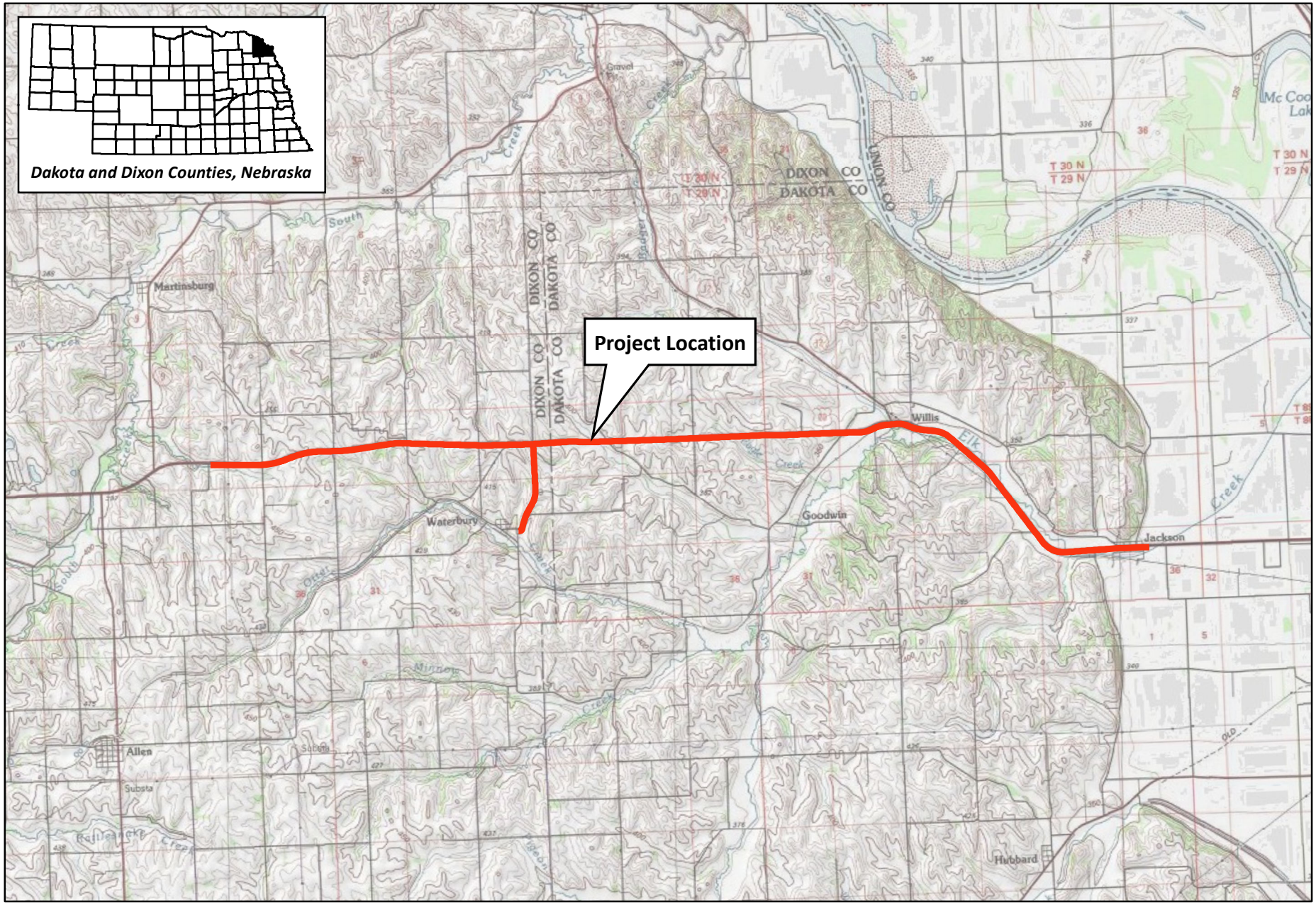
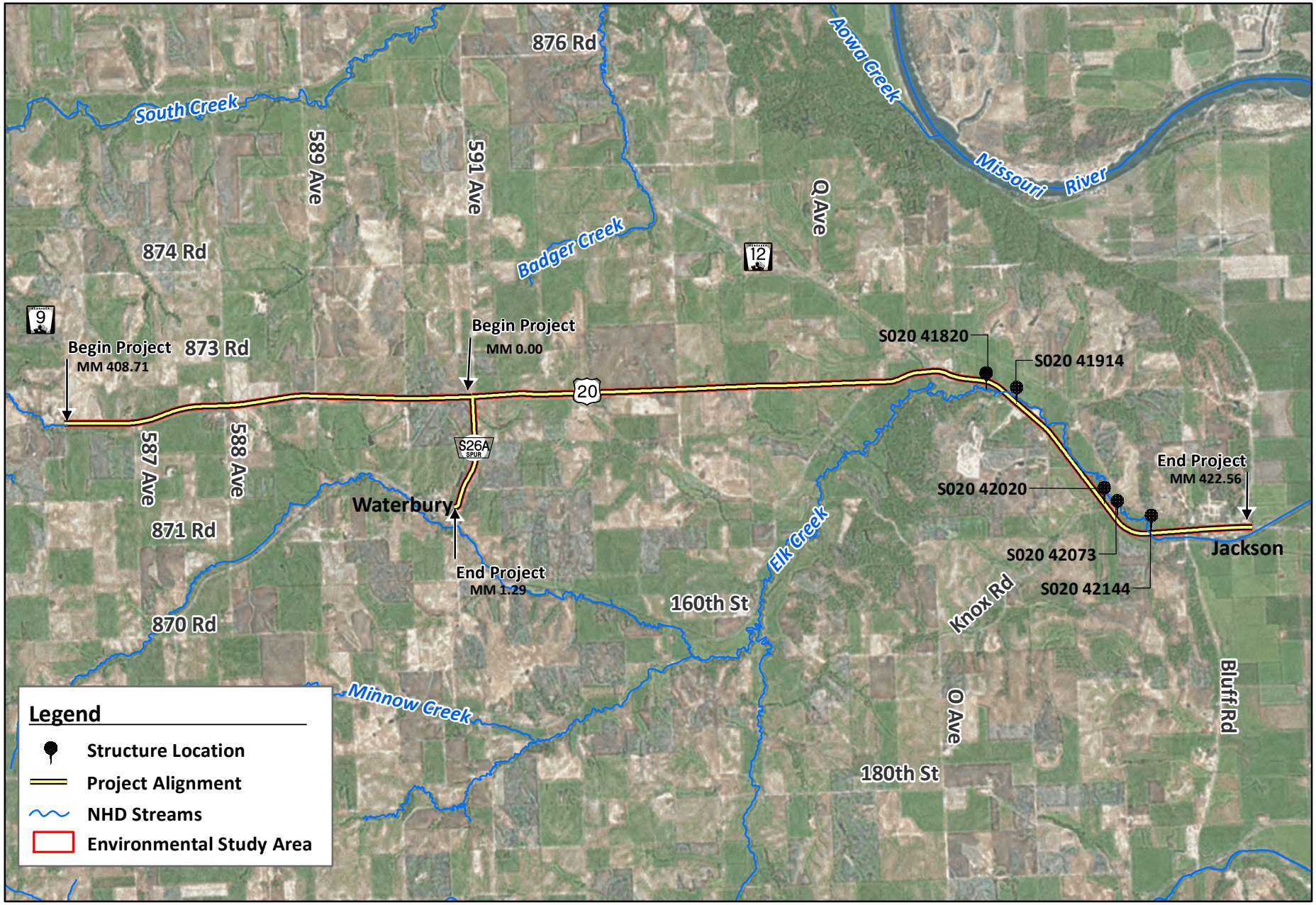


North

0 1 2 Miles

Topo Source: i-cubed eTOPO 1:250,000-scale maps for the contiguous United States at medium scales, and National Geographic TOPO! For more information on this map, visit us online at http://goto.arcgisonline.com/maps/USA_Topo_Maps (2013 National Geographic Society, i-cubed, ESRI). Sioux City, 1981.

Figure 1
Vicinity Map
Jackson West
Dakota and Dixon Counties, NE

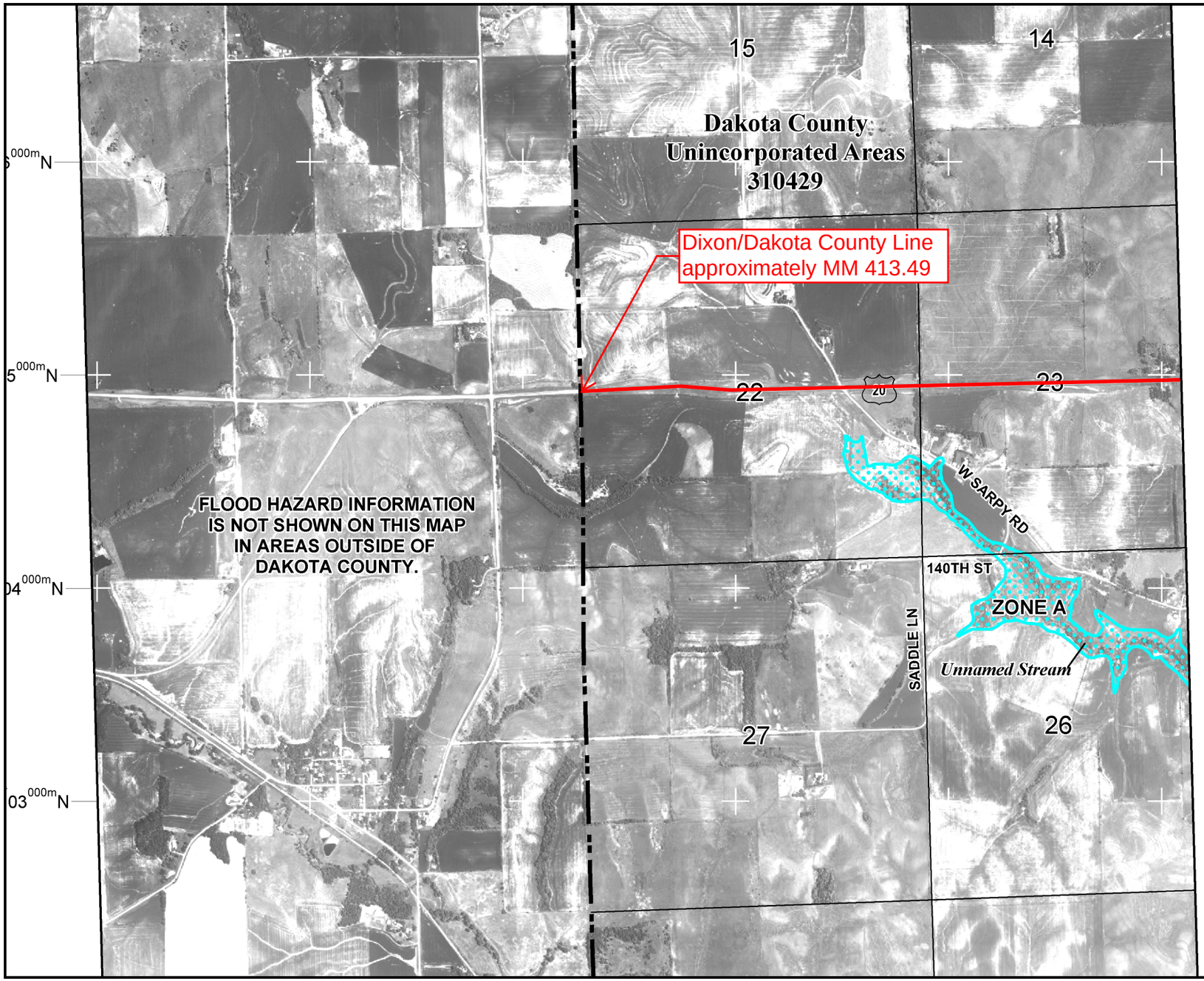


North

0 1 2 Miles

Topo Source: i-cubed eTOPO 1:250,000-scale maps for the contiguous United States at medium scales, and National Geographic TOPO! For more information on this map, visit us online at http://goto.arcgisonline.com/maps/USA_Topo_Maps (2013 National Geographic Society, i-cubed, ESRI). Sioux City, 1981.

Figure 2
Project Location Map
Jackson West
Dakota and Dixon Counties, NE



MAP SCALE 1" = 2000'

1000 0 2000 4000 FEET

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0075D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 75 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0075	D

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
31043C0075D

EFFECTIVE DATE
JANUARY 6, 2012

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 1000 2000 FEET

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0060D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 60 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0060	D

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MAP NUMBER
31043C0060D

EFFECTIVE DATE
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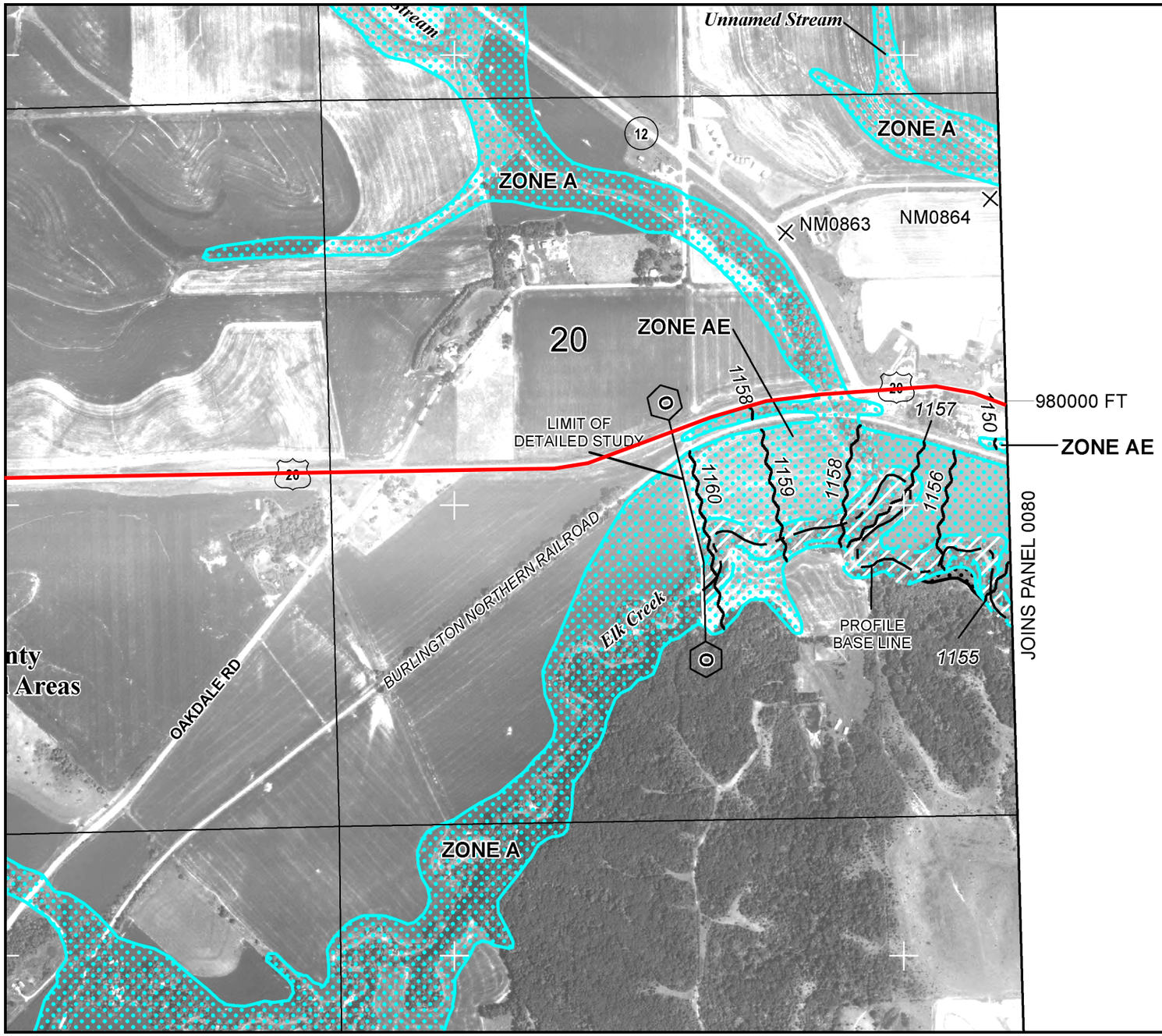

MAP SCALE 1" = 1000'

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NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0060D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 60 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0060	D

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MAP NUMBER
31043C0060D

EFFECTIVE DATE
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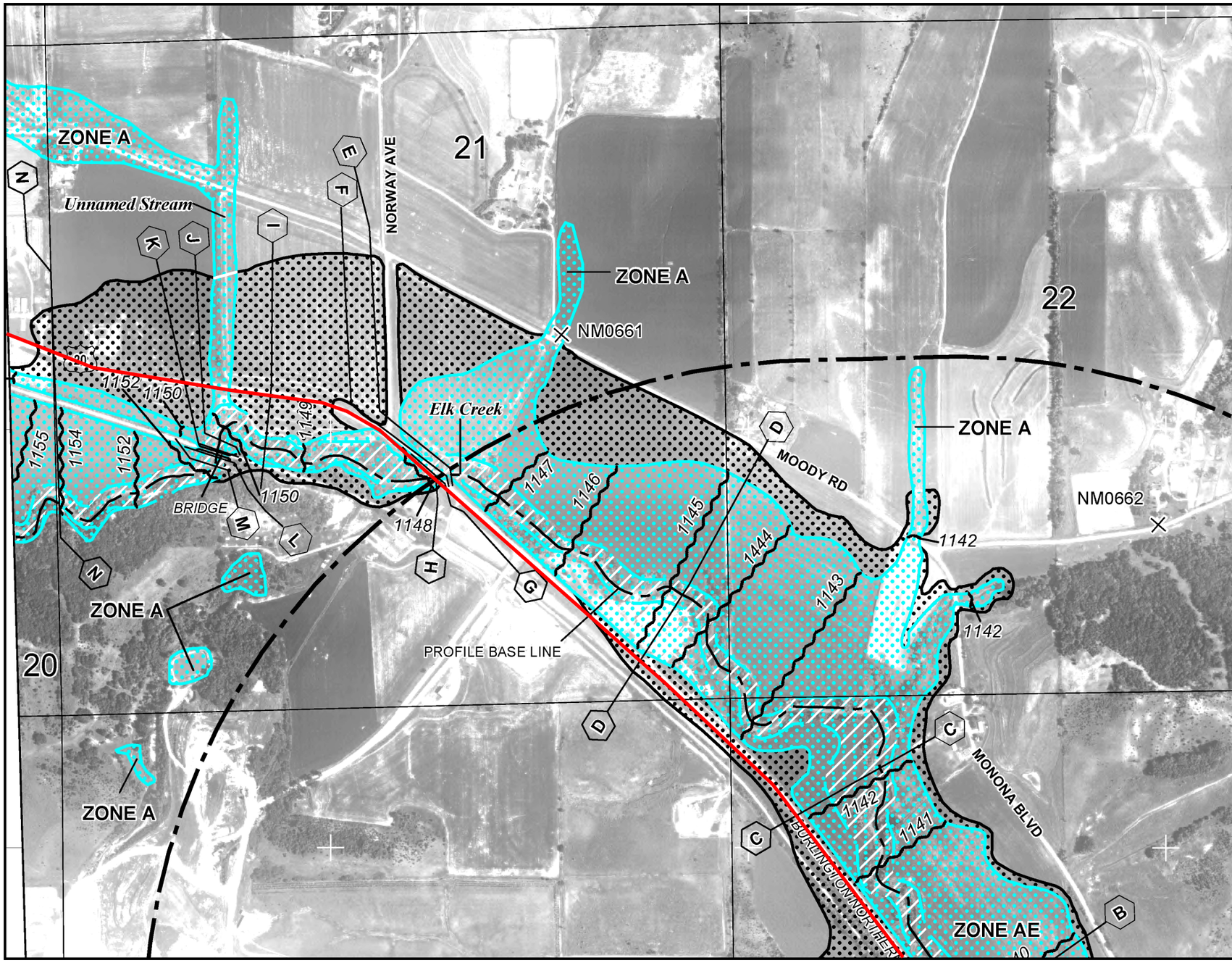

MAP SCALE 1" = 1000'

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NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0080D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 80 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0080	D
JACKSON, VILLAGE OF	310292	0080	D

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
31043C0080D

EFFECTIVE DATE
JANUARY 6, 2012

Federal Emergency Management Agency

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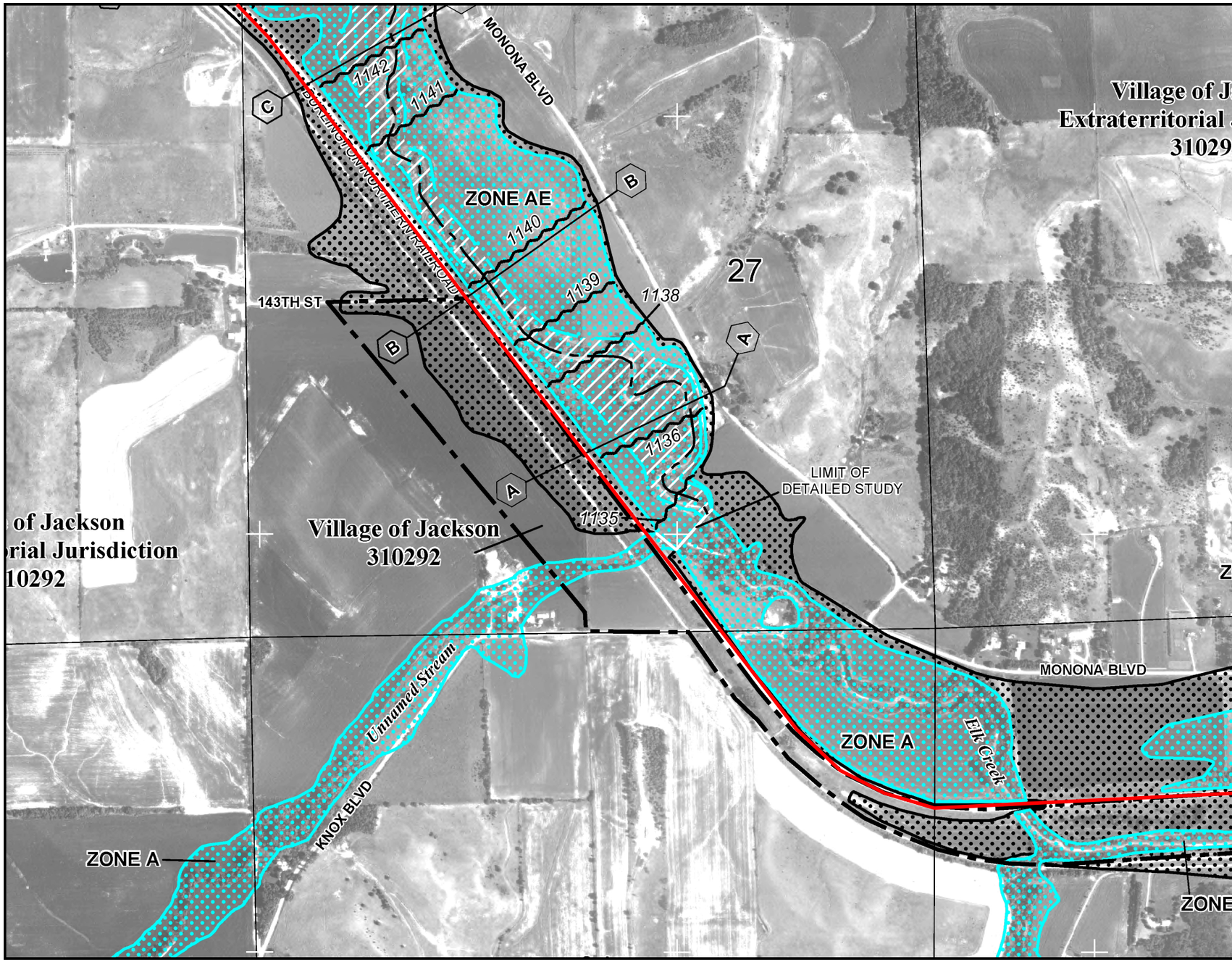

MAP SCALE 1" = 1000'

500 0 1000 2000 FEET

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0080D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 80 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0080	D
JACKSON, VILLAGE OF	310292	0080	D

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MAP NUMBER
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EFFECTIVE DATE
JANUARY 6, 2012

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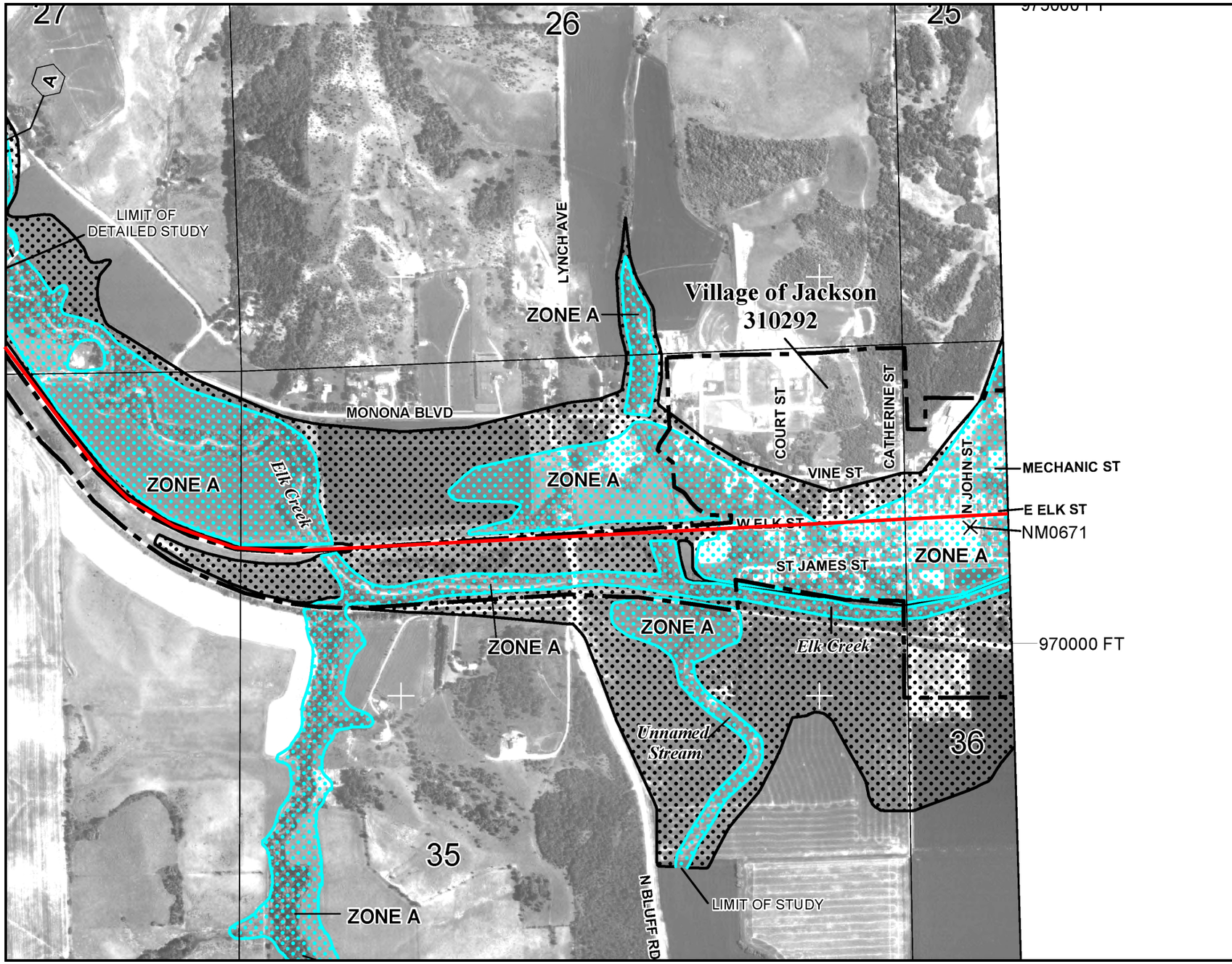

MAP SCALE 1" = 1000'

500 0 1000 2000 FEET

METERS

NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0080D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 80 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0080	D
JACKSON, VILLAGE OF	310292	0080	D

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
31043C0080D

EFFECTIVE DATE
JANUARY 6, 2012

Federal Emergency Management Agency

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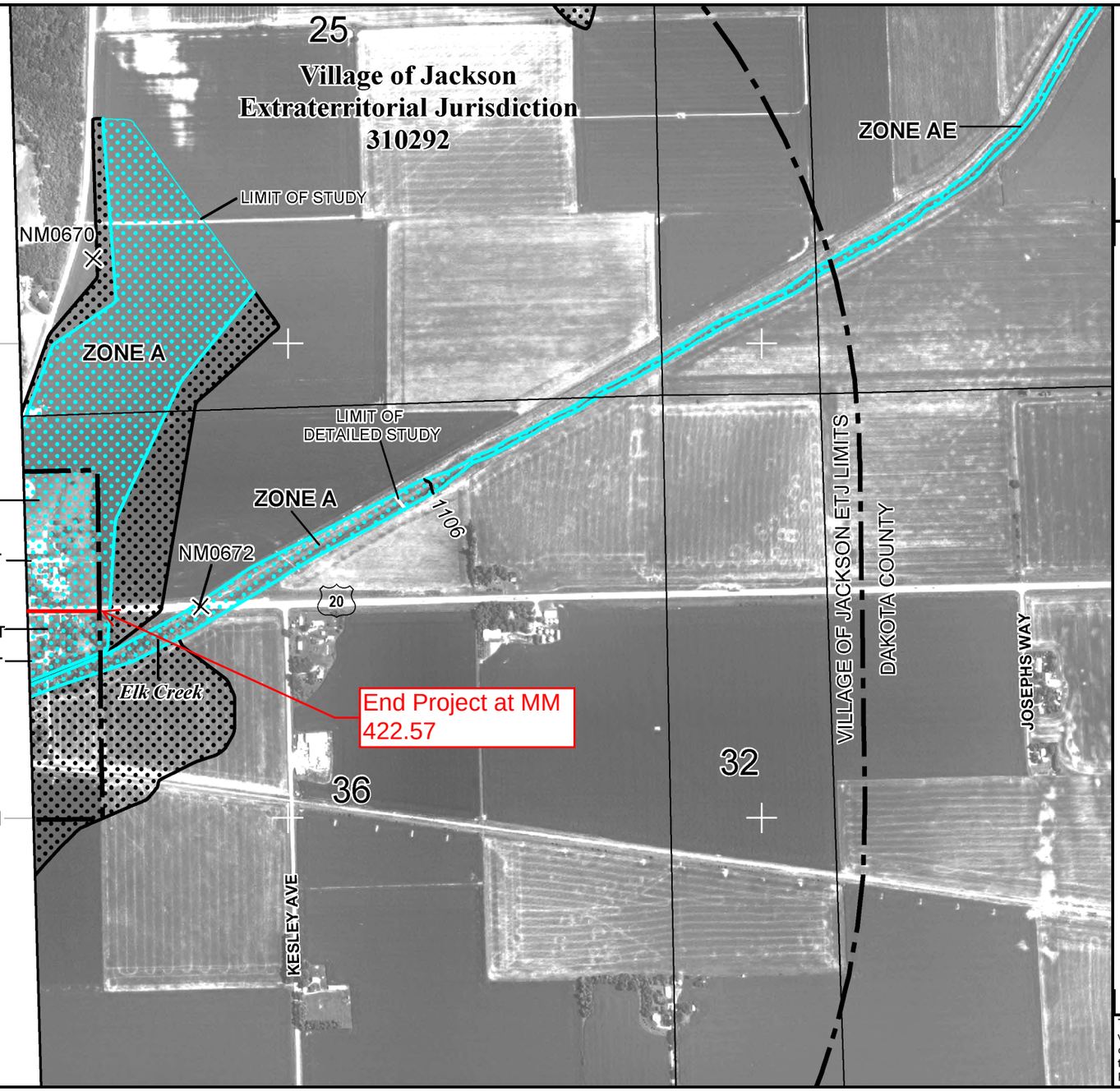

MAP SCALE 1" = 1000'

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NFIP

NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0085D

FIRM

FLOOD INSURANCE RATE MAP

DAKOTA COUNTY, NEBRASKA

AND INCORPORATED AREAS

PANEL 85 OF 225

(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
DAKOTA COUNTY	310429	0085	D
JACKSON, VILLAGE OF	310292	0085	D

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MAP NUMBER
31043C0085D

EFFECTIVE DATE
JANUARY 6, 2012

Federal Emergency Management Agency

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Wetlands PQS Memorandum

DATE 11/6/2015

TO Carmen Pellish, NDOR EDU

FROM Kimberly Baker, NDOR EPU

SUBJECT Wetlands PQS Memo
Project No: NH-STP-20-7(115)
Control No: 31817
Project Name: Jackson West

☒A wetland delineation was completed on August 5-9, 2013
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.*): Permanent impact to wetlands has been estimated at 0.03 acres. Approximately 50 feet of channel is expected to be permanently impacted. It is anticipated that this project will qualify under a NWP 3(a)(b).

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)*: N/A

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 one of the following:

☐ 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 and on the Green Sheet 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)

Project Description:

This project would resurface 13.85 miles of US-20 located in Dixon and Dakota Counties, starting 0.20 miles west of the east junction of US-20 and N-9, at mile marker (MM) 408.71, and extending east to MM 422.56, on the east edge of the City of Jackson. The S26A segment starts at the junction with US-20 at MM 0.00 and extends south to MM 1.29, the north city limits of Waterbury. 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 this segment of US-20 consists of two 12 foot wide asphalt lanes and 10 foot wide shoulders, of which 8 feet is paved with asphalt. There are two sections where 12 foot wide passing lanes are provided, both in the westbound direction, (MM 412.71 to MM 413.49 and MM 416.30 to MM 417.04). A 200 foot westbound right turn lane (with an offset) and 200 foot eastbound left turn bypass lane are in place at the junction of US-20 and N-9 (MM 407.92). A 275 foot westbound right turn lane (with an offset) and 275 foot eastbound left turn bypass lane are in place at the junction of US-20 and N-12 (MM 418.25).

There is a Historic Marker and pull off site along the shoulder of US-20 located at RP 420.88.

The existing roadway on this segment of S26A consists of two 12 foot wide asphalt lanes and 9 foot wide shoulders, of which 1.5 feet is paved with asphalt.

The improvements on this project consist of the following; milling the roadway, resurfacing the roadway with asphalt, concrete curb repair and curb ramps in Jackson, bridge repairs, and removing the guardrail for replacement.

Scope details include:

- Grading beyond the hinge point would be required for the following work:
    - Guardrail
    - Bridges

    - Drives and intersections
    - Shoulder widening and/or surfacing
    - Curb Ramps
- Grading beyond the hinge point may be required for the following work (Roadway Design verified this determination at Plan-in-Hand):
    - to correct taper rates and storage lengths for the westbound offset right turn lane at US-20 and N-12
    - to build an offset right turn lane at US-20 and N-9
    - to correct the exit taper for the climbing lane near RP 416.24
    - to correct the geometrics of the historical marker turn out at RP 420.88
- There are forty-five culverts along this segment that could impact the project. As-built plans indicate that existing culverts are outside of the fixed obstacle clear zone and no impacts are anticipated at this time; however, a final determination was made at Plan-in-Hand. The following work may be required:
    - One drive pipe maybe lowered near RP 415.91.
- Guardrail
    - Remove and replace guardrail with grading beyond the hinge point.
- Structure S020 41820 would be repaired including an overlay, updating of bridge rails, and concrete repairs. The existing guardrail would be removed and replaced.
- Structure S020 41914 would be repaired including partial and full depth deck repairs, an overlay, replacement of expansion joints, sealing of concrete bridge rails, and encasing girder ends. The existing guardrail would be removed and replaced.
- Structure S020 42020 would be repaired including partial and full depth deck repairs, an overlay and sealing of bridge rail. The existing guardrail would be removed and replaced.
- Structure S020 42073 would receive scour mitigation including inlet and outlet repairs with sheetpile curtain walls and flowable fill, grading and rip rap.
- Structure S020 42144 would be repaired including partial and full depth deck repairs, an overlay, seal of bridge rail, and replacing expansion joints. The existing guardrail would be removed and replaced.
- 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.
- Existing surfaced driveways and intersections would be resurfaced.
- Rock or gravel would be placed behind driveways and intersections to match the new asphalt.
- Surfacing would be placed under the guardrail.
- The existing earth shoulders would be brought up to match the new asphalt.
- Project surveying and staking would be required.
- Areas disturbed during construction would be stabilized utilizing methods of erosion control.
- Rumble strips would be constructed on the resurfaced shoulders.
- Permanent pavement markings would be applied to all new surfacing.
- Additional property rights may 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.

From: Baker, Kimberly K
To: Pellish, Carmen
Subject: RE: Project NH-20-7(115), Jackson West, CN 31817
Date: Wednesday, March 30, 2016 1:38:37 PM

Carmen,

The project description change does not affect the wetlands determination. There were no delineated wetlands at the Jct. of US-20 and N-9.

Let me know if you need further information.

Thanks,

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

From: Thurber, Zachery
Sent: Wednesday, March 30, 2016 10:51 AM
To: Pellish, Carmen; Poe, Ronald; Wells, Julie; Marinovich, Melissa; Fintel, Paul; Packard, Will; Barber, Jon; Ringenberg, Tony; Jurgens, Jason; Baker, Kimberly K; Domogalla, Kevin
Subject: Project NH-20-7(115), Jackson West, CN 31817

The project description has been updated with language taking out work at Hwy 9 and Hwy 20 intersection. It can be found in OnBase.

Zachery Thurber

NDOR
Nebraska
Department of Roads
Roadway Design Division
☎Office: 402.479.3706
✉E-mail: Zachery.Thurber@Nebraska.gov

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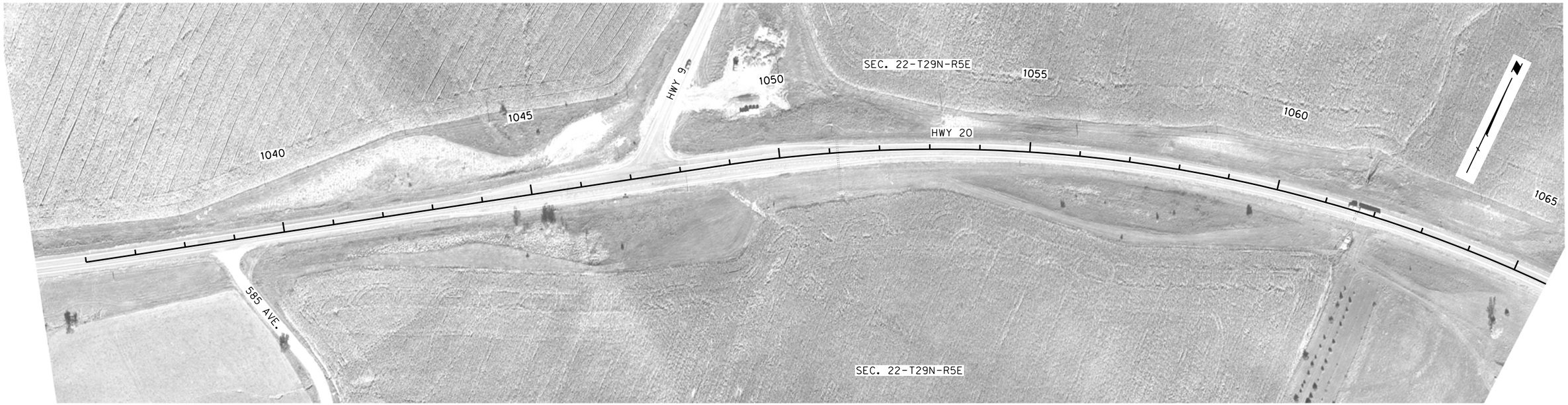
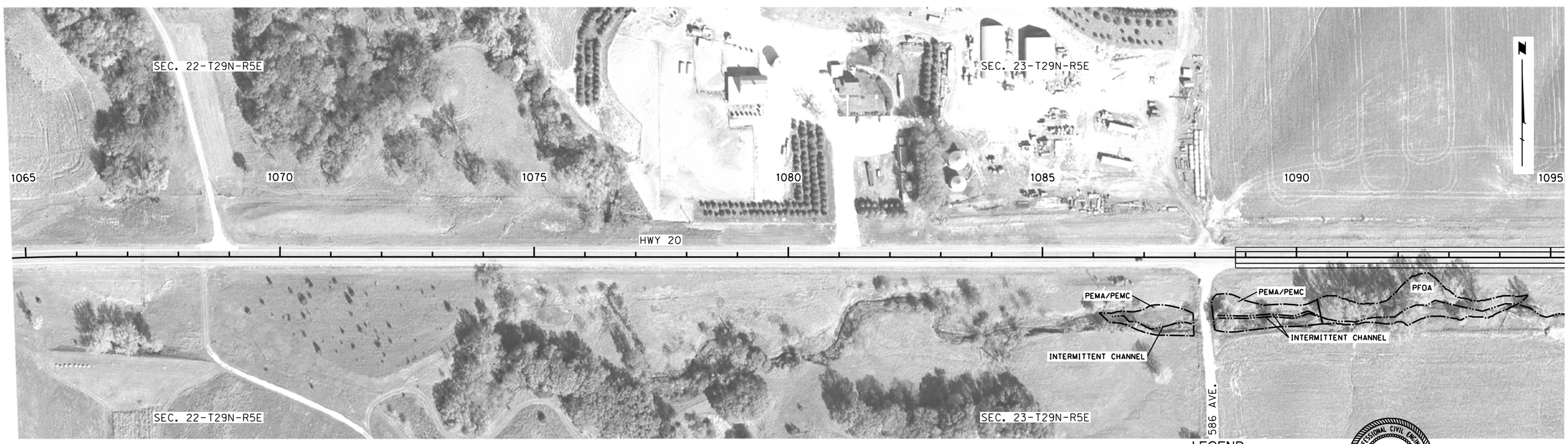
PROJECT NO.	SHEET NO.
20-7(115)	2-W1

C.N. 31817





JACKSON WEST

DIXON/DAKOTA COUNTY

LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

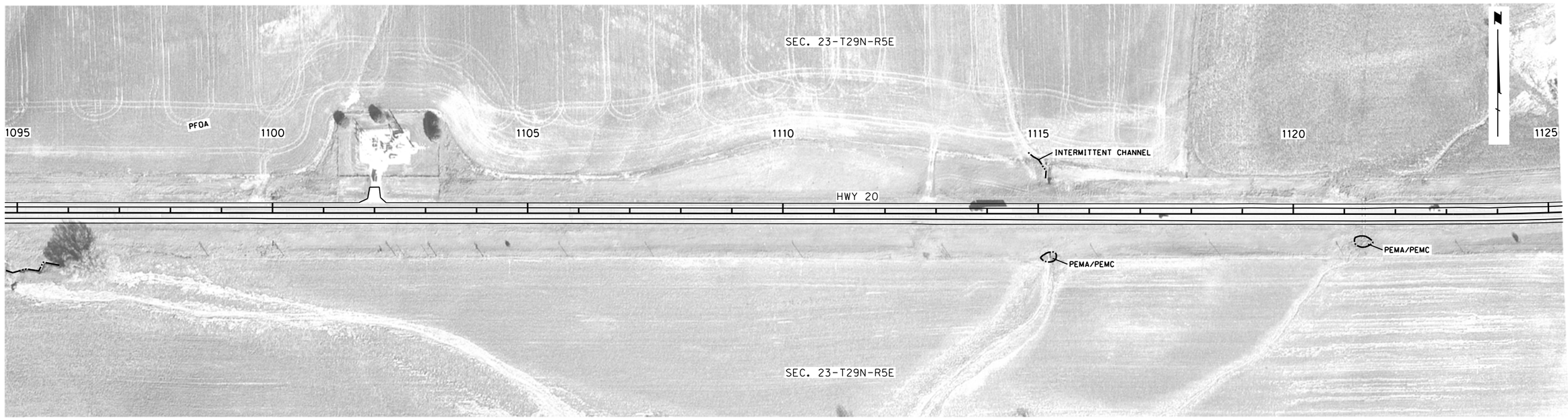
9/9/2015

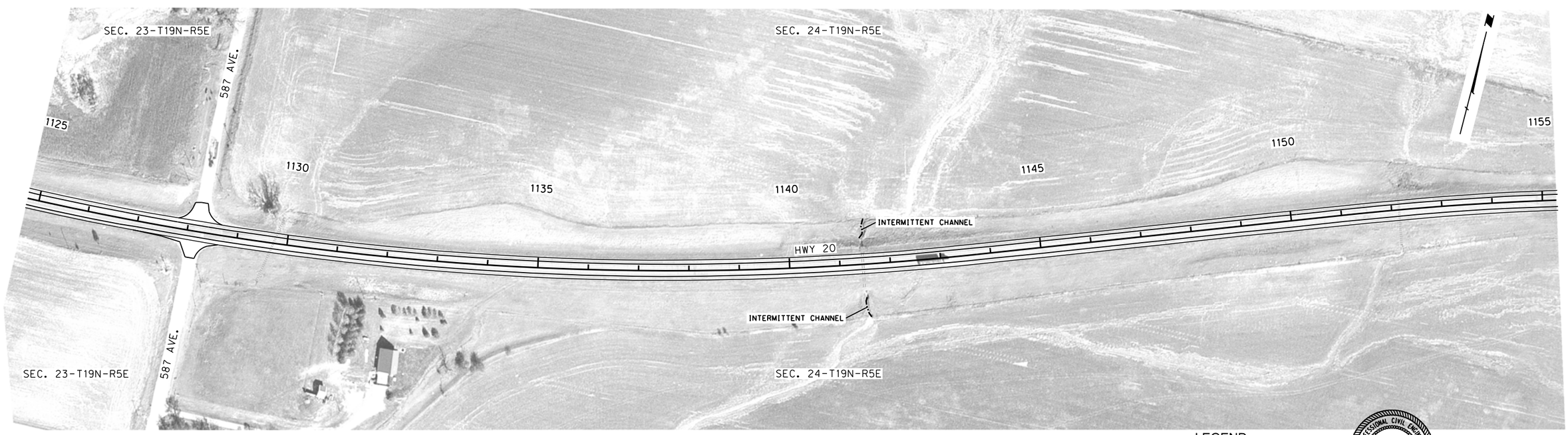
dan
FHU

318170da01.dgn
1:200

PROJECT NO.	SHEET NO.
20-7(115)	2-W2

C.N. 31817





LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

dan
FHU

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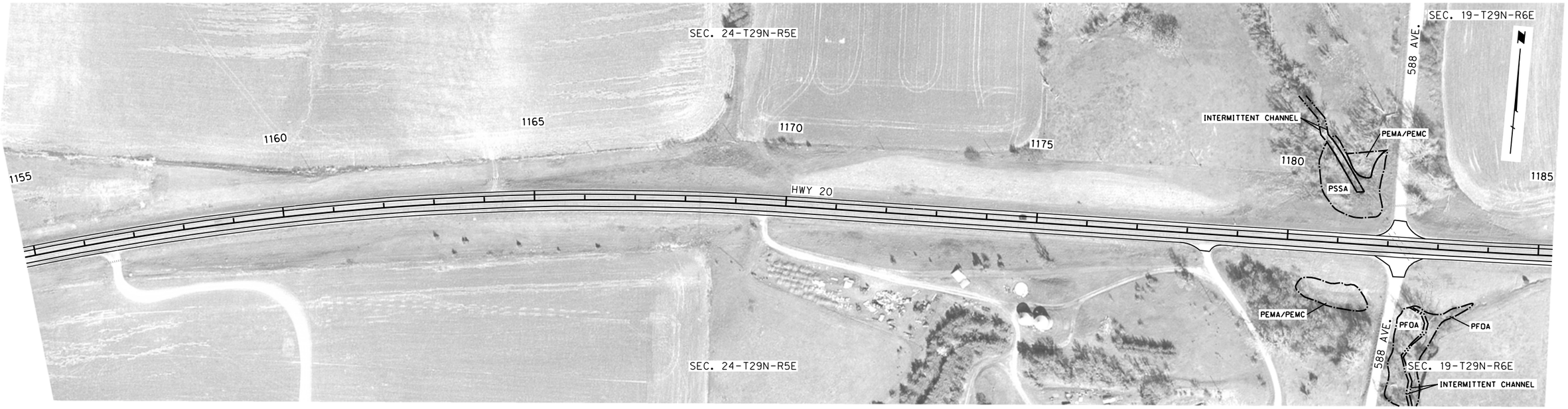
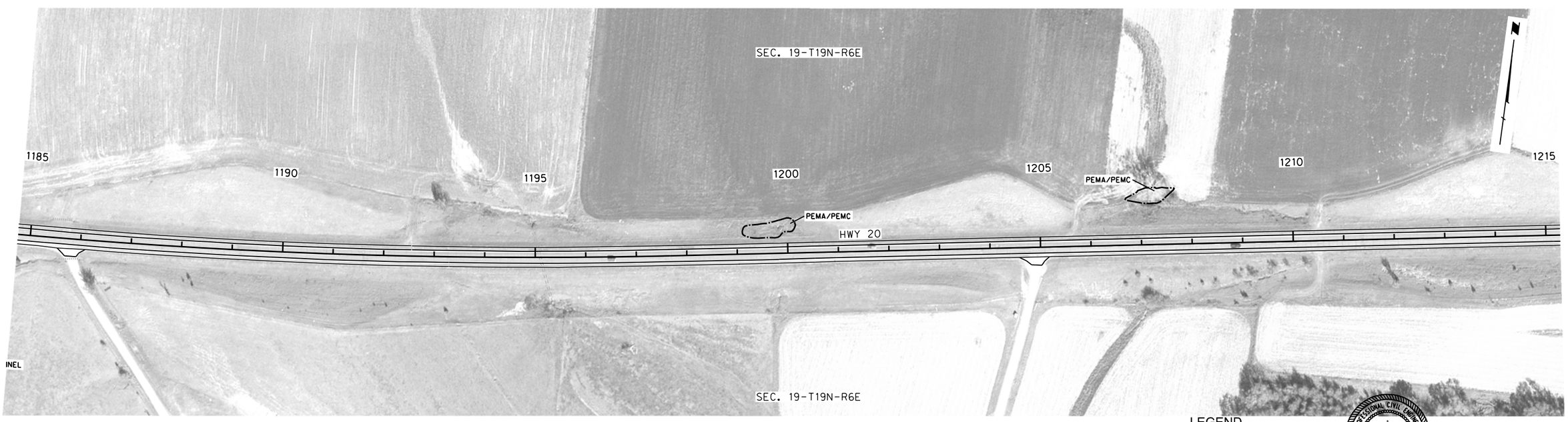
1:200

PROJECT NO.	SHEET NO.
20-7(115)	2-W3

C.N. 31817





LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

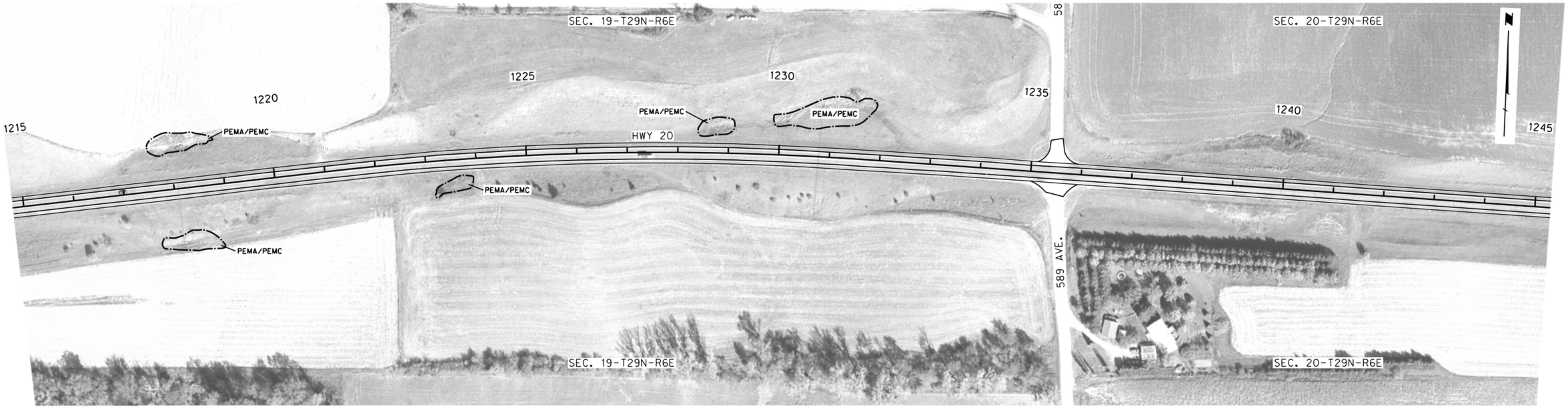
9/9/2015

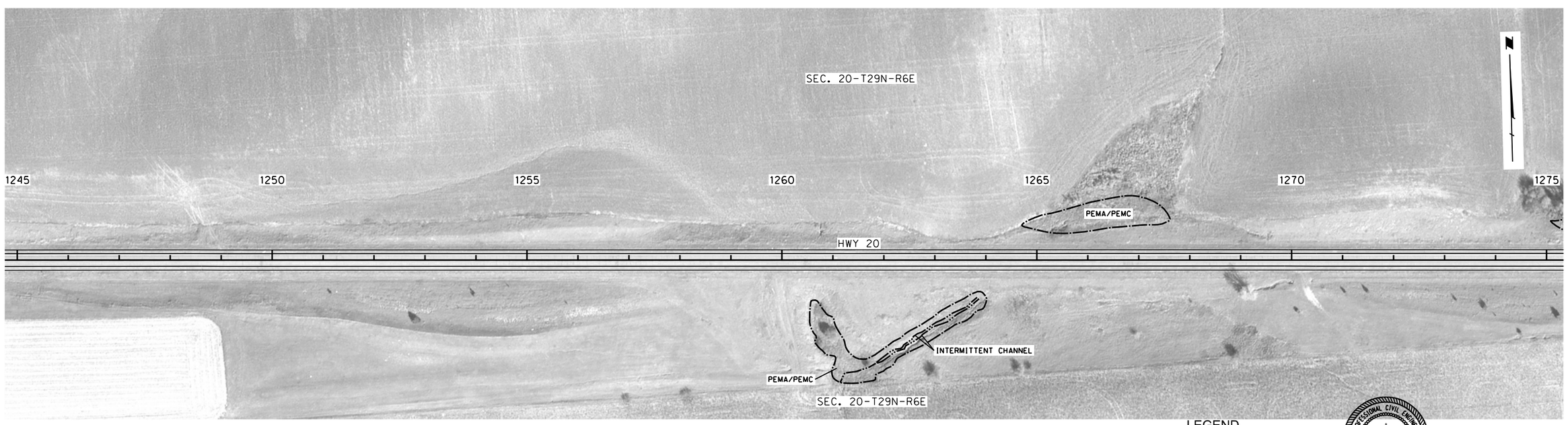
dan
FHU

318170aa03.dgn
1:200

PROJECT NO.	SHEET NO.
20-7(115)	2-W4

C.N. 31817





LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

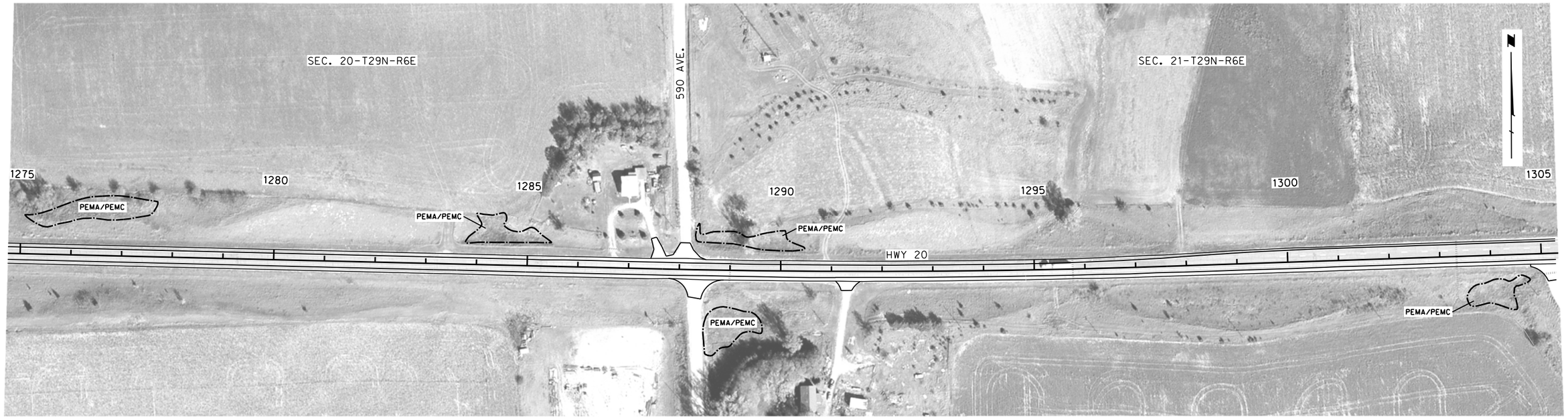
9/9/2015

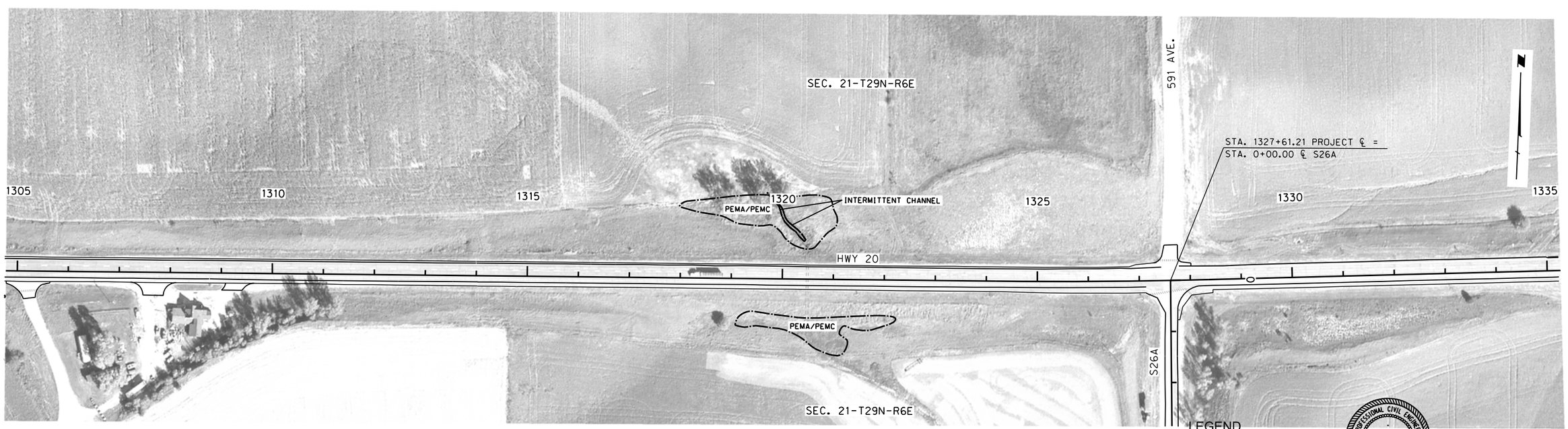
dan
FHU

31817Oaa04.dgn
1:200

PROJECT NO.	SHEET NO.
20-7(115)	2-W5

C.N. 31817





LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

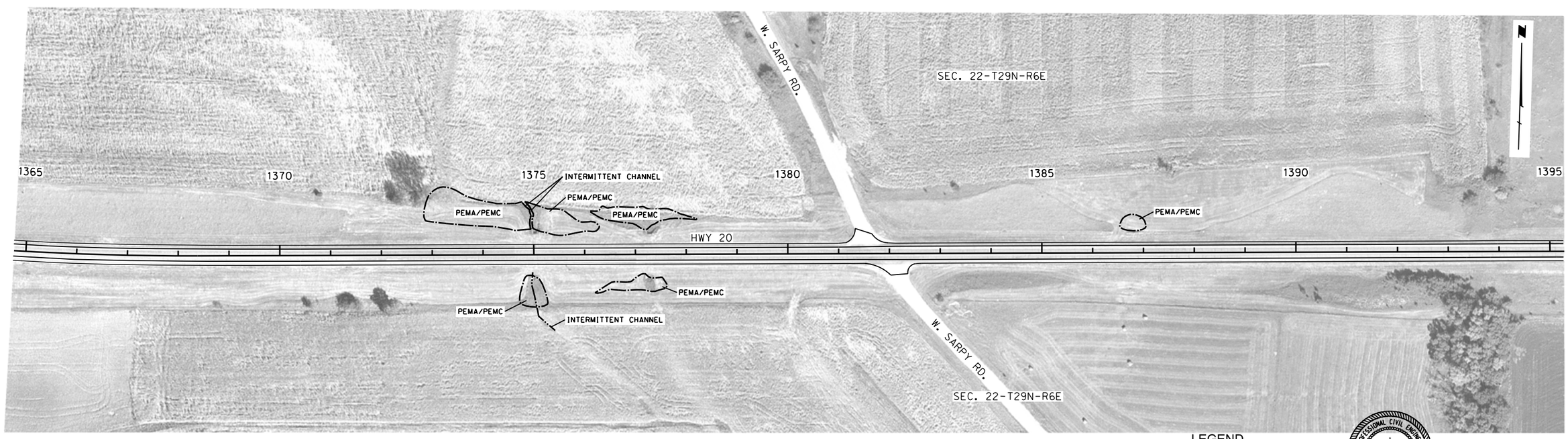
9/9/2015

dan
FHU

318170da05.dgn
1:200

PROJECT NO.	SHEET NO.
20-7(115)	2-W6

C.N. 31817



LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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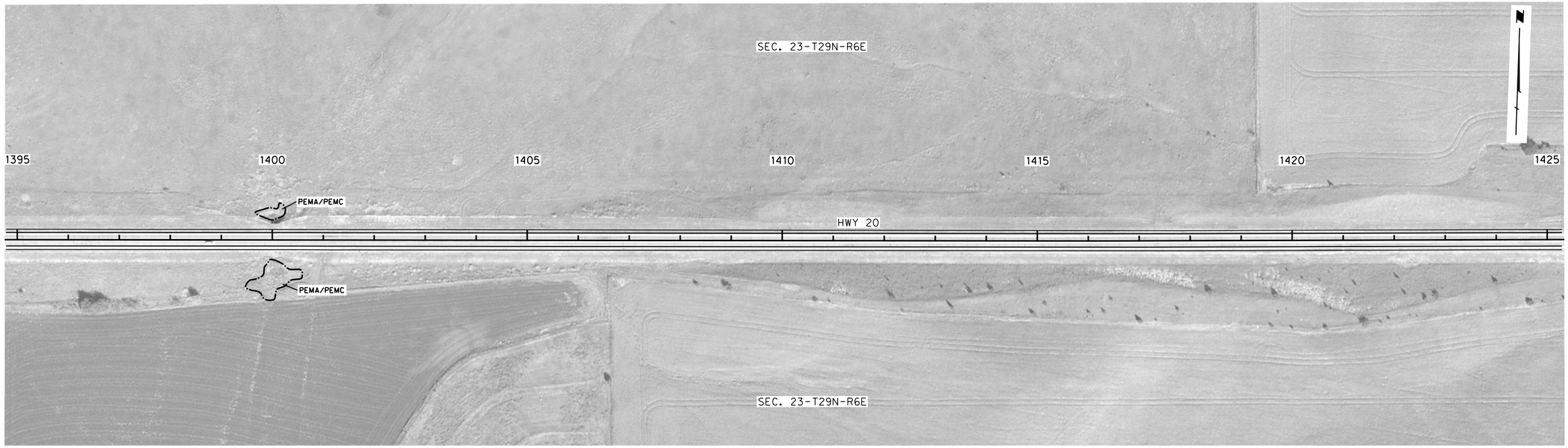
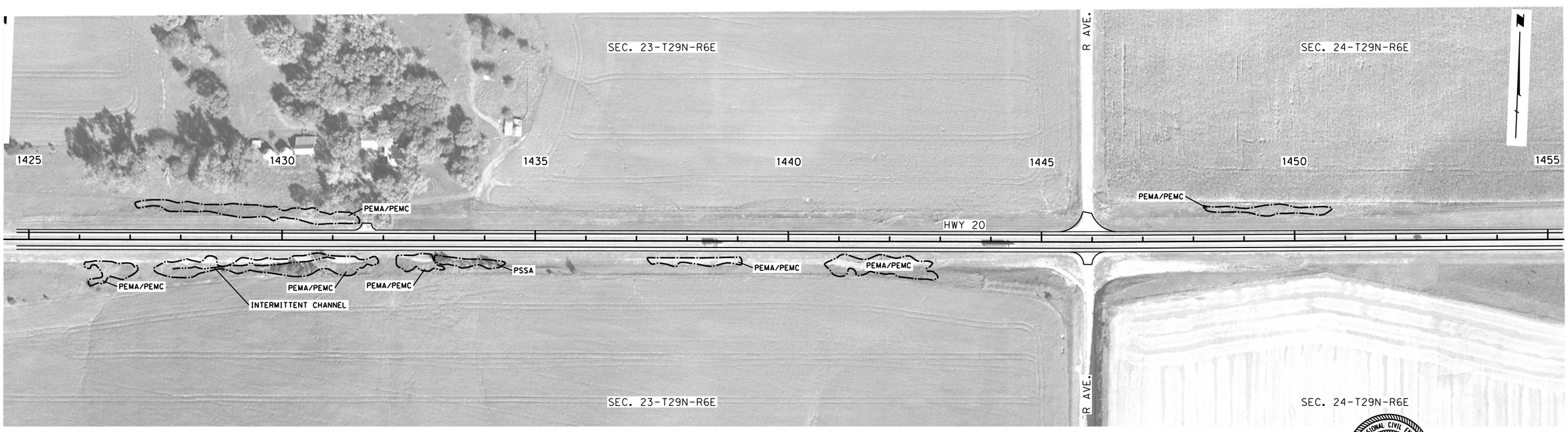
PROJECT NO.	SHEET NO.
20-7(115)	2-W7

C.N. 31817





LEGEND

- LIMITS OF CONSTRUCTION
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- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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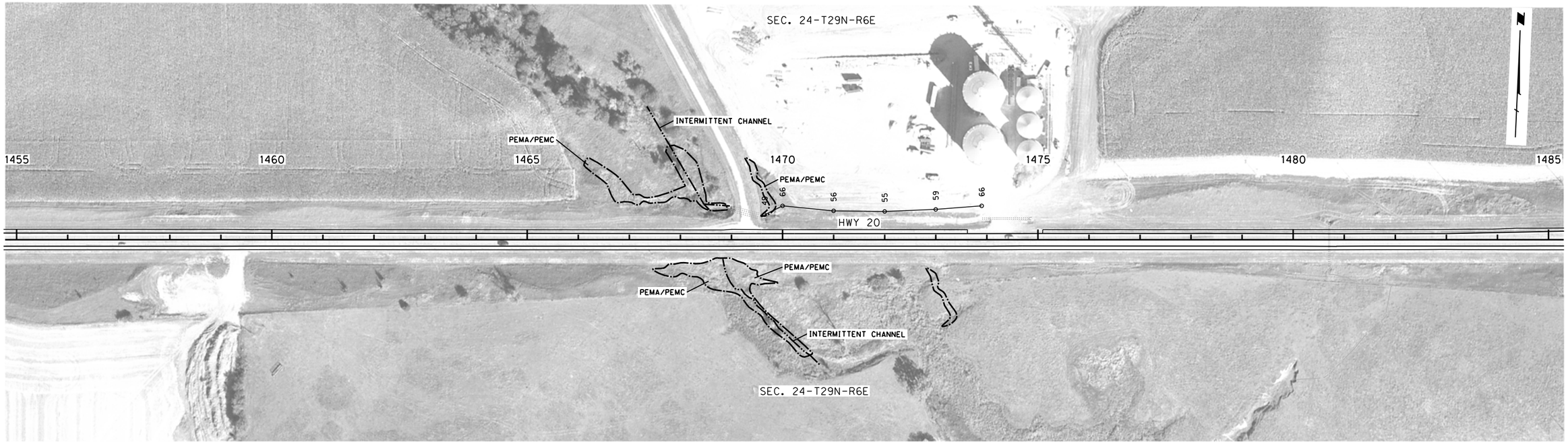
PROJECT NO.	SHEET NO.
20-7(115)	2-W8

C.N. 31817



LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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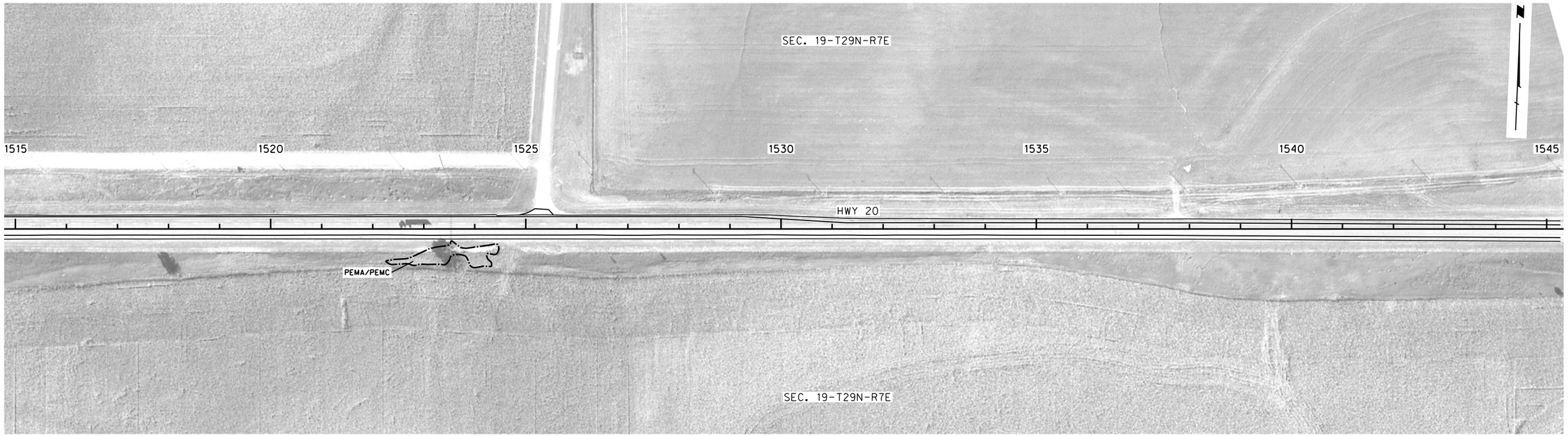
PROJECT NO.	SHEET NO.
20-7(115)	2-W9

C.N. 31817



LEGEND

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- IMPACTED WETLANDS
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PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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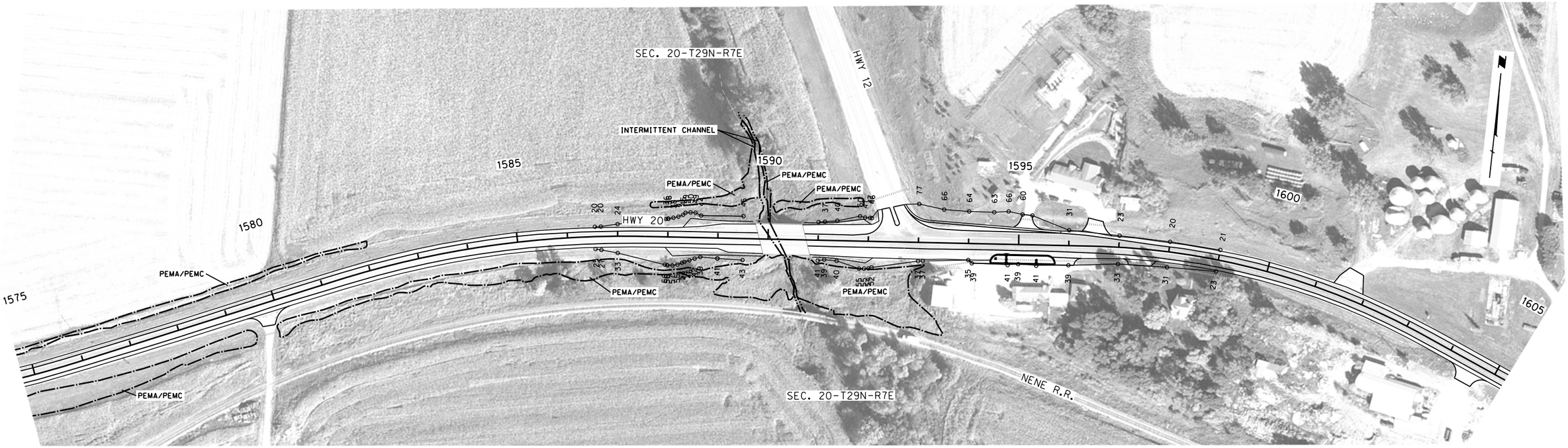
PROJECT NO.	SHEET NO.
20-7(115)	2-W10

C.N. 31817



LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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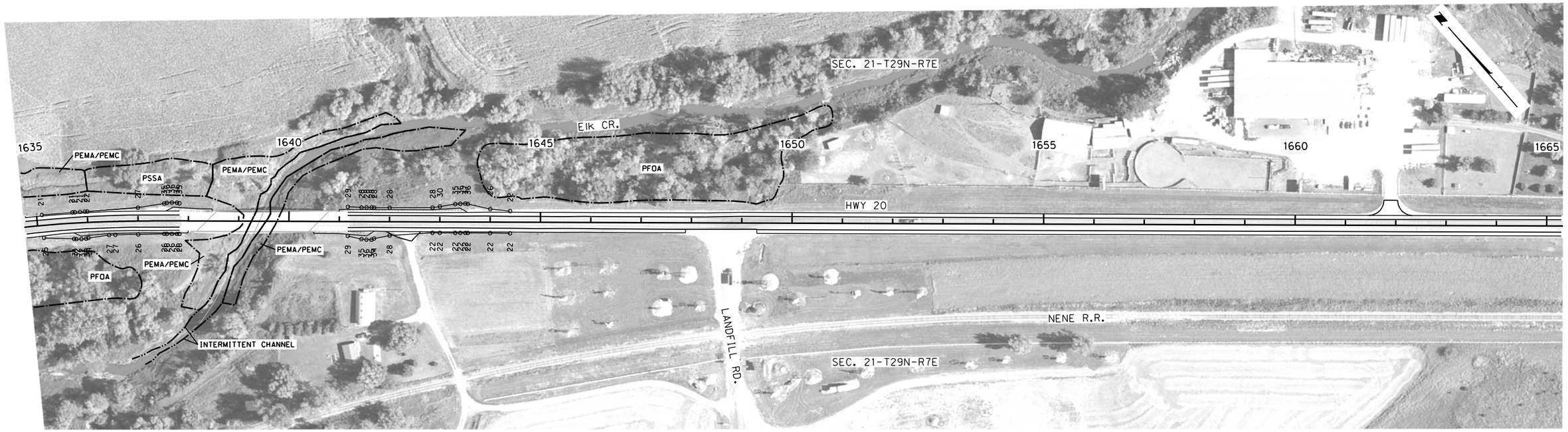
PROJECT NO.	SHEET NO.
20-7(115)	2-W11

C.N. 31817



LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
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PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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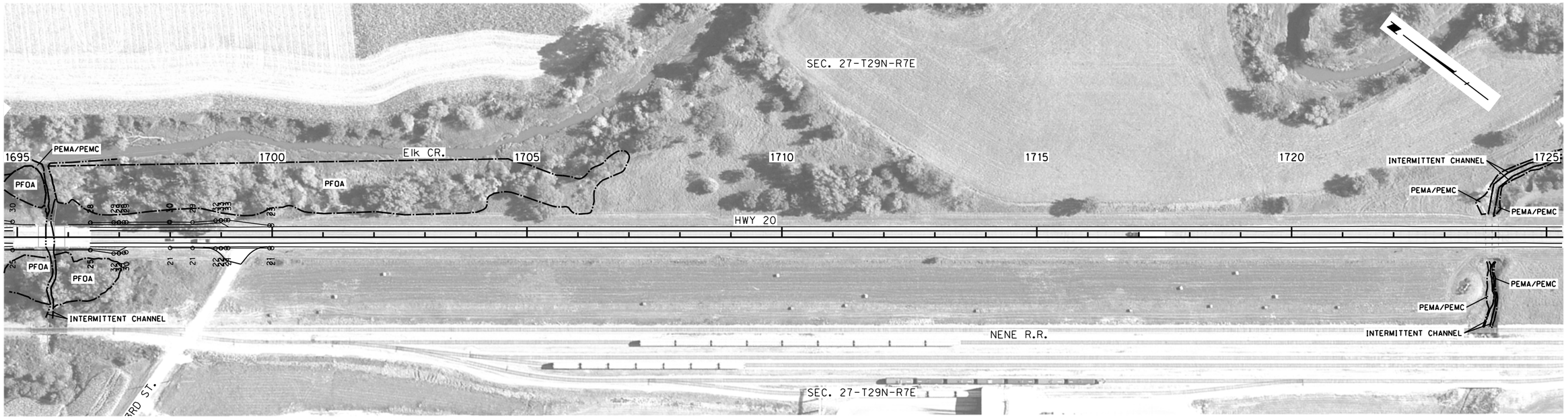
FELSBURG HOLT & ULLEVIG	PROJECT NO.	SHEET NO.
	20-7(115)	2-W12

C.N. 31817



LEGEND

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- WETLANDS - DO NOT DISTURB
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PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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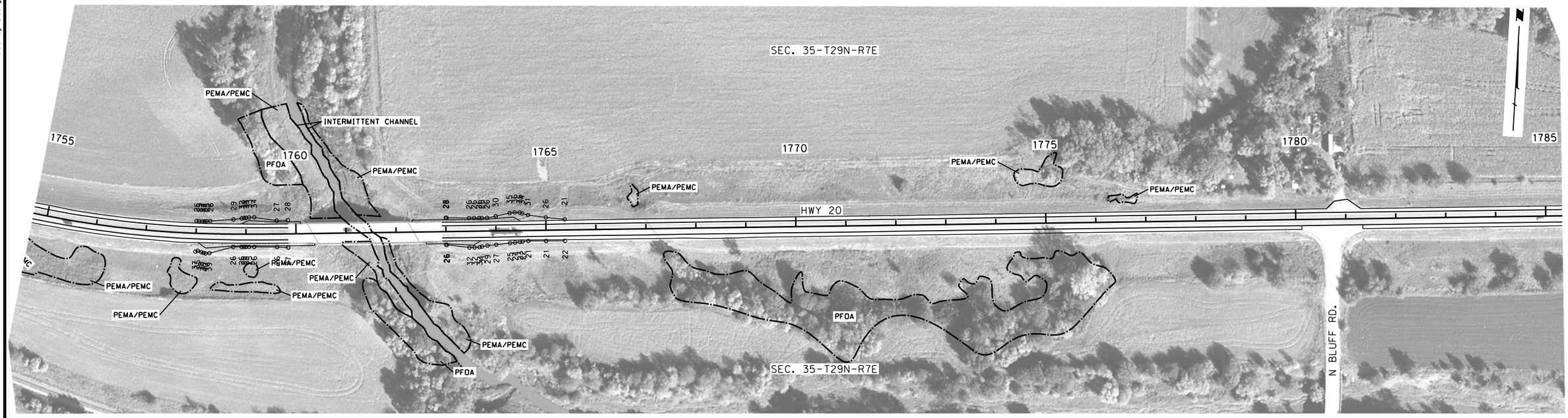
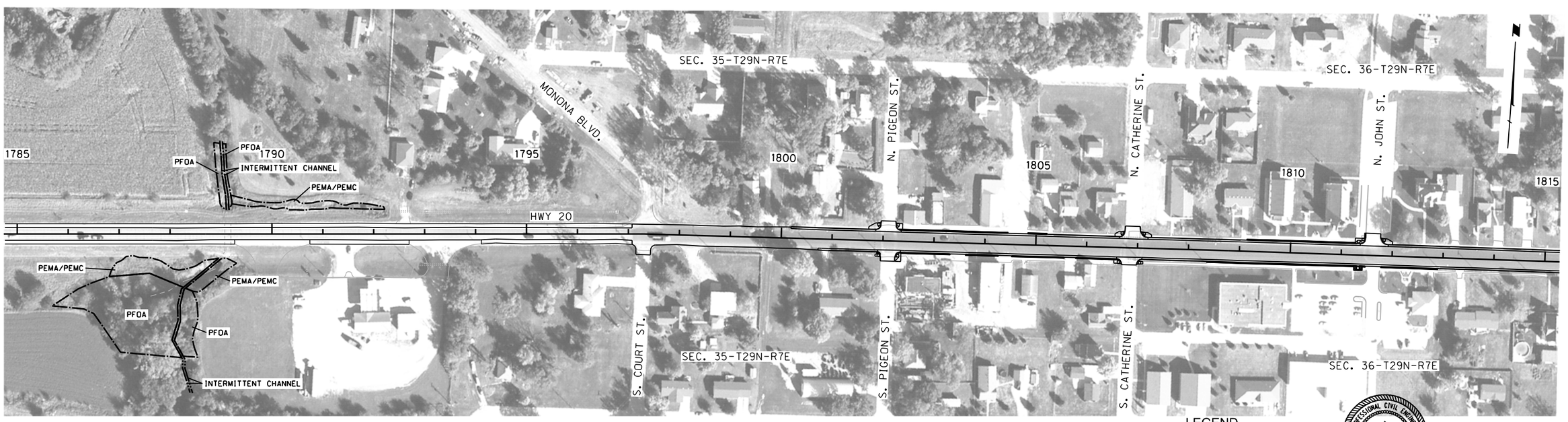
PROJECT NO.	SHEET NO.
20-7(115)	2-W13

C.N. 31817





LEGEND

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PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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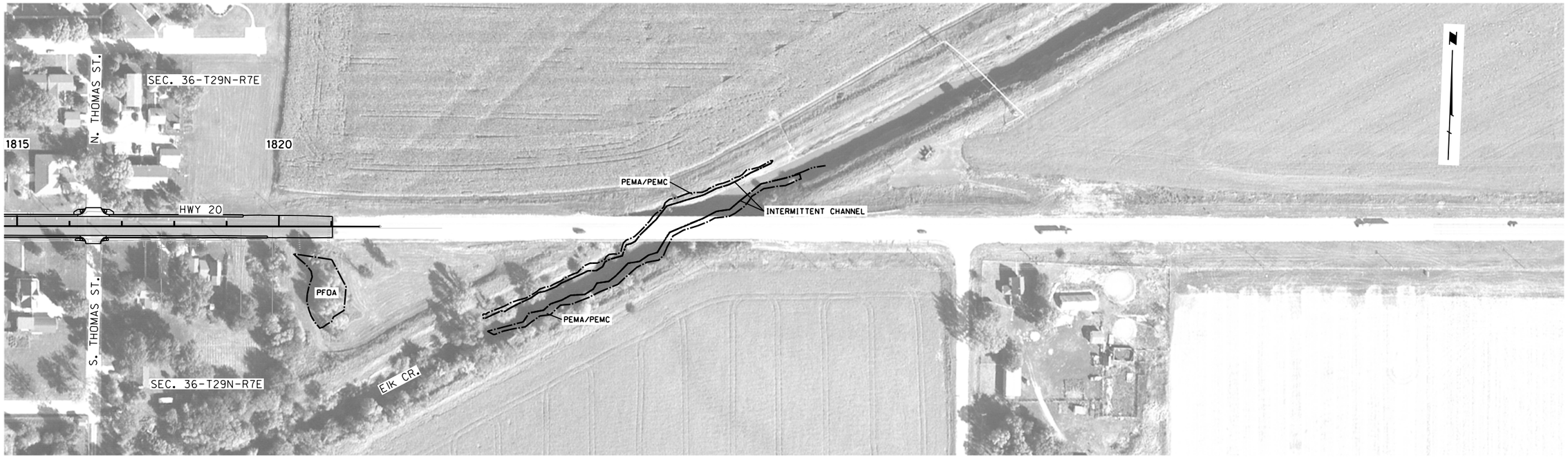
PROJECT NO.	SHEET NO.
20-7(115)	2-W14

C.N. 31817



LEGEND

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- WETLANDS - DO NOT DISTURB
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PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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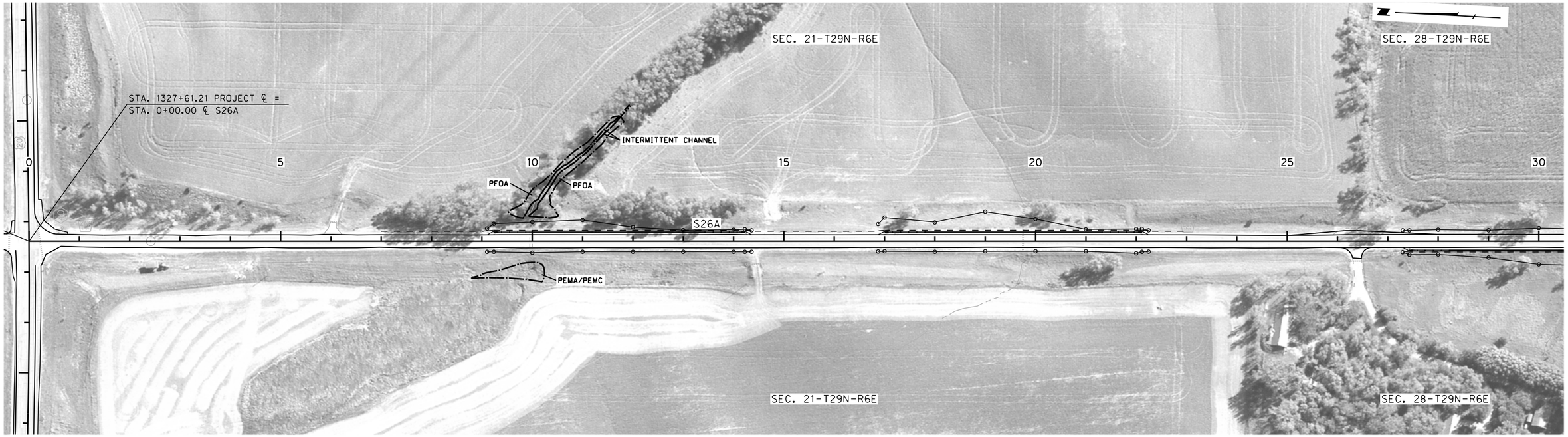
PROJECT NO.	SHEET NO.
20-7(115)	2-W15

C.N. 31817



LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
- TEMPORARY IMPACTED WETLANDS

PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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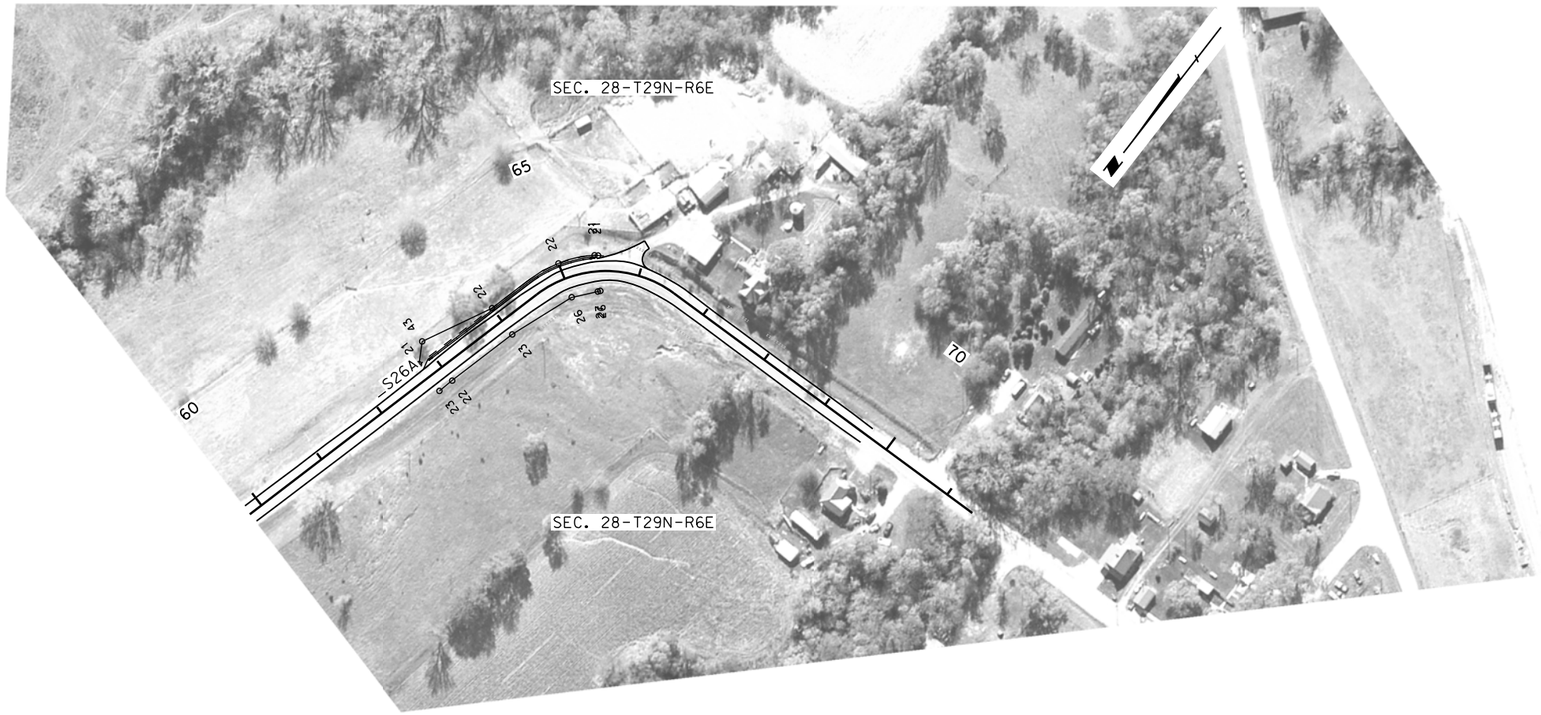
PROJECT NO.	SHEET NO.
20-7(115)	2-W16

C.N. 31817



LEGEND

- LIMITS OF CONSTRUCTION
- WETLANDS - DO NOT DISTURB
- IMPACTED WETLANDS
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PROFESSIONAL CIVIL ENGINEER
MATTHEW B. McFADDEN
E-8581
STATE OF NEBRASKA

SCALE: 1:200

Roadway Design Division

9/9/2015

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Biological Assessment Memorandum

DATE	3/30/2016
TO	Carmen Pellish, NEPA Project Manager
Cc	Kim Baker, EPU Project Manager
FROM	Melissa Marinovich, T&E Species Biologist
SUBJECT	Jackson West; NH-STP-20-7(115); CN 31817 Threatened & Endangered Species Concurrence

The biological assessment final approval on: **3/30/2016**

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**.

☐ This BA required FHWA Review and Approval.

FHWA Concurrence Date: Click here to enter a date.

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

USFWS Concurrence Date: Click here to enter a date.

NGPC Concurrence Date: Click here to enter a date.

☐ 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: Click here to enter text.

Description of Coordination:

Bald and Golden Eagle Protection Act:

This project was reviewed for potential impacts to bald and golden eagles. NDOR believes the project site does not have appropriate habitat for eagles. Due to the lack of suitable habitat and 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.

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 delineation for this project has not yet been completed. According to current design, this project may result in wetland and/or stream channel impacts. If impacts cannot be avoided, a Section 404 permit will be obtained from the Corps of Engineers.

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-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)

Northern Long-Eared Bat:

NLEB-1 Tree clearing, bridge deck joint replacements over the bridge deck, bridge/>5-ft box-culvert 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 tree clearing, bridge deck joint replacement over the bridge deck, or removal of bridge or >5-ft box-culvert 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: ***structures with bridge joint replacement (S020 42144, S020 41914)***. 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)

NDOR PQS Project Review Memo
Section 106 - Tier II Project

Control Number 31817 Project Number NH-STP-20-7(115) Review Date 09/17/15

Project Name Jackson West Project Location Dixon and Dakota Counties

Date of Project Description Reviewed 07/28/15

Project Results in no historic properties affected ☐ No ☑ Yes ☑ Tier II Project

THPO/Tribal Consultation? ☐ No ☑ Yes

THPO/Tribes(s): Ponca Tribe of Nebraska

Date Correspondence Sent: 09/25/15

THPO/Tribal response date: 10/28/15, no response

THPO/Tribal comment:

CLG Consultation? ☑ No ☐ Yes

CLG:

Date Correspondence Sent:

CLG response date:

CLG comment:

Other Consulting Parties Identified:

n/a

APE considered is consistent with 36 CFR 800.16(d): ☑ Yes

Archeological Resources

Are NRHP listed or eligible properties present within the APE?

☑ **No** ☐ **Yes**

Please list:

Above Ground Resources

Are NRHP listed or eligible properties present within the APE?

☐ **No** ☑ **Yes**

Please list:

DX00-025, Matthew McMullen Farmhouse
DK00-162, Patrick Twohig Farmstead
DK04-003, St. Patrick's Catholic Church

Is Temporary Easement Required from ANY Historic Property Listed Above? ☑ **No** ☐ **Yes**

Is Permanent Easement Required from ANY Historic Property Listed Above? ☑ **No** ☐ **Yes**

Is Right of Way Required from ANY Historic Property Listed Above? ☑ **No** ☐ **Yes**

If Yes, describe:

Construction Commitments: ☑ **No** ☐ **Yes**

If Yes, detail here:

Project would result in no historic properties affected: ☐ **No** ☑ **Yes**

Tier II Project Evaluation Complete

Stacy Stupka-Burda

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: 2015.10.28 11:19:22 -05'00'

10/28/15

NDOR PQS Review

Date

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

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

September 24, 2015

Mr. Randy Teboe
Tribal Historic Preservation Officer
Ponca Tribe of Nebraska
P.O. Box 288
Niobrara, NE 68760

Dear Mr. Teboe:

Project NH-STP-20-7(115), CN 31817
Jackson West
Dixon and Dakota Counties
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.

Project Description:
This project would resurface 13.85 miles of US-20 located in Dixon and Dakota Counties, starting 0.20 miles west of the east junction of US-20 and N-9, at mile marker (MM) 408.71, and extending east to MM 422.56, on the east edge of the City of Jackson. The S26A segment starts at the junction with US-20 at MM 0.00 and extends south to MM 1.29, the north city limits of Waterbury. 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 this segment of US-20 consists of two 12-foot wide asphalt lanes and 10-foot-wide shoulders, of which 8 feet is paved with asphalt. There are two sections where 12-foot-wide passing lanes are provided, both in the westbound direction, (MM 412.71 to MM 413.49 and MM 416.30 to MM 417.04). A 200-foot westbound right turn lane (with an offset) and 200-foot eastbound left turn bypass lane are in place at the junction of US-20 and N-9 (MM 407.92). A 275-foot westbound right-turn lane (with an offset) and 275-foot eastbound left-turn bypass lane are in place at the junction of US-20 and N-12 (MM 418.25).

There is a commemorative marker and pull off site along the shoulder of US-20 located at MM 420.88.

The existing roadway on this segment of S26A consists of two 12-foot-wide asphalt lanes and 9-foot-wide shoulders, of which 1.5 feet is paved with asphalt.

The improvements on this project consist of the following; milling the roadway, resurfacing the roadway with asphalt, concrete curb repair and curb ramps in Jackson, bridge repairs, and removing the guardrail for replacement.

Scope details include:

- Grading beyond the hinge point would be required for the following work:
    - Guardrail
    - Bridges
    - Drives and intersections
    - Shoulder widening and/or surfacing
    - Curb Ramps
- Grading beyond the hinge point may be required for the following work (Roadway Design verified this determination at Plan-in-Hand):
    - to correct taper rates and storage lengths for the westbound offset right turn lane at US-20 and N-12
    - to build an offset right turn lane at US-20 and N-9
    - to correct the exit taper for the climbing lane near MM 416.24
    - to correct the geometrics of the historical marker turn out at MM 420.88
- There are forty-five culverts along this segment that could impact the project. As-built plans indicate that existing culverts are outside of the fixed obstacle clear zone and no impacts are anticipated at this time; however, a final determination was made at Plan-in-Hand. The following work may be required:
    - One drive pipe maybe lowered near MM 415.91.
- Guardrail
    - Remove and replace guardrail with grading beyond the hinge point.
- Structure S020 41820 would be repaired including an overlay, updating of bridge rails, and concrete repairs. The existing guardrail would be removed and replaced.
- Structure S020 41914 would be repaired including partial and full depth deck repairs, an overlay, replacement of expansion joints, sealing of concrete bridge rails, and encasing girder ends. The existing guardrail would be removed and replaced.
- Structure S020 42020 would be repaired including partial and full depth deck repairs, an overlay and sealing of bridge rail. The existing guardrail would be removed and replaced.
- Structure S020 42073 would receive scour mitigation including inlet and outlet repairs with sheetpile curtain walls and flowable fill, grading and rip rap.
- Structure S020 42144 would be repaired including partial and full depth deck repairs, an overlay, seal of bridge rail, and replacing expansion joints. The existing guardrail would be removed and replaced.
- 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.
- Existing surfaced driveways and intersections would be resurfaced.
- Rock or gravel would be placed behind driveways and intersections to match the new asphalt.
- Surfacing would be placed under the guardrail.
- The existing earth shoulders would be brought up to match the new asphalt.
- Project surveying and staking would be required.

- Areas disturbed during construction would be stabilized utilizing methods of erosion control.
- Rumble strips would be constructed on the resurfaced shoulders.
- Permanent pavement markings would be applied to all new surfacing.
- Additional property rights may 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.

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 given the scale and scope of this undertaking (Enclosure 2). 3R (Resurfacing, Restoration, and Rehabilitation) projects such as this one focus primarily on the preservation and extension of the service life of existing transportation facilities and on safety enhancements. Anticipated 3R project activities can include: resurfacing pavement, structural and joint repair, minor lane or shoulder widening, bridge repair, removal or protection of roadside obstacles, culvert repair and extension, installation of ADA compliant curb ramps, and minor alterations to vertical grades that do not require substantial ground disturbance. Project activities occur within existing rights-of-way or within minimal new rights-of-way.

To accommodate any potential minor changes in the above generalized project description that might occur during continued project development, the APE for direct construction effects includes an area generally 50 feet beyond present right-of-way adjacent to stream crossings (bridges and culverts) and 20 feet beyond present right-of-way along the remainder of the project. The vertical depth of the APE normally involves soils and deposits at or near the surface but can reach depths of 15 feet in the immediate area of bridges and culverts at stream crossings. The APE for effects to standing structures and farmsteads in rural areas and in the town of Jackson includes an area 100 feet beyond existing right-of-way to account for any potential visual effects. Definition of a broader APE for secondary or cumulative impacts is not required in this instance. There are no detours planned for the project.

Archeological Evaluation:
An archeological evaluation was conducted by Highway Archeologist Nolan Johnson in March and April of 2014, as well as February 24, 2015. A review of the Nebraska State Historical Society Cultural Resources Geographic Information System (NCRGIS) archeological resources database and historic maps indicated that there is one archeological site, 25DK503, recorded within the APE (Enclosure 3). The site is a late 19th century flour mill just to the west of Jackson, NE. The site form was filled out based on archival documents including U.S. Census Records from 1870 and 1880. These records document the mill's production in those years. The specific location of the site is based on a 1911 Dakota County Plat Map that shows a feed mill on the west edge of Jackson. The feed mill may or may not be the same building or in the same location as the earlier flour mill. The historian who filled out the site form went as far as to mark the location with a question mark. The possible location has been heavily impacted by the

construction by US-20 leading west out of Jackson. Regardless of the flour mill's exact location, no evidence of this site was found in the APE. The project would have no effect on this site.

An archeological reconnaissance was completed of the entire project APE. As a result of the reconnaissance 50 locations were selected for intensive pedestrian survey (Enclosure 4). The survey areas are numbered in the order in which they were surveyed. No additional archeological properties were discovered in the APE. The remainder of the APE is limited to 3R activities in previously disturbed fill or on topographic settings with no potential to impact intact archeological deposits. There are no archeological historic properties in the APE.

Standing Structures:
Diane Laffin, NSHS Preservation Associate, investigated the project using the Nebraska State Historic Preservation Office inventory and site files, *Historic Building Survey of Dixon and Dakota Counties* (1987), the Dakota and Dixon County Tax Assessor records, and historic maps (Enclosures 5, 6, 7, and 8). Laffin also performed a vehicular reconnaissance on May 6, 2015 of the APE and all properties identified as meeting the NeSHPO Historic Resources Survey Manual criteria for survey were evaluated and incorporated into this investigation. These criteria include, but are not limited to, properties that are:

- 50 years old or older, and
- In the original location, and
- Possess the potential for integrity, historic association, and historic architectural qualities

The properties that met the above criteria were evaluated using the guidelines set forth in the 1991 National Park Service Bulletin 15: *How to Apply the National Register Criteria for Evaluation.* All surveyed properties were evaluated to determine eligibility to the National Register of Historic Places (NRHP).

The investigation resulted in the evaluation of 19 properties in the APE. Four of the properties are recommended eligible for the NRHP and all under Criteria A and C. These properties are: DK04-003, DK00-025, and DK00-62.

According to the most current project description additional property rights may be required to build this project, however, no additional property rights would be required from any historic property. There would be no affect to these historic properties by the project as proposed.

The bridges that may be repaired (S02041820, S02041914, S02042020, S02042073, and S02042144) are not identified as eligible structures in the Nebraska inventories of bridges before 1947 or of those from 1947 to 1965. These inventories were a joint effort between the Nebraska Department of Roads and the Nebraska State Historic Preservation Office and evaluated the National Register eligibility of all bridges in the state. The bridges are not listed in the inventories as eligible for inclusion on the National Register of Historic Places because they do not possess the necessary engineering/design significance to be considered eligible. These bridges are not on the list of structures excluded from the November 2012 Advisory Council on Historic Preservation Program Comment issued for Streamlining Section 106 Review for Actions Affecting Post-1945 Concrete and Steel Bridges.

Above ground resources would not be affected by the project as proposed.

Recommended Effect:
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 II Project. Tier II projects result in a project effect recommendation of no historic properties affected.

The Federal Highway Administration (FHWA) is providing this documentation for your review and comment and requests that the Ponca Tribe of 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.

Sincerely yours,

Scott H. Stapp
Environmental Protection Specialist

Enclosures

From: Stupka-Burda, Stacy
To: Pellish, Carmen
Subject: RE: Project NH-20-7(115), Jackson West, CN 31817
Date: Wednesday, March 30, 2016 12:37:27 PM

Carmen,
This reduction in scope does not affect the Section 106 materials and requires no further review with regard to Section 106.
Thanks,
Stacy

From: Pellish, Carmen
Sent: Wednesday, March 30, 2016 12:31 PM
To: Stupka-Burda, Stacy
Subject: FW: Project NH-20-7(115), Jackson West, CN 31817

From: Thurber, Zachery
Sent: Wednesday, March 30, 2016 10:51 AM
To: Pellish, Carmen; Poe, Ronald; Wells, Julie; Marinovich, Melissa; Fintel, Paul; Packard, Will; Barber, Jon; Ringenberg, Tony; Jurgens, Jason; Baker, Kimberly K; Domogalla, Kevin
Subject: Project NH-20-7(115), Jackson West, CN 31817

The project description has been updated with language taking out work at Hwy 9 and Hwy 20 intersection. It can be found in OnBase.

Zachery Thurber

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Nebraska
Department of Roads

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Nebraska Department of Roads

Planning and Project Development

Memorandum

Date: July 28, 2015

To: Carmen Pellish, Highway Environmental/NEPA Specialist, Planning and Project Development

From: Will Packard, Highway Environmental Specialist, Planning and Project Development

Subject: Hazardous Materials Review Memo for the NDOR Project Jackson West (C.N. 31817).

Overview

A hazardous materials review (HMR) was complete by FHU for the Jackson West project and approved by Will Packard on July 28, 2015. The purpose of the HMR is to identify environmental concerns associated with hazardous materials and petroleum products which could potentially be encountered during the construction project. This memo summarizes the conclusions and applicable mitigation measures found in the HMR and assists the Environmental Documents manager in completing the Hazardous Materials section of the CE Determination Form for Federal-Aid Projects.

Hazardous Material Sites and Impacts

There are several facilities where releases have occurred listed in the HMR. All facilities were considered to be a low potential to impact the project based on minimal soil disturbance, distance from the facility to the project and status of the site (i.e. no further remedial action designation by NDEQ). One superfund site (Willis Pyrolizer) exists adjacent to the project near R.P. 418.44. However, the status is listed as inactive and soil disturbance beyond the preexisting roadway fill would not occur next to the facility.

Lead and Asbestos

The scope of bridge work will not disturb suspect asbestos containing material. There is potential lead-based paint on the girders of structure S020 41914 and the scope of work (encasing girder ends) may generate paint waste. The commitment section outlines the contractor requirement that will be carried forward to the green sheet.

Commitments

The contractor and the NDOR District will adhere to the following commitments:

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).

The Jackson West project includes encasing girder ends on Bridge Structure S020 41914. There is potential for lead-based paint to be found on this bridge structure. If lead-based paint is being removed in a manner that would create waste debris (i.e. sandblasting, abrasive removal, scraping), the Contractor shall remove the paint in accordance with NDOR’s Standard Specification for Highway Construction Section 732 (Lead-based Paint Removal) and Title 128, Rules and Regulation Governing Hazardous Waste Management in Nebraska. Extreme caution shall be taken to minimize the amount of potential lead based painted material or debris from causing or threatening to cause pollution of the air, land and waters of the State.. The Contractors implementation plan efforts shall be documented in ECOD system. (Contractor)

From: Packard, Will
To: Pellish, Carmen
Subject: RE: Project NH-20-7(115), Jackson West, CN 31817
Date: Wednesday, March 30, 2016 11:02:00 AM

Carmen,

This change is a reduction in scope and does not alter the conclusion of the HMR. Thanks,

Will

From: Thurber, Zachery
Sent: Wednesday, March 30, 2016 10:51 AM
To: Pellish, Carmen; Poe, Ronald; Wells, Julie; Marinovich, Melissa; Fintel, Paul; Packard, Will; Barber, Jon; Ringenberg, Tony; Jurgens, Jason; Baker, Kimberly K; Domogalla, Kevin
Subject: Project NH-20-7(115), Jackson West, CN 31817

The project description has been updated with language taking out work at Hwy 9 and Hwy 20 intersection. It can be found in OnBase.

Zachery Thurber

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NDOR
Nebraska
Department of Roads

Memorandum

DATE March 19, 2014

TO Danielle Moore, Environmental Specialist, Planning and Project Development

FROM Sean Schulz, Environmental Specialist, Planning and Project Development

SUBJECT Noise Study Determination for CN 31817, Jackson West, NH-STP-20-7(115)

The NDOR Noise Section staff has reviewed the project description for the Jackson West project. Based on the project description and plan-in-hand, this project does not fall under the definition of a Type I project and is therefore exempt from a noise study. This is a resurfacing project that will not halve the distance to the nearest residents. There is no vertical change that will remove any of the shielding for the closest receivers, so there is no substantial horizontal or vertical change according to the definition of a Type I project in the NDOR noise policy dated July 13, 2011. No noise study is needed.

Sean Schulz
Environmental Specialist
Nebraska Dept. of Roads

To: Danielle Moore, Highway Environmental/NEPA Specialist, NDOR
From: Chris Hassler, Highway Civil Rights Specialist, NDOR
Date: 2 December 2013
RE: Civil Rights Analysis, CN 31817, NH-STP-20-7(115), Jackson West

Civil Rights Analysis for CN 31817

This project travels through two Census tracts in Dixon and Dakota Counties, and is adjacent to the Villages of Waterbury and Jackson. There will be no detour for this project.

Limited English Proficiency Analysis:

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**
Tract 104 (Dakota County)	93.4%	None	About 3,000
Tract 9778 (Dixon County)	85.1%	Spanish – 11%	About 3,100
Village of Waterbury	100%	None	About 80
Village of Jackson	94.3%	None	About 210

* These figures reflect the population of an area that speaks a language other than English, and also speaks English "Less than Very Well."

The areas through which this projects travels 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, with the exception of Dixon County Census Tract 9778.

A closer look at Tract 9778 reveals that the Spanish-speaking LEP population almost entirely resides in the far southern portion of the tract, a great distance from the project area, within the City of Wakefield. Wakefield has a Spanish-speaking LEP population of about 26.9%, and contains almost all of the LEP population within Tract 9778. By comparison, the remaining cities and villages in Tract 9778 have very low LEP populations (Concord – 1.4%; Allen – 1.1%; Dixon – 0%), and the Village of Waterbury, in the vicinity of the project site, has no reported LEP population.

For these reasons, no LEP outreach is recommended for this project.

Environmental Justice Analysis:

The Environmental Justice data for this project is as follows:

Area	Minority Population	Hispanic Population	Population Below the Poverty Level
Tract 104 (Dakota County)	8.1%	4.5%	7.8%
Tract 9778 (Dixon County)	18.4%	16.9%	14.9%
Village of Waterbury	1.4%	1.4%	4.8%
Village of Jackson	12.6%	5.4%	5.5%
Dakota County	44.8%	35.3%	15.1%
Dixon County	11.8%	10.4%	10.1%

In general, the areas through which this project travels have low populations of minority, Hispanic, and low-income persons, especially when compared to the counties. However, a few figures require further analysis.

Dixon County Census Tract 9778 reports meaningfully greater populations of minority and Hispanic persons when compared with Dixon County generally. However, like in the LEP analysis, these figures reflect the presence of the City of Wakefield and the Village of Emerson in the far southern portion of Tract 9778. Wakefield, for example, has a minority population of about 35.6% and a Hispanic population of about 33.6%. The Village of Waterbury, which is adjacent to the project site within Tract 9778, has a reported minority population of 1.4% and a Hispanic population of 1.4%.

Additionally, block-level US Census data does not indicate any concentrations or populations of minority persons on the project site in Dixon and Dakota Counties. The project area is almost entirely unpopulated outside of the Villages of Waterbury and Jackson.

For these reasons, there will be no disproportionately high and adverse human health or environmental effects visited upon minority and low-income populations, as defined in USDOT Order 5610.2(a). These protected populations are not present in the project area.