

Possible Permits Needed for Transportation Projects

Regulated Environmental Resource	Law, Executive Order, Statute or Regulation	Agency
Water Quality. Wetlands/Streams/Waters of US, including wetland impacts and erosion control	US Clean Water Act 404(b)(1), Section 401 (State Water Quality Certification from NDEE), Nebraska State Title NAC 117 Surface Water Quality Standards, Federal Executive Order EO 11990	USACE, NDEE
Drinking Water Quality	Safe Water Drinking Act, Nebraska §71-5301 etc.	NDEE/EPA
Air Quality	US Clean Air Act, Nebraska NAC Title 129	NDEE
Floodplain	EO 11988, Nebraska §31-1008 etc., Nebraska NAC Title 258, Local Ordinances	FEMA, NeDNR, Counties
Historical, Cultural Resources, Archaeology and Paleontology	National Historic Preservation Act Section 106, Nebraska §77-1385 etc. and §77-2901 etc.	SHPO/THPO
Fish and Wildlife Resources, including wetland impacts	Endangered Species Act Section 7, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, Fish and Wildlife Coordination Action, Nebraska Non-game and Endangered Species Act (30 species as of 2021)	USF&WS, USACE, NGPC
Hazardous Waste	National Resource Conservation and Recovery Act (RCRA) also known as the Solid Waste Disposal Act, Nebraska §81-1508 etc.	NDEE/EPA
Public Parks, Public Wildlife Areas and Refuges, Public Recreation Sites, Historic Bridges and Sites, etc.	Section 4(f) of USDOT Act (49 USC 303)	SHPO/THPO
Environmental Justice	Executive Order 12898	FHWA
Native American Graves Protection	Native American Graves Protection and Repatriation Act 43 CFR Part 10	NPS, FHWA
Farmland Protection	Farmland Protection Policy Act	USDA-NRCS, FHWA
Noise Abatement	FHWA 23 CFR Part 772	FHWA

- Environmental Protection Agency (EPA)
 - US Fish and Wildlife Service (USF&WS)
 - US Army Corps of Engineers (USACE)
 - Nebraska Game and Parks (NGPC)
 - Nebraska Department of Environment and Energy (NDEE)
 - Nebraska State Historic Preservation Office (SHPO)
- Tribal Historic Preservation Office
 - U.S. Coast Guard
 - US Department of Interior National Park Service (NPS)
 - US Department of Agriculture Natural Resources Conservation Service (USDA – NRCS)