



ENVIRONMENTAL BULLETIN

Summer (2014)

A quarterly news bulletin to provide project managers and district environmental staff with current permit requirements, training opportunities and other environmental related guidance.

ECO-DATABASE UPDATES

➤ Environmental Commitment – Checklist Events in SiteManager

We are beginning to phase out the requirement of the “Environmental Commitment – Checklist Events” in SiteManager. Project Managers will begin reporting environmental commitment inspections in ECO-Database (ECOD) only for all new projects going forward. For all current projects that are reporting in both areas (ECOD and SiteManager) please continue doing so until the project is complete. This should eliminate duplication of efforts going forward.

Please contact roy.leach@nebraska.gov if you have any SiteManager related questions.

➤ Printing ECOD Corrective Action Lists using the “Punch List” Feature

Several projects across the state have multiple environmental inspections being conducted on them by several different people such as project inspectors (Routine Environmental Inspection), headquarters staff (Environmental Audit) and District Environmental Coordinators (Environmental Compliance Oversight Inspection). When each of these inspections is completed an inspection report is generated along with a corrective action log if there are items to address. Something to keep in mind when you receive an inspection report is that the corrective action log on that report will not contain corrective actions from different inspection reports. For example, if you log one of your “routine environmental” inspections it will only contain previous corrective actions that have been identified on other “routine environmental” inspections for that project. It will not contain corrective actions that may have been noted on a “Compliance Oversight Inspection,” and vice versa.

If you would like to print a comprehensive list of all corrective actions for your project, you will want to use the “Punch List” feature. This option is located in your ECOD Inspection Tool and also in the corrective action link located in the notification email link that goes out to everyone after an inspection. The “Punch List” button will generate a comprehensive PDF of all pending corrective actions for the project, no matter which report type they were identified on. If you need some guidance on how to use the “punch list” feature, there is a simple “how to” document located on our stormwater webpage at:

<http://www.transportation.nebraska.gov/environment/docs/Punch%20List%20Feature.pdf>

Contact Information: Gabe Robertson – (402) 479-4685

ENVIRONMENTAL COMPLIANCE

➤ Corrective Actions and Rain Events

There have been several questions in the past few months related to the 7-day window for addressing corrective actions. The question is related to the following scenario which is quite common:

An inspector goes out and completes one of their routine inspections on the 1st of the month. There are 5 corrective actions identified that need to be addressed within 7 days. On the 5th, you get a ¾ inch rainfall and the corrective actions have not been addressed yet. The inspector goes out within 24 hours and completes a rain event inspection as required with a stormwater permit.

Question 1 – Should the inspector document the same corrective actions on the rain event inspection that were noted on the previous report since they have not been completed yet?

No, they have already been documented on the previous report and they are still listed as pending in the ECOD system. Previous corrective actions will carry over to the new report. Only new corrective actions should be documented if needed. No need to duplicate items.

Question 2 – Does the contractor get another 7 days to correct previously identified corrective actions since it rained?

No, corrective actions should be addressed within 7 days of when they were first reported. The permit does give you some flexibility if weather conditions prevent you from being able to perform the corrective work and this must be documented. So if it takes the contractor 9 days to complete the work because it has been too muddy then that must be noted in the comments box when you date out the corrective action in ECOD.

Please keep in mind that while the rainfall event may prevent you from cleaning out the silt fence, the contractor may be able to install a wattle or other sediment control BMP for additional protection until things dry out the silt fence can be maintained.

Question 3 – The 7 day requirement only applies to maintenance of BMPs and does not apply to installing new items correct?

We've had some confusion with this and the 14 day rule. Maintenance of existing BMPs and installation of new BMPs must be completed within 7 days if documented as a corrective action on an inspection report. Where the confusion occurs is in disturbed areas where grading has stopped and will not be worked again within 14 days. The stormwater permit requires that those areas have stabilization practices (temporary mulch, cat tracking, cover crop seeding etc.) initiated within 14 days. So technically these areas have 14 days to be stabilized and are not a corrective action until after the 14 days is up.

Contact Information: Roadside Stabilization Unit, 402-479-4499

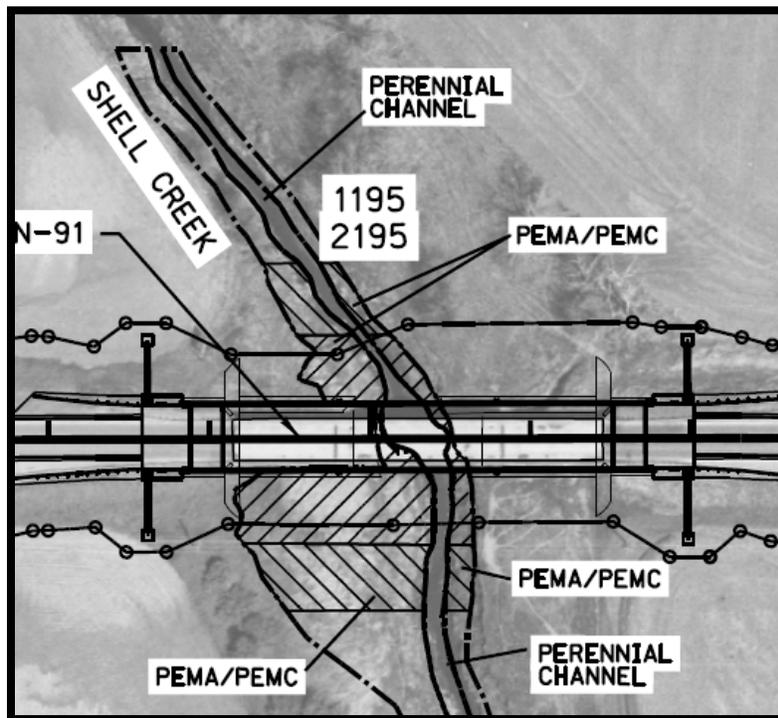
WETLANDS AND SECTION 404 PERMITS

➤ What's the difference between temporary impacts and permanent impacts?

Permanent – Impacts that would result in a permanent loss of wetlands due to fill or excavation. The areas that are permanently impacted on a project are used to determine if mitigation will be required.

Temporary – Impacts that will occur only for a short time, typically less than 6 months. These impacted areas need to be restored to preconstruction elevations. The area would be expected to return to a wetland once the permitted activity has been completed. Areas that were permitted as temporary impacts may be monitored by NDOR and the U.S. Army Corps of Engineers for compliance.

In the example shown below, there are permanent impacts for grading and placement of riprap directly adjacent to the bridge. The temporary impacts are due to the contractor's access crossing. At the completion of the construction activity, the temporary crossing will be removed to an upland site and impacted areas restored to pre-construction conditions and seeded with appropriate native vegetation.



LEGEND

-  LIMITS OF CONSTRUCTION
-  WETLANDS - DO NOT DISTURB
-  IMPACTED WETLANDS
-  TEMPORARY IMPACTED WETLANDS

Contact Information: Tony Ringenberg – (402) 479-4410.

THREATENED AND ENDANGERED SPECIES

➤ Mowing and Carrion Removal for American Burying Beetle



The American Burying Beetle (ABB) is a federally-listed endangered species that is found in Nebraska in the Sandhills and Loess Canyons areas. These areas cover NDOR Districts 3, 4, 6, 7, & 8. The ABB is one of the largest carrion beetles in the state. This species emerges from hibernation in Mid- to Late-May, when the soil temperatures begin to rise. The ABB is a nocturnal species, meaning they travel during the night and are buried in the ground during the day. At night, they fly around (sometimes up to 4.5-miles in a single night!) searching for a mate and feeding on carrion (dead critters). In the morning, they burrow into the soil for the day. The beetle feeds on a broad range of carrion that it can smell as far as 2-miles away

using olfactory organs of the antennae. ABB feed on carcasses of all sizes, but when it comes to choosing the right carcass for breeding, they are very selective and search for carrion the size of pheasant chicks or ground squirrels. During breeding, the pair of ABB find an adequately sized critter and bury it to keep other insects and scavengers from feeding on it. This typically occurs in early-July. An ABB pair can completely bury a carcass in just over an hour! They lay eggs in or near the carcass and then the parents remain with the underground nursery and care for the young. The family emerges again in late summer (early- to late-August). During early fall, new adults feed and eventually bury in the ground to hibernate over winter. The parents either winter after reproduction or perish, depending on their age.

Maintaining-Clear Activities (Mowing & Carrion Removal) as ABB Conservation Measures:

These activities should begin at least 2-weeks prior to the start of ground disturbing construction activities.

1. **Mowing** – The ABB buries itself typically in moist soils, often found in roadside ditches or on the side of road slopes. If this species buries in soil that is too dry, it will dry out during the day while buried, so they typically select moist soils covered with leaf litter or grass debris that will remain moist. By mowing for several days in advance of soil disturbing activity, it allows the soil to dry out and makes the area unattractive to beetles, therefore, keeping them from burying in the morning on the construction site. By creating an unattractive environment for the beetles, it decreases the chances of a buried beetle becoming crushed or killed during construction activities during the day.

TIP: Grass and vegetation should be kept as short as possible without causing erosion. In most areas, vegetation should be kept less than 8-inches tall. Residual vegetation after mowing a tall grass area should be removed using raking, windrowing or baling. If vegetation is kept 8-inches or less, residual vegetation from mowing does not need to be removed.

2. **Carrion Removal** – ABB breed on carcasses the size of birds and large rodents, but will feed on any available food source. All carcasses should be removed, beginning 2-weeks prior to construction start and kept clear daily until September 15 or construction is complete (whichever is earlier). Disposal of carcasses should be at least 0.5-miles from the project site.

TIP: Carcass removal can be done at any time throughout the day, but the preferred timing is late afternoon. This will ensure that the night-active ABB is not drawn to the area by road-kill caused by daytime traffic.

3. **Photo Documentation and Reporting** – Documenting the maintain-clear activities through ECOD reporting and attached photos are in the best interest of the project and NDOR! The U.S. Fish and Wildlife Service and Nebraska Game and Parks Commission request that photographs be included of the mowed areas and carrion that is removed in the weekly reports.



TIP: These reports, with photos, are documenting NDOR and the Contractor’s due diligence to avoid harming ABB (Protected Species under Endangered Species Act). If a project ever is accused of “taking” ABB, these reports and photos may be vital evidence that NDOR and the Contractor were doing everything within our power to avoid impacts to ABB.

For questions on this species or the associated conservation conditions, please contact Melissa Marinovich – State Projects (Melissa.marinovich@nebraska.gov) or Zach Cunningham – Local Projects (zach.cunningham@nebraska.gov).

UPCOMING TRAINING

➤ Erosion Control Training

The NDOR Erosion and Sediment Control for Inspectors training courses are summarized below. Please note that the Online Certification is now also available on the UNL-LTAP website.

The following summarizes available erosion control training courses. To view and register for upcoming classes, please visit the LTAP website at: <http://ne-ltap.unl.edu/erosion-control>

Training Class	Location	Date/Time
NDOR Erosion and Sediment Control Basics for Inspectors (Certification Class)	Lancaster County Extension Center, Lincoln	August 12, 8:30 am – 3 pm

Contact Information:

Ron Poe – (402) 479-4499

Nathan Hoeckelman; UNL-LTAP – (402) 472-0976

Course information is also available on the LTAP website at:

http://www.ne-ltap.unl.edu/erosion_control.html