NDOR PQS Project Review Memo
Section 106 - Tier I Project
No Potential to Cause Effects to Historic Properties

Control Number 22528 Project Number IM-480-9(104) Review Date 03/15/16

Project Name Bancroft to Dewey Project Location Douglas County

Date of Project Description Reviewed 2/25/16 ☑ Project Description Attached ☑ Tier I Project

THPO/Tribal Consultation? ☐ No ☑ Yes

THPO/Tribes(s): Iowa Tribe of Kansas and Nebraska

Date Correspondence Sent: 04/06/16

THPO/Tribal response date: 05/13/16 to date, no response

THPO/Tribal comment:

Tribal consultation also completed on 09/17/2014. No response documented on 03/19/15

CLG Consultation? ☐ No ☑ Yes

CLG: Omaha

Date Correspondence Sent: 2016-03-15

CLG response date: 2016-04-04

CLG comment:

No Comment

Please Note: For the criteria below to be valid, any an all ground disturbance would be limited to the depth of the existing fill material. Ground disturbance would not exceed the depth of the existing fill material.

Check all that apply:

☐ 1. Guardrail and bridge rail repair and replacement. Conditions: In kind repair/replacement.

☐ 2. Traffic Signals, intersection lighting, pedestrian signals, underpass lighting, or railroad lighting within existing right-of-way. Conditions: In kind repair/replacement.

☐ 3. Maintenance and replacement of highway signs on existing poles, new sign installation within existing fill material.

☑ 4. Crack sealing, pothole repair, overlaying, milling, resurfacing, installation of rumble strips, and pavement marking. Conditions: This activity does not include actions on brick streets or brick highways. The maintenance or rehabilitation is limited to the existing surfaced areas with only minimal surface expansion, is the same as the existing vertical and horizontal alignments of the roadway, no ditching or drainage work is included. All staging areas can be limited to existing paved or previously disturbed surfaces only (eg. surfaces with little to no vegetation due to previous disturbance). Any and all ground disturbance is limited to existing fill material and will not exceed the depth of the existing fill material.

☐ 5. Repair/Maintenance of right-of-way fencing, limited to repair/replacing fence wire and fence posts only on existing fence post locations. Condition: If any grading is required for access or installation of fencing, this authority does not apply.

☐ 6. Improving existing bicycle and pedistrian lanes and paths on their existing alignments. Conditions: Any and all ground disturbance is limited to existing fill material locations only, not to exceed the depth of the fill material.

☐ 7. Acquisition of scenic easements.

☐ 8. Approvals for disposal of excess right-of-way or for joint or limited use of the right-of-way for right-of-way previoulsy purchased with federal funds, provided no properties over 50 years old are located on within the property.

☐ 9. Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels, as long as those parcels do not contain properties over 50 years old.

☐ 10. Improvements to existing maintenance facilities, rest areas (excludine I-80 rest areas), and truck weigh stations less than 50 years old. Condition: Any and all ground disturbance is limited to existing fill material locations only, not to exceed the depth of the existing fill material.

☐ 11. Repair/Replacement of at-grade railroad crossing gates, lights, signs, and the rail crossing driving surface. Condition: work is limited to in kind replacement/repair with any and all ground disturbance limited to existing fill material locations only, not to exceed the depth of the existing fill material.

☐ 12. Grants for training, education and research programs which do not involve construction.

☐ 13. Purchase of equipment or materials which do not involve construction.

☐ 14. Visual Bridge Inspections.

Stacy L. Stupka

Digitally signed by Stacy Stupka-Burda
DN: cn=Stacy Stupka-Burda, o=NDOR, ou=Planning & Project Development, email=stacy.stupka-burda@nebraska.gov, c=US
Date: 2016.05.13 14:56:55 -05'00'

NDOR PQS Review

Nebraska Department of Roads

Project Description

Project Name: Bancroft to Dewey
Project No: IM-480-9(104)
Control No: 22528
Date of Last Revision: 02/25/16

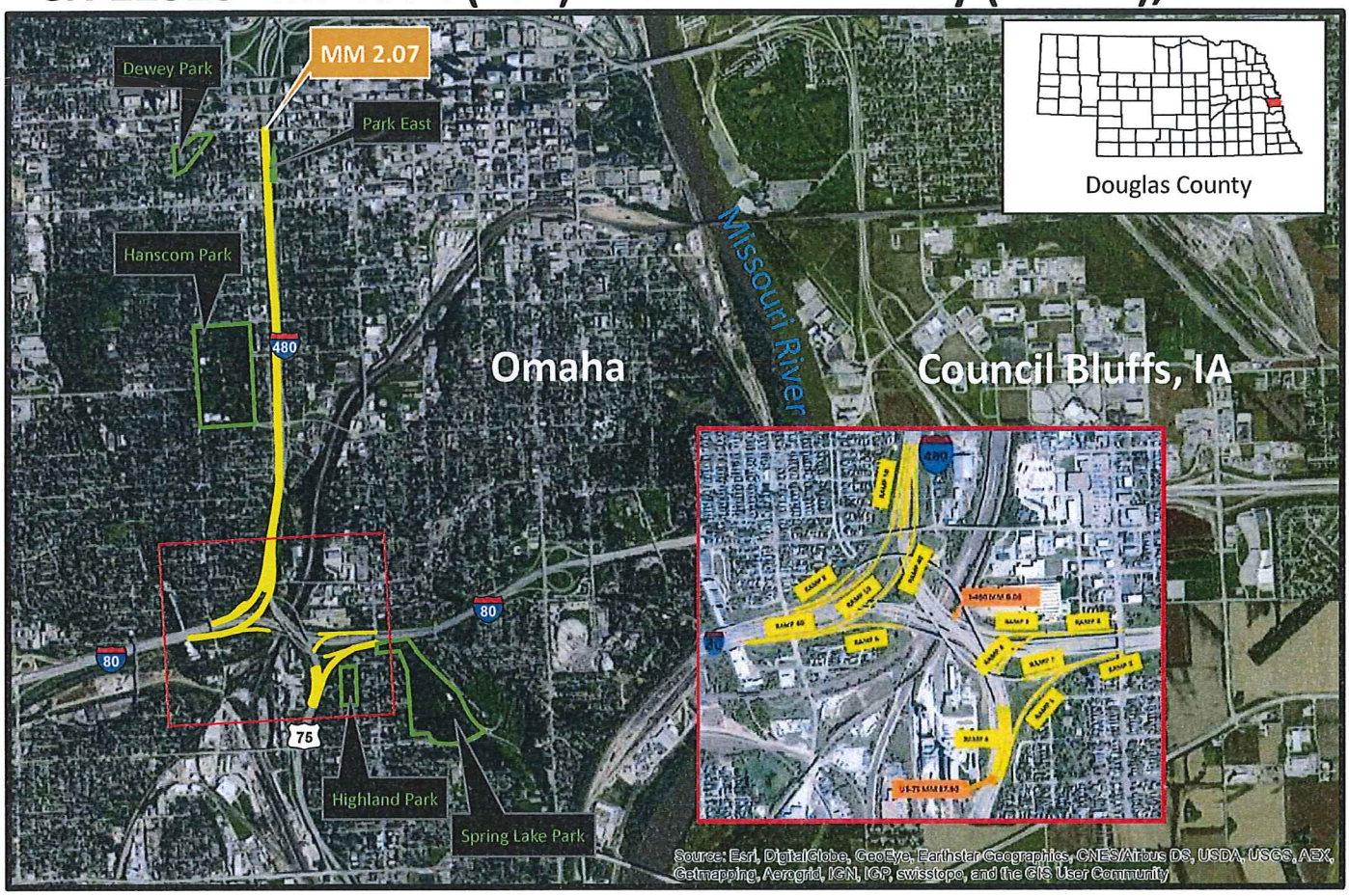
This project would resurface 0.18 miles of US-75, 2.07 miles of Highway 480, and all ramps of the US-75/I-80/I-480 interchange located in Douglas County. US-75, starting at mile marker 87.80 and extending north to its junction with highway I-480 at mile marker 88.08. Highway I-480, starting 0.00 miles north of the junction of Highway, 480 and 80 and 75 at mile marker MM 0.00, and extending north to MM 2.07, 0.02 miles south of the grade separation of Highway 480 and Harney Street. Ramp numbers 3,4,5,6,7,8,40,50 (see attached map). Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.
The existing roadway on the segments of Highway 480 northbound and southbound consists of three and four 12 foot wide composite surfaced driving lanes and 10 foot outside shoulders that are composite surfaced in each direction. The on and off ramp lanes are variable in width of 0 to 18 feet composite surfaced. The inside shoulders are 11 foot wide composite surfaced up to the median traffic barrier that divides northbound and southbound lanes.

The improvements on this project consist of making underlying concrete repairs and milling the existing asphalt on the mainline and inside shoulder, outside shoulder and ramps (driving lanes and shoulders). The milled surfaces would be resurfaced with asphalt. There would be no grade raise with the overlay.

Scope details include:

- Concrete pavement repairs would be made prior to resurfacing.
- The existing asphalt would be milled prior to resurfacing.
- Asphalt patching operations would be performed prior to resurfacing.
- Surfacing would be placed under the guardrail.
- Areas disturbed during construction would be stabilized utilizing methods of erosion control.
- Permanent pavement markings would be applied to all new surfacing.
- This project is located within a Municipal Separate Storm Sewer System (MS4) community. Post construction storm water management best management practices may be necessary. Additional consultation with the Roadside Stabilization Unit may be required.
- 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.
- Work may be required to be accomplished at night.

CN 22528 IM-480-9(104) Bancroft - Dewey (Resurf), Omaha

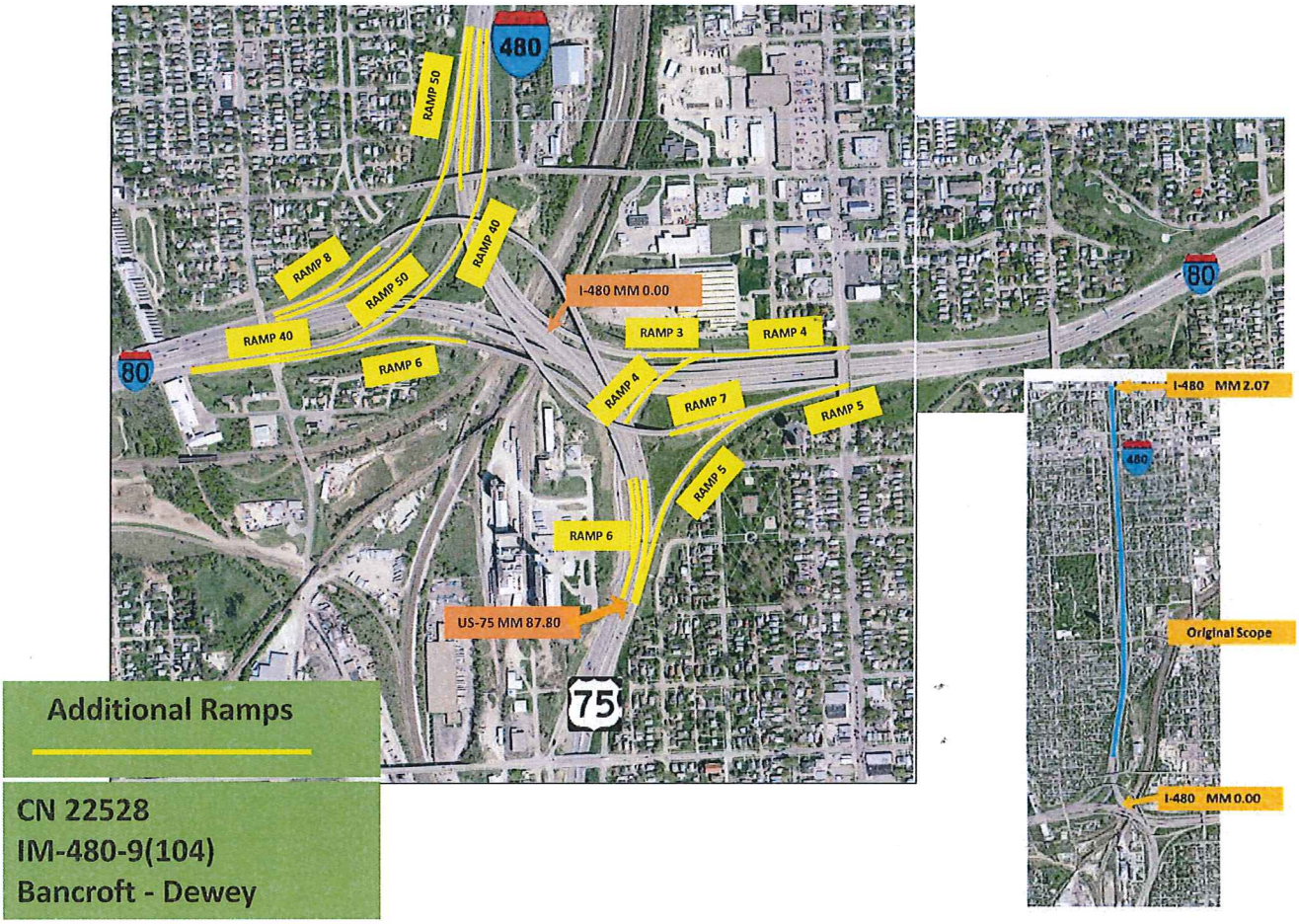


0 0.5 1 2 Miles

N W E S

Project Map

NDOR
Nebraska Department of Roads


480
RAMP 50
RAMP 40
RAMP 8
RAMP 50
RAMP 40
I-480 MM 0.00
RAMP 3
RAMP 4
80
RAMP 6
RAMP 4
RAMP 7
RAMP 5
RAMP 5
RAMP 6
US-75 MM 87.80
75
80
I-480 MM 2.07
480
Original Scope
I-480 MM 0.00
Additional Ramps
CN 22528
IM-480-9(104)
Bancroft - Dewey

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

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

April 6, 2016

Mr. Lance Foster
Tribal Historic Preservation Officer
Iowa Tribe of Kansas and Nebraska
3345 B Thrasher Rd.
White Cloud, KS 66094

Dear Mr. Foster:

Project IM-480-9(104), CN 22528
Bancroft - Dewey
Douglas County
Section 106 Supplemental Evaluation

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. 36 CFR Part 800.2 (c) (2), specifically addresses consultation between Tribes and federal agencies. As a Certified Local Government, the City of Omaha is also a consulting party.

In September 2014, the Federal Highway Administration (FHWA) recommended that this project met the requirements of an undertaking which has no potential to cause effects to historic properties. Consultation was initiated with your office regarding this project effect on 09/17/2014 (Enclosure 1). This Supplemental Evaluation has been prepared due to recent project description changes. These changes are in bold below. An evaluation of the potential for cultural resources, both archeology and standing structures, is included below [and in enclosures].

Project Description:
This project would resurface **0.18 miles of US-75, 2.07** miles of I-480, **and all ramps of the US-75/I-80/I-480 interchange** located in Douglas County. Resurfacing would include: **US-75, starting at MM 87.80 and extending north to its junction with I-480 at MM 88.08; I-480,** starting **at the** junction of the I-480/I-80/US-75 interchange at mile marker MM **0.00**, and extending north to MM 2.07 (0.02 miles south of the grade separation of I-480 and Harney Street); and **ramp numbers 3,4,5,6,7,8,40,50 (Enclosure 2) of the US-75/I-80/I-480 interchange.** Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.
The existing roadway on the segments of I-480 northbound and southbound consists of three and four 12-foot wide composite surfaced driving lanes and 10-foot outside shoulders that are composite surfaced in each direction. The on and off ramp lanes are variable in width of 0 to 18 feet composite surfaced. The inside shoulders are 11-foot wide composite surfaced up to the median traffic barrier that divides northbound and southbound lanes.
The improvements on this project consist of making underlying concrete repairs and milling the existing asphalt on the mainline and inside shoulder, outside shoulder and ramps (driving lanes and shoulders). The milled surfaces would be resurfaced with asphalt. There would be no grade raise with the overlay.

Scope details include:

- Concrete pavement repairs would be made prior to resurfacing.
- The existing asphalt would be milled prior to resurfacing.
- Asphalt patching operations would be performed prior to resurfacing.
- Surfacing would be placed under the guardrail.
- Areas disturbed during construction would be stabilized utilizing methods of erosion control.
- Permanent pavement markings would be applied to all new surfacing.
- This project is located within a Municipal Separate Storm Sewer System (MS4) community. Post construction storm water management best management practices may be necessary. Additional consultation with the Roadside Stabilization Unit may be required.
- 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.
- Work may be required to be accomplished at night.

Cultural Resources Evaluation:
In September 2014, FHWA recommended that this project met the requirements of an undertaking which has no potential to cause effects to historic properties (Enclosure 1). The project description changes listed in bold above have been reviewed and FHWA recommends that the original project determination of no potential to cause effects to historic properties remains appropriate. Project activities would not involve any earth disturbance or modifications to bridges or buildings.

This undertaking has been reviewed under the programmatic agreement entitled *Programmatic Agreement Among the Federal Highway Administration, the Nebraska State Historic Preservation Officer, the Advisory Council on Historic Preservation and the Nebraska Department of Roads to Satisfy the Requirements of Section 106 for the Federal Aid Highway Program in the State of Nebraska* (July 2015) and meets the requirements to be considered a Tier I Project. Tier I projects result in a project effect recommendation of *no historic properties affected.*

The FHWA is providing this documentation for your review and comment and requests that the Iowa Tribe of Kansas and Nebraska notify FHWA of any objections within 30 days of receipt of this letter. If you have any questions regarding this information, do not hesitate to contact me at your convenience.

Sincerely yours,

Scott H. Stapp
Environmental Protection Specialist

Enclosures

NDOR
Nebraska
Department of Roads

Memorandum

DATE	March 19, 2015
TO	Shannon Sjolie, Hwy Environmental Specialist, Planning and Project Development
FROM	Stacy Stupka-Burda, Section 106 Specialist, Planning and Project Development
SUBJECT	Iowa Tribe of Kansas and Nebraska -Tribal Consultation 22528_NH-480-9(104)_Bancroft-Dewey

A Section 106 consultation letter was sent to the Iowa Tribe of Kansas and Nebraska by NDOR on 09/17/14 regarding Section 106 review for the project referenced above. To date, a response from the Iowa Tribe of Kansas and Nebraska Tribe of Nebraska has not been received regarding either letter.

An email from FHWA dated 06/05/2012 provides guidance regarding the Section 106 Tribal Coordination process. Item 1 indicates that "if, based on the nature of the work, there is no potential to effect Native American sites (archaeological/historic/TCP), but the project is on tribal lands or within a known tribal affiliated area, then tribal coordination would consist of one letter with a 30-comment period asking for their concurrence. If they do not respond within 30 days, the FHWA would assume the tribe has no concerns for the project and no further coordination is required, keeping in mind that a tribe may voice concerns at any time in the life of the project."

The 30-day comment period for the letter sent to the Iowa Tribe of Kansas and Nebraska has passed without receiving their response. Therefore, this project may proceed as planned.

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

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

September 17, 2014

Lance Foster
Iowa Tribe of Kansas and Nebraska
3345 B Thrasher Rd.
Route 1, Box 58A
White Cloud, KS 66094

Dear Mr. Foster:

Project NH-480-9(104), Control No. 22528
Bancroft-Dewey, Omaha
Douglas County
Cultural Resources Evaluation

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. 36 CFR Part 800.2 (c) (2), specifically addresses consultation between Tribes and federal agencies.

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

Project Description:
This project would resurface 1.57 miles of Highway 480 located in Douglas County, starting 0.05 miles north of the junction of Highway, 480 and 80 and 75 at mile marker MM 0.50, and extending north to MM 2.07, 0.02 miles south of the grade separation of Highway 480 and Harney Street. Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.
The existing roadway on the segments of Highway 480 northbound and southbound consists of three and four 12 foot wide composite surfaced driving lanes and 10 foot outside shoulders that are composite surfaced in each direction. The on and off ramp lanes are variable in width of 0 to 18 feet composite surfaced. The inside shoulders are 11 foot wide composite surfaced up to the median traffic barrier that divides northbound and southbound lanes.

The improvements on this project consist of making underlying concrete repairs and milling the existing asphalt on the mainline and inside shoulder, outside shoulder and ramps (driving lanes and shoulders). The milled surfaces would be resurfaced with asphalt. There would be no grade raise with the overlay.

Scope details include:

- Concrete pavement repairs would be made prior to resurfacing.
- The existing asphalt would be milled prior to resurfacing.
- Asphalt patching operations would be performed prior to resurfacing.

- Surfacing would be placed under the guardrail.
- Areas disturbed during construction would be stabilized utilizing methods of erosion control.
- Permanent pavement markings would be applied to all new surfacing.
- This project is located within a Municipal Separate Storm Sewer System (MS4) community. Post construction storm water management best management practices may be necessary. Additional consultation with the Roadside Stabilization Unit may be required.
- 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.
- Work may be required to be accomplished at night.

Cultural Resources Evaluation:
This undertaking has been determined by the Federal Highway Administration to have *no potential to cause effects to historic properties* and therefore identification of archeological, architectural, or structural cultural resources and determination of effects in the project area is not required. Construction would not involve any earth disturbance nor would there be any modifications to bridges or buildings.

A project location map and documentation are enclosed (Enclosures 1 and 2). The Federal Highway Administration respectfully requests Iowa Tribe of Kansas and Nebraska concurrence with this determination.

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

Sincerely yours,

Melissa Maiefski
Program Delivery Team Lead

Enclosures

CONCUR:

_____ _____
Tribal Historic Preservation Officer Date

Historic: Projects with No Potential to Cause Effects to Historic Properties

Control No.: 22528 Project No.: NH-480-9(104) Date: ~~9/2/14~~ 3/19/15 · SLS

Project Name and Location:

Bancroft to Dewey, Omaha

Project Description:

This project would resurface 1.57 miles of Highway 480 located in Douglas County, starting 0.05 miles north of the junction of Highway, 480 and 80 and 75 at mile marker MM 0.50, and extending north to MM 2.07, 0.02 miles south of the grade separation of Highway 480 and Harney Street. Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.

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- 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.
- Work may be required to be accomplished at night. Any and all ground disturbance would be limited to fill material locations only, with any fill material disturbances not to exceed the depth of the fill material.

Meets Criteria:

Memo dated June 17, 2010 – Check all that apply.

☐ 1. Guardrail and bridge rail repair and replacement. Conditions: New guardrail material is limtied to in-kind replacement/repair *(using similar materials)* with any and all ground disturbance limited to fill material locations only, not to exceed the depth of the fill material.

☐ 2. Traffic signals, intersection lighting, pedestrian signals, underpass lighting, or railroad lighting within existing right-of-way. Conditions: New material utilized is limited to in-kind replacement/repair *(using similar materials)* on existing traffic devices. Any and all ground disturbance is limited to fill material locations only, not to exceed the depth of the fill material.

☐ 3. Maintenance and replacement of highway signs on existing poles, and new sign installation within existing fill material locations, with any fill material disturbances not to exceed the depth of fill material.

☒ 4. Crack sealing, pothole repair, overlaying, milling, resurfacing, installation of rumble strips, and pavement marking. Conditions: This activity does not include actions on brick streets. The maintenance or rehabilitation is limited to the existing surfaced areas with only minimal surface expansion, is the same as the existing vertical and horizontal alignments of the roadway, no ditching or drainage work is included, and all staging areas can be limited to existing paved or previously disturbed surfaces only *(i.e., surfaces with little to no vegetation due to previous disturbance).* Any and all ground disturbance is limited to previous fill material locations only, not to exceed the depth of the fill material.

☐ 5. Repair/Maintenance of right-of-way fencing, limited to repair/replacing fence wire and fence posts only on existing fence post locations. Condition: If any grading is required for access or installation of fencing, this authority does not apply.

☐ 6. Improving existing bicycle and pedestrian lanes and paths on their existing alignments. Conditions: Any and all ground disturbance is limited to fill material locations only, not to exceed the depth of the fill material.

☐ 7. Acquisition of scenic easements.

☐ 8. Approvals for disposal of excess right-of-way or for joint or limited use of the right-of-way for right-of-way previously purchased with Federal funds, provided no properties over 50 years old are located within the property.

☐ 9. Acquisition of land for hardship or protective purposes. Hardship and protective buying will be permitted only for a particular parcel or a limited number of parcels, as long as those parcels do not contain properties over 50 years old.

☐ 10. Improvements to existing maintenance facilities, rest areas *(excluding I-80 rest areas)*, and truck weigh stations less than 50 years old. Condition: Any and all ground disturbance is limited to existing fill material locations only, not to exceed the depth of the fill material.

☐ 11. Repair/replacement of at-grade railroad crossing gates, lights, signs and the rail crossing driving surface. Condition: work is limited to in-kind replacement/repair *(signs to signs, gates to gates, etc.)* with any and all ground disturbance limited to fill material locations only, not to exceed the depth of the fill material.

☐ 12. Grants for training education and research programs which do not involve construction.

☐ 13. Purchase of equipment or materials that do not lead to, or are a part of, a construction activity.

☐ 14. Visual Bridge inspections.

Project reviewed by:

Stacy Stupka-Burda	Stacy Stupka-Burda Digitally signed by Stacy Stupka-Burda DN: cn=Stacy Stupka-Burda, o=NDOR Environmental Planning, ou=Section 106 Specialist, email=stacy.stupka-burda@nebraska.gov, c=US Date: 2014.09.02 16:59:14 -05'00'	3/19/15
Name	*Signature*	*Date*
Section 106 Specialist	NDOR	.SLS
Title	*Organization*	