

A. OVERVIEW

The Nebraska Department of Transportation (NDOT) entered Categorical Exclusion (CE) Assignment pursuant to 23 USC 326 on September 5, 2018. The Consultant will assist NDOT with environmental services to be completed in accordance with Nebraska Categorical Exclusion Guidance and applicable NDOT technical resource guidance or procedures found at <https://dot.nebraska.gov/projects/environment/pubs/docs/>. Environmental services must be completed in accordance with all applicable local, state and federal laws and regulations. In the event the NEPA classification elevates from a CE to an Environmental Assessment (EA) or Environmental Impact Statement (EIS), NDOT reserves the right to terminate the Environmental task order under this contract. The consultant shall demonstrate experience and expertise in the following environmental disciplines:

1. Preparation and Re-Evaluation (as applicable) of the required CE documentation using the NDOT CE Smartform.
2. Section 4(f) Determinations in accordance with NDOT's Guidance for Completing the Section 4(f) Review Process in Nebraska for Federal-Aid Projects.
3. Hazardous Materials Reviews and Site Assessment in accordance with NDOT's Hazardous Material Review Guidance Manual.
4. Threatened and Endangered Species Reviews in accordance with the *Biological Evaluation Process (Matrix) for Federal-Aid Transportation Program in Nebraska* and other applicable Biological Surveys and Assessments
5. Other related environmental services for the assessment of project impacts and appropriate agency coordination including, but not limited to the following: 1) Section 6(f) of the Land and Water Conservation Fund Act; 2) Prime and Unique Farmlands (Farmland Protection Policy Act); 3) Wild and Scenic River Act, 4) Floodplain Permitting, 5) Socioeconomic studies, and 6) Environmental Justice assessments.
6. Wetland and Water Resource Delineation and Permitting;
 - a. Wetland Delineation to be completed in accordance with NDOT guidance and the [USACE 1987 Wetland Delineation Manual](#) and appropriate Regional Supplements;
 - b. Wetland and Water Resource Permitting to be completed in accordance with Section 401 (State Water Quality Certification) and Section 404 of the Clean Water Act, Nationwide and Individual Permit procedures, and/or NE State Title 117;
 - c. Tasks may include the following:
 - 1) Preparation of Wetland and Water Resource delineations using [USACE 1987 Wetland Delineation Manual](#) and appropriate Regional Supplements. Wetland and Water Resource delineations shall also follow the NDOT Wetland and Water Resource Procedure Document.
 - 2) Preparation and acquisition of Preliminary or Final Jurisdictional Determination documentation for USACE review, concurrence, and approval. The Consultant

- will submit this documentation for the review and approval by the NDOT prior to USACE submittal.
- 3) Prepare Nationwide Permit (NWP) Pre-Construction Notification (PCN) and acquire project authorization from the USACE.
 - 4) Prepare Individual Permit (IP) application and acquire 404 permit approval; Prepare Section 404(b)(1) alternatives analysis and sequencing demonstration; Prepare USACE permit decision documentation if required.
 - 5) Coordinate and acquire Section 401 Water Quality Certification and/or State Title 117 (NE Surface Water Quality Standards) signoff/approvals from the NDEE as appropriate.
 - 6) Coordinate and attend pre-application meetings as required.
 - 7) Additional Services associated with 404 permit acquisitions that may be required on a limited basis including: USACE Section 10 authorization acquisition, coordination and acquisition of US Coast Guard permits, floodplain permit acquisition, coordination and acquisition of Section 401 Water Quality Certifications from the EPA (tribal lands).
7. Wetland and Stream Mitigation Design and Monitoring, to include the following:
- a. Develop mitigation site suitability reports to identify potential onsite mitigation or mitigation bank site opportunities addressing existing and potential wetland and/or stream channel site characteristics.
 - b. Develop conceptual and/or final mitigation site grading plans and written mitigation site plans in conjunction with NDOT and appropriate resource agencies, NPO's and landowners.
 - c. Perform mitigation site monitoring using approved NDOT/USACE methods to include routine small site methods and large site transect methods.
8. Floodplain Permitting and agency coordination (may include Letters of Map Revision).
9. Water quality assessment, coordination and permitting associated with the National Pollutant Discharge Elimination System (NPDES) under Section 402 of the Clean Water Acts, and/or NDOT's Municipal Separate Storm Sewer System (MS4) program.

B. QUALIFICATIONS, KNOWLEDGE AND EXPERIENCE

1. NEPA/CE Documentation
 - a. The Consultant shall demonstrate experience and efficiency in preparation and coordination of CE documentation for the Nebraska Transportation program. The consultant's Principal Author shall demonstrate continued training and education specifically associated with NDOT environmental guidance manuals and programmatic agreements.
 - b. The Consultant team must demonstrate Training and/or Experience with NDOT processes and guidance for the following: Historic Properties Assessment and Section 106 Coordination, Section 4(f) Coordination, Hazardous Materials Evaluation, Threatened and Endangered Species Survey and Evaluation, Public Involvement Plan Development and Coordination, and Social/economic evaluation.

2. Wetland and Water Resource Permitting
 - a. The Consultant's wetland scientist must meet [NDOT's definition of "Qualified Scientist."](#)
 - b. The Consultant's wetland scientist must also have experience in Nebraska with proficiency in wetland delineation/wetland monitoring principals and Section 404 permitting experience with the USACE Nebraska Regulatory office.
 - c. The Consultant must demonstrate experience in the fundamentals of wetland mitigation site planning, design and development.
3. The Consultant must demonstrate high level knowledge of transportation engineering concepts, transportation planning, and technical writing.
4. The Consultant must demonstrate an effective Quality Assurance and Quality Control program that has resulted in minimal repeat field work and document resubmittals.

C. SOFTWARE AND EQUIPMENT REQUIREMENTS

1. The Consultant must have Google Chrome web browser to complete the CE Smart Form using NDOT's NE-CE web-based application.
2. Consultant shall employ the use of a GPS unit capable of achieving sub-meter accurate data (differentially corrected). All geospatial data shall be post-processed to correct GPS data inaccuracies, compile all required information in the State geodatabase attribute tables, and checked for completeness, accuracy, and conformance to State data standards. Specific post-processing methods are dependent upon the applied software application. Commonly applied (and acceptable) software applications include Trimble® GPS Pathfinder® Office and ESRI's ArcPad® GPSCorrect® GPS Analyst®.

D. EXPECTATIONS FOR THE DELIVERABLES

1. The CE document must conclude with the NDOT CE Smartform, complete with required attachments, signed by the Consultant Principal Author. All technical documents generated by the Consultant must be in Microsoft Office and/or Adobe Acrobat formats. The final CE documentation submittal must include supporting attachments and file data. The Consultant must submit documentation of QA/QC review by a qualified NEPA Principal Author.
2. State funded projects will be supported through generation of technical specialty reports as outlined in Section 1. All technical documents generated by Consultant must be in Microsoft Office and/or Adobe Acrobat formats. The Consultant must submit documentation of QA/QC review by a qualified technical specialist.
3. All technical specialty reports and studies must conclude with a report and executive summary suitable to support the project environmental document.
4. Consultant will submit all geospatial data in the State's GIS Geodatabase (.mdb or .gdb). Coordinate system projections for all submittals shall be NAD 1983 State Plane Nebraska FIPS 2600 (Feet). The submittal will include a completed attribute table with relevant information, such as wetland name and type, for each feature.
5. The Consultant shall conduct on-site visits required to support all environmental studies, assessments, evaluations and permitting actions. All documents must be presented to NDOT for review, comment, and approval. NDOT reserves the right to make all decisions

concerning the conclusions, findings and recommendations of the documents created by Consultant.

6. As applicable, plans, permits, studies and other documents provided by the Consultant will be incorporated into State project plans and/or used to obtain environmental clearances as needed to bid and construct State projects.