Section 4(f) *De Minimis* Form

May 20, 2015

Project Name	Project Number
Ralston Viaduct	NH-85-2(111)

Control No.	Project Location (Town, County, Street)
22203	City of Ralston, Douglas County, Nebraska Highway 85 (South 84th Street)

Project Description

This project would reconstruct the viaduct over BNSF Railway, on Nebraska Highway 85 (N-85) located in Douglas County, from mile marker (MM) 3.94 to 4.14, or 0.52 mile north of the south corporate limits of Ralston.

The existing roadway on this segment of N-85 consists of four 12-foot-wide asphalt thru lanes (72-foot back-of-curb to back-of-curb, raised median, divided). There is also a sidewalk. The structure has a 28-foot-clear-roadway width in both the northbound and southbound directions.

The improvements on this project consist of removing and reconstructing Structure Number S085 00402. There would be a grade raise. The approaches and grade beams on pile would be replaced. There would be a raised median and sidewalks. A portion of the existing south spans would be replaced with embankment material. The adjacent pavement would be removed and reconstructed, as necessary, to accommodate the bridge construction. There would be grading for a new vertical alignment. There would be work on the storm sewer system to match the new grades. Guardrail would be removed and replaced with impact attenuators with surfacing underneath. Fencing would be built to shield roadway embankments for pedestrians. Retaining walls would be constructed.

Scope details include:

- Grading beyond the back of curb would be required for the following work:
  - Bridges
  - Guardrail
  - Earth shoulder construction
  - Removal of old substructure
  - Roadway embankment
  - Roadway grading for vertical alignment to accommodate bridge construction
  - Bikeway realignment
  - Lighting
  - Storm sewer system
- The storm sewer system would be removed and replaced. Pipe underdrains would be built where required and connected to the storm sewer. Storm water management best management practices would be integrated into the storm sewer system.
- The viaduct over BNSF Railway (Structure Number S085 00402) would be replaced with a 144-foot x 88.33-foot out-to-out width bridge. The approaches and grade beams on pile would be replaced. There would be a raised median and sidewalks. A portion of the south spans would be replaced with

embankment material. The existing guardrail would be removed and replaced with impact attenuators.

- Surfacing would be placed under the impact attenuators.
- The existing pavement structure (concrete and foundation course) on the mainline would be removed prior to placement of new concrete pavement and foundation course. The limits of pavement replacement adjacent to the structure would extend from MM 3.94 to 4.14 on the east side and MM 3.94 to 4.13 on the west side.
- The existing sidewalk on the east side of the viaduct would be replaced to the limits of the roadway replacement. A temporary sidewalk would be added on the west side of the viaduct from Park Drive to Madison Street.
- The bikeway under the viaduct would be replaced where it is being impacted by viaduct construction.
- Fencing would be placed at the top of steep embankments and retaining walls.
- Project surveying and staking would be required.
- Areas disturbed during construction would be stabilized utilizing methods of erosion control as shown in the Storm Water Pollution Prevention Plan (SWPPP).
- Because the pavement work is a reconstruction project, the NDOR would comply with the requirements in the Public Rights of Way Accessibility Guidelines (PROWAG) to the maximum extent practicable.
- This project is located within a Municipal Separate Storm Sewer System (MS4) community. Post construction storm water management best management practices would be necessary.
- Permanent pavement markings would be applied to all new surfacing.
- Existing street lighting would be removed and replaced.
- Additional property rights would be required to build this project.
- Access to adjacent properties would be maintained during construction but may be limited at times due to phasing requirements.
- This project would be constructed under traffic with crossovers and head to head traffic controlled with approved temporary traffic control.
- A radar-based vehicle detector would be added to the existing signal at the intersection of N-85 and Park Drive to detect vehicles in the northbound left-turn lane.

Name of Section 4(f) Property (A separate form must be completed for each property with a *de minimis* impact)

Ralston Connector Trail

Official(s) with Jurisdiction

Mr. Dan Freshman, Director of Public Works, City of Ralston

Total Property Size (in acres)	Permanent Impact (in acres)	Temporary Impact (in acres)
1.3 miles	N/A	1,400 linear feet (0.27 mile)

Property Description

The Ralston Connector Trail (the Trail) is an approximately 1.3 mile long, 10-foot-wide paved, multi-use path that connects the project area (western Trail terminus) to the intersection of South 72nd Street and Main Street (located approximately 1 mile northwest of the project). The Trail is intended for use by pedestrian and bicycle traffic and connects the South 84th Street and South 72nd Street corridors, while passing through Wildewood Park. Users can access the Trail from: 84th Street Frontage Road, Serum Avenue, Wildewood Park, South 78th Street, and the intersection of South 72nd and Main Streets.

Answer only the questions in the applicable block (A or B). All questions in Block C must be answered.

A. Section 4(f) *De Minimis* <u>Park, Recreation Area, and Refuge</u> Eligibility

If the *de minimis* impact does NOT involve a park, recreation area or refuge, check the N/A below and proceed to Block B.

☐ **N/A**

Will the project adversely affect the activities, features, or attributes that make the property eligible for Section 4(f) protection?

☐ Yes ☒ No

Have measures been taken to minimize harm to the property? If Yes, explain in the Avoidance, Minimization, and Mitigation Measures box below.

☒ Yes ☐ No

Have *de minimis* public involvement requirements (notice, review, comments, etc.) been completed? If Yes, describe in the Comments box below.

☒ Yes ☐ No

Date(s): 11/3/2015

Did the Official(s) with Jurisdiction concur with the determination of no adverse effect?

☒ Yes ☐ No

Date(s): 4/6/2016

B. Section 4(f) *De Minimis* Historic and Archeological Resource Eligibility

If the *de minimis* impact does NOT involve an historic or archeological resource, check the N/A below and proceed to Block C.

☒ **N/A**

Have measures been taken to minimize harm to the property? If Yes, explain in the Avoidance, Minimization, and Mitigation Measures box below.

☐ Yes ☐ No

Was the effect determination either "no historic properties affected" or "no adverse effect"? *

☐ Yes ☐ No

PQS Date	SHPO Date	THPO Date

* The PQS field will always be filled out. If there is a date in the SHPO or THPO field, this would indicate the entity is the Official with Jurisdiction and they were informed of FHWA's intent to apply *de minimis* via project-specific correspondence. The date in the field would be the date the entity concurred on the Section 106 effect determination. A notation of "N/A" in the field indicates the entity was not the Official with Jurisdiction. "Programmatic" in the SHPO field indicates that a determination of "no historic properties affected" or "no adverse effect" was made for the project per the Section 106 Programmatic Agreement and the *de minimis* notification was provided via letter agreement with the SHPO.

C. Additional Information

Description of Use (Temporary and/or Permanent)

In order to accommodate project construction and to ensure the safety of the public, approximately 1,400 feet (0.27 mile) of the Ralston Connector Trail, located between the western edge of Wildewood Park and the northern terminus of the 84th Street Frontage Road, would be temporarily closed during construction. Trail closure is scheduled to begin in the spring of 2017 and would last for the duration of the project. In addition, a portion of the trail underneath the South 84th Street viaduct would be reconstructed a few feet north of its existing location to accommodate expanded viaduct embankment. Considering Project scope and the below-defined avoidance, minimization, and mitigation measures, no permanent, adverse impacts to the Trail, or the public's ability to utilize the Trail, would result from the Project.

Avoidance, Minimization, and Mitigation Measures

The closed and relocated portions of trail (0.27 mile of the 1.3 mile trail) would be limited to those needed to accommodate construction and to ensure the safety of the public. Access to neighborhoods, businesses, and Wildewood Park would be possible along the remaining mile of unaffected Trail. In order to accommodate pedestrian/bicycle traffic across South 84th Street during construction, a 0.86 mile pedestrian/bicycle detour would be marked by appropriate signage. The detour would utilize (west to east):

1) 84th Street Frontage Road
2) Signalized crosswalk of South 84th Street at Madison Street
3) Sidewalk along the east side of South 84th Street
4) Sidewalks along both the north and south sides of Ralston Avenue
5) Sidewalk along the west side of South 78th Street

Construction-related best management practices (BMPs) would be utilized both during and after construction and disturbed areas adjacent to the Trail would be returned to pre-existing or better conditions. The reconstructed portions of the Trail would be built to match existing or new conditions.

Comments

A public meeting was held on November 3, 2015 to provide the public the opportunity to comment on the Project, including temporary trail closure. No comments regarding the trail were received. Public involvement documentation is attached.

***De Minimis* Documentation**

Are detailed maps included, showing current and proposed right-of-way, property boundaries, access, and existing and planned property features?

☒ Yes ☐ No

Is documentation of public involvement attached?

☒ Yes ☐ No ☐ N/A (for historic resources)

Is concurrence from the Official(s) with Jurisdiction (and Consulting Parties, for historic properties) attached?

☒ Yes ☐ No

Additional Attachments (If Applicable)

Approval Signatures

The project involves a *de minimis* use of the Section 4(f) property. Harm to the park, recreation land, wildlife or waterfowl refuge, or historic property has been avoided or mitigated to minimize impacts to the qualifying characteristics and/or functions of the resource. Based on the scope of the undertaking, the fact that the undertaking does not adversely affect the function/qualities of the Section 4(f) property on a permanent or temporary basis, and with agreement from the Official(s) with Jurisdiction, the proposed action constitutes a *de minimis* use.

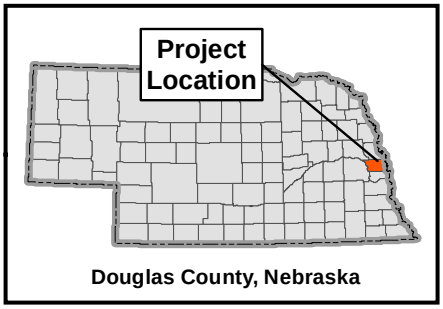
Preparer	**Date:**
Quinn Damgaard, HDR	4/6/2016
NDOR Environmental Manager	**Date:**
Jon C. Barber	4/12/16
FHWA Environmental	**Date:**
Scott H. Stapp Digitally signed by Scott H. Stapp DN: cn=Scott H. Stapp, o=FHWA-NE, ou=Nebraska Division, email=scott.stapp@dot.gov, c=US Date: 2016.05.05 15:36:05 -05'00'	

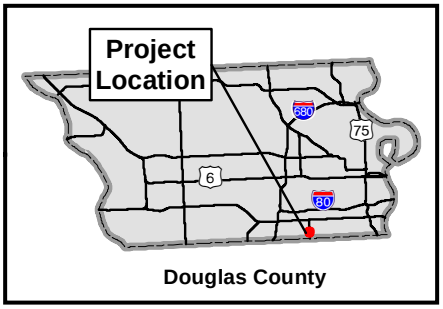
ATTACHMENT A

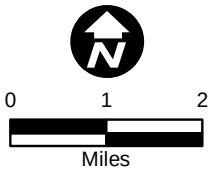
RALSTON VIADUCT
CONTROL NUMBER: 22203
PROJECT NUMBER: NH-85-2(111)

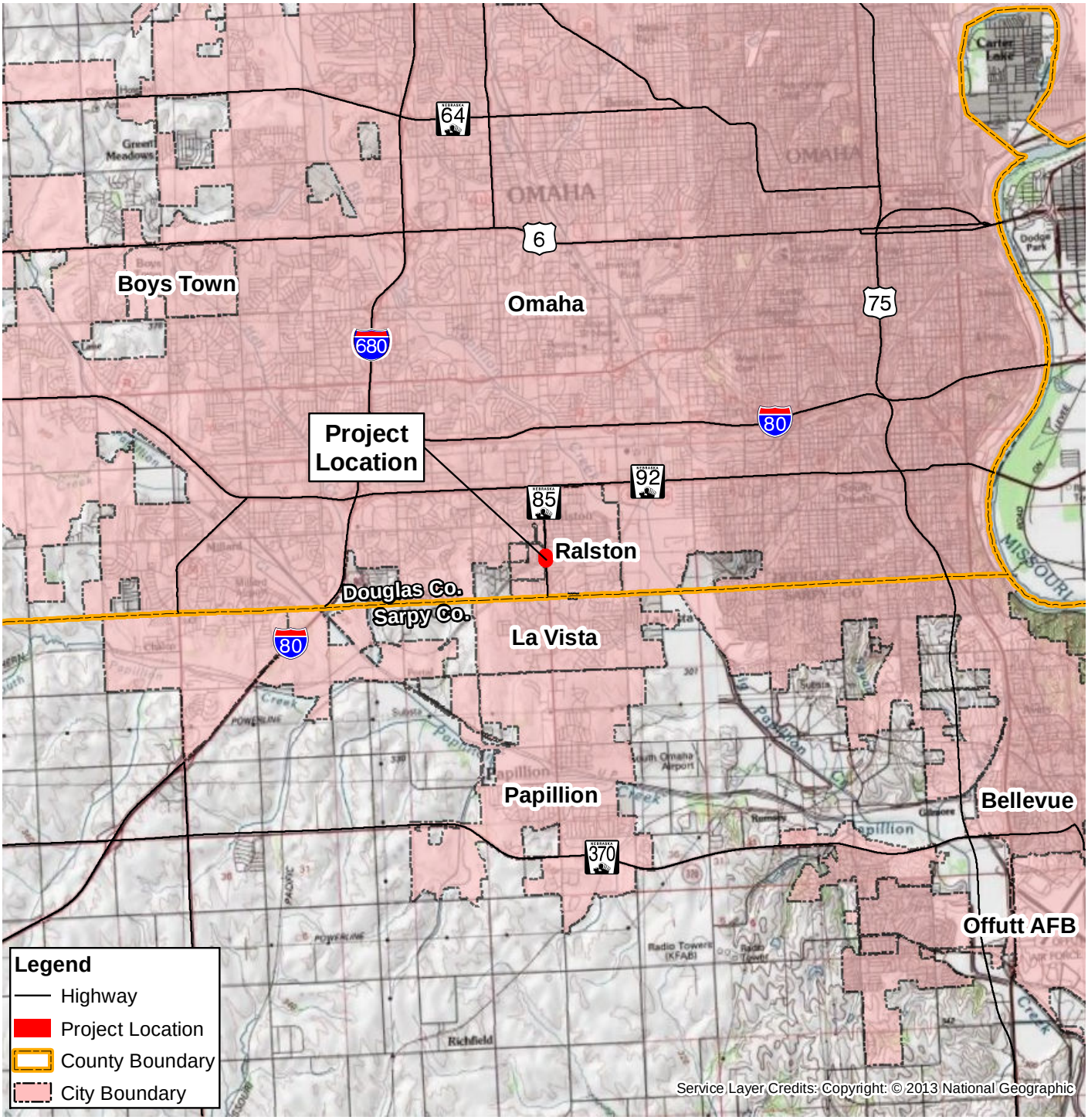
FIGURES

Figure 1: Project Location
Figure 2: Ralston Connector Trail Detour and New Alignment









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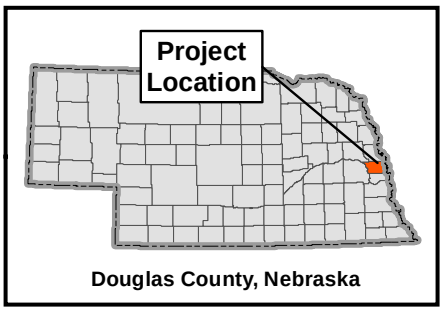
NDOR
Nebraska Department of Roads

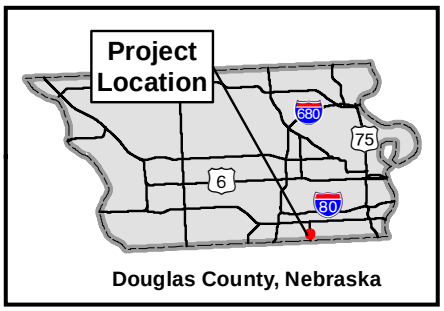
Project Location

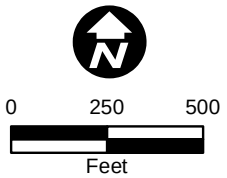
Ralston Viaduct
Project Number: NH-85-2(111)
Control Number: 22203

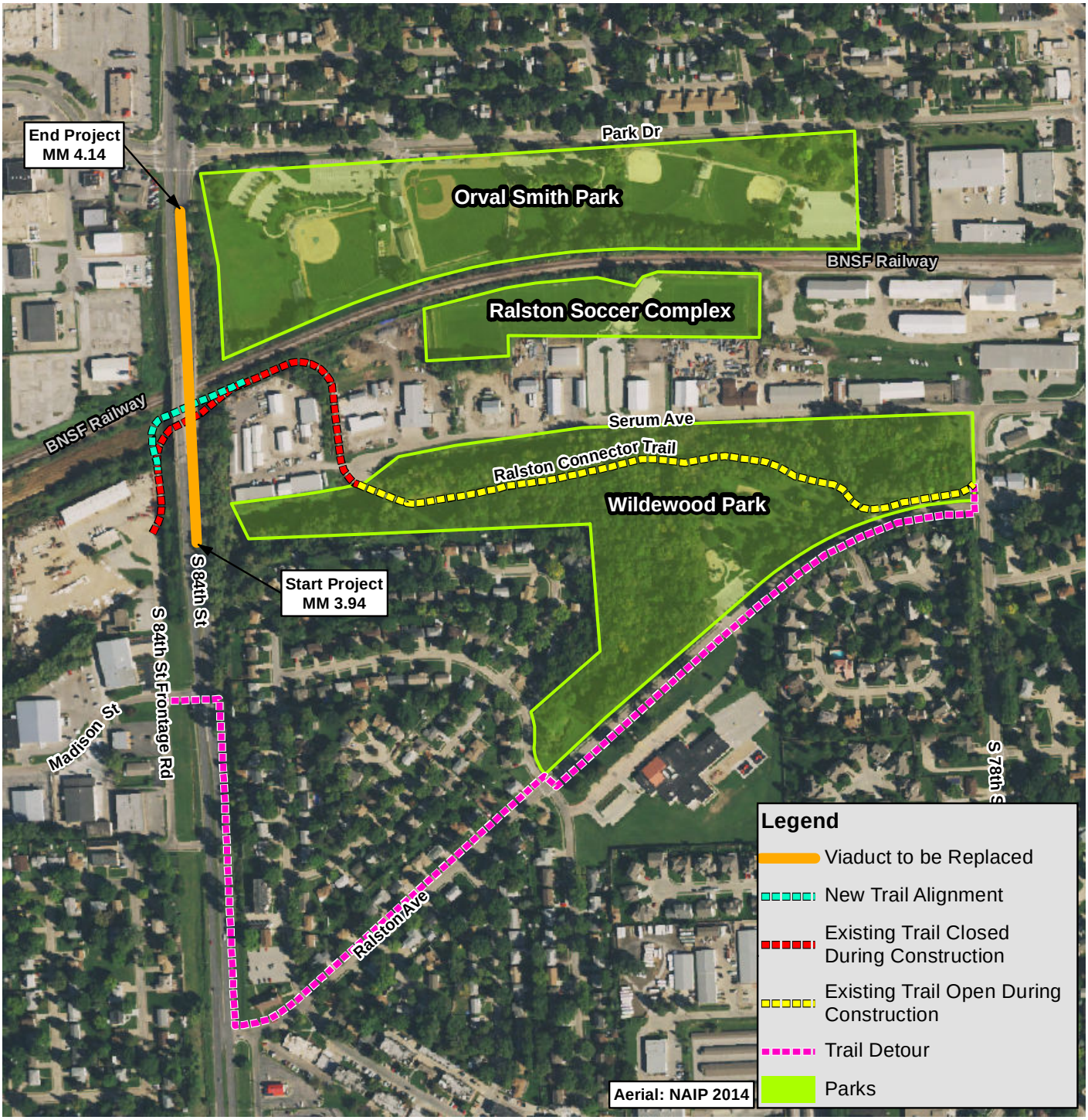
DATE
March 2016

FIGURE
1









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NDOR
Nebraska Department of Roads

Ralston Connector Trail Detour and New Alignment

Ralston Viaduct
Project Number: NH-85-2(111)
Control Number: 22203

DATE
March 2016

FIGURE
2

ATTACHMENT B

RALSTON VIADUCT
CONTROL NUMBER: 22203
PROJECT NUMBER: NH-85-2(111)

PUBLIC INVOLVEMENT

To: NDOR Environmental
From: Sarah Kugler, Public Involvement Manager, NDOR
Date: 4 December 2015
RE: Public Involvement Summary Report, NH-85-2(111), Ralston Viaduct, CN 22203

Public Involvement Summary Report for Public Information Open House Meeting: NH-85-2(111), Ralston Viaduct, CN 22203

Based on an analysis of the project scope and a civil rights analysis, a public information open house meeting, targeted mailer in the form of a public notification, legal notice, news release, fliers, temporary highway signs, website, and a 30-day comment period were used as outreach tools for public involvement on this project. A public information open house meeting was held at the Baright Public Library in Ralston, Nebraska on Tuesday, November 3, 2015 from 4:00 to 6:00 PM. Per the civil rights analysis, LEP outreach was required. A Spanish translator was present at the meeting. All materials disseminated at the meeting were translated to Spanish, and a Spanish sign in sheet was provided. The public notification involved mailing both English and Spanish versions of a project notification. The distribution list included citizens and businesses adjacent to Nebraska Highway 85 from MM 3+93 to MM 4+13. Public and private agencies with potential interest in the project were also included in the distribution list, including the Omaha Peddlers Bike Club and the Latino Commission. In addition, Spanish project notifications, along with English and Spanish cover letters requesting the items be dispersed, were mailed to the Baright Public Library, El Perico Bilingual Newspaper, and El Caribe Food and Grocery. An English legal notice was placed in *Omaha World-Herald*, a Nebraska Press Association (NPA) recognized newspaper, on October 19, 2015. A Spanish legal notice was placed in The Daily Record, an NPA recognized newspaper, on October 19, 2015. A news release was published in both English and Spanish. Fliers were distributed around the district. Temporary highway signs advertising the meeting were placed near the project. Project information was placed on the NDOR website.

NDOR Public Involvement received 3 comments during the specified comment period (October 19, 2015 – November 18, 2015), outlined below.

COMMENT	RESPONSE
Public agency listed possible requirements for permits.	Will be sure to coordinate with the public agency through Environmental Permits Unit.
Business owner adjacent to project said meeting was informative for company. Suggests flashing light before Madison. Have had company vehicles impacted due to people running light. Advance warning would help trucks be able to stop.	Appreciates input and will take into consideration.
Business owner near project inquired how 84th Street vehicular traffic would be affected during proposed work.	Project would be constructed under traffic with phased construction. Northbound bridge would be replaced first, will traffic reduced to a single lane in each direction utilizing the southbound bridge. Northbound traffic would be diverted to

	southbound lanes via crossovers in the median on either side of bridge. Southboud bridge would be replaced after northbound bridge, and traffic would be handled accordingly on the northbound bridge.

From:	Kugler, Sarah
To:	Matulka, Denise
Cc:	Erickson, Grace
Subject:	FW: Ralston Viaduct
Date:	Thursday, November 05, 2015 10:21:25 AM

From: Scott, Tricia
Sent: Wednesday, November 4, 2015 1:26 PM
To: Kugler, Sarah <sarah.kugler@nebraska.gov>
Subject: Ralston Viaduct

4 November, 2015

Department of Roads
ATTN: Ms. Sarah Kugler

RE: Ralston Viaduct

Dear Ms. Kugler:

The Nebraska Department of Environmental Quality (NDEQ) has reviewed the above referenced project. As with any project, permits may be required prior to beginning construction or operation. At a minimum, you should be aware of the possible requirements or permits:

	Contact	Phone
Fugitive Dust Regulations	Ken Almquist	(402) 471-3387
Construction Storm Water – General Permit	Reuel Anderson	(402) 471-8330
Wastewater	Charles Duerschner	(402) 471-4206
Water Quality Section 404 Permitting	Jason Garber	(402) 471-2875
Waste Disposal	Erik Waiss	(402) 471-8308

Nebraska Title 129, Chapter 32 fugitive dust regulations apply to all excavation and land grading activities.

If more than 1 acre of land is disturbed, you will need to apply for CSW coverage.

An Individual Water Quality certification for wetland impacts greater than 200 feet in association with a Nationwide Section 404 Permit has been registered by NDEQ. The public notice period will expire 11-20-2015.

Any solid or hazardous wastes generated or discovered during project operations must be properly handled, contained, disposed, and (if necessary) characterized, and follow all applicable regulations in Nebraska Title 128 and Title 132.

If you have questions about the permitting process, or any other questions, feel free to contact me at (402) 471-6974, or the individual listed above. For more information, please visit our website at deq.ne.gov.

Sincerely,

Tricia Scott
Field Services and Assistance
NE Department of Environmental Quality
1200 "N" Street, The Atrium, Suite 400
P.O. Box 98922, Lincoln, NE 68509-8922
Phone: 402.471.6974 | E-mail: tricia.scott@nebraska.gov

Pete Ricketts
Governor

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Kyle Schneweis, P.E., Director
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402) 471-4567 • FAX (402) 479-4325 • www.roads.nebraska.gov

November 23, 2015

Tricia Scott
Field Services and Assistance
Nebraska Department of Environmental Quality
1200 "N" St, Ste 400
PO Box 98922
Lincoln NE 68509-8922

Re: NDOR Project:
NH-85-2(111) Ralston Viaduct; C.N. 22203

Dear Ms. Scott:

The Federal Highway Administration and the Nebraska Department of Roads (NDOR) appreciate your input in regards to the Ralston Viaduct project. NDOR will be sure to coordinate with your agency through our Environmental Permits Unit.

Thank you for your participation.

Sincerely,

Chris Lutz

Chris Lutz, P.E.
Nebraska Department of Roads
(402) 479-3893
chris.lutz@nebraska.gov

U.S. Department of Transportation
Federal Highway Administration

NDOR
Nebraska Department of Roads

PUBLIC COMMENT SHEET

NDOR District Two Public Information Meeting

NH-85-2(111) Ralston Viaduct; C.N. 22203

November 3, 2015; 4:00 – 6:00 PM

Baright Public Library, 5555 South 77th Street, Ralston, Nebraska

Please submit your written comments by November 18, 2015.

RECEIVED
NOV 12 2015
COMMUNICATION DIVISION

Return to:

Sarah Kugler
NDOR Public Involvement Manager
Nebraska Department of Roads
P.O. Box 94759
Lincoln, NE 68509-9983

sarah.kugler@nebraska.gov
(402) 479-4871 Office
(402) 479-3989 Fax

This was informative for my company to know, what, if any impact there would be on our location.

I have one suggestion for this project - it would be to install a flashing light on the hills (both N & S of light) before the stoplight at Madison to let people know that the light is about to change, similar to those along 370 before 96th, 48th st. etc. We see many accidents and have had one of our company vehicles impacted because of people running this light. Also advance warning would help trucks coming down the hill to have the ability to stop or anticipate the light change better, not only trucks but passenger vehicles as well. Thank you for your consideration.

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank you for your participation.

(Please Print)

Name: Laura Herbotsheimer
Address: 6430 S. 84th St.
City, State, Zip: Omaha NE 68127
Phone: 402-895-5777
Email: laurah@omahait.com

Written comments submitted to NDOR are considered public information and may be shared with appropriate local, state, or federal agencies, as well as the general public, as part of the project development process.

From: Kugler, Sarah
To: Erickson, Grace
Subject: FW: Ralston Viaduct N-85
Date: Tuesday, October 27, 2015 3:18:49 PM

From: Weander, Tim
Sent: Tuesday, October 27, 2015 3:16 PM
To: Mark Sweet
Cc: Legg, Lorraine; Kugler, Sarah
Subject: RE: Ralston Viaduct N-85

Mr. Sweet

This project will be constructed under traffic with phased construction. The northbound bridge will be replaced first, with traffic reduced to a single lane in each direction utilizing the southbound bridge. The northbound traffic will be diverted to the southbound lanes via cross overs in the median on either side of the bridge.

Upon completion of the northbound bridge we will them replace the southbound bridge and traffic handled accordingly on the northbound bridge.

Please attend the meeting on November 3rd for more information.

Timothy W. Weander, P.E.
District 2 Engineer
Nebraska Department of Roads
4425 S. 108th St.
Omaha, Nebraska
(402)-595-2534

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From: Mark Sweet [mailto:masweet813@gmail.com]
Sent: Tuesday, October 27, 2015 10:43 AM
To: Weander, Tim
Subject: Ralston Viaduct N-85

Tim,

I received a flyer regarding the proposed work for the Ralston Viaduct.

The flyer indicated that the connector trail beneath the viaduct would be closed for a period of time.

My question, however, is how 84th street vehicular traffic will be affected during this work.

We have businesses in close proximity to this site.

Please advise.

Pete Ricketts
Governor

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Kyle Schneweis, P.E., Director
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402) 471-4567 • FAX (402) 479-4325 • www.roads.nebraska.gov

November 23, 2015

Laura Herbolsheimer
6430 South 84th St
Omaha NE 68127

Re: NDOR Project:
NH-85-2(111) Ralston Viaduct; C.N. 22203

Dear Ms. Herbolsheimer:

The Federal Highway Administration and the Nebraska Department of Roads appreciate your input in regards to the Ralston Viaduct project. Your comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this project.

Thank you for your participation.

Sincerely,

Sarah Kugler
Public Involvement Manager
Nebraska Department of Roads
(402) 479-4871
sarah.kugler@nebraska.gov

Thank you,

Mark Sweet
masweet813@gmail.com
402.334.1007

ATTACHMENT C

RALSTON VIADUCT
CONTROL NUMBER: 22203
PROJECT NUMBER: NH-85-2(111)

OFFICIAL WITH JURISDICTION APPROVAL

Pete Ricketts
Governor

STATE OF NEBRASKA
DEPARTMENT OF ROADS
Kyle Schneweis, P.E., *Director*
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402) 471-4567 • FAX (402) 479-4325 • www.roads.nebraska.gov

February 23, 2016

Mr. Dan Freshman
Director of Public Works - City of Ralston
8220 Serum Avenue
Ralston, NE 68127
(402) 331-4118

Re: Section 4(f) No Adverse Affect Concurrence Request
Nebraska Department of Roads Project – Ralston Viaduct
NDOR Project No. NH-85-2(111), Control No. 22203

Dear Mr. Freshman:

This letter is regarding the above referenced Nebraska Department of Roads (NDOR) Ralston Viaduct project to reconstruct the viaduct over the BNSF Railroad, on Nebraska Highway 85 (N-85). Please see Enclosure A for the project's location. The project would result in temporary and permanent impacts to the Ralston Connector Trail (the Trail). Temporary impacts are required due to the trail closure during construction, and permanent impacts will result from a slight trail realignment to due to the viaduct construction. A description of the project is offered below, along with an explanation of the reason for this request under Section 4(f) of the Department of Transportation Act of 1966.

Project Description

This project would reconstruct the viaduct over the Burlington Northern Santa Fe Railroad, on N-85 located in Douglas County, from mile marker (MM) 3.94 to 4.14, 0.52 miles north of the south corporate limits of Ralston.

The existing roadway on this segment of N-85 consists of four 12 foot wide asphalt thru lanes (72-foot back-of-curb to back-of-curb, raised median, divided). There is also a 4 foot wide pedestrian sidewalk on the east side of the viaduct. The structure has a 28 foot clear roadway width in both the northbound and southbound direction.

The improvements on this project consist of removing and reconstructing Structure Number S085 00402 (the Viaduct). There would be a grade raise and the approaches and grade beams on pile would be replaced. There would be a raised median and sidewalks. A portion of the existing south spans would be replaced with embankment material. The adjacent pavement would be removed and reconstructed as necessary to accommodate the bridge construction. There would be grading for a new vertical alignment. There would be work on the storm sewer system to match the new grades. Guardrail would be removed and replaced with impact attenuators with surfacing underneath. Fencing would be built to shield roadway embankments for pedestrians. Retaining walls would be constructed.

Section 4(f) Resources

Section 4(f) of the U.S. Department of Transportation (DOT) Act of 1966 provides special protection of certain properties such as publicly owned parks, recreation areas, wildlife or waterfowl refuges and any historic sites. The Federal Highway Administration (FHWA) is required to give special consideration to any properties identified as meeting this definition. The Ralston Connector Trail is owned by the City of Ralston, a public entity, and is open to the public year round and is considered to be a Section 4(f) resource.

In order to accommodate the Project, western portions of the Trail would be closed during construction for a slight realignment (please see enclosure A for proposed new trail alignment) and to ensure the safety of the public.

Section 4(f) Analysis

The FHWA, in cooperation with the official for jurisdiction over the property (City of Ralston), is responsible for making all decisions related to Section 4(f) compliance. Title 23, part 774.3 of the Code of Federal Regulations provides for Section 4(f) approval by FHWA. As relevant to this project, one of the approvals outlined under 774.3(b) includes determination that the use of land from the property will have a *de minimis* (minor) impact (as defined in §774.17) on the property. There are three conditions that must be met for this project to qualify for a *de minimis* impact decision under Section 4(f). Those three conditions and how they have been addressed for this project are as follows:

Condition 1: "*The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization and mitigation or enhancement measures incorporated into the project, does not adversely affect the protected activities, features, or attributes of the property, on either a temporary or permanent basis*".

Trail closure would be temporary and would occur from the western edge of Wildewood Park to the northern terminus of the 84th Street Frontage Road (see Figure 2 in Enclosure A) and would total approximately 1,400 feet (0.27 mile) in length. The Trail closure is scheduled to begin in April of 2017 and would last for the duration of the project. To accommodate pedestrian/bicycle traffic across South 84th Street during construction, a 0.86 mile pedestrian/bicycle detour would be marked by appropriate signage (see Figure 2 in Enclosure B). The detour would utilize (west to east):

1) 84th Street Frontage Road
2) Signalized crosswalk of South 84th Street at Madison Street
3) South 84th Street
4) Ralston Avenue
5) South 78th Street

The detour route would require approximately 0.19 mile of out of distance travel. Construction-related best management practices (BMPs) would be utilized both during and after construction and disturbed areas would be returned to pre-existing or better conditions. The realigned portions of the Trail would be built to match existing or new conditions, and would not adversely affect the protected activities, features or attributes of the Trail. Accordingly, no permanent adverse changes to the Trail, or the public's ability to utilize the Trail, would result from Project construction.

Condition 2: *"The Public has been afforded the opportunity to review and comment on the effects of the project on the activities, features, and attributes of the Section 4(f) resource."*

A public information open house meeting was held at the Baright Public Library in Ralston, Nebraska on Tuesday, November 3, 2015 from 4:00 to 6:00 PM. Public and private agencies with potential interest in the project were also included in the distribution list, including the Omaha Peddlers Bike Club and the Latino Commission. NDOR Public Involvement received 3 comments during the specified comment period (October 19, 2015 – November 18, 2015), which are provided in Enclosure B. No comments regarding construction-related impacts on the Trail were received during or resulting from the meeting.

Condition 3: *"There must be documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions."*

Roadway improvements would include bridge reconstruction along with realignment of the Ralston Connector Trail. The City of Ralston is being asked for documentation of their agreement that temporary closure and realignment of the Trail does not adversely affect the protected activities, features, or attributes of the Section 4(f) resource (Ralston Connector Trail). This memorandum serves as a documented agreement for the conditions of 23 CFR 774.13(g).

Request for Concurrence

NDOR is committed to protecting the Ralston Connector Trail during construction and is requesting your concurrence, by signature below, that the temporary closure and realignment of the Trail would not adversely affect the protected activities, features, or attributes of the Section 4(f) resource. Should you have questions regarding the Project, please feel free to contact me at the below contact information. Thank you for your assistance.

Sincerely,

Jon Barber
Nebraska Department of Roads
Highway Environmental Program Manager
P.O. Box 94759
Lincoln, NE.68509-4759
jon.barber@nebraska.gov
(402) 479-4412

Enclosures:

A: Figures -
- Project Location
- Ralston Connector Trail Detour
- New Trail Alignment

B: Public Involvement Meeting Summary

I concur that Project related impacts on the Ralston Connector Trail are minor and would not adversely affect the features, attributes, or activities that qualify the Trail for Section 4(f) protection.

Mr. Dan Freshman
Director of Public Works, City of Ralston

Date 4/6/16