



ENVIRONMENTAL BULLETIN

A routine publication providing environmental-related guidance to NDOT District Staff and Contractors



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Upcoming Training

- Winter Environmental Roundtables—January/February 2027

Environmental Compliance: What Field Staff Need to Know

Corrective Actions & Erosion Control Mobilization Overview (Spec 115)

Environmental compliance is a core contract requirement. Specification 115 lays out how NDOT evaluates performance, what happens when issues arise, and how contractors can earn payments or incur disincentives based on their responsiveness in the field.

Standard Corrective Actions

Contractors have **7 days** to fix items noted in an Environmental Inspection Report unless the Engineer grants a time extension. These actions include:

- ◆ Installing or maintaining erosion and sediment controls
- ◆ Cleaning up sediment tracked or discharged off site
- ◆ Managing litter, debris, or chemicals so they don't become pollutants
- ◆ Stabilizing disturbed areas left inactive more than 14 days
- ◆ Removing sediment from basins, traps, or fences once capacity is reduced by half

Immediate Corrective Actions

These require work to begin immediately and must be resolved within **48 hours**. Examples include:

- 💧 Any operation that harms threatened or endangered species or their habitat
- 💧 Impacts to wetlands, Waters of the U.S., recreational 4(f) areas, or sensitive sites
- 💧 Sediment discharges to waterbodies or wetlands
- 💧 Unauthorized channel crossings or wetland filling
- 💧 Hazardous material spills
- 💧 Violations of Migratory Bird requirements
- 💧 Discovery of cultural or archeological artifacts

If site conditions (weather, soils, etc.) prevent timely installation, the Engineer may grant a Corrective Action Time Extension—but approval is not guaranteed.



Blocking the flow of water at a temporary channel crossing would be an Immediate Corrective Action on a project



Environmental Deficiency

If corrective actions aren't completed on time, the issue becomes an Environmental Deficiency. The Engineer shall notify the contractor in writing when an Environmental Deficiency occurs. At that point:

- ⚠️ NDOT may issue disincentives
- ⚠️ NDOT may suspend work
- ⚠️ NDOT may perform the work itself and charge the contractor
- ⚠️ Progress payments may be withheld



Environmental Disincentive

A financial disincentive of \$1,000 per calendar day may be assessed for each inspection report that contains unresolved corrective actions.



Erosion Control Mobilization

For projects with Construction Stormwater General Permits, the contractor can earn payment for Erosion Control Mobilization when:



All corrective actions from a Storm Event Inspection are resolved within the approved timeframe



No unresolved deficiencies exist from previous inspections



The corrective actions are not solely “Good Housekeeping” items

Failure to meet deadlines results in forfeiture of this incentive and may result in an Environmental Disincentive being applied.

Temporary Seeding vs. Cover Crop Seeding—BMP Highlight

With winter conditions quickly approaching, it is important to keep in mind the BMPs that can be utilized on projects that will help with stabilization heading into the season. The two BMPs that can be used are cover crop seeding and temporary seeding. Utilizing either of these this fall to get areas buttoned up for winter will set the project up for success when things thaw out this spring. But keep in mind that as fall progresses and ground temps get too low, the seed won't germinate. Mulches and perimeter controls will become more important to protect the site going into winter.

But...what's the difference? Both BMPs have their own practical uses and differ in the ways they are applied on projects (see below). You can find additional details on these BMPs in Section 802 (Cover Crop Seeding) and Section 803 (Temporary Seeding) in the NDOT spec book.

Reminder—utilize perimeter control BMPs, like silt fence or silt checks, to protect discharge points until vegetation can establish!

Temporary Seeding



What is it?

Cover crop seed + hydromulch = Temporary Seeding



Application

A slurry mix hydraulically applied
 • Forms a 'crust' over the soil adding additional protection until seed can germinate



BMP Scenarios

- Embankments or cuts
- Stockpiles of soil
- Channel banks
- Wet areas
- Inaccessible areas by tractor



Cover Crop Seeding



What is it?

Bare seed — annual species, can be oats, winter wheat, annual ryegrass, or foxtail millet



Application

Use a tractor plus a broadcast or drill seeder



BMP Scenarios

- Phased construction areas (temporary roads, shooflys, etc.)
- Surcharge Areas
- Disturbed areas that have not yet been permanently seeded
- Stockpiles of soil
- If applying before frozen conditions, utilize 'Temporary Mulch' as vegetation is not likely to establish and you'll need some type of ground cover



Good Housekeeping Tips & Tricks

Good housekeeping practices play a big role in keeping sites organized and reducing runoff issues. They are also one of the most common items regulators look at during inspections, making consistent housekeeping a simple way to maintain compliance. Here are some quick, practical tips to help keep projects in compliance.

• Know Your Site Restrictions

Familiarize yourself with "Restricted Use Areas" and "Sensitive Areas" on the project. These can be found in the J-Sheets and E-Sheets, respectively. These can be easily staked out with wooden lathe for easy spotting.

• Protect Staging Areas

Incorporate staging areas into your regular inspections to make sure materials, equipment, and stockpiles are stored properly and away from drainages.

• Stay Ahead of Weather Changes

With shifting weather conditions, particularly in the fall and winter, verify that any slopes, channels, or exposed areas have the appropriate BMPs installed before storms or freeze-up.

• Inspect Containers for Leaks

Check drums, tanks, and small containers regularly for wear or seepage. Replace damaged containers right away.

• Hazardous Material Management

Ensure spill kits are stocked and accessible near fueling or storage areas. These also come in handy near bridge locations.

District Showcase



Silt fence is a great BMP to use at stockpile and staging areas to keep areas tidy, contained, and help capture any potential runoff



Covering smaller stockpiles with plastic sheeting and utilizing silt checks as a secondary BMP is a great sediment control strategy



Transition mat, erosion control blankets, and silt checks



Silt checks work well to help protect establishing slopes from erosion, especially behind guard rail areas



Permanent seeding phased into a project. Backslopes were seeded first, followed by ditch and foreslopes at a later time



Great surface prep for erosion control blankets. This ensures blanket to soil contact to protect seed and prevent undercutting, rilling, and blanket tenting.

NDOT Erosion and Sediment Control Training Course Guidance

NDOT Erosion and Sediment Control INSPECTOR CERTIFICATION

The NDOT Erosion and Sediment Control Inspector Certification is currently being offered in an online format only. To obtain your new inspector certification please complete both the “Inspector Re-Certification” and “Installer Certification” courses described below.

Participants who successfully complete these courses are awarded a five-year inspector certification and can conduct construction stormwater site inspections on NDOT projects.

NDOT Erosion and Sediment Control INSPECTOR RE-CERTIFICATION Course

Inspector re-certification can be obtained online by accessing the UNL-LTAP training website. This online course provides previously certified and new inspectors (new inspectors must also complete the installer course) a convenient way to re-certify for five years. The course is designed for NDOT construction site operations, supervisors, and managers who will be conducting or assisting with construction stormwater site inspections.

Course Link: <https://www.ltap.unl.edu/assnfe/searchcourses.asp?csKeyword=erosion>

NDOT Erosion and Sediment Control INSTALLER CERTIFICATION Course

This online course is designed for NDOT construction site operators, supervisors, and technicians who will be installing or maintaining erosion and sediment control best management practices (BMPs) on NDOT construction sites.

Participants who successfully complete this course are awarded a five-year installer certification and can install and/or maintain erosion and sediment control BMPs on NDOT projects.

Course Link: <https://www.ltap.unl.edu/assnfe/searchcourses.asp?csKeyword=erosion>

Updated Erosion & Sediment Control Inspector Certification

NDOT is preparing to launch our **new Erosion & Sediment Control Inspector Certification Training** through the **Workday Training System**, targeted for release in **2027**. This updated course replaces the current certification process delivered through **UNL-LTAP**, meaning NDOT staff will no longer need to access LTAP for inspector certification once the new training goes live.

The new training package includes:

-  Updated content aligned with current NDOT stormwater, erosion control, and BMP standards
-  Improved slides and visuals developed specifically for online learning
-  Streamlined modules built for easier navigation and better comprehension
-  Direct integration with Workday to simplify tracking, renewal, and supervisor verification

We’re excited to bring this training in-house, modernize our content, and make certification easier and more accessible for staff across the state. Additional details, including course launch dates and enrollment instructions, will be shared as we move closer to 2027.

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Reach out to us for environmental compliance assistance.