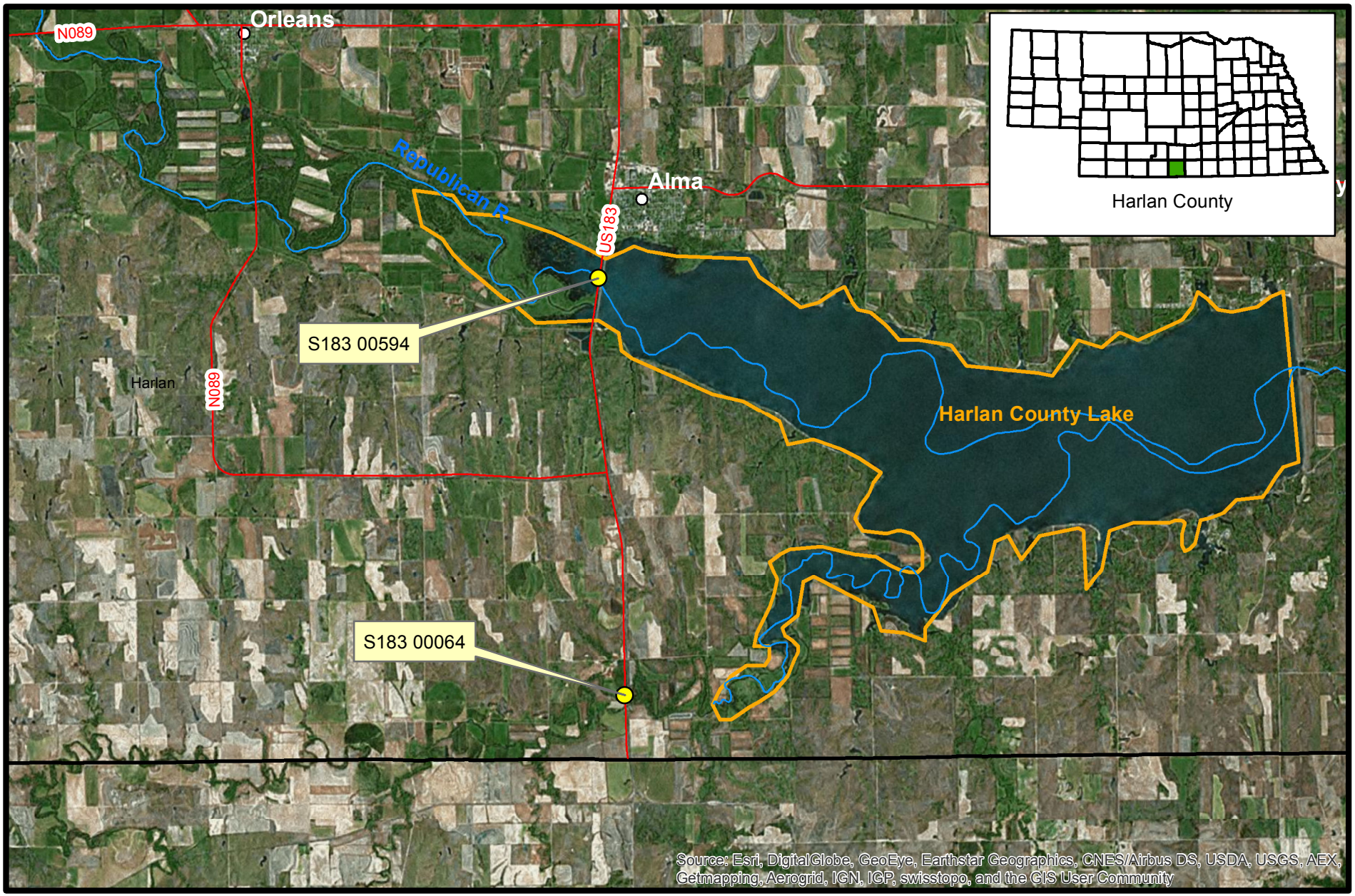
71180_NH-183-1(117)_Alma South Bridges



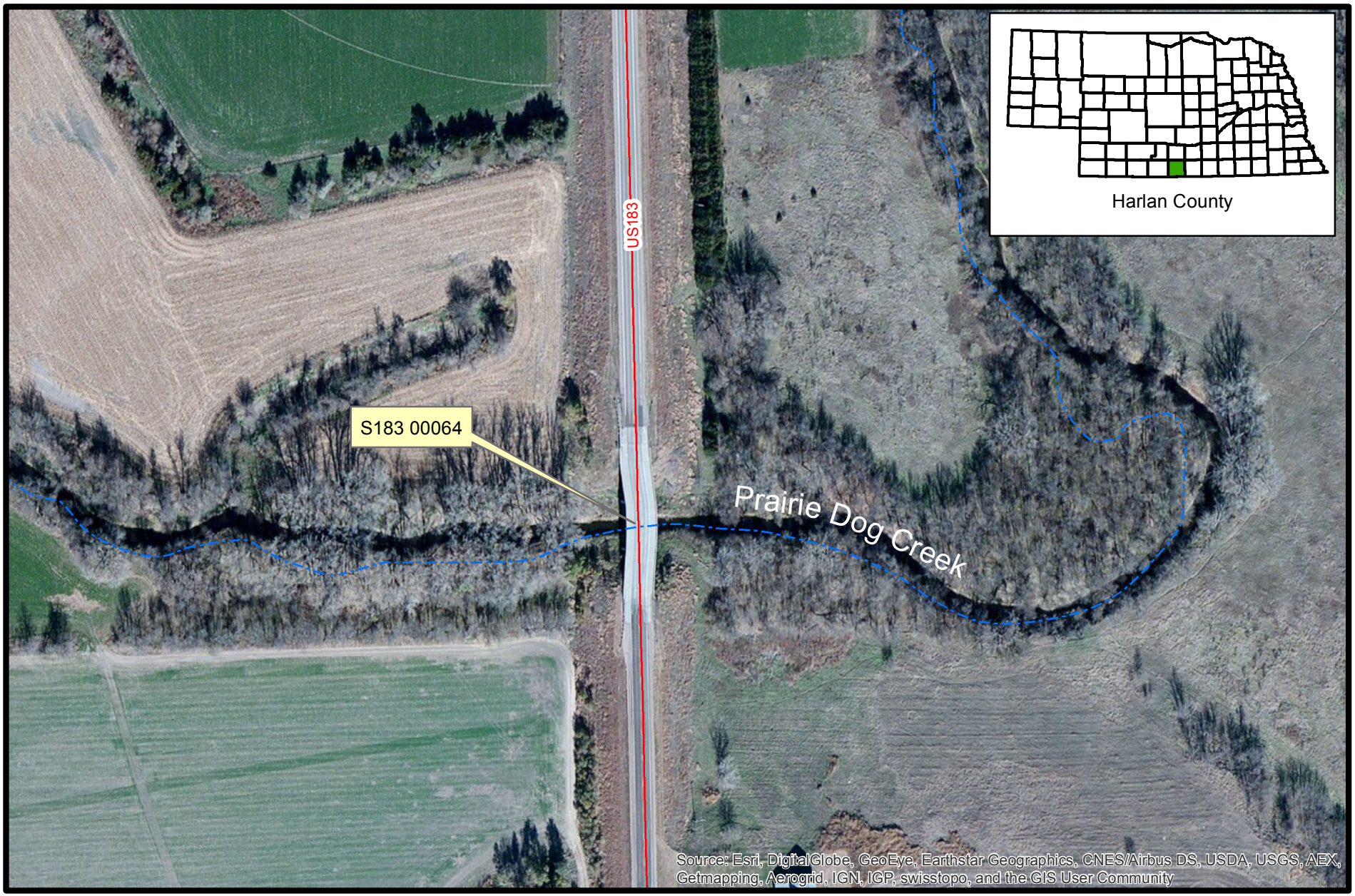
0 1.75 3.5 7 Miles

N W E S

Project Map

NDOR
Nebraska Department of Roads

71180_NH-183-1(117)_Alma South Bridges



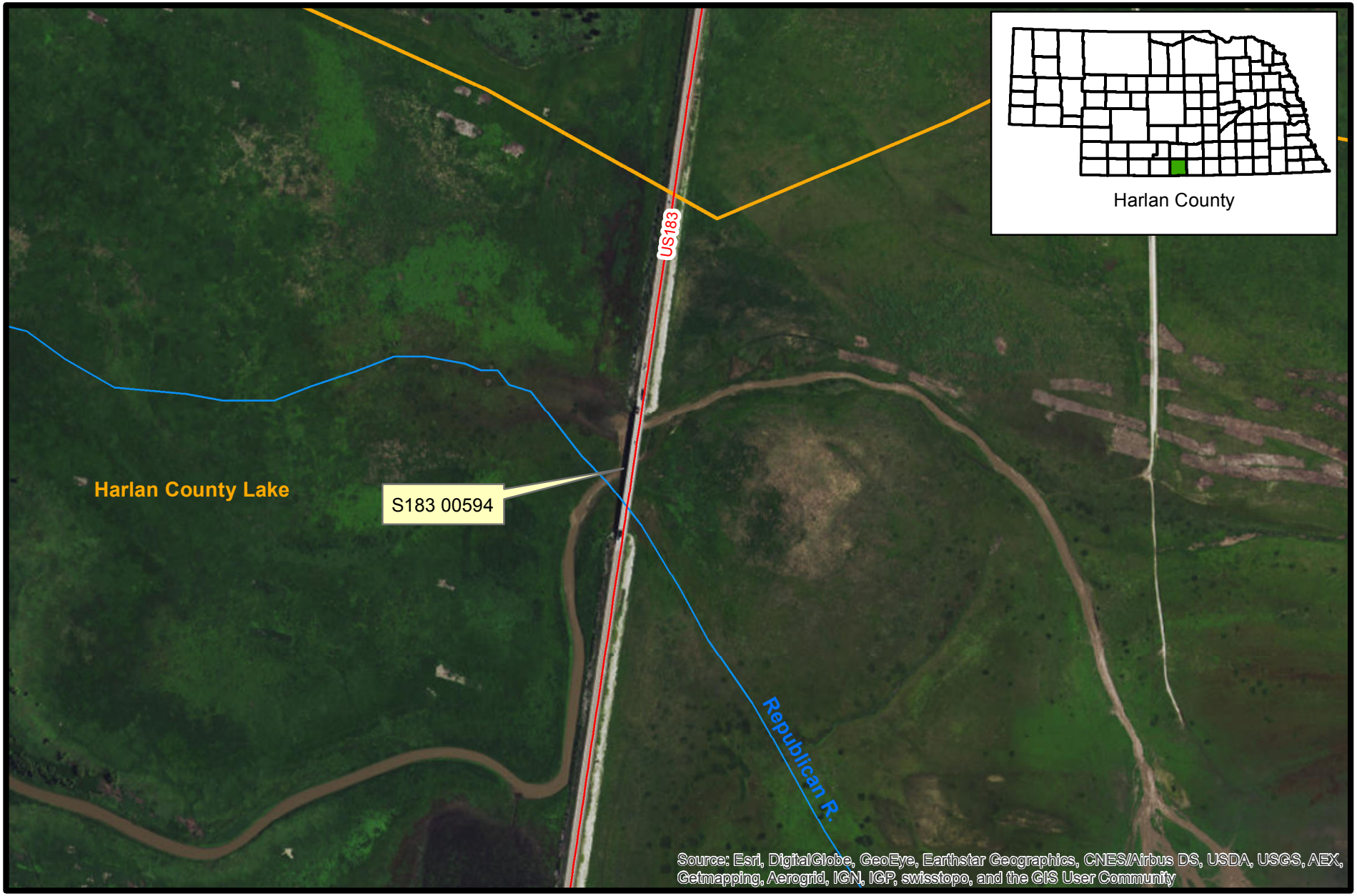
0 0.04 0.08 0.16 Miles

N W E S

S183 00064 Location

NDOR
Nebraska Department of Roads

71180_NH-183-1(117)_Alma South Bridges

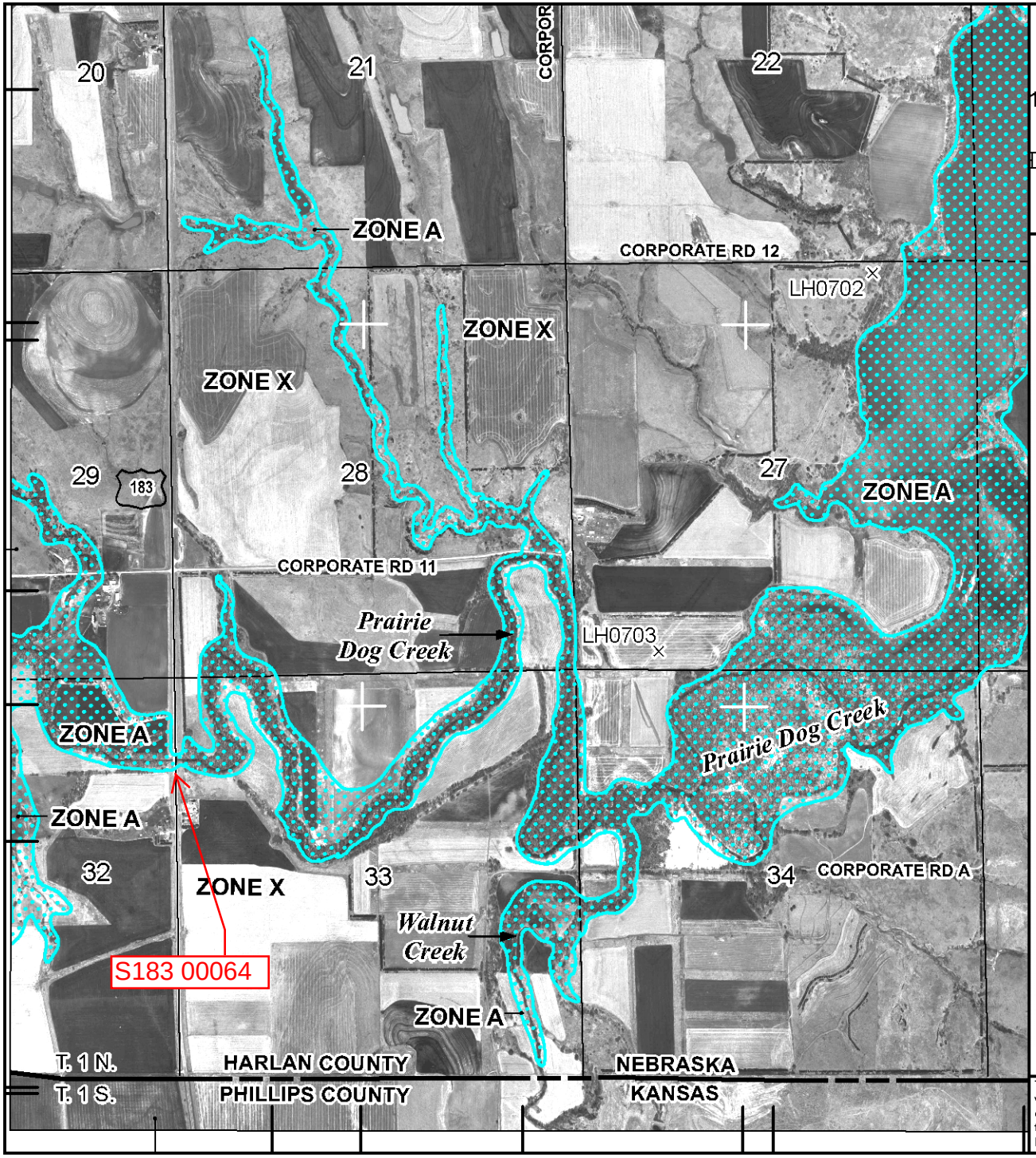


0 0.125 0.25 0.5 Miles

N W E S

S183 00594
Location

NDOR
Nebraska
Department of Roads



MAP SCALE 1" = 2000'

1000 0 1000 2000 4000 FEET

0 600 1200 METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0350B

FIRM

FLOOD INSURANCE RATE MAP

HARLAN COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 350 OF 375

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
HARLAN COUNTY	310442	0350	B

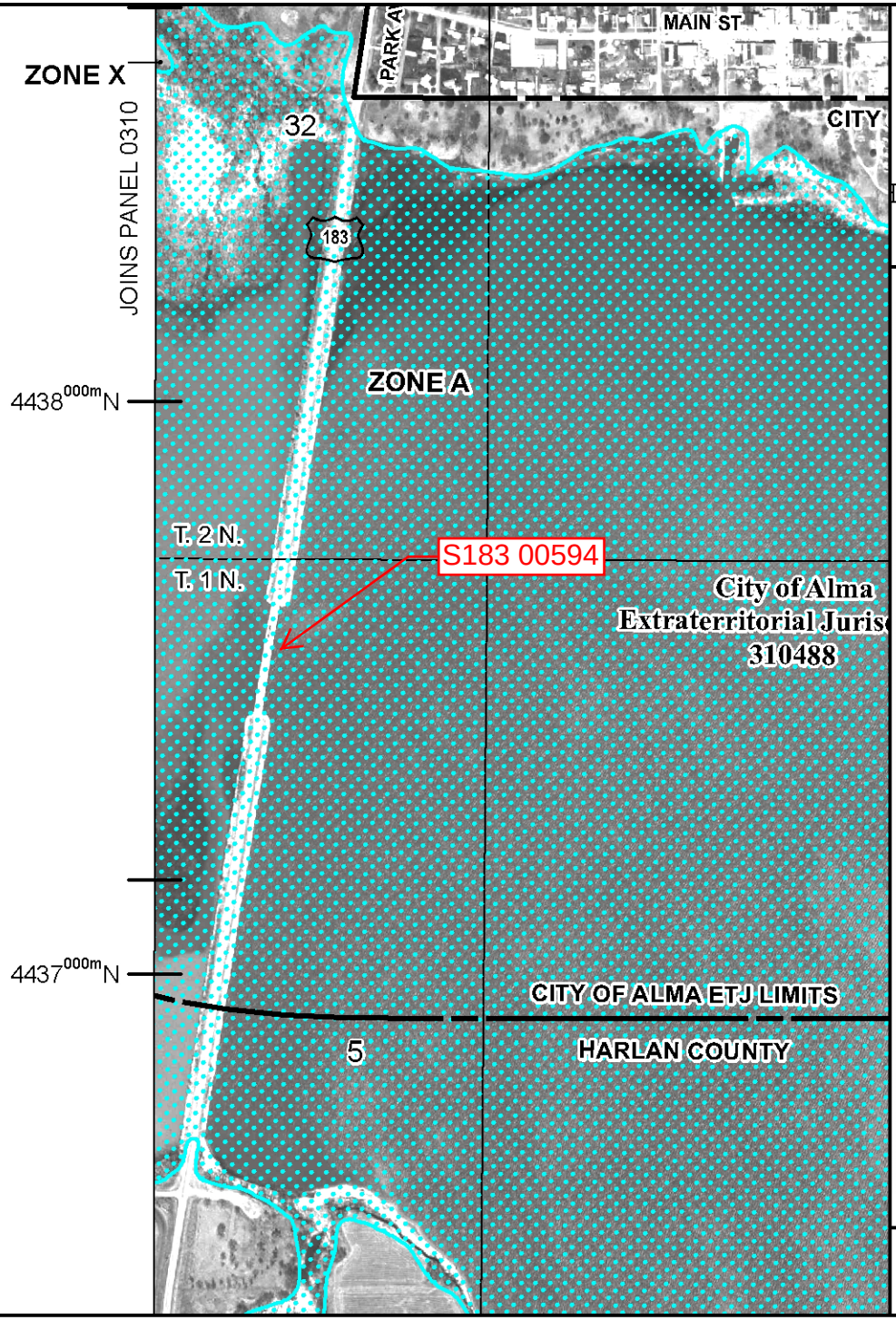
Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
31083C0350B

EFFECTIVE DATE
FEBRUARY 18, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov



MAP SCALE 1" = 1000'

500 0 500 1000 2000 FEET

ME

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0330B

FIRM

FLOOD INSURANCE RATE MAP

HARLAN COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 330 OF 375

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
ALMA,CITY OF	310488	0330	B
HARLAN COUNTY	310442	0330	B

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.

MAP NUMBER
31083C0330B

EFFECTIVE DATE
FEBRUARY 18, 2009

Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Nebraska Department of Roads

Floodplain/Floodway Development Permit/Application

RECEIVED
MAR 05 2015
ENVIRONMENTAL SECTION

Permit Application No.
Date: 2/13/15

This form is used for any man-made change to improved or unimproved transportation facility, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations, or storage of equipment or materials.

Nebraska Department of Roads will obtain all other necessary federal, state, or local permits *(e.g., Corps of Engineers 404 Permit, Local Levee District, etc.)*

1.	Name of Applicant:	Nebraska Department of Roads PO Box 94759 Lincoln NE 68509-4759
2.	Type and Use of Development:	Bridge Repair
3.	Specific Location of Development:	US-183 - M.M. 5+94
4.	Complete this section if the proposed development involves the improvement of a structure *(i.e., walled and roofed building).*	Pre-improvement Value of Structure: $ _____ Cost of Improvement: $ _____

The following section is to be completed by the community official:

5. Is the development Substantial Improvement? *(see #4)* ☐ Yes ☐ No

6. Is the development in an identified floodplain? ☐ Yes ☐ No

If Yes, complete the following:

a. Elevation of the Base *(100-Year)* Flood _____ Ft. MSL/NGVD 29 or NAVD 88

b. Elevation/Floodproofing Requirement *(if applicable)* _____ Ft. MSL/NGVD 29 or NAVD 88

c. Is the development in a designed Floodway?

☐ Yes New structures for human habitation are prohibited. For any other Floodway development, the NDOR must provide certification by a registered professional engineer that the development would result in no increase along the floodway water surface profile.

☐ No If a floodway has not been designated, the NDOR may be required to submit hydraulic data demonstrating that the proposed development will not increase flood heights more than one foot at any location.

If the development is in a floodplain, the following shall apply:

This permit is issued with the condition that the lowest floor *(including basement)* of a new or substantially improved nonresidential building will be elevated or floodproofed at least one foot above the base flood elevation. NDOR will provide certification by a registered Engineer, Architect, or Land Surveyor that these provisions are met.

All provisions of the Alma *(County or City)* Floodplain Management Resolution/Ordinance (Number _____) shall be complied with.

City Administrator

Local Authorizing Official (Name & Title) — *Date* 2-3-15

NDOR Environmental Permits Manager — *Date* 2/18/15

Project Name: Alma South Bridge	
Project No.: NH-183-1(117)	
Control No.: 71180	Structure No.: S183 00594

Wetlands PQS Memorandum

DATE 5/13/2016

TO Carmen Pellish, NDOR EDU

FROM Kimberly Baker, NDOR EPU

SUBJECT Wetlands PQS Memo
Project No: NH-183-1(117)
Control No: 71180
Project Name: Alma South Bridge

☒A wetland delineation was completed 5/21/2014
Or
☐A desktop review was completed on

Are there wetlands, stream channels, or other waters within the study area?
☒ Yes ☐ No

Will the action result in wetland impacts in accordance with Section 404 of the Clean Water Act and/or Nebraska State Title 117?
☐ Yes ☒ No ☐ Not Applicable

If the project is processed with a Nationwide Permit, is a Pre-construction Notification required?
☐ Yes ☐ No ☒ Not Applicable

Describe resources, <u>potential</u> impacts and anticipated permit type (*Include estimated permanent wetland impacts (acres). If known, also provide estimated temporary wetland impacts (acres), estimated channel impacts (linear feet/acres), special wetland areas, cause of impacts, and any Nationwide Permit information.*): No impacts are anticipated.

Cowardin Class Impacted (*Select all that apply*)
☐ Palustrine ☐ Riverine ☐ Lacustrine ☒ Not Applicable

Describe any coordination conducted to date with officials/agencies (*Include: Any coordination with USACE)*: USACE – Kansas City Office, John Benson

Wetlands/Waters of the U.S. Mitigation
☐ On-Site/Permittee Responsible ☐ USACE Approved Mitigation Bank Site ☒ Not Applicable

<u>Wetlands/Waters of the U.S. Commitments:</u>
The Contractor shall not stage, store, waste or stockpile materials and equipment in undisturbed locations, or in known/potential wetlands and/or known/potential streams that exhibit a clear “bed and Bank” channel. Potential wetland areas consist of any area that is known to pond water, swampy areas or

areas supporting known wetland vegetation or areas where there is a distinct difference in vegetation (at lower elevations) from the surrounding upland areas.

☐ All wetlands/waters within the project area that are not permitted for impacts will be marked on the 2W aerial sheets for the contractor as avoidance areas.

Select the following that apply:

☒ No wetland impacts are anticipated for this project; however, if impacts are found during design, the required permits shall be obtained prior to letting. NDOR Environmental shall reevaluate the project for the change in impacts. All wetlands within the project area shall be marked on the project plans or listed on Attachment 1 of the Environmental Commitment for the Contractor as avoidance areas. (NDOR Design, NDOR Environmental)

☐ The project qualifies under Nationwide Permit # Non-notifying Nationwide Permit Number. The contractor shall adhere to the permit conditions, including regional and general conditions, during construction. (Contractor)

☐ The project will require a Nationwide Permit for impacts to waters of the U.S. The permit shall be obtained prior to project letting. The contractor shall adhere to all permit conditions, including regional and general conditions, during construction. (NDOR Environmental, Contractor)

☐ The project will require a Title 117 Letter of Opinion for impacts to waters of the State. (NDOR Environmental, Contractor)

Project Description dated 11/24/2015:

This 3R (Resurfacing, Restoration and Rehabilitation) project will repair the bridge over the Republican River on US-183 in Harlan County at mile marker (MM) 5+94, located 0.62 miles south of the south corporate limits of Alma. This project will also resurface the structure S183 00064 at MM 0.64. The project will also resurface the bridge structure at MM 0+64, located along US-183 approximately 0.64 miles north of the Nebraska/Kansas state border.

The existing roadway segment along US-183 consists of two 12 foot wide concrete driving lanes and 10 foot shoulders of which 10 foot is surfaced. The structure S183 00594 spanning the Republican River is a 713 foot long x 44 foot wide prestressed girder bridge.

S183 00064

Partial Depth Deck Repair. Segmental Joint Seal. Resurface with 2” asphalt with membrane from end of bridge approach to end of bridge approach. Seal concrete rails and overhangs. There will be a 2” grade raise.

S183 00594

Replace abutments and grade beams on piles to provide expansive bearings. Repair concrete girders. Seal concrete rails and overhangs. Full and partial depth deck repairs. 2 inch asphalt overlay with membrane from end of paving to end of paving, there will be a 2 inch grade raise.

Scope details include:

• Grading within the hinge point may be required for the following work: Abutment repairs, new bridge approaches, guardrail removal and replacement, sanitary sewer and valve box relocation
• Project surveying and staking will be required.
• Areas disturbed during construction will be stabilized utilizing methods of erosion control as shown in the Storm Water Pollution Prevention Plan (SWPPP).

• Rumble strips will be constructed on the resurfaced shoulders.
• Permanent pavement markings will be applied to all new surfacing.
• No additional property rights will be required to build this project.
• This project will be constructed under traffic with lane closures controlled with approved temporary traffic control.
• A temporary traffic signal will be required.
• This project needs to be soft-tied to Franklin / Webster County Line CN 71156 S-136-4(1015), due to this project needing only a small amount of asphalt.

From: Baker, Kimberly K
To: Pellish, Carmen
Subject: 71180 - Section 408 coordination with Kansas City USACE
Date: Friday, May 13, 2016 9:40:11 AM

Carmen,

In February 2016, I started coordination with John Benson, Section 408 Coordinator, Kansas City District, USACE, to determine if a Section 408 permit was needed for the Alma South Bridge project. I have sent him the project description as well as a set of bridge plans.

In April 2016, through a phone call with John Benson, USACE –
It was decided that the Alma South Bridge project is not subject to 408 coordination. John had drafted a letter documenting their decision, and needed to route it through his office.

Jim Bowen, the Operations Project Manager at Harlan County Lake (USACE) has also been involved with these discussions. It is my understanding that when the Kansas City office sends out their letter, it will be sent to Jim Bowen as well as to NDOR.

Let me know if you need any other information.

Thanks,

Kimberly Baker
Highway Environmental Biologist
Nebraska Dept. of Roads
402-479-4544
Kimberly.k.baker@nebraska.gov

Biological Assessment PQS Memorandum

DATE 4/5/2016

TO Carmen Pellish, NEPA Project Manager

Cc Kimberly Baker, EPU Project Manager

FROM Melissa Marinovich, T&E Species Biologist

SUBJECT Alma South Bridge; NH-183-1(117); CN 71180
Threatened & Endangered Species Concurrence

The biological assessment final approval on: **4/5/2016**

Date of Project Description used for this review: 11/2/2015

Threatened and Endangered Species Effect Determination:

☐ The Project(s) will have "No Effect" to all state or federally listed species or their designated critical habitat (Level 1).

☒ A "May Affect, Not Likely to Adversely Affect" determination is made for the following species/critical habitat with the conservation conditions listed below: **Northern Long-Eared Bat, River Otter, Whooping Crane**

☒ This BA required FHWA Review and Approval.

FHWA Concurrence Date: 3/3/2016

☒ This BA required further consultation with the resource agencies (Level 2).

USFWS Concurrence Date: 3/17/2016

NGPC Concurrence Date: 3/16/2016

☐ Unique conservation conditions were developed and are included below (Level 3).

☐ A "May Affect, Likely to Adversely Affect" determination is made for the following species/critical habitat with the conservation conditions listed below: (Level 3).

Additional Coordination with Other Tribal or Federal Agencies: U.S. Corps of Engineers – Harlan County Lake

Description of Coordination: The reevaluated biological document was sent to the USACE on 3/4/16. A concurrence was received verbally on a phone call by NDOR on 4/5/16. See additional information in the file.

Bald and Golden Eagle Protection Act:

This project was also reviewed for potential impacts to bald and golden eagles. It has been determined that suitable habitat does exist within 0.5 miles of the Environmental Study Area. NDOR will utilize the Bald Eagle Survey Protocol to determine when a survey for nests and/or roosts should be conducted. If nest(s) are present within 0.5 miles of the project area, NDOR will notify the Nebraska Game and Parks Commission and United States Fish and Wildlife Service (and copy Federal Highway Administration), and construction will not commence prior to their approval.

Migratory Bird Treaty Act:

NDOR has developed an Avian Protection Plan (APP) to reduce conflicts between construction of NDOR projects and the laws governing migratory birds. This procedure is designed to protect and conserve avian populations and reduce avian conflicts through changes in project scheduling (i.e. tree clearing outside of primary nesting period), increased migratory bird surveys, and changes in project construction timelines. NDOR will utilize its APP to reduce conflicts with migratory birds on this project.

Fish and Wildlife Coordination Act:

A wetland determination has been completed for this project. Based on current project design, there will be no wetland or stream channel impacts on this project. This project will not require a Section 404 permit from the Corps of Engineers; therefore, coordination under FWCA is not required.

Conservation Conditions: *Responsible Party for conservation condition shown in parentheses.*

Listed below are the required Conservation Conditions that apply to this project. These measures are not subject to change without the prior written approval of the Federal Highway Administration. **Copy and paste the conditions listed below verbatim in the NEPA document, the Green Sheet, and in the contract documents:**

A-1 **Changes in Project Scope**. If there is a change in the project scope, the project limits, or environmental commitments, the NDOR Environmental Section must be contacted to evaluate potential impacts prior to implementation. Environmental commitments are not subject to change without prior written approval from the Federal Highway Administration. *(District Construction, Contractor)*

A-2 **Conservation Conditions**. Conservation conditions are to be fully implemented within the project boundaries as shown on the plans. *(District Construction, Contractor)*

A-3 **Early Construction Starts**. Request for early construction starts must be coordinated by the Project Construction Engineer with NDOR Environmental for approval of early start to ensure avoidance of listed species sensitive lifecycle timeframes. Work in these timeframes will require approval from the Federal Highway Administration and could require consultation with the USFWS and NGPC. *(District Construction, Contractor)*

A-4 **E&T Species**. If federal or state listed species are observed during construction, contact NDOR Environmental. Contact NDOR Environmental for a reference of federal and state listed species. *(NDOR Environmental, District Construction, Contractor)*

A-5 **Refueling**. Refueling will be conducted outside of those sensitive areas identified on the plans, in the contract, and/or marked in the field. *(Contractor)*

A-6 **Restricted Activities**. The following project activities shall, to the extent possible, be restricted to between the beginning and ending points (stationing, reference posts, mile markers, and/or section-

township-range references) of the project, within the right-of-way designated on the project plans: borrow sites, burn sites, construction debris waste disposal areas, concrete and asphalt plants, haul roads, stockpiling areas, staging areas, and material storage sites.

For activities outside the project limits, the contractor should refer to the Nebraska Game and Park Commission website to determine which species ranges occur within the off-site area. The contractor should plan accordingly for any species surveys that may be required to approve the use of a borrow site, or other off-site activities. The contractor should review Chapter 11 of the Matrix (on NDOR's website), where species survey protocol can be found, to estimate the level of effort and timing requirements for surveys.

Any project related activities that occur outside of the project limits must be environmentally cleared/permitted with the Nebraska Game and Parks Commission as well as any other appropriate agencies by the contractor and those clearances/permits submitted to the District Construction Project Manager prior to the start of the above listed project activities. The contractor shall submit information such as an aerial photo showing the proposed activity site, a soil survey map with the location of the site, a plan-sheet or drawing showing the location and dimensions of the activity site, a minimum of 4 different ground photos showing the existing conditions at the proposed activity site, depth to ground water and depth of pit, and the "Platte River depletion status" of the site. The District Construction Project Manager will notify NDOR Environmental which will coordinate with FHWA for acceptance if needed. The contractor must receive notice of acceptance from NDOR, prior to starting the above listed project activities. These project activities cannot adversely affect state and/or federally listed species or designated critical habitat. (NDOR Environmental, District Construction, Contractor).

A-7 **Waste/Debris**. Construction waste/debris will be disposed of in areas or a manner which will not adversely affect state and/or federally listed species and/or designated critical habitat. *(Contractor)*

A-8 **Post Construction Erosion Control.** Erosion control activities that may take place by NDOR Maintenance or Contractors after construction is complete, but prior to project close-out, shall adhere to any standard conservation conditions for species designated for the project area during construction. (NDOR Maintenance, District Construction, Contractor)

S-3 **Revegetation**. All permanent seeding and plantings (excluding managed landscaped areas) shall use species and composition native to the project vicinity as shown in the Plan for the Roadside Environment. However, within the first 16 feet of the road shoulder, and within high erosion prone locations, tall fescue or perennial ryegrass may be used at minimal rates to provide quick groundcover to prevent erosion, unless state or federally listed threatened or endangered plants were identified in the project area during surveys. If listed plants were identified during survey, any seed mix requirements identified during resource agency consultations shall be used for the project. (*NDOR Environmental*)

S-5 **Species Surveys**. If species surveys are required for this project, results will be sent by NDOR to the USFWS, NGPC, and if applicable COE. FHWA will be copied on submittals. (*NDOR Environmental, District Construction*)

Northern Long-Eared Bat:

NLEB-1 Bridge deck joint replacements over the bridge deck, bridge removal activities will be scheduled to occur between October 1st – March 31st to avoid impacts to the northern long-eared bat roosting period. (NDOR Environmental, Construction, Contractor)

OR

NLEB-2 If bridge deck joint replacement over the bridge deck, or removal of bridge structures occurs during the northern long-eared bat roosting period (April 1st – September 30th), NDOR personnel will perform

surveys prior to the start of these activities at the following locations: ***along the length of the bridge (S183 00594) over the Republican River and Harlan County Lake, and any adjacent woodlands***. If the species is absent, work may proceed. If the species is found, NDOR Environmental Section will consult with the USFWS, NGPC, and FHWA prior to the start of construction. (NDOR Environmental, Construction, Contractor)

River Otter:

RO-1 A qualified biologist will survey according to protocol no more than 10 days prior to construction ***at Structure S183 00594***. If no active den sites are found, then the project can proceed. If active den sites are found, NDOR Environmental Section will notify the District and will consult with the USFWS, NGPC, and FHWA. If species are present the District will notify the Contractor to stop work within 1/2 mile of the active den until NDOR Environmental completes consultation. (*NDOR Environmental, District Construction, Contractor*)

RO-3 Bridge deck debris will be captured and/or contained to prevent material from falling below the structures ***S183 00064 & S183 00594***. (*District, Contractor*)

Whooping Crane:

WC-1 Construction activities will not occur during Whooping Crane migration periods. (Spring migration: March 10 – May 10; and fall migration: September 16 – November 16). (*NDOR Environmental, Construction, Contractor*)

OR

WC-2 If construction activities occur during Whooping Crane migration periods (Spring migration: March 10 – May 10; and fall migration: September 16 – November 16), NDOR trained personnel, or a qualified biologist, will conduct surveys according to protocol at the following locations: ***along the length of the bridge (S183 00594) at the Republican River Channel*** **(prior to the start of daily construction activities)**. If species are present the District will notify the Contractor to stop work within 1/2 mile of the whooping crane and follow the protocol to determine when work can resume **(also not initiate work if species is found in the morning survey)**. Options for resuming work may include but are not limited to (*NDOR Environmental, Construction, Contractor*):

- Construction activities are limited to the hours from 10:00 a.m. to 4:00 p.m. (CST) during the migration period, unless morning survey indicates Whooping Cranes are not present.
- If a whooping crane is observed during the survey within ½ mile of the project, but departs the area (further than ½ mile from the project) then work can resume. Document this departure according to protocol.

AND

WC-3 Herbaceous species used for re-seeding within ¼ mile of the following location: ***Republican River channel*** will be native grass or forb species. Native shrub or woody species used in restoration should reach no more than 4 feet in height at maturity. (*Design, NDOR Environmental*).

R-11 For the **whooping crane**, nighttime work with lights from March 10 - May 10 and September 16 - November 16 is not authorized. If nighttime work is required, the Contractor will notify the District and the District will request approval from NDOR Environmental Section at least 10 working days prior to construction so consultation with the USFWS, NGPC, and FHWA can be initiated. Approval from these agencies is required (*NDOR Environmental, District Construction, Contractor*)

Bald and Golden Eagle Protection Act:

Suitable **Bald Eagle** nesting and/or roosting habitat exists within 0.5 miles of the Environmental Study Area. If construction will begin between February 1 and April 15, a nest survey must be completed at least 1 but not more than 14 days prior to construction. If construction will begin between April 15 and October 1, a nest survey completed in March is sufficient, as nests will likely already be constructed if nesting will occur that year. However, a nest survey may be completed anytime during this timeframe, as long as it is completed prior to construction. If bald eagles are nesting in the area, consultation with NGPC and USFWS will be required. Eagle roosting surveys will be conducted if construction occurs between October 1 and January 31.

Marinovich, Melissa

From: Marinovich, Melissa
Sent: Tuesday, April 05, 2016 10:44 AM
To: scott.stapp@dot.gov
Cc: Dittmer, Dillon; Maiefski, Melissa; Sue Petracek (Sue.Petracek@dot.gov); 'Jim.D.Bowen@usace.army.mil'
Subject: Alma South Bridge, NH-183-1(117), CN 71180 - Bio Doc Reevaluation USACE Coordination

On April 5, 2016 at 10:35 AM, I received a telephone call from Jim Bowen, Operations Project Manager, for the U.S. Army Corps of Engineers at Harlan County Lake. He state that he had received and reviewed the Biological Determination Reevaluation Memorandum for the above mentioned project.

The project was reevaluated due to the addition of scoped activities on structure S183 00064, a location approximately 5-miles south of the original project location. The changes were reviewed using the current matrix tool. The addition of the second location and activities did not change the original effect determination of **May Affect, Not Likely to Adversely Affect** northern long eared bat, river otter, and whooping crane.

Mr. Bowen stated he perceived no issues with the addition of the second location and activities and would have no further comment on this project.

Thanks,

Melissa Marinovich
Highway Environmental Biologist

Nebraska Department of Roads
1500 Highway 2, Lincoln, NE 68509
Phone: (402) 479-3546
Cell: (402) 560-0760
Fax: (402) 479-3895
Email: melissa.marinovich@nebraska.gov

Office Hours: M-Th 7:00 am - 5:30 pm

NEBRASKA
GAME PARKS

2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641

3/16/2016

Scott Stapp
Federal Highway Administration
100 Centennial Mall North, Room 220
Lincoln, NE 68508-3803

Re: Reevaluation Due to Addition of Scoped Activities
Alma South Bridge; NH-183-1(117); CN 71180

Dear Mr. Stapp:

Please make reference to your letter dated 3/4/2016. This letter is in response to your request for concurrence regarding this project's potential impacts to endangered and threatened species in Harlan County, Nebraska. This is a reevaluation of the proposed project, due to the addition of scoped activities at a second bridge location. As we understand it, the project involves bridge deck repair, crack and joint sealing, and resurfacing on Structure S183 00594 and Structure S183 00064, and other associated activities as outlined in the documents attached to your letter. We have completed our review of the proposed project under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act (NESCA) and we offer the following comments.

This project is within the range of the federal and state-listed endangered whooping crane (*Grus americana*), the federal and state-listed threatened northern long-eared bat (*Myotis septentrionalis*), and the state-listed threatened river otter (*Lontra canadensis*). Habitat for whooping crane, northern long-eared bat, and river otter exists within or near the project area, and project activities could prevent these species from using this habitat. Habitat for all other listed species will not be impacted.

The Nebraska Department of Roads (NDOR) has agreed to implement standard and species-specific conservation conditions in order to avoid impacts to whooping crane, northern long-eared bat, and river otter. In the event a borrow site associated with this project results in a depletion to the Platte River, NDOR will contact the appropriate agency, depending on which river basin the borrow site is located in, to address offsetting the depletion.

Based on this information, we concur the proposed project "May Affect but is Not Likely to Adversely Affect" whooping crane, northern long-eared bat, and river otter and will have "no effect" on all other state-listed endangered or threatened species. This concurrence is based on a review of the material you sent, aerial photographs, and our Nebraska Natural Heritage Database.

If the proposed project is changed or new information regarding endangered and threatened species becomes available, then this concurrence is no longer valid and further consultation with the Nebraska Game and Parks Commission (Commission) will be necessary.

For an assessment of potential impacts to habitats and species protected under federal wildlife laws, including federally listed, candidate or proposed endangered or threatened species, please contact Eliza Hines (eliza_hines@fws.gov) or John Cochnar (john_cochnar@fws.gov), Nebraska Field Office, U.S. Fish and Wildlife Service, 9325 South Alda Road, Wood River, NE 68883.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5554 or ryan.joe@nebraska.gov.

Sincerely,

Ryan Joe
Environmental Analyst
Planning and Programming Division

ec: USFWS (Eliza Hines, John Cochnar, Brooke Stansberry)
NDOR (Melissa Marinovich)
FHWA (Melissa Maiefski, Sue Petracek)

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

100 Centennial Mall North
Room 220
Lincoln, NE 68508
(402)742-8460

August 15, 2014

RECEIVED
AUG 25 2014
BY:

Nebraska State Historic Preservation Office
Received
AUG 20 2014
NSHS

L. Robert Puschendorf
Deputy State Historic Preservation Officer
Nebraska State Historical Society
P.O. Box 82554
Lincoln, NE 68508

Dear Mr. Puschendorf:

Project NH-183-1(117), CN 71180
Alma South Bridge
Harlan County
Cultural Resources Evaluation

HP# 1408-091-01
County HN
STR. X ARCHEO. X
Resp. NP Date 20140826

Please review this document on historic resources for the subject project as required under Section 106 of the National Historic Preservation Act of 1966 as amended and implementing regulations at 36 CFR Part 800.

An evaluation of the potential for cultural resources, both archeology and standing structures, is included below [and in enclosures].

Project Description:
This project would repair the bridge over the Republican River on US-183 in Harlan County at mile marker (MM) 5.94, located 0.62 miles south of the south corporate limits of Alma (See Enclosure 1).

The improvements on this project consist of replacing abutments, repairing girders, resurfacing the bridge deck, replacing the approaches and grade beam on pile, and sealing the bridge rails. There would be a 2" grade raise that the new approaches would match.

Scope details include:

- Grading beyond the hinge point would be required for the following work:
  - Bridges
    - Removal of old abutment
    - Pile driving for new abutments, temporary support for girders and new grade beams at approaches.
- Grading beyond the hinge point may be required for the following work (Roadway Design) would make a determination at Plan-in-Hand):
  - Sanitary sewer and valve box in each approach slab would need to be relocated.

The structure over the Republican River (Structure Number S183 00594) would consist of replacing abutments, repairing girders, resurfacing the bridge deck, replacing the approaches and grade beam on pile, and sealing the bridge rails.

- 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).
- Rumble strips would be constructed on the resurfaced shoulders.
- Permanent pavement markings would be applied to all new surfacing.
- No additional property rights would be required to build this project.
- This project would be constructed under traffic with lane closures controlled with approved temporary traffic control.
- This project needs to be soft-tied to Stamford East & West, CN 70838, STPD-89-3(106), due to this project needing only a small amount of asphalt.

Area of Potential Effects (APE)
The APE for archeological properties and standing structures was chosen to adequately identify any historic properties that may be potentially altered by this undertaking (See Enclosure 2). The APE for *direct* effects for this project includes the areas of maintenance activities described above, specifically the Republican River Bridge to be repaired and the existing US-183 roadway and stream channel in its immediate vicinity. No detour route is required. Definition of a broader *indirect* APE for secondary or cumulative impacts is not required in this instance.

Archeological Evaluation:
An archeological evaluation was conducted by Highway Archeology Program Archeologist, Karen Steinauer, on July 9, 2014. A review of the Nebraska State Historical Society Cultural Resources Geographic Information System (NCRGIS) archeological resources database and historic maps disclosed that there are no previously recorded archeological properties within the APE. Google Earth Street-View (2014) imagery of the APE shows it to be in an area presently inundated by water. No field evaluation is recommended for this undertaking. The bridge maintenance activities are in a portion of the stream channel and on a lowland floodplain of disturbed alluvial deposits that have been altered further by previous roadway construction activities and bridge scour. The bridge approaches are on a berm entirely of artificial fill material. The probability for intact archeological materials is extremely low. It is recommended that there are no archeological historic properties present in the APE.

Standing Structures:
All research was conducted on July 9, 2014 by Karen Steinauer. Within the APE for the above-described undertaking, there is only one standing structure that will be directly impacted by maintenance activities, existing bridge number S183 00594. A formal in-field evaluation is not required. The bridge was investigated through a review of the 2007 National Register Evaluation of Nebraska Bridges 1947 to 1965 (including the reassessment of select pre-1947 bridges), and the Nebraska Historic Bridge Inventory of 1991 (updated 1996). This bridge is not identified as an eligible structure in the Nebraska inventories of bridges before 1947 or of those from 1947 to 1965. These inventories, which were a joint effort between the Nebraska Department of Roads and the NeSHPO, evaluated the National Register eligibility of all bridges in the state. The bridge is not listed in the inventories as eligible for inclusion on the National Register of Historic Places because it does not possess the necessary engineering/design significance to be considered eligible. It is recommended that there are no structural or architectural historic properties present in the APE.

Recommended Effects:
The Federal Highway Administration recommends that there are no 'historic properties' within the APE of this undertaking, and accordingly, makes a finding of "no historic properties affected" and respectfully requests NeSHPO concurrence with this determination.

If you have any questions regarding this information, please do not hesitate to contact me at your earliest convenience.

Sincerely yours,

for Melissa Maiefski
Program Delivery Team Lead

Enclosures

CONCUR:

Jill Dolberg for BP
Deputy State Historic Preservation Officer

9-2-14
Date

Nebraska Department of Roads

Planning and Project Development

Memorandum

DATE December 11, 2015

TO Shannon Sjolie, Highway Environmental/NEPA Specialist, Planning and Project Development

FROM Will Packard, Highway Environmental Specialist, Planning and Project Development

SUBJECT Hazardous Materials Review for Nebraska Department of Roads (NDOR) Project-Alma South Bridge, Project No. NH-183-1(117), Control No. 71180

Overview

A Hazardous Materials Review (HMR) was conducted for the referenced construction project. The purpose of the review is to identify environmental concerns associated with hazardous materials and petroleum products that could potentially be encountered during construction of the project.

The Nebraska Department of Environmental Quality (NDEQ) Interactive Mapping System (IMS) web based mapping application was used to obtain information on hazardous material sites and petroleum releases. Specifically, the NDEQ IMS database was searched to identify facilities with releases that have occurred within 0.1 miles of the project or soil or groundwater plumes that may have migrated to within 0.1 miles of project excavations. Facilities listed in environmental programs that are not related to hazardous materials or petroleum products, such as air permitting, livestock waste control and underground injection control and septic related onsite waste treatment systems were not considered.

Project Description

This 3R (Resurfacing, Restoration and Rehabilitation) project will repair the bridge over the Republican River on US-183 in Harlan County at mile marker (MM) 5+94, located 0.62 miles south of the south corporate limits of Alma. This project will also resurface the structure S183 00064 at MM 0.64. The project will also resurface the bridge

structure at MM 0+64, located along US-183 approximately 0.64 miles north of the Nebraska/Kansas state border.

The existing roadway segment along US-183 consists of two 12 foot wide concrete driving lanes and 10 foot shoulders of which 10 foot is surfaced. The structure S183 00594 spanning the Republican River is a 713 foot long x 44 foot wide prestressed girder bridge.

S183 00064
Partial Depth Deck Repair. Segmental Joint Seal. Resurface with 2” asphalt with membrane from end of bridge approach to end of bridge approach. Seal concrete rails and overhangs. There wil be a 2” grade raise.

S183 00594
Replace abutments and grade beams on piles to provide expansive bearings. Repair concrete girders. Seal concrete rails and overhangs. Full and partial depth deck repairs. 2 inch asphalt overlay with membrane from end of paving to end of paving, there will be a 2 inch grade raise.

Scope details include:
- Grading within the hinge point may be required for the following work: Abutment repairs, new bridge approaches, guardrail removal and replacement, sanitary sewer and valve box relocation
- Project surveying and staking will be required.
- Areas disturbed during construction will be stabilized utilizing methods of erosion control as shown in the Storm Water Pollution Prevention Plan (SWPPP).
- Rumble strips will be constructed on the resurfaced shoulders.
- Permanent pavement markings will be applied to all new surfacing.
- No additional property rights will be required to build this project.
- This project will be constructed under traffic with lane closures controlled with approved temporary traffic control.
- A temporary traffic signal will be required.
- This project needs to be soft-tied to Franklin / Webster County Line CN 71156 S-136-4(1015), due to this project needing only a small amount of asphalt.

Hazardous Materials Site(s)

No hazardous materials or petroleum related facilities were identified within 0.1 miles of the Alma South Bridge Project.

Asbestos and Lead

The scope of bridge work does not require an asbestos survey and no painted compenents were identified on the bridge structure. No asbestos or lead mitigation is required.

Conclusions

There is a low potential of encountering contamination during the project. No further investigation is necessary. However, although the risk for regulated materials impact is considered low, the contractor is required to adhere to the following commitment:

> If contaminated soil, water or hazardous materials are encountered, all work within the immediate area of the discovered hazardous material must stop until NDOR/Federal Highway Administration (FHWA) is notified and a plan to dispose of the hazardous materials has been developed. The NDEQ shall then be consulted and a remediation plan developed for this project. The potential also exists to have contaminants present resulting from minor spillage during fueling and service associated with construction equipment. Should contamination be found on the project during construction, the NDEQ shall be contacted for consultation and appropriate actions to be taken. The Contractor is required by NDOR's Standard Specification section 107 (legal relations and responsibilities to the public) to handle and dispose of contaminated material in accordance with applicable laws.

Sincerely,

Will Packard 12/11/15

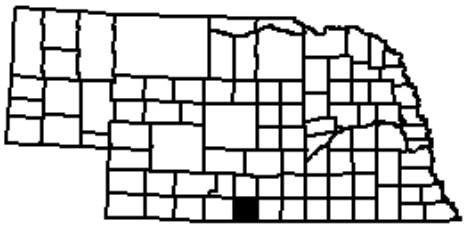
Name Date

Will Packard, Highway Environmental Specialist
Planning and Project Development
NDOR

Attachment A – Location Map

Location Map

Alma South Bridge
Project No. NH-183-1(117)
Control No. 71180



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Nebraska Department of Roads

Planning and Project Development

Memorandum

DATE: January 8, 2015

TO: Shannon Sjolie, Highway Environmental/NEPA Specialist, Planning and Project Development

FROM: David Wisch, Highway Environmental Specialist, Planning and Project Development

SUBJECT: Noise Study Determination Memo for the Nebraska Department of Roads (NDOR) Project - Alma South Bridge, Project No. NH-183-1(117), Control No. 71180

NDOR Noise Section staff has reviewed the DR 530 Form and project description for Alma South Bridge to determine if a noise study is warranted. Based on the materials reviewed, this project does not fit the definition of a Type I project and is therefore exempt from a noise study.

Sincerely,

01/08/15

Name Date

David Wisch, Highway Environmental Specialist
Planning and Project Development
NDOR

To: Carmen Pellish, Highway Environmental Biologist-NEPA Specialist, NDOR
From: Chris Hassler, Highway Civil Rights Coordinator, NDOR
Date: 13 April 2016
RE: Revised Civil Rights Analysis, CN 71180, NH-183-1(117), Alma South Bridge

Revised Civil Rights Analysis for CN 71180

Environmental Justice Regulatory Background and Methodology:

Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, was signed on February 11, 1994, and requires that, to the extent practicable and permitted by law, low-income or minority populations may not receive disproportionately high and adverse human health or environmental effects as a result of a proposed project. Federal agencies must take the appropriate and necessary steps to identify and address disproportionately high and adverse effects of federal projects on the health or environment of low-income and minority populations. Also, representatives of any low-income or minority populations in the community that may be affected by a project must be given the opportunity to be included in the impact assessment and public involvement process.

On June 14, 2012, FHWA issued Order 6640.23A, *Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, which established policies and procedures for the FHWA and state transportation agencies to use in complying with Executive Order 12898. The Order provided definitions for multiple terms and concepts applicable to this analysis.

> *Adverse Effects* are defined as "the totality of significant individual or cumulative human health or environmental effects, including interrelated social and economic effects, which may include, but are not limited to: bodily impairment, infirmity, illness or death; air, noise, and water pollution and soil contamination; destruction or disruption of human-made or natural resources; destruction or diminution of aesthetic values; destruction or disruption of community cohesion or a community's economic vitality; destruction or disruption of the availability of public and private facilities and services; vibration; adverse employment effects; displacement of persons, businesses, farms, or nonprofit organizations; increased traffic congestion, isolation, exclusion or separation of minority or low-income individuals within a given community or from the broader community; and the denial of, reduction in, or significant delay in the receipt of, benefits of FHWA programs, policies, or activities."
>
> A *Disproportionately High and Adverse Effect to Low-Income and Minority Populations* is defined as an adverse effect that:
>
> 1. is predominately borne by a minority population and/or a low-income population; OR
>
> 2. will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the nonminority population and/or non-low-income population.

Minority is defined as a person who is:

1. Black: a person having origins in any of the black racial groups of Africa;

2. Hispanic or Latino: a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;

3. Asian American: a person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent;

4. American Indian and Alaskan Native: a person having origins in any of the original people of North America, South America (including Central America), and who maintains cultural identification through tribal affiliation or community recognition; OR

5. Native Hawaiian and Other Pacific Islander: a person having origins in any of the original peoples of Hawaii, Guam, Samoa or other Pacific Islands.

A *Low-Income* person is defined as a person whose median household income is at or below the Department of Health and Human Services poverty guidelines. (*Note – The U.S. Department of Health and Human Services does not publish tabulations of the number of people below the DHHS poverty guidelines, which are a simplified version of the federal poverty thresholds. The federal poverty thresholds are used for calculating all official poverty population statistics, and are updated annually by the Census Bureau. The best approximation for the number of people below the DHHS poverty guidelines in a particular area is the number of persons below the Census Bureau poverty thresholds in that area.)*

A *Minority Population* is defined as any readily identifiable group of minority persons who live in geographic proximity, and if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FHWA program, policy, or activity.

A *Low-Income* population is defined as any readily identifiable group of low-income persons who live in geographic proximity, and, if circumstances warrant, geographically dispersed/transient persons (such as migrant workers or Native Americans) who will be similarly affected by a proposed FHWA program, policy, or activity.

In a December 16, 2011, memorandum titled *Guidance on Environmental Justice and NEPA*, the FHWA laid out a basic methodology for performing Environmental Justice analysis. NDOR has adopted, and FHWA has approved, an Environmental Justice methodology which follows the basic framework of the 2011 memorandum, but expands upon a few vague or undefined concepts. NDOR Environmental Justice methodology is as follows:

1. Using localized census tract data and other relevant information sources, data is gathered and readily identifiable groups or clusters of minority or low-income persons in the EJ study area are listed. Small clusters or dispersed populations are not overlooked. Study area data is also compared with the data of larger, identifiable areas (census tracts, cities, counties,

NDOR districts, etc.) to determine the proportion of minority and low-income persons present in the study area.

2. Minority and low-income populations are identified where:

   (a) A readily identifiable group or cluster of minority or low-income persons is located in the EJ study area (for example, a low-income housing complex, or a workplace of mostly minority persons); OR

   (b) The minority population of the study area exceeds 50 percent; OR

   (c) The minority population percentage of the affected area is *meaningfully greater* than the minority population percentage in the general population or other appropriate unit of geographic analysis. The *meaningfully greater* standard is fact-dependent and requires professional judgment, but in most cases *meaningfully greater* is about 6%-8% or above.

3. If minority and/or low-income populations are not present in the EJ study area, the analysis is concluded.

4. If minority and/or low-income populations are present in the EJ study area, potential disproportionately high and adverse effects of the proposed project are examined. If none are identified, the analysis is concluded.

5. If minority and/or low-income populations are present in the EJ study area, and potential disproportionately high and adverse effects of the proposed project have been identified, proposed mitigation will be considered. Commonly, the application of effective mitigation techniques can reduce or eliminate adverse effects that might otherwise fall disproportionately upon minority and low-income populations.

6. Finally, the analysis concludes with a determination that the proposed project either will or will not result in disproportionately high and adverse effects to minority and low-income populations. State transportation agencies lack the regulatory authority to make a final determination in cases where potential disproportionately high and adverse effects to minority and/or low-income populations exist. In the event that potential disproportionately high and adverse effects to minority and low-income populations are anticipated, even when mitigation is expected to reduce or eliminate the effects, the analysis and determination must be forwarded to the FHWA for comment, revision, and approval.

Project Location and Description

This project is located in Harlan County, south of the City of Alma. Banner County contains only a single census tract, so data for the project area will be studied at the block-group level.

This project will repair a bridge over the Republican River on US-183 in Harlan County located 0.62 miles south of the south corporate limits of Alma. The project will also resurface the bridge structure at MM 0+64, located along US-183 approximately 0.64 miles north of the Nebraska/Kansas state border. There will be no detour for this project.

Examination of Study Area Population: Census Data and Other Observations

The Environmental Justice data for this project is as follows:

Area	Minority Population*	Hispanic Population	Population Below the Poverty Level**
Tract 9642, Block Group 3	2.4%	1.5%	14.7%
City of Alma	1.1%	0.6%	15%
Harlan County	2.3%	1.3%	11.8%

*Data on minority and Hispanic persons collected from 2010 Decennial US Census, Summary File 1, Table P5.
**Data on low-income persons collected from American Community Survey 2010-2014 5-Year Estimates, Tables S1701 and B17021.

The Limited English Proficiency data for this project is as follows:

Area	% of Population that Speaks ONLY English*	Languages Other Than English Spoken by 5% or Greater of the Total Population**	Population of Area Age 5 or Greater
Tract 9642, Block Group 3	93.9%	None	1,113
City of Alma	97.5%	None	1,116
Harlan County	97.1%	None	3,250

*All data from American Community Survey 2010-2014 5-Year Estimates, Tables B16001 and B16004.
** These figures reflect the population of an area that speaks a language other than English, and also speaks English "Less than Very Well."

In general, the areas in which this project is located have lower or consistent populations of minority, Hispanic, and low-income persons when compared to the county. No businesses or organizations likely to be predominately used by minority or low-income populations were identified in the vicinity of the project.

In no instance is any minority, Hispanic, or low-income population of the block group or the city meaningfully greater than the corresponding figures for Harlan County.

The areas in which this project is located are mostly English-speaking. In the areas surveyed, none of the data indicates the presence of an LEP population that reaches the NDOR LEP outreach triggers of 5% or 1,000 persons.

Conclusions

There will be no disproportionately high and adverse human health or environmental effects visited upon minority and low-income populations, as defined in FHWA Order 6640.23A, because these protected populations are not present in the project area.

No LEP outreach is required for this project because, in the areas surveyed, none of the data indicates the presence of an LEP population that reaches the NDOR LEP outreach triggers of 5% or 1,000 persons.

From: Kugler, Sarah
To: Pellish, Carmen
Cc: Bui, Tony; Erickson, Grace
Subject: RE: 71180-Alma South Bridge
Date: Wednesday, February 10, 2016 10:18:07 AM

Carmen,

No additional public involvement is needed. Thanks for checking.

Sarah R. Kugler
Public Involvement Manager
NDOR Communication Division
402-479-4871 (phone)
402-416-7667 (mobile)
sarah.kugler@nebraska.gov

From: Pellish, Carmen
Sent: Wednesday, February 10, 2016 9:15 AM
To: Bui, Tony <tony.bui@nebraska.gov>; Erickson, Grace <grace.erickson@nebraska.gov>; Kugler, Sarah <sarah.kugler@nebraska.gov>
Subject: 71180-Alma South Bridge

Good Morning!
The above project had a scope change in November and a new bridge was added five miles south of the original bridge. The FHWA approved DR-53 called for no PI needed but to re-evaluate if there was a scope change. There would be no additional ROW and the work would still be done under traffic. Can you please take a look at the attached project description and let me know if PI will be needed?

Thank you,
Carmen

Carmen Pellish
Highway Environmental Biologist-NEPA Specialist
Nebraska Department of Roads
1500 Highway 2, Lincoln, NE 68509
Office: 402.479.4413
Email: carmen.pellish@nebraska.gov