NDOR PQS Project Review Memo
Section 106 - Tier II Project

Control Number 80941 Project Number STP-12-3(109) Review Date 10/31/15

Project Name Springview West Project Location Keya Paha County

Date of Project Description Reviewed 05/15/15

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

THPO/Tribal Consultation? ☐ No ☑ Yes	CLG Consultation? ☑ No ☐ Yes
THPO/Tribes(s): Ponca Tribe of Nebraska	CLG:
Date Correspondence Sent: 11/12/15	Date Correspondence Sent:
THPO/Tribal response date: no response 12/15/15	CLG response date:
THPO/Tribal comment:	CLG comment:

Other Consulting Parties Identified:

n/a

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

Archeological Resources	**Above Ground Resources**
Are NRHP listed or eligible properties present within the APE? ☑ **No** ☐ **Yes**	**Are NRHP listed or eligible properties present within the APE?** ☐ **No** ☑ **Yes**
Please list:	**Please list:**
	KP09-057, John F. Carr Farmstead, NRHP eligible under Criteria A & B

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: 2015.12.15 11:44:24 -06'00'

12/15/15

NDOR PQS Review

Date

Archeological APE:
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.
Above Ground Resource APE:
The APE considered for Above Ground Resources is 100 feet from existing ROW in rural area and 25 feet from existing ROW in urban areas.

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

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

November 12, 2015

In Reply Refer To:
HDA-NE

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

Dear Mr. Teboe:

Project STP-12-3(109), CN 80941
Springview West
Keya Paha 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 3R (Resurfacing, Restoration, and Rehabilitation) project would resurface 7.90 miles of N-12 located in Keya Paha County, starting 7.63 miles west of the west corporate limits of Springview, at mile marker (MM) 40.37, and extending east to MM 51.11, at the junction of N-12 and US-183. Construction may begin and/or end approximately 200 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement. This project would be trenching or blading at the edge of the roadway surface to build the beveled edge.

The existing roadway on this segment of N-12 consists of the following:

- MM 40.37 – MM 50.94: This roadway segment consists of two 12-foot wide asphalt driving lanes and 8-foot wide shoulders of which 2 feet is paved with asphalt.
- MM 50.94 – MM 50.96: This roadway segment consists of two 12-foot wide asphalt driving lanes, with shoulders varying in width from 4 to 8 feet, of which 2 feet is paved.
- MM 50.96 – MM 51.00: This roadway segment consists of two asphalt driving lanes varying in width from 12 to 22.5 feet, with 4-foot wide shoulders, of which 2 feet is paved.
- MM 51.00 – MM 51.11: This roadway segment consists of two 22.5-foot wide asphalt driving lanes and concrete curb and gutter.

The improvements on this project from MM 40.37 to MM 51.00 consist of milling and resurfacing the existing 28-foot top roadway with asphalt. There would be a grade raise. From MM 51.00 to MM 51.11, improvements consist of milling and resurfacing the existing roadway. Guardrail would be removed and replaced with surfacing underneath.

Scope details include:

- Grading beyond the hinge point would be required for the following work:
    - Mailbox turnouts
    - Earth shoulder construction
    - Guardrail
    - Curb and Flume
- Guardrail
    - Remove and replace guardrail with grading beyond the hinge point
- 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.
- Mailbox turnouts would be constructed.
- 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 as shown in the Storm Water Pollution Prevention Plan (SWPPP).
- Because the pavement work is considered to result in an alteration of the pavement in crosswalks, the NDOR would eliminate barriers to access by building curb ramps where required (none required).
- Permanent pavement markings would be applied to all new surfacing.
- 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. 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 Americans with Disabilities Act-compliant curb ramps, and minor alterations to vertical grades that do not require substantial ground disturbance. Project activities occur within existing rights-of-way (ROW) or within minimal new ROW.

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 to archeological sites includes an area generally 50 feet beyond the present ROW adjacent to stream crossings [bridges and culverts] and 20 feet beyond present ROW along the remainder of the project. The vertical depth of the APE of 3R projects typically involves soils and deposits at or near the surface but may reach depths of 5-15 feet in the immediate area of bridges and culverts at stream crossings, depending on the local topography.

The APE for effects to standing structures and farmsteads in rural areas includes an area 100 feet beyond the existing ROW to account for any potential direct construction impacts as well as visual effects. In the urban portion of this project, the APE includes the N-12 roadway proper plus 25 feet surrounding all intersections from the curb to adequately account for auditory and vibratory effects to structural and architectural resources.
Definition of a broader APE for secondary or cumulative impacts is not required in this instance. There are no detours planned for this project.

Archeological Evaluation
An archeological evaluation was conducted by Highway Archeologist Courtney Ziska in May 2015. A review of the Nebraska State Historical Society Cultural Resources Geographic Information System (NCRGIS) database and historic maps indicated that there are no previously recorded archeological sites located within the APE. An archeological reconnaissance of the entire APE was completed by Archeological Technician Nic Fogerty on May 18, 2015. As a result of the reconnaissance, eleven areas with potential for archeological resources were intensively pedestrian surveyed with negative results (Enclosure 1). The remainder of the APE is limited to previously disturbed soils along the existing N-12 roadway or in topographical settings with low potential to impact intact archeological deposits. There are no archeological historic properties in the APE.

Standing Structures
A standing structure evaluation of this undertaking was conducted by Preservation Associate Megan Hilger in June 2015 (Enclosure 2). Historic properties were investigated through the Nebraska State Historic Preservation Office (NeSHPO) NHRSI/NRHP files, the Keya Paha County Assessor, and historic maps. An on-site survey was conducted by Hilger on June 15, 2015.

Within the APE of this undertaking, five properties were identified as meeting NeSHPO requirements for survey, and were further evaluated and surveyed. Of these, one (KP09-057) is recommended eligible for the National Register of Historic Places (NRHP). This property, the John F. Carr Farmstead, was previously recommended eligible in the 1989 Historic Buildings Survey of Keya Paha County and remains recommended eligible as a result of this evaluation under Criterion A, for Agriculture, and under Criterion B, for its association with John F. Carr. The remaining properties were determined to be not eligible for listing on the NRHP due to a lack of integrity and/or a lack of significant architectural or historic association.

The Springview West project would resurface 7.90 miles of N-12, and includes a grade raise, guardrail replacement, curb and flume, and shoulder construction. The eligible property, KP09-057, would not be affected by the project as planned. Project activities are limited to the existing

ROW with no additional property rights required at KP09-057, so no direct physical effects are anticipated. In addition, the planned project activities would not introduce new visual elements to this property that would interfere with the farmstead's setting or how it interacts with the surrounding landscape.

The Springview West project would have no effect on structural or architectural historic properties.

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, please do not hesitate to contact me at your earliest convenience.

Sincerely yours,

Scott H. Stapp
Environmental Protection Specialist

Enclosures