Chapter 1
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Chapter 1
ORGANIZATION

1.1 OVERVIEW

1. Preconstruction Responsibilities.

- complying with the National Environmental Policy Act (NEPA) process, including preparing and processing Categorical Exclusions (CE), Environmental Assessments (EA) and Environmental Impact Statements (EIS);
- completing environmental studies, documentation and coordination for permits and clearances;
- determining mitigation measures for environmental impacts from NDOT projects and ensuring they are included in project Construction Contract Documents; and
- arranging, advertising and conducting public involvement activities in accordance with NDOT policies and Federal-aid project requirements for projects processed under NEPA.

2. Construction and Maintenance Responsibilities.

- responding to public complaints (e.g., traffic noise, dust);
- providing oversight on mitigation measures and environmental commitments during construction;
- obtaining permits and clearances for materials sites; and
- ensuring environmental compliance regarding NDOT maintenance activities.

3. Water Quality

- Handled by NDOT’s Stormwater Division (including Section 404 permits, Section 401 permits, and general stormwater permits). See NDOT Stormwater Program for more information.

1.2 ENVIRONMENTAL SERVICES DIVISION ORGANIZATION CHART

The Environmental Services Division is part of the Engineering Office and includes three Sections, as follows:

- Cultural Resources Section
- Environmental Studies Section, and
- Environmental Engineering Section.

Figure 1-A presents the organization of the Environmental Services Division.
Figure 1-A — ENVIRONMENTAL SERVICES DIVISION ORGANIZATION
1.3 ENVIRONMENTAL SERVICES DIVISION RESPONSIBILITIES

1.3.1 Environmental Services Division Chief

The Chief of the Environmental Services Division is responsible for the leadership and management of the three Sections in the Division. The Environmental Services Division Chief also has the following functional responsibilities:

- serves as the primary contact with the FHWA, the regulatory and resource agencies, the NDOT Divisions, the public, local agencies and other public entities on environmental matters;
- in consultation with the FHWA, makes the decision on level of environmental documentation required;
- reviews, approves and signs environmental documents for the NDOT;
- reviews and approves public involvement/information plans, meeting advertisements, meeting documentation and handouts, and response to comments;
- makes decisions on when to use consultants to assist with the environmental program;
- schedules, prioritizes, assigns and manages the environmental program for the NDOT; and
- represents the NDOT on committees for environmental issues.

1.3.2 Cultural Resources Section

The Cultural Resources Section is responsible for ensuring that NDOT projects comply with Federal and State requirements regarding protection of cultural resources (i.e., significant historic, architectural, archaeological and paleontological resources) and consultation and coordination with Native American Tribes (see Chapter 15), including:

- Section 106 of the National Historic Preservation Act (see Chapter 7);
- Section 4(f) (see Chapter 8); and
- Executive Order 13084 on Consultation and Coordination with Indian Tribal Governments (see Chapter 15).

Shared responsibilities of the Section include the following:

- ensuring Section 106 compliance for projects, material sites, right-of-way and maintenance activities (e.g., slope flattening) and Section 4(f) compliance for projects involving use of land from a significant historic site;
- conducting field surveys and performing field work;
- writing and submitting cultural resource reports and survey reports;
- coordinating with Federal agencies as necessary regarding Section 106 compliance (e.g., US Army Corps of Engineers); and
- providing oversight and monitoring during construction;
• attending internal and external meetings (e.g., for NDOT projects and with outside entities/project proponents requiring an FHWA permit);
• serving as a liaison with the State Historic Preservation Officer (SHPO) and Tribal Historic Preservation Officers (THPO);
• for actions on Bureau of Land Management (BLM) and US Forest Service (USFS) land, submitting a cultural resources report to BLM and/or USFS and consulting with the SHPO;
• for actions not on BLM or USFS land, preparing letters to FHWA explaining legal issues involved with SHPO coordination;
• participating in project public involvement activities and attending internal and external meetings (e.g., on NDOT projects and with outside entities/project proponents requiring FHWA permits); and
• reviewing project construction plans and special provisions, as needed.

1.3.2.1 Chief Archeologist

The Chief Archeologist oversees the operations of the Section, directs and manages the compliance program for Section 106 (and Section 4(f) for projects involving use of land from a significant historic site) and writes, reviews and approves NEPA documentation content on cultural resources issues. In addition, the Chief Archeologist is responsible for the overall cultural resources project management including task assignment and staff coordination, monitoring Federal and State regulations for future changes and review and approval of project plans and special provisions, as needed. For more information on the project development process, see Chapter 2.

1.3.2.2 Cultural Resources Specialists

In addition to the shared responsibilities listed in Section 1.3.2, the Cultural Resources Specialists have the following additional position-specific responsibilities:

• managing projects;
• writing, reviewing and approving NEPA document content on cultural resource issues;
• coordinating requests for determination of eligibility for the National Register of Historic Places (NRHP);
• participating in the preparation of Memoranda of Agreement (MOA) for the Section 106 process;
• cultural resources compliance for materials sites;
• managing consultant agreements and related work products;
• architectural and historical issues; and
• Native American consultation and coordination.
1.3.3 Environmental Studies Section

The Environmental Studies Section is responsible for ensuring NDOT projects comply with Federal and State requirements applicable to the natural and human environment regarding:

- NEPA;
- Endangered Species Act (Section 7 and Section 10) compliance (see Chapter 10);
- migratory birds (see Chapter 15);
- State protected plants and animals;
- invasive species and noxious weeds (see Chapter 15);
- NEPA compliance and permits/clearances for materials sites (see Chapter 11);
- farmland protection (see Chapter 15);
- socio-economic issues and Environmental Justice (see Chapters 9 and 16);
- use of land from properties subject to Section 4(f) (see Chapter 8);
- conversion of land acquired or improved with funding under Section 6(f) of the Land and Water Conservation Fund Act (LWCF) (see Chapter 15);
- assessment and documentation of indirect and cumulative impacts;

1.3.3.1 Environmental Services Manager

The Environmental Services Manager is responsible for the management of the Section, including project administration, coordinating the preparation EAs and EISs, review and approval of environmental documents, oversight of the public involvement program and monitoring State and Federal transportation and environmental regulations for changes affecting NDOT projects (see Chapter 2).

1.3.3.2 Environmental Scientists (Biology)

In addition to the shared tasks listed in Section 1.3.3, the Environmental Scientists for Biology have the following position-specific responsibilities:

- conducting plant animal and noxious weed surveys and Section 7 and 10 Endangered Species Act consultations;
- responding to tortoise issues and conducting tortoise training;
- obtaining incidental take permits (e.g. for “taking” protected plants and animals);
- representing NDOT on statewide or regional boards;
- serving as the liaison with the BLM, USFS, and other federal land managing agencies regarding biological issues;
- coordination regarding protected and sensitive plant and animal species;
- coordinating and oversight for implementation of mitigation measures and environmental commitments;
- preparing environmental content for inclusion in NEPA documents (see Chapter 3, Chapter 4 and Chapter 5);
- reviewing CE, EA and EIS documents (see Chapter 3, Chapter 4 and Chapter 5);
• preparing or reviewing consultant estimates (man-hours);
• monitoring the Washoe and Carson City Wetlands;
• working with the Maintenance Division on compliance issues;
• serving as a liaison with noxious weed groups; reviewing project construction plans and special provisions; and
• managing consultant agreements and related work products.

1.3.3.3 Environmental Scientist (Social, Economics, NEPA)

In addition to the shared tasks listed in Section 1.3.3, the Environmental Scientist for Social, Economics and NEPA is responsible for the following:

• writing, compiling NEPA documents and coordinating the NEPA process;
• conducting socio-economic analyses and preparing NEPA documentation on socio-economic issues;
• ensuring compliance with requirements of Executive Order 12898 on Environmental Justice and other FHWA Environmental Justice policies and guidance;
• reviewing and commenting on environmental documents (i.e. EA and EIS);
• coordinating Division’s reviews and responses to Local Planning Agency (LPA) projects;
• coordinating public involvement plans and participating in public involvement meetings and hearings;
• serving on Technical Advisory Committees to provide expertise on socio-economic and NEPA issues;
• preparing Section 4(f) documentation and evaluations;
• reviewing project plans and special provisions; and
• coordinating the NDOT material site environmental clearance process.

1.3.4 Environmental Engineering Section

The Environmental Engineering Section is responsible for ensuring that NDOT projects comply with Federal and State requirements regarding:

• NEPA;
• Stewardship and Oversight Certification;
• Right-of-way disposal;
• Occupancy & Encroachment Permits;
• air quality (see Chapter 12);
• traffic noise (see Chapter 13);
• hazardous materials (see Chapter 14); and
• naturally occurring asbestos and erionite (NOA/E) (see Chapter 17).
1.3.4.1 Environmental Engineering Manager

The Environmental Engineering Manager administers the Section; has Divisional signatory authority; composes, reviews and approves environmental documentation; coordinates the preparation and issuance of CEs required by NEPA; ensures NEPA compliance through certification allowing funding; coordinates the Divisional review and approval of occupancy and encroachment permits; coordinates Divisional review and NEPA compliance for right-of-way disposals; composes policy and interagency agreements for the Section, Division, and Department; and monitors Federal and State laws and regulations on air quality, traffic noise, hazardous materials, and NOA/E, for changes affecting NDOT projects, operations, and properties.

1.3.4.2 Hazardous Materials Engineers

The Hazardous Materials Engineers are responsible for four main functions:

- conducting project-related activities,
- resolving emergency-related issues,
- providing district support, and
- performing NEPA-related activities.

The specific responsibilities of the Hazardous Materials Engineers include:

- ensuring compliance for regulatory aspects of hazardous materials;
- assisting in ensuring compliance with Occupational Safety and Health Administration (OSHA) requirements for worker protection;
- providing support/monitoring and notifying the proper agencies regarding highway spills;
- writing and reviewing hazardous materials sections for NEPA documents;
- performing asbestos surveys of structures and arranging asbestos abatement;
- protecting NDOT from liability associated with contamination/contaminated properties;
- supporting District operations involving hazardous materials;
- assisting with project investigations for hazardous materials;
- inspecting NDOT maintenance facilities and monitoring contamination from equipment wash pads;
- providing support to Districts for their Underground Injection Control Permit Program;
- managing consultant agreements and related work products;
- participating in ongoing training activities; and
- reviewing construction plans and writing/reviewing specifications and special provisions.

1.3.4.3 Naturally Occurring Asbestos and Erionite Engineer

Specific responsibilities of the NOA/E Engineer include:

- producing and maintaining GIS database for NOA/E within Nevada relative to NDOT;
preparing and reviewing plans and reports;
conducting and overseeing sampling; and,
addressing internal and external inquiries.

1.3.4.4 Air Quality Engineer

Specific responsibilities of the Air Quality Engineer include:

• managing activities for modeling emissions levels for conformity with air quality standards using the state-of-the-art and approved computer programs;
• ensuring projects meet air quality regulation requirements;
• tracking changes in air quality regulations, technology and research;
• writing and reviewing air quality technical reports and sections for NEPA documents;
• representing NDOT with State and local environmental agencies regarding air quality issues;
• responding to complaints concerning project construction and maintenance;
• participating in conformity determinations and ensuring projects are part of a conforming plan;
• participating in ongoing training activities; and
• reviewing construction plans and special provisions.

1.3.4.5 Traffic Noise Engineer

Specific responsibilities of the Traffic Noise Engineer include:

• responding to traffic noise complaints;
• performing project traffic noise computer modeling;
• determining sizing and location of noise abatement barriers;
• conducting post-construction traffic noise monitoring to determine the effectiveness of noise abatement measures;
• preparing traffic noise analyses, technical reports, and sections for NEPA documents;
• providing traffic noise expertise at project public involvement meetings and workshops;
• keeping abreast of traffic noise training, technology, noise wall materials, noise research information, etc.; and
• reviewing construction plans and special provisions, as necessary.