CE Determination Form for Federal-Aid Projects (June 2, 2015)

CE Review Level:

☐ 1 ☐ 2 ☒ 3 ☐ Re-evaluation

The proposed project qualifies as the Categorical Exclusion Level indicated above in accordance with the 2015 Programmatic Agreement.

Appendix: C

Project Name:

Whitman East

Project Number:

NH-2-2(112)

Control Number:

61008

Location and Study Area:

The Project is located on Nebraska Highway 2 (N-2) from Whitman, Nebraska to approximately 9.24 miles west of the west corporate limits of Mullen in Grant and Hooker Counties.

For wetlands and most other resources, the Environmental Study Area (ESA) is confined to the roadway plus 200 feet on either end of N-2 including existing right-of-way (ROW), plus 50 feet beyond the ROW for most of the Project length (15.95 miles), and extending to 150 feet beyond the ROW at bridges and culverts for wetlands and most other resources. For regulated materials the study area extended to 0.1 mile beyond the ROW, and for Section 4(f) properties, 0.25 mile beyond ROW. Termini are based on limits identified by NDOR pavement management system, District 6, and previous construction projects on this segment of highway.

Begin Point(s):

MM 159.05

End Point(s):

MM 175.04

Highway Number, Street, etc.:

N-2

Project Description:

This project would resurface 15.95 miles of N-2 located in Grant and Hooker Counties, starting just west of the unincorporated village of Whitman, at mile marker (MM) 159.05, and extending east to MM 175.04, 9.24 miles west of the west corporate limits of Mullen. Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.

With the exception of a short segment in Whitman (MM 159.26 to MM 159.47), as-built plans indicate the existing roadway on this segment of N-2 consists of two 12-foot-wide asphalt lanes and 6.5-foot-wide shoulders, of which 1.5 feet is paved with asphalt. However, completed survey shows that the surfaced shoulder width varies from 6

inches to 1.5 feet with most areas less than the stated as-built width.

From MM 159.26 to MM 159.34, the existing roadway consists of two 12-foot-wide asphalt lanes, a 6.5-foot-wide shoulder, of which 1.5 feet is paved with asphalt on the left and a 5-foot-wide asphalt shoulder and 3.5-foot-wide concrete curb and gutter on the right.

From MM 159.34 to MM 159.40, the existing roadway consists of a 42-foot-wide curbed section with two 12-foot-wide asphalt lanes, 5-foot-wide asphalt shoulders and 3.5-foot-wide concrete curb and gutter.

From MM 159.40 to MM 159.47, the existing roadway consists of two 12-foot-wide asphalt lanes, an 8-foot-wide asphalt shoulder on the left and a 5-foot-wide asphalt shoulder and 3.5-foot-wide concrete curb and gutter on the right.

The improvements on the curbed section of this project consist of performing fly ash slurry injection of bituminous thermal cracks, milling the existing surfacing, and resurfacing with asphalt.

In the rural non-curbed sections of this project, the improvements on the mainline would consist of performing fly ash slurry injection of bituminous thermal cracks, milling the existing asphalt, and resurfacing with asphalt. Full depth four feet wide surfaced shoulders would be constructed. Cable guardrail would be placed at foreslopes steeper than 3:1. The existing normal crown roadway would be converted to a reverse crown roadway at sections of the project where earthwork encroaches on the right-of-way (ROW). ROW acquisition would occur as well as temporary easements to the adjacent railroad ROW. Curb and flume with asphalt surfaced shoulders would be constructed where warranted. The historical marker turnout at approximately MM 174.38 would be surfaced with asphalt.

Scope details include:
- Grading beyond the hinge point would be required for the following work:
  - Earth shoulder construction
  - Shoulder widening and/or surfacing
  - Construction of shoulders for curb and flume
  - Correction of superelevation on the high side would at most be a half-foot grade raise.
  - Roadway grading for plugged and sand-filled culverts
  - Building culvert pipe with flared end sections, and area inlet with grate at MM 168.06
  - Flumes at MM 165.13 and MM 165.20 would be piped south under N-2 with special ditching on the south side to eliminate need for additional railroad easements/ROW
  - Flattening foreslopes
  - Guardrail
  - Curb and flume
  - Ditch cleanout
  - Construction of full-depth pavement for historical marker turnout
- The scope of work at culvert sites on this project has been determined; there are sixteen culverts on the project, with four culverts being affected. Of the four culverts being affected, two would be plugged and sand filled, with the other two being extended to accommodate changing foreslopes. The remaining culverts would be used in place, due to being outside of the fixed obstacle clear zone.
- Erosion control curb and flume would be built to the District's discretion on the low side of superelevated curves and where profile grades exceed 3.5 percent. Impacts beyond the hinge point are anticipated.
- The existing asphalt would be milled prior to resurfacing.
- Asphalt patching operations would be performed prior to resurfacing.
- A beveled edge and rumble strip would be included with the surfaced shoulder.
- Rock or gravel surfacing would be added as necessary.
- Existing surfaced driveways and intersections would be resurfaced.
- The existing earth shoulders would be brought up to match the new asphalt.
- Material adjacent to the existing surfacing would be removed to define a consistent roadway width and provide a clean vertical face prior to widening and/or construction of surfaced shoulders.
- 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).
- Permanent pavement markings would be applied to all new surfacing.
- 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 lane closures controlled with approved temporary traffic control.

Purpose and Need *(include for Level 3, NWP 23, and Section 4(f) Programmatic Evaluation)*:

The purpose of this project is to preserve the transportation asset, improve the reliability of the transportation system, and perpetuate the mobility of the traveling public.

The need for this project is based on information from NDOR's Pavement Management System, Materials & Research Pavement Design Section and District 6. These entities have determined that the pavement distresses present on this section of N-2 are significant enough to warrant rehabilitation. The existing asphalt is 36 years old; beyond the end of its anticipated service life. In the most recent five years, an average of $3,223 per lane per mile has been spent annually on maintenance activities, including patching, armor coating, and shoulder maintenance. This expenditure is indicative of pavement in "Poor" condition. The existing roadway has large areas of patching and wide and depressed thermal cracks as evidenced by a Thermal Cracking Index of 100, the worst possible rating. The need for erosion control curb and flumes is to limit erosion of the foreslopes and reduce future maintenance requirements. The need for historical marker turnout surfacing is to provide access to the traveling public.

Action is identified in the Current STIP Date:	Subsequent Phase:	Estimated Cost *($)*:
5/25/2016	Construction	$10,899,000

The numbers in the parentheses (x) indicate the level of CE review that will be required.

All technical assessment approvals shall be made by NDOR Professional Qualified Staff (PQS) responsible for the resource category and are indicated by "NDOR PQS Determination Date."

Right of Way and Property Impacts

1.1 Easements/ROW – Will the action require the acquisition of new temporary or permanent right-of-way *including easements)*?

[X] Yes (2) [ ] No (1) [ ] N/A

1.2 Will the action result in acquisition of greater than 2 acres per linear mile *(estimated)* or the removal of major property improvements?

[ ] Yes (3) [X] No (2)

1.3 Describe type of property required for ROW and/or potential impacts to major property improvements:

Permanent ROW and temporary easements would be acquired as part of this project. Permanent ROW would be needed for the grading for the improved foreslope to meet minimum design standards and temporary easements would be needed for driveway construction. The land required for ROW is currently grassland and is not being farmed. Acquisition of ROW would not affect current land use in the area.

1.4 Estimated Acres of Permanent ROW/Easements:

0.39

1.5 Estimated Acres of Temporary ROW/Easements

0.34

1.6 Will the action result in any residential or nonresidential displacements?

☐ Yes (3) ☒ No (2) ☐ N/A

2.1 Section 4(f) – Will the action result in a Section 4(f) use or qualify for Section 4(f) Exception?

☐ Yes (2) ☒ No (1) ☐ N/A

2.3 Describe resources, impacts, and the coordination conducted with officials/agencies *(including FHWA approval date(s))*:

Site H00-025, an alignment of the Potash Highway from approximately 1918, is located north of an existing railroad alignment. Site H00-025 also encompasses an approximate 1940 Potash Highway alignment that lies between the current N-2 and the railroad. In both locations, Site H00-025 is outside the Area of Potential Effect (APE) for the project. Consequently, there would be no use of the Section 4(f) property. No other Section 4(f) resources were identified within or near the study area.

3.1 Section 6(f) – Are there any Section 6(f) Land and Water Conservation Fund Act properties 36 CFR 59) within the study area?

☐ Yes (1) ☐ No (1) ☒ N/A

Other Non-Threshold Property Impacts

4.1 Will the action take place on or adjacent to Tribal lands or other Federal lands?

☐ Yes ☒ No

4.2 Will federal funds be used to relocate utilities, or will the project contractor be responsible for the relocation of the utilities?

☐ Yes ☒ No ☐ Unknown

The following questions should only be answered when the action is processed for CE Level 2 or CE Level 3 determinations. These questions are not required for a CE Level 1 analysis.

4.3 Trails – Will the action involve construction of new trails on ROW not previously designated for trails?

☐ Yes ☒ No

4.4 Farmland – Will the action result in impacts to prime or unique farmland?

☐ Yes ☒ No

4.5 If Yes, does the affected property accumulate 60 points or more in Part VI of the NRCS-CPA-106 Form?

☐ Yes ☐ No ☒ N/A

4.6 Describe resources, impacts, and the coordination conducted with officials/agencies (including FHWA):

The Project would permanently affect 0.29 acres of rural land in Grant County and 0.10 acres of rural land in Hooker County.

The NRCS-CPA-106 (Farmland Conversion Impact Rating For Corridor Type Projects) form shows that the Part VI section assessment point total is 38. The NRCS-CPA-106 (Farmland Conversion Impact Rating For Corridor Type Projects) form is based on a point system that has 160 points set as the minimum number limit for "Total Points" that triggers additional in-depth site reviews. The NRCS evaluation portion Part V is on a scale of 0 to 100 points. That means that the Federal Agency Part VI "Total Site Assessment Points" must be at least 60 to even warrant the possibility of reaching the 160 "Total Points" level of concern. In the case with this project, the highest possible Total Points" that could be reached would only be 138. No further coordination would be required.

4.7 Describe Mitigation for Above Non-Threshold Resources:

Utility relocation or replacement is not anticipated for the Project. If utility relocation or replacement is required in a later phase of the Project, a reevaluation shall be required if: (1) federal funds are used for the utility work; or (2) the project construction contractor is responsible for the work. If this utility work is identified during final design, the Project sponsor shall initiate the reevaluation prior to project letting. If the work is identified during construction, the Project sponsor shall initiate the reevaluation prior to commencing utility work. (NDOR Environmental, NDOR District)

If any one of the above two conditions do not apply, later relocation or replacement of utilities shall be coordinated through NDOR and the Contractor per NDOR's Standard Specifications for Highway Construction, Subsection 105.06. Any environmental permits required for these utility relocations or replacements shall be the responsibility of the Utility. (NDOR District, Utility Provider(s))

Water and Ecological Resources:

5.1 Wild and Scenic/National Recreational Rivers – Will the action cross or occur adjacent to a Wild and Scenic River, National Recreational River Segment, or a river listed on the nationwide rivers inventory, including its buffer area?

☐ Yes* ☒ No ☐ N/A

Note: If Yes, the proposed action can be processed as a Level 1 [all Appendix A categories] or a Level 2 Action [Appendix B categories other than (26), (27), and (28)] if the Agency with Jurisdiction has determined the action will not result in an impact.

6.1 Floodplain/Floodway – Will the action occur within the boundaries of a mapped Zone A floodplain or a mapped floodway?

☐ Yes (1) ☒ No (1) ☐ N/A

If Yes, attach permits to the CE document. If a floodplain permit has not been obtained, add commitment that one will be obtained prior to the start of construction.

7.1 Wetlands/Waters of the U.S. – Are there wetlands, stream channels, or other waters within the study area?

☒ Yes (1) ☐ No (1)

7.2 Will the action result in wetland impacts in accordance with Section 404 of the Clean Water Act and/or Nebraska State Title 117?

☒ Yes (1) ☐ No (1)

7.3 Will the action result in greater than 0.5 acres (total permanent) of wetland impacts?

☐ Yes (2) ☒ No (1) ☐ N/A

7.4 Estimated Permanent Wetlands Impacts:

0.16

7.5 If the project is processed with a Nationwide Permit, is a Pre-construction Notification required?

☐ Yes (2) ☐ No (1) ☒ N/A

7.6 Will the action require an Individual Permit (IP) or Section 10 Permit from the U.S. Army Corps of Engineers or a Section 9 Permit from the U.S. Coast Guard?

☐ Yes (3) ☐ No (2) ☒ N/A

7.7 Describe resources, potential impacts, and any coordination conducted to date with officials/agencies:

A wetland delineation was conducted by HDR on July 20 through 23, 2014. A Title 117 Letter of Opinion issued by the Nebraska Department of Environmental Quality (NDEQ) was approved on March 29, 2016. NDEQ determined that 0.16 acre of state waters (wetlands) would be impacted by the Whitman East project, and would be mitigated at a 1.0:1.0 ratio at the Rose Southeast Wetland Mitigation Bank. An Approved Jurisdictional Determination (2005-11087-WEH) issued by the US Army Corps of Engineers (USACE) was received by NDOR on March 31, 2016. USACE determined that wetlands and water features identified in the Whitman East Wetland Delineation Report are federally non-jurisdictional isolated waters. Based on the USACE approved jurisdictional determination and the proposed mitigation, NDEQ determined that the project would not violate Title 117. In addition to the 0.16 acre impact on state waters (wetlands), the project would permanently impact 28 linear feet of channel.

7.8 Wetlands/Waters of the U.S. Mitigation:

For all permanent wetland impacts, NDOR shall allocate wetland mitigation credit from its Rose Southeast Wetland Mitigation Bank and provide an updated ledger to NDEQ. (NDOR Environmental)

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. (Contractor)

All wetlands/waters within the project area that are not permitted for impacts shall be marked on the 2W aerial sheets for the contractor as avoidance areas. (NDOR Design, NDOR Environmental)

8.1 Impaired Waters, Section 402, and MS4 – Are there any impaired waters within or adjacent to *(0.5 mile)* the project study area?

☐ Yes ☒ No

8.2 Does the project occur within a MS4 community?

☐ Yes ☒ No

8.3 Does the project require a NPDES storm water permit (*ground disturbance of greater than 1 acre*)?

☒ Yes ☐ No

If Yes, add standard Erosion Control plans and Storm Water Pollution Prevention Plan (SWPPP) commitment to the mitigation commitments.

8.5 Impaired Waters, Section 402, and MS4 Mitigation:

Erosion control plans and storm water pollution prevention plans (SWPPP) are required on all projects that have one acre or more of disturbed soil. NDOR inspects all erosion and sediment control best management practices (BMPs) including devices every 14 days minimum and after every precipitation event of 0.5 inch or greater as per the requirements in the General Construction Storm Water Permit. Any BMP adjustments and repairs are to occur within 7 days of the inspections to ensure that water quality is being protected to the maximum extent practicable. The SWPPP shall be maintained and discharge points shall be monitored by the NDOR District Staff until the site is 70 percent revegetated. At that time, the Notice of Termination shall be filed with NDEQ for the General Construction Storm Water Permit and completion of SWPPP responsibilities. (NDOR Environmental)

9.1 Threatened and Endangered Species – Will the action result in a "May Affect" determination per the Nebraska Biological Evaluation Process *Matrix** that requires further consultation with the resource agencies?

☒ Yes (2) ☐ No (1)

9.2 Will the action result in a "may affect, likely to adversely affect" determination for threatened or endangered species or designated critical habitat?

☐ Yes (3) ☒ No (2)

9.3 Will the action require the use of unique conservation conditions that are not included within the *Matrix* PA, requiring resource agency concurrence?

☒ Yes (3) ☐ No (2)

NDOR PQS Determination Date:	USFWS Concurrence Date:	NGPC Concurrence Date:
5/18/2016	4/25/2016	5/13/2016

9.4 Suitable habitat for eagle nesting is reviewed as part of the *Matrix* Biological Evaluation process and projects are evaluated for compliance with the Bald and Golden Eagle Protection Act (BGEPA). This project was reviewed for potential impacts to bald and golden eagles resulting in the following determination:

☒ NDOR has determined the project site does not have appropriate habitat for eagles. Due to the lack of suitable habitat and the information that there are no known bald or golden eagle nests within the project area, NDOR has determined that there will be no impact to these species.

☐ It has been determined that suitable habitat does exist within 0.5 mile of the Environmental Study Area. NDOR will utilize the Bald and Golden Eagle Survey Protocols to determine when a survey for nests and/or roosts should be conducted. If nest(s) are present within 0.5 mile of the project area, NDOR will notify the Nebraska Game and Parks Commission and the United States Fish and Wildlife Service, and construction will not commence prior to their approval.

9.5 This project will comply with the Migratory Bird Treaty Act *(MBTA)* in accordance with NDOR's Avian protection Plan *(APP)* and Biological Evaluation *Matrix* Appendix A.

☒

9.6 If a Section 404 Individual Permit is required, coordination under the Fish and Wildlife Coordination Act will occur during the permitting process.

☐ Coordination Required ☒ N/A

9.7 Describe resources, potential impacts, and any coordination conducted to date with officials/agencies:

The Project may affect, but is not likely to adversely affect, the American Burying Beetle, Finescale Dace/Northern Redbelly Dace, and Whooping Crane. The Project would have no affect on all other federally or state listed species. Coordination was conducted with USFWS and NGPC.

9.8 Species Mitigation:

S-2 Platte River Depletions. All efforts will be made to design the project and select borrow sites to prevent depletions to the Platte River. If there is any potential to create a depletion, NDOR (during design) and the contractor (for borrow sites) shall follow the current Platte River depletion protocols for coordination,

minimization, and mitigation. In general the following are considered de minimis depletions, but may still require agency coordination; a project which: a) creates an annual depletion less than 0.1 acre feet, b) creates a detention basin that detains water for less than 72 hours, c) any diverted water will be returned to its natural basin within 30 days, or d) creates a one-time depletion of less than 10 acre feet.

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-4 Sensitive Areas. Environmentally Sensitive Areas will be marked on the plans, in the field, or in the contract by NDOR Environmental for avoidance. (NDOR Environmental, District Construction)

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)

American Burying Beetle:

ABB-2 Mowing/vegetation removal and carrion (roadkill carcasses) removal must be done according to American Burying Beetle Conservation Measures Protocol and must be implemented at the following locations: along the length of the project (Location of suitable habitat). This work will be conducted by either the District or the Contractor, as determined by the District during contracting.

R-1 For the American burying beetle, nighttime work with lights from June 1 – July 1 and August 7 – September 1 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)

R-2 Request for early construction starts in the range of the American burying beetle must be coordinated by the Project Construction Engineer with NDOR Environmental for approval of early start. (District Construction, Contractor)

Finescale Dace/Northern Redbelly Dace:

FSD,NRBD-A No erodible material, such as sandbags or inflatable barriers, shall be used for diverting flow through the culvert barrels. Diversions will be designed to avoid sedimentation. (Design, District, Contractor)

FSD,NRBD-B Water pumped out of the work area shall be screened and filtered to avoid entrapment of fish and prevent an influx of sediment before returning to the stream channel. See Special Prosecution and Progress. (Contractor)

FSD,NRBD-C All mechanized equipment will remain in upland areas and will not be used or driven within the banks of the channel. (District, Contractor)

FSD,NRBD-D After inlet flow diversion barriers are placed, a qualified biologist (minimum of a bachelor's degree in biology or related field) will survey the area for protected species. If finescale dace and northern redbelly dace are found, NDOR Environmental will coordinate with NGPC. (NDOR Environmental, District, Contractor)

FSD,NRBD-E Construction activity and installation of diversion barriers will not be allowed during spawning and heat-stress seasons, from April 15-September 30. (District, Contractor)

FSD,NRBD-F Requests for early construction starts on culvert work must be coordinated by the Project Construction Engineer with NDOR Environmental (Melissa Marinovich: 402-479-3546) for approval of the early start. No work will be allowed prior to approval by NDOR Environmental. (District Construction,

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: MM 160.00 to 168.50 and MM 174.00 to 175.00 (location of suitable habitat). (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: MM 160.00 to 168.50 and MM 174.00 to 175.00 (location of suitable habitat) 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)

* The Nebraska Biological Evaluation Process Programmatic Agreement *Matrix* complies with the Federal Endangered species Act *(ESA)* and Nebraska Nongame and Endangered Species Conservation Act *(NESCA)*.

Human and Social Resources

10.1 Historic Properties – Are there any properties listed or eligible for the National Register of Historic Properties in the study area?

[X] Yes (1) [ ] No (1)

10.2 Will the action result in Section 106 effects other than a "No Potential to Cause Effects" or a "No Historic Properties Affected" determination?

[ ] Yes (2) [X] No (1)

10.4 Historic Property Determination

No Historic Properties Affected

NDOR PQS Determination Date:

8/9/2015

Has coordination occurred with SHPO?

☐ Yes ☒ No

Has coordination occurred with THPO?

☐ Yes ☒ No

Has coordination occurred with CLG?

☐ Yes ☒ No

10.5 List NRHP Eligible or NRHP Listed Resources, Impacts, and Coordination:

Site H00-025, an alignment of the Potash Highway from approximately 1918, is located north of an existing railroad alignment. The Site also encompasses an approximate 1940 Potash Highway alignment that lies between the current N-2 and the railroad. In both locations, Site H00-025 is outside the APE for the Project at its current project length, from MM 159.05 to MM 175.04, as of the project description dated January 1, 2015 (scope of the project remained unchanged). However, were this project to be expanded or shifted east, re-evaluation of this project would be needed.

10.6 Historic Property Mitigation:

If the scope of work for the project is expanded, a reevaluation for changes in impacts shall be necessary. (NDOR Environmental, NDOR Design, District)

11.1 Hazardous Materials – Will the project actions exceed the scope of the listed exemption identified in NDOR's Hazardous Materials Assessment Guidance?

☒ Yes (1) ☐ No (1)

11.2 Will the action result in <u>more</u> than a Low Potential for encountering hazardous materials during construction (excluding Lead Based Paint or Asbestos Containing Material)?

☐ Yes (2) ☒ No (1)

11.2A There is potential for the project to encounter Lead Based Paint (LBP). LBP standard specifications shall apply to the proposed project.

☐ Yes ☒ N/A

11.2B Asbestos Containing Materials (ACM) has been identified on bridge structures. ACM specifications will be included in the contract by special provisions.

☐ Yes ☒ N/A

11.4 Will any soil disturbance occur below or beyond preexisting roadway fill within an active Superfund Site?

☐ Yes (3) ☒ No (1)

NDOR PQS Determination Date:

11/18/2015

11.5 Describe potential conflicts and the coordination with officials/agencies:

The HMR did not identify any facilities where past releases have occurred within the hazardous materials study area. In addition, no Superfund sites were identified near the project. Site reconnaissance revealed several above ground storage tanks located at an abandoned building in Whitman that appeared as though it could have been a former service station. No signs of a release were present and no vent pipes or pump islands were present. Based on the lack of evidence of a release and the minimal scope of work within the town of Whitman, there is a low potential of encountering contamination originating from this site during construction.

11.6 Hazardous Materials Mitigation:

If contaminated soils and/or water or hazardous materials are encountered, then all work within the immediate area of the discovered hazardous material shall stop until NDOR/FHWA is notified and a plan to dispose of the Hazardous Materials has been developed. Then NDEQ shall be consulted and a remediation plan shall be developed for this project. The potential 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. (NDOR District, Contractor)

12.1 Traffic Noise – Does the project qualify as a Type I Project under NDOR's Noise Policy?

☐ Yes (3) ☒ No (1) ☐ N/A

13.1 Air Quality – Will the action increase capacity in exceedance of 100,000 vehicles per day in the 20th year following construction; will it result in a high potential for Mobile Source Air Toxics*(MSAT Level III)* effects; or is it considered *Regionally Significant* within a designated non-attainment area?

☐ Yes (3) ☒ No ☐ N/A

14.1 Roadway – Will the action result in the addition of through-lane capacity?

☐ Yes (3) ☒ No (1) ☐ N/A

15.1 Traffic Disruption – Will the action result in minor traffic disruptions requiring detours, temporary roads, or ramp closures that are greater than 30 working days?

☐ Yes (2) ☒ No (1)

15.3 Will temporary roads, detours, or ramp closures substantially change the environmental consequences of the action?

☐ Yes (3) ☒ No (1)

15.4 Will the action result in adverse travel *(out-of-direction)* greater than 5 miles in urban areas or 25 miles in rural areas?

☐ Yes (3) ☒ No (1)

15.5 Will the action result in temporary or permanent interference with local special events or festivals?

☐ Yes (3) ☒ No (1)

15.6 Will the action result in temporary or permanent adverse effects to through-traffic dependent business?

☐ Yes (3) ☒ No (1)

15.7 Will the action result in permanent traffic pattern changes or disruptions?

☐ Yes (3) ☒ No (1)

If a detour is required for the project, attach a map to the CE document.

15.9 Traffic Disruption Mitigation:

This project shall be constructed under traffic with lane closures controlled by approved temporary traffic control. The project shall not result in traffic disruptions requiring detours, temporary roads, or ramp closures that are greater than 30 working days. (Contractor)

16.1 Access Disruptions – Will the action require any access closures to businesses or residences?

☐ Yes (1) ☒ No (1)

16.5 Will the action result in access restrictions to emergency service facilities or providers?

☐ Yes (3) ☒ No (1)

16.6 Will the action change the functionality of adjacent properties?

☐ Yes (3) ☒ No (1)

16.8 Substantial Access Disruption Mitigation:

Access to adjacent properties shall be maintained at all time during construction but may be disrupted temporarily at times due to construction activities, but will not be closed. (Contractor)

17.1 Environmental Justice – Are protected populations within the study area?

☐ Yes (1) ☒ No (1)

NDOR Highway Civil Rights Specialist Determination Date:

9/24/2014

18.1 Public Involvement – Provide a summary of any completed and planned Public Involvement Activities**:**

This project has been disclosed in the District-wide Program Hearings as well as through the public involvement efforts in conjunction with the development of the State Transportation Improvement Program (STIP). No Limited English Proficiency outreach is recommended for this project. No public outreach was conducted during NEPA.

18.2 Public Involvement Mitigation:

A minimum of one news release shall go to all local and area media, and be posted on the NDOR website prior to the start of construction work. (NDOR District, NDOR Communication)

19.1 Unresolved Controversy – Based on public involvement carried out per NDOR's procedures, is there any known public or agency controversy on human, natural, or economic grounds associated with the action?

☐ Yes ☒ No

If Yes, coordinate with FHWA to determine the proper level of environmental review.

Contract Provisions Required

20.1 Wellhead Protection Special Provisions

☐ Yes ☒ No

20.2 General Conditions for Nationwide Permit

Nationwide Permit: N/A

☐ Yes ☒ No

20.3 Federal Aviation Administration *(FAA)* Form 7460-1

☐ Yes ☒ No

20.4 General Conservation Conditions from the Matrix PA

[X] Yes [ ] No

T&E General Conditions:

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)

The proposed action will be carried out in compliance with Executive Order 13112 *(Invasive Species)*. The project contractor shall comply with Special Provision A-43-2010 amending NDOR Specification 107.01 to include the following: The Contractor shall prevent the transfer of invasive plant and animal species. The Contractor shall wash equipment at the Contractor's storage facility prior to entering the construction site. The Contractor shall inspect all construction equipment and remove all attached vegetation and animals prior to leaving the construction site.

21.1 No Indirect or Cumulative Impacts

[X]

This box can be checked if after careful consideration of the Indirect and Cumulative Impact analysis guidance in the CE instructions and the facts of the project, the following statement is determined to be true: *"Indirect effects from this project are not anticipated. This project will not induce growth, change land uses, substantially change travel patterns within a community, or substantially impact water quality, drainage patterns or other resources of concern. Since no substantial human, environmental or economic impacts have been identified for this project; no cumulative impacts are expected."*

21.3 Cumulative Impacts:

The section west of this project is 61561_NH-2-2(117)_Hyannis-Whitman and is programmed to be let in 2019. 61561 is a resurfacing project along N-2. There are no anticipated cumulative impacts due to the Whitman East project in conjunction with the additional project referenced above. Construction for the individual projects has been scheduled such that there would be adequate time between projects to prevent interference with local traffic patterns. There are minor impacts anticipated for wetlands/waters, which would be mitigated. There are no impacts anticipated for threatened and endangered species, or Section 4(f) properties for the Whitman East project. There are no negative long-term socioeconomic impacts anticipated as access to residences or businesses would only be limited during construction. There are however, long term benefits to motorist due to roadway improvements.

22.1 **Additional Comments**:

Section 6: The Whitman East Project does not require a Floodplain Permit. The Project is within Grant and Hooker Counties which have no FEMA floodplain mapping and do not participate in the National Flood Insurance Program. However, the Project must still meet State Minimum Standards. NDOR policy for work within unmapped communities is to treat areas with greater than 640 acres of contributing drainage as potential Zone A floodplains. This Project is within the Sandhills and does not have surface water drainage areas greater than 640 acres.

23.1 **Project Mitigation**:

Mitigation for Above Non-Threshold Resources:

Utility relocation or replacement is not anticipated for the Project. If utility relocation or replacement is required in a later phase of the Project, a reevaluation shall be required if: (1) federal funds are used for the utility work; or (2) the project construction contractor is responsible for the work. If this utility work is identified during final design, the Project sponsor shall initiate the reevaluation prior to project letting. If the work is identified during construction, the Project sponsor shall initiate the reevaluation prior to commencing utility work. (NDOR Environmental, NDOR District)

If any one of the above two conditions do not apply, later relocation or replacement of utilities shall be coordinated through NDOR and the Contractor per NDOR's Standard Specifications for Highway Construction, Subsection 105.06. Any environmental permits required for these utility relocations or replacements shall be the responsibility of the Utility. (NDOR District, Utility Provider(s))

Wetlands/Waters of the U.S. Mitigation:
For all permanent wetland impacts, NDOR shall allocate wetland mitigation credit from its Rose Southeast Wetland Mitigation Bank and provide an updated ledger to NDEQ. (NDOR Environmental)

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. (Contractor)

All wetlands/waters within the project area that are not permitted for impacts shall be marked on the 2W aerial sheets for the contractor as avoidance areas. (NDOR Design, NDOR Environmental)

Impaired Waters, Section 402, and MS4 Mitigation:
Erosion control plans and storm water pollution prevention plans (SWPPP) are required on all projects that have one acre or more of disturbed soil. NDOR inspects all erosion and sediment control best management practices (BMPs) including devices every 14 days minimum and after every precipitation event of 0.5 inch or greater as per the requirements in the General Construction Storm Water Permit. Any BMP adjustments and repairs are to occur within 7 days of the inspections to ensure that water quality is being protected to the maximum extent practicable. The SWPPP shall be maintained and discharge points shall be monitored by the NDOR District Staff until the site is 70 percent revegetated. At that time, the Notice of Termination shall be filed with NDEQ for the General Construction Storm Water Permit and completion of SWPPP responsibilities. (NDOR Environmental)

General Conservation Conditions from the Matrix PA:

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)

Species Mitigation:

S-2 Platte River Depletions. All efforts will be made to design the project and select borrow sites to prevent depletions to the Platte River. If there is any potential to create a depletion, NDOR (during design) and the contractor (for borrow sites) shall follow the current Platte River depletion protocols for coordination, minimization, and mitigation. In general the following are considered de minimis depletions, but may still require agency coordination; a project which: a) creates an annual depletion less than 0.1 acre feet, b) creates a detention basin that detains water for less than 72 hours, c) any diverted water will be returned to its natural basin within 30 days, or d) creates a one-time depletion of less than 10 acre feet.

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-4 Sensitive Areas. Environmentally Sensitive Areas will be marked on the plans, in the field, or in the contract by NDOR Environmental for avoidance. (NDOR Environmental, District Construction)

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)

American Burying Beetle:

ABB-2 Mowing/vegetation removal and carrion (roadkill carcasses) removal must be done according to American Burying Beetle Conservation Measures Protocol and must be implemented at the following locations: along the length of the project (Location of suitable habitat). This work will be conducted by either the District or the Contractor, as determined by the District during contracting.

R-1 For the American burying beetle, nighttime work with lights from June 1 – July 1 and August 7 – September 1 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)

R-2 Request for early construction starts in the range of the American burying beetle must be coordinated by the Project Construction Engineer with NDOR Environmental for approval of early start. (District Construction, Contractor)

Finescale Dace/Northern Redbelly Dace:

FSD,NRBD-A No erodible material, such as sandbags or inflatable barriers, shall be used for diverting flow through the culvert barrels. Diversions will be designed to avoid sedimentation. (Design, District, Contractor)

FSD,NRBD-B Water pumped out of the work area shall be screened and filtered to avoid entrapment of fish and prevent an influx of sediment before returning to the stream channel. See Special Prosecution and Progress. (Contractor)

FSD,NRBD-C All mechanized equipment will remain in upland areas and will not be used or driven within the banks of the channel. (District, Contractor)

FSD,NRBD-D After inlet flow diversion barriers are placed, a qualified biologist (minimum of a bachelor's degree in biology or related field) will survey the area for protected species. If finescale dace and northern redbelly dace are found, NDOR Environmental will coordinate with NGPC. (NDOR Environmental, District, Contractor)

FSD,NRBD-E Construction activity and installation of diversion barriers will not be allowed during spawning and heat-stress seasons, from April 15-September 30. (District, Contractor)

FSD,NRBD-F Requests for early construction starts on culvert work must be coordinated by the Project Construction Engineer with NDOR Environmental (Melissa Marinovich: 402-479-3546) for approval of the early start. No work will be allowed prior to approval by NDOR Environmental. (District Construction, 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: MM 160.00 to 168.50 and MM 174.00 to 175.00 (location of suitable habitat). (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: MM 160.00 to 168.50 and MM 174.00 to 175.00 (location of suitable habitat) 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)

Historic Properties Mitigation:
If the scope of work for the project is expanded, a reevaluation for changes in impacts shall be necessary. (NDOR Environmental, NDOR Design, District)

Hazardous Materials Mitigation:
If contaminated soils and/or water or hazardous materials are encountered, then all work within the immediate area of the discovered hazardous material shall stop until NDOR/FHWA is notified and a plan to dispose of the Hazardous Materials has been developed. Then NDEQ shall be consulted and a remediation plan shall be developed for this project. The potential 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. (NDOR District, Contractor)

Traffic Disruption Mitigation:
This project shall be constructed under traffic with lane closures controlled by approved temporary traffic control. The project shall not result in traffic disruptions requiring detours, temporary roads, or ramp closures that are greater than 30 working days. (Contractor)

Substantial Access Disruption Mitigation:
Access to adjacent properties shall be maintained at all time during construction but may be disrupted temporarily at times due to construction activities, but will not be closed. (Contractor)

Public Involvement Mitigation:
A minimum of one news release shall go to all local and area media, and be posted on the NDOR website prior to the start of construction work. (NDOR District, NDOR Communication)

Additional Mitigation:
Borrow Site: Any material needed shall be provided by the Contractor. The Contractor shall try to obtain borrow from an upland site to prevent depletion issues. If the borrow site is within a depletion area of concern, the Contractor shall coordinate with the appropriate agencies and NDOR to offset or minimize impacts. The Contractor shall obtain all environmental clearances and permits required for the borrow site prior to obtaining borrow material for the project. (Contractor)

The Contractor shall have a staging area for the project where material and equipment for the project is stored (e.g. re-steel, forms, etc.). The Contractor shall be required to dispose of material removed as part of the project described above and miscellaneous obstructions encountered and removed along the project. The disposal shall be the responsibility of the Contractor. A waste site may be needed. The Contractor shall be responsible to obtain all permits and clearances and all conditions of those permits shall be followed. (Contractor)

The proposed project qualifies as a Categorical Exclusion under the following activity found in 23 CFR 771.117:

Paragraph: (c)

Activity: 26

Prepared by: Quinn Damgaard

Organization: HDR

Phone: (402) 399-1041

Email: quinn.damgaard@hdrinc.com

Signature:

Date: 7/15/2016

Reviewed by Project Sponsor:

Name: Zachery Thurber

Organization: NDOR

Title: Engineer

Signature: Zachery Thurber

Date: 7/22/16

NDOR has determined the information in this form is accurate and the project is in compliance with the *OPERATIONAL DRAFT* 2015 Categorical Exclusion Programmatic Agreement between FHWA and NDOR, and satisfies the criteria of 23 CFR 771.117(a) no significant impact and (b) no unusual circumstances. The mitigation identified above shall be implemented for the project.

NDOR Environmental NEPA Specialist Signature:

Digitally signed by Carrie Wencel
DN: cn=Carrie Wencel, o=NDOR - EDU, ou=NEPA Specialist, email=carrie.wencel@nebraska.gov, c=US
Date: 2016.07.27 10:15:45 -05'00'

Date:

NDOR Environmental Documents Manager Signature *(Level 2 and 3 Requirement)*:

Digitally signed by Jon Barber
Date: 2016.07.28 09:32:22 -05'00'

Date:

FHWA Environmental Specialist *(Level 3 Requirement)*:

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: 2016.08.01 10:21:03 -05'00'

Date:

If the scope of work changes, existing conditions change, or applicable regulations change, NDOR shall reevaluate this determination in accordance with the *NDOR reevaluation procedures*.

Reevaluation Approval *(if necessary)*:

Date: