of the repairs, so we can determine which sites will require permits.

Regardless of if a project meets the acre threshold and qualifies for a stormwater permit or not, all emergency flood related projects need to be revegetated. Vegetation is imperative to the success of the project and will provide protection of the slopes against future storms. At a minimum, covercrop should be applied to all sites as a temporary measure. Most grading contractors are now equipped with broadcast seeding equipment and are able to apply the covercrop. For projects where permanent seeding can be applied, Carol Wienhold has prepared some standardized seed mixtures for each District. She has provided these to each of the District Environmental Coordinators for your use. If you feel that you need something more specific, contact Carol to discuss the situation.

For erosion control, we are anticipating a shortage of hay/straw in the eastern half of the state. We recommend considering Hydromulch or Erosion Control Blankets to help alleviate the shortage. Refer to the selection charts in Chapter 2 of the Drainage and Erosion Control Manual to assist with blanket selections. For hydromulches, Type HM2 can be applied to slopes flatter than 3:1 and HM3 for slopes steeper than 3:1. As with traditional projects, silt fences and silt checks may be considered to protect wetlands and waterways from the work areas.

Construction Division requests that costs associated with the re-stabilization work be captured for reimbursement.

If you have any questions regarding permitting or Best Management Practices for these sites, feel free to contact Ron Poe at (402) 479-4499.

FLOOD REPAIR ACTIVITIES AND 404 PERMITS

Construction activities that cause an impact to wetlands or channels are regulated under Section 404 of the Clean Water Act. Nationwide Permit #3 is commonly used by NDOT for maintenance and repair activities. Activities that are typically authorized by this permit include in-kind replacement of structures (i.e., bridge to bridge, culvert to culvert, roadway to roadway), grading ditches back to pre-flood conditions, removal of flood debris, and the use of temporary structures unless it is in the Missouri River. This permit generally does not require pre-construction notification to the U.S. Army Corps of Engineers (USACE); however, there are conditions that trigger notification. Notification to the USACE will be triggered by any maintenance or repair activities on the following waters:

Missouri River, Platte River, Loup River, Elkhorn River, Salt Creek (including tributaries), Rock Creek (including tributaries), Verdigre Creek, Niobrara River, Taylor Creek (including tributaries), Union Creek (including tributaries), Republican River, North Platte River, South Platte River, Middle Loup River, Dismal Creek, Big Creek, Long Pine Creek, Snake River, Calamus River, Brush Creek, Cunningham Creek, Squaw Creek, Solider Creek, and Middle Fork Soldier Creek. Notification to the USACE will also be triggered by any activity in Tribal Reservations: the Winnebago Reservation (Thurston and Dixon Counties), the Omaha Reservation (Thurston, Burt, and Cuming Counties), and the Santee Reservation (Knox County).

Activities which are NOT authorized under a NWP #3 include the use of cofferdams, the use of rip rap along a stream bank unless the rip rap is placed entirely in uplands, or major channel grading.

To see a complete list of the 2017 Nationwide Permits and General Conditions, click on the link below.

<https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/Nationwide-Permits/>

Please contact Dillon Dittmer (402-479-4411) in situations where you believe notification to the U.S. Army Corps of Engineers is warranted.

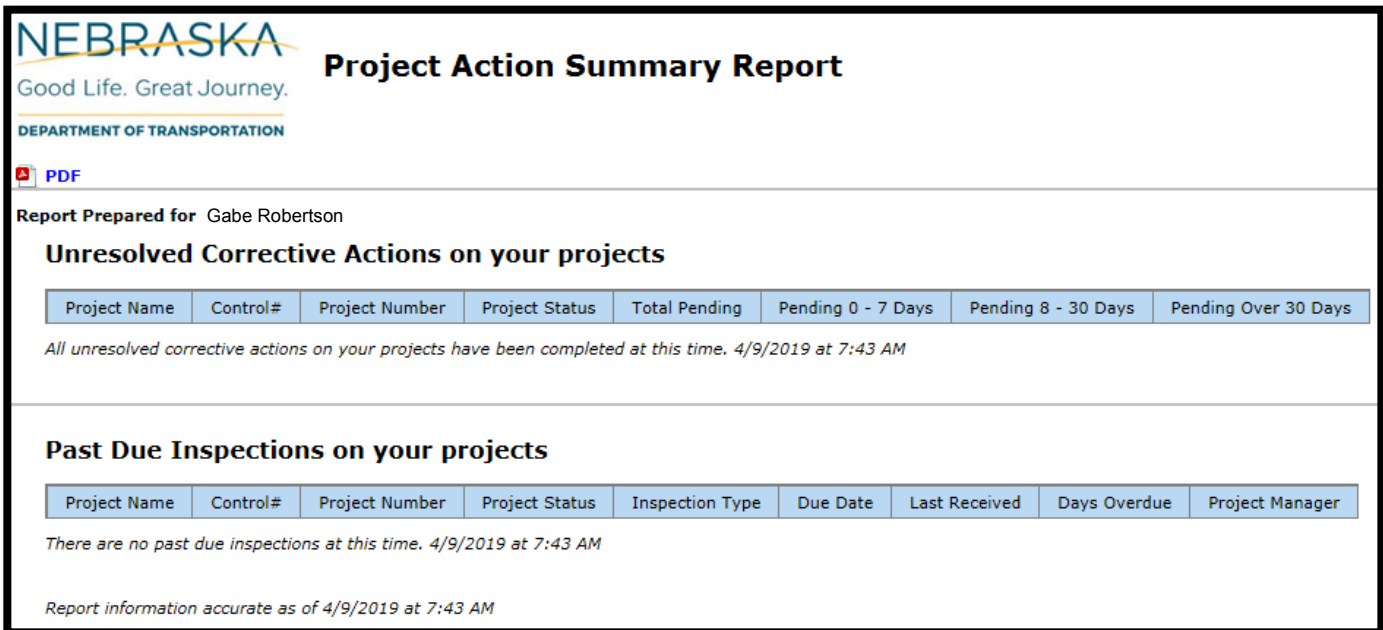


STORMWATER COMPLIANCE/ECODATABASE INSPECTIONS

1. Winter conditions have passed and active construction projects that have stormwater permits must be receiving SWPPP inspections every two weeks and after every rainfall event of 1/2 inch or greater. Corrective actions must be documented on the inspection report and addressed within 7 days or as stated on the inspection report.
2. Please continue using the “ECOD Inspection Summary” for guidance on required project inspections. If the project does not appear on your list, contact gabe.robertson@nebraska.gov.



3. After completing and distributing the inspection report, please ensure the Prime Contractor is listed as a recipient for the inspection report email.
4. Inspections must be submitted in ECOD within 24 hours of the field inspection.
5. Project Action Summary Report (Weekly Email Notice)
 - ⇒ Every Monday, NDOT Project Staff and Contractors associated with a construction project receive the “Project Action Summary Report.” This report details any pending corrective work as well as any past due inspections on projects you are associated with. If there is nothing listed under each section (example below) there are no current action items.



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