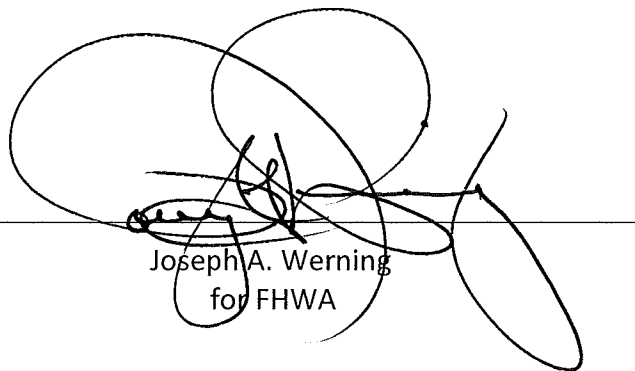


FEDERAL HIGHWAY ADMINISTRATION  
FINDING OF NO SIGNIFICANT IMPACT  
FOR  
Highway US 385: Junction L62A/US 385 to Alliance  
Heartland Expressway  
NH-385-3(118) CN 51432

The FHWA has determined that the Build Alternative will have no significant impact on the human environment. This FONSI is based on the attached EA, which has been independently evaluated by the FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an EIS is not required. The FHWA takes full responsibility for the accuracy, scope, and content of the attached EA.

11/5/15

DATE



Joseph A. Werning  
for FHWA

PROJECT NO. NH-385-3(118)  
CN 51432

HIGHWAY US 385: JUNCTION L62A/ US 385 TO ALLIANCE  
HEARTLAND EXPRESSWAY  
BOX BUTTE AND MORRILL COUNTIES, NEBRASKA

FINAL ENVIRONMENTAL ASSESSMENT

UNITED STATES DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION  
NEBRASKA DEPARTMENT OF ROADS

11/4/15  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Michael H. Owen  
For Nebraska Department of Roads

11/5/15  
\_\_\_\_\_  
Date



\_\_\_\_\_  
Joseph A. Werning  
For Federal Highway Administration

This environmental assessment has been prepared in accordance with provisions and requirements of 42 USC 4332 (2) (c) and 23 CFR 771 & 774, relating to the implementation of the National Environmental Policy Act (NEPA) of 1969. The signatures above indicate verification that the content of the attached document/errata sheet accurately reflects the scope of this project.

**PROJECT NO. NH-385-3(118)**  
**CN 51432**  
**HIGHWAY US 385: JUNCTION L62A/ US 385 TO ALLIANCE**  
**HEARTLAND EXPRESSWAY**  
**Final Environmental Assessment – Errata from DEA**

A draft Environmental Assessment (DEA) for the above referenced project was submitted by Nebraska Department of Roads (NDOR) to Federal Highway Administration (FHWA) and was accepted on August 28, 2014. The DEA was available at the following locations during a 30-day comment period, which began on September 15, 2014 and ended on October 16, 2014:

1. City of Alliance – City Clerk, 324 Laramie Avenue, Alliance, Nebraska
2. U.S. Post Office, South 1<sup>st</sup> Street, Angora, Nebraska
3. City of Bridgeport – City Clerk, 809 Main Street, Bridgeport Nebraska
4. Alliance Public Library, 1750 Sweetwater Avenue, Alliance, Nebraska
5. NDOR District 5 Office, 140375 Rundell Road, Gering, Nebraska
6. NDOR Headquarters, 1500 Highway 2, Lincoln, Nebraska
7. FHWA Nebraska Division, 100 Centennial Mall North, Lincoln, Nebraska
8. NDOR website: [www.transportation.nebraska.gov/projects/](http://www.transportation.nebraska.gov/projects/)

The DEA was also made available online through NDOR’s website portal, at the following location: <http://www.transportation.nebraska.gov/projects/heartland-exp/index.htm>. The opportunity to submit comments via the website portal was provided. Resources agencies and stakeholders were notified via public notice, mail and/or email regarding the availability of the DEA and the Public Hearing. Information was also posted in public locations, such as the library, newspaper office, grocery store(s), implement dealers, banks, city offices, and other businesses (i.e. restaurants) frequented by the public.

The City held a Public Hearing regarding the above referenced project. The meeting was held at Newberry’s, 110 West 4th Street, Alliance, Nebraska, on Wednesday, October 1, 2014. The format of the Public Hearing consisted of an Open House from 5:00 – 6:30 pm and a Public Forum from 6:30 – 7:00 pm. The Newberry’s facility was selected as the meeting location because of its size and close proximity to the project. The location meets the requirements of the Americans with Disabilities Act (ADA). A copy of the Public Hearing Transcript is attached. Approximately 40 citizens signed in on the attendance sheets provided at the Public Hearing. Personnel from NDOR, FHWA, and the Consultants designing the project were present to answer questions and receive comments about the proposed project. The public was allowed to make oral or written comments or public statements at the Public Hearing if they desired. After the Public Hearing, comments (written, email, phone calls, in person, or via the website portal) were taken on the DEA until October 16, 2014. Approximately 43 public comments were received and responded to by NDOR. There were no agency comments received during the original document review period on this project. Upon further inquiry, it was discovered that appropriate staff within some of the agencies did not receive the original notification of the document’s availability. The review period was therefore extended to allow the agencies additional time to respond if desired. Multiple comments were received from 2 agencies (see Table 4), and a 3rd agency responded in gratitude for the opportunity to review the DEA.

This Final Environmental Assessment (FEA) - Errata documents public comments from the Public Hearing and other comments received during the review period of the DEA. The FEA - Errata also documents any changes to the project design or analysis as described in the DEA.

The purpose of this FEA - Errata is to respond to comments received during the hearing process and to provide other additions or changes to the DEA where necessary, using this errata format. This document, in conjunction with the August 28, 2014, DEA document, constitutes the completed National Environmental Policy Act (NEPA) document.

1. **COMMENTS AND RESPONSES RECEIVED AT THE PUBLIC HEARING AND FROM THE PUBLIC COMMENT PERIOD**

Verbal comments, made in addition to the testimony recorded on the hearing transcripts, were documented by NDOR and Consultant staff from their interaction with the citizens attending the Public Hearing. These comments are summarized in Table 1 below. Written comments received during the 30-day public comment period are summarized in Table 2. Comments recorded on the Hearing transcripts are summarized in Table 3. Comments received from Agencies that reviewed the document are summarized in Table 4. Each commenter was provided a response by NDOR (project sponsor).

<b>Table 1. City and Consultant Staff (Personal Notes Compiled at the Public Hearing)</b>
<p><b>1.1 Property owner in the Alliance area expressed concern and disappointment that the preferred alternative consists of widening about centerline, as opposed to widening to the west and away from his property. Also concerned about drainage runoff from the recently constructed business to the north of him. (1 commenter)</b></p>
<p><i>Response:</i>            Thanked them for their comments and explained why the preferred alternative was selected. They were told that the design team would review their property to see if impacts regarding right-of-way (ROW) could be reduced. The drainage concern due to regrading of an adjacent property was discussed and they acknowledged that it was on the opposite side of the property from the highway or the proposed widening project.</p>
<p><b>1.2 Citizens were concerned with sight distances at three locations along the project, approximate Mile Marker (MM) 93.39 (just south of County Road 128), MM 97.51, and MM 108.47 (north of Kansas Street in Alliance). (4 commenters)</b></p>
<p><i>Response:</i>            Thanked them for comments and stated that the design team reviews proper site distance as a routine part of design. The severity of horizontal and vertical curves has the biggest effect on site distance. The proper site distance recommendations are defined in "A Policy On Geometric Design of Highways and Streets", AASHTO 2011. Site distance is the term used to indicate how far a driver can see to be able to react or adjust to oncoming traffic or an obstruction in the road. Intersection site distance is how far a driver can see at intersections to be able to have enough time to make the turning movement they desire. The existing conditions were reviewed and determined to meet the intersection sight distance requirements. The proposed alternative was designed to meet sight distance requirements at all three locations.</p>
<p><b>1.3 Concerns about beet harvest operations north of Alliance; the rigs drag mud onto the highway creating very slick conditions. (2 commenters)</b></p>
<p><i>Response:</i>            Thanked them for their comment, and explained that the area mentioned was outside of the project limits.</p>

<p><b>1.4 A group of two people asked which of the existing structures in Angora would be removed with the project. They stated that they were okay with removal of structures and said that they were happy we were there. (2 commenters)</b></p>
<p><i>Response:</i>  The project representatives explained the relocation of CR 118 requires the removal of several buildings and grain storage structures, and showed them the figure of the relocated CR 118 in the DEA. Please see page 3.32 and 4.9 in the DEA document for more information. Two additional properties were identified as acquisitions during the ROW design process in September, 2015. These two acquisitions were not discussed with the commenters at the time of the public meeting. Both properties contain structures proposed to be removed. In the DEA, Figure 3.16 (page 3.33) showed a blue X on proposed structure removals, known at that time. Structures on the two additional properties to be acquired have been added to Figure 3.16 in the FEA (see revised figure 3.16 inserted into <b>Section 2.2 on page 19</b> of this document).</p>
<p><b>1.5 Questions about wetlands, how are they delineated, how do we determine impacts, how will they be mitigated. (2 commenters)</b></p>
<p><i>Response:</i>  A project representative spoke to one property owner at length, discussed how wetlands are delineated, how impacts are determined, and that project specific mitigation measures are not yet known. It was explained that these wetlands had been determined to be Waters of the State rather than Waters of U.S. and what that meant. NDOR's process for identifying potential mitigation locations involves finding locations that have appropriate physical conditions to support wetland functionality and then to identify willing landowners to negotiate property rights to use the land for mitigation. As a last resort, land needed for mitigation may go through the condemnation process. One of the potential mitigation locations would be on the commenter's property; therefore, discussion and negotiation with the landowner would be conducted as part of the ROW process.</p>
<p><b>1.6 Comments on the Heartland Corridor Study. (2 commenters)</b></p>
<p><i>Response:</i>  The differences between the L62A to Alliance Project and the Heartland Corridor Study were explained. The Heartland Corridor Study takes an updated planning view of the Heartland Expressway in general to identify locations where improvements are needed throughout the corridor. The L62A to Alliance Project is a specific proposed highway improvement project that was recommended in an earlier Heartland Corridor study.</p>
<p><b>1.7 Concerned citizens asked about the process and why it took so long. (2 commenters)</b></p>
<p><i>Response:</i>  The process was explained. The process included an early planning study identifying this project as a highway improvement project. Funding for the project needed to be identified in order to begin the preliminary design phase.</p>
<p><b>1.8 Citizen would like to see a free right turn constructed at the proposed realigned US 385 Jct. with L62A when the sweeping curve is constructed. (1 commenter)</b></p>
<p><i>Response:</i>  Thanked them for their interest in the project. The free right turn lane in question would occur at the realigned tee intersection, which is discussed in the DEA for the ultimate sweeping curve and realigned US 385 connection to the south. The free right would be for the realigned northbound US 385 to the realigned northbound US 385 movement at this tee intersection. A traffic study was completed for the project and it was determined for the ultimate configuration of this intersection, a separate right-turn lane and left-turn lanes should be</p>

<p><i>constructed for northbound traffic along US 385 to achieve acceptable operations. The details of the turn lanes were not identified at this time, but will be addressed at a future date prior to final design of the ultimate configuration. At that time, specifics about this intersection including type, lengths of turn lanes and other items such as free-flowing movements will be addressed. Please see Section 3.D. in the DEA document for more information.</i></p>
<p><b>1.9 Sometimes a citizen drives 40 miles out of their way, via Hemingford &amp; N-71, just to avoid this stretch of US 385. (1 commenter)</b></p>
<p><i>Response: Thanked them for their comment.</i></p>
<p><b>1.10 CR 120, near Angora and west of US 385, can be impassible for significant periods of time due to wet weather, also noted an old creek bed that comes from the northwest that adds to the problems. (2 commenters)</b></p>
<p><i>Response: Thanked them for their comment.</i></p>
<p><b>1.11 Citizens had general questions about the amount of ROW necessary to construct the project and whether or not there would be impacts to their pivots. (4 commenters)</b></p>
<p><i>Response: Citizens were shown the preliminary plans and given information about approximate impacts. They were reminded that the plans were preliminary and subject to change.</i></p>
<p><b>1.12 A local Officer of the Law often notices queues of cars (12 or more) following large trucks, unable to pass. (1 commenter)</b></p>
<p><i>Response: Thanked them for their comment.</i></p>
<p><b>1.13 The Community Development Director asked for an electronic set of plans. (1 commenter)</b></p>
<p><i>Response: At the hearing the response was that they ask the Public Hearing Officer for a copy of the plan set. Since the hearing, a CD with a PDF of the plan set was mailed to the Community Development Director.</i></p>
<p><b>1.14 Local politician asked about allowing signage to private drives so you find where to turn. Will this be allowed, is there a permitting process? (1 commenter)</b></p>
<p><i>Response: Noted this was unlikely on NDOR ROW, as it would not meet their criteria for signage on their roadway system; however, the individual was directed to representatives from District 5 for clarification on their question.</i></p>
<p><b>1.15 Representative of the Heartland Expressway Board asked about the skewed intersections. Why some were corrected and others not. (1 commenter)</b></p>
<p><i>Response: To maintain desirable sightdistances at intersections, "A Policy On Geometric Design of Highways and Streets" AASHTO 2011, recommends intersections be no more than 30 degrees from perpendicular. Because of this, NDOR requested the Consultant correct those intersections over the 30 degree skew standard, and leave skewed intersections under 30 degrees in their current configuration. The following intersections exceeded the 30 degree skew and were therefore realigned; CR 95, CR 128, Wayne Road, and Valley Road. The remaining county roads fell within the 30 degree skew criteria.</i></p>

<b>1.16 Citizens expressing total support for the project. (4 commenters)</b>
<i>Response:</i> <i>Thanked them for their comment.</i>
<b>1.17 The power company has power running from Alliance to Wayne Road, along the west side of US 385. They asked whose responsibility it was to relocate their facility. (1 commenter)</b>
<i>Response:</i> <i>Explained that typically, if it was on NDOR ROW, which it is, it would likely be the utilities responsibility, and if it was on private easement it would be the states responsibility. The process is described in Chapter 4 Section G in the DEA, page 4.22 &amp; 4.23. This segment of power lines is covered in this section.</i>

<b>Table 2. WRITTEN CITIZEN OR AGENCY COMMENTS (Received During The 30-Day Public Comment Period, comments have been summarized, entire written comments can be found in the Appendix)</b>
<b>2.1 Looking forward to the ease of traveling on a 4-lane road. (1 commenter)</b>
<i>Response:</i> <i>Thanked them for their comment.</i>
<b>2.2 To better facilitate northbound truck traffic from Bridgeport north to Alliance, would it be possible to leave the existing portion of US 385 for a free right at the US 385 junction, or make another free right onto US 385? (1 commenter)</b>
<i>Response:</i> <i>A traffic study was completed for the proposed realigned intersection of US 385 and L62A. The study indicated that a free right turn lane was not warranted to handle the traffic at this time. However, the initial project would widen US 385 on its current alignment, leaving the intersection with L62A as-is for the time being. The reconstruction of this intersection would not occur for some time. When it does occur, the traffic report would be reviewed to see if a free right turn lane would then meet warrants.</i>
<b>2.3 A Heartland Expressway Board member stated that an individual at the Public Hearing was concerned about the project and wanted to make sure that the individual received a response. He also wanted to know if plans were final or if changes could still be made. (1 commenter)</b>
<b><i>(Note that the concerned individual identified by the Board member provided verbal comments covered in Table 1, comments 1.1 and 1.2, written comments in Table 2, comment 2.10, and provided a formal statement for the record in Table 3, comment 3.1.)</i></b>
<i>Response:</i> <i>The board member and individual were reminded about the deadline for providing public comments and the options for submittal (by telephone, written on-line, by mail, etc.). It was stated that responses to comments would be handled individually upon receipt. Additionally, it was clarified that the design plans were not final and changes may occur during the final design process. Please see page ES.3, Section B.3, and page 3.36 in the DEA document for more information.</i>



**2.4 The Heartland Expressway Board of Directors expressed their support for the completion of the identified preferred alternative. They urged NDOR to move as quickly as possible to fund and program the L62A to US 385 connection. They also encourage NDOR to start initial planning and engineering on L62A west to Bayard and the connection to US 26 as soon as possible. They also believe NDOR should look for ways to include in future programming the portion of US 385 that meets the Nebraska-South Dakota border. (1 commenter)**

*Response:*

*Thanked them for their comment. Funding and timing of the project were discussed within the DEA document on page ES.3, Section B.3, and page 3.36.*

**2.5 A person called to verbally express their comments regarding the Junction L62A/US 385 to Alliance project as the commenter was not able to attend the Public Hearing. The commenter is concerned about the access to the roadside park/rest area, as they own a property on the west side of the rest area and uses that rest area to maneuver machinery. Is that rest area going to be removed? If that rest area is going to be removed, they would like to know what would happen to the property remaining.**

**Regarding CR 120, the commenter owns property on the north side of the radio tower also and would like to know if that will be impacted. Their last comment was if we have trouble maintaining the roads that we have then why expand them, the project is a waste of money in their opinion.**

**This commenter followed up with the following written comment received on October 31, 2014. Their biggest concern is the state will not fix the water flow that was dammed when they widened shoulders. The highway had a ditch on left side of road, but a shoulder on the right side that stopped most water from flowing from the meadow to the culvert under the road and railroad track down to the lake. The concern is due to how the lake recharges the commenter's meadow. The commenter wanted to know if they would be able to use the roadside park to access their field for haying. They also wanted to know if the Post Office in Angora would be removed and if access to the roads in and north of Angora were impacted.**

**The commenter also expressed concern about the cost of the project compared to the cost of maintaining existing roads and why the state is adding more if they can't keep up the existing roads. (1 commenter)**

*Response: As identified in the DEA, the former Angora Wayside Area (referred to here as "rest area") is considered closed (even though it is not physically blocked off with barricades) and will be removed with this project. The southern drive to the rest area will remain in place to serve the private railroad crossing (see page 3.32 and 4.68 of the DEA document for more information); however, the north drive and the remaining rest area will be removed and permanently closed. For now, NDOR will retain ownership of this property. After the project is complete NDOR will decide whether to retain ownership of this property or consider selling it. Please refer to page 4.4 of the DEA document for more information regarding the wayside area as a former rest area and an explanation of why rest areas are not considered 4(f) property.*

*For the property on the north side of the radio tower, the project would require purchasing land along the west side of the highway to accommodate the widening. The distance from the existing fence line varies from approximately 80 feet to 140 feet depending on the exact location. Existing field access locations will generally be perpetuated with the project. To the*

extent possible, drainage patterns would not change with this project; however, the comment concerning the drainage near MM 94.19 is noted and will be taken into consideration during final design. As shown in the DEA figure 3.16, the access locations in Angora would be consolidated to one location. The Post Office would not be impacted by the project. (pg. 4.9 of the DEA document). Access to CR 120, north of Angora, would remain as it is today.

Funding and timing of the project were discussed within the DEA document on page ES.3, Section B.3, and page 3.36.

**2.6 Citizen commented on the project stating support for the Governor and for this project. Expressed concerns with the portion of the Heartland Expressway between Scottsbluff and Kimball. Thinks US 385 from Alliance to Bridgeport to Sidney makes better sense for travelers from the east to get to the Black Hills. They do support four-laning US 26 from Scottsbluff to US 385. (1 commenter)**

*Response:*

*The Governor responded in a written letter to the commenter and thanked them for their interest and involvement in making the state a better place. The letter provided background on the Heartland Expressway, and how interest in the Heartland Expressway was spurred many years ago and then intensified in 1991 with the passing of the Intermodal Surface Transportation Efficiency Act (ISTEA). ISTEA called for the development of high priority corridors on a National Highway System and identified the Heartland Expressway from Denver, through Scottsbluff, and on to Rapid City as a high priority corridor. In 1988, before ISTEA, the Nebraska Legislature instructed the NDOR to identify a 600-mile expanded expressway system to connect urban centers (cities with a population of 15,000 or greater) to the Interstate System. The letter further explained that with the expanded expressway system and the high priority corridor established by ISTEA, NDOR began transportation studies in coordination with the neighboring states of South Dakota, Wyoming and Colorado. These studies led to the construction of the four-lane expressway segment along US-71 between Kimball and Scottsbluff. Provided the legislative guidance and the state's investment in completed segments, the Governor explained that it is not feasible to shift away from the identified Heartland corridor and stated that the segment of US-385 between Sidney and Bridgeport is a principal arterial with 8-foot surfaced shoulders and not an expressway and it is a suitable route for people traveling west along I-80 with a destination to Alliance, Scottsbluff or the Black Hills area. NDOR has coordinated the necessary activities with South Dakota and are not acting against their interests in constructing segments along the identified Heartland corridor.*

**2.7 An individual's written comment was "It's about time. The State government used the money for the road a few years ago and now cannot figure out where to come up with it. Get it back from the eastern part of the state! WE DO EXIST. US 385 is a very dangerous road and needs to be 4 lanes from Scottsbluff to Alliance and beyond Alliance to the SD state line. Let's get it done or someone is going to put in a petition to annex into WY. If this is what the state government thinks of the people of the western half of Nebraska, then maybe we better. My spouse and I have both had close calls on this stretch of highway from Alliance and Angora. Get on with it! Let's get it done! The people of this area are getting tired of all the excuses for not being able to get the road done." (1 commenter)**

*Response:*

*Thanked them for their comment.*

**2.8 An individual inquired about which proposal (alternative) was going to be used. They live on a section of the highway about 1 mile south of Terry's corner. They were concerned that 4 out of 5 of the proposals (alternatives) would impact their residence. (1 commenter)**

*Response:*

*Thanked them for their comment. The Public Hearing held on October 1st, 2014 at Newberry's presented the preferred alternative. This included the 5-lane highway in the vicinity of Alliance. With this alternative, no homes, including commenter's, would be acquired in the area between Rock Road and Nebraska Highway 2 (West 3rd Street).*

**2.9 A truck driver asked about the truck scale design north of Angora. This person asked that the NDOR provide a DMS (dynamic message sign) that could be triggered by the scale people when the truck scales are full to allow truck traffic to bypass the scale instead of backing up onto the drive lanes or shoulder and cause a potential accident. (1 commenter)**

*Response:*

*The proposed weigh station would be designed as a widened shoulder and meet the needs of that particular location by allowing trucks to pull off the highway, decelerate, complete the weighing operation, accelerate, and rejoin the flow of traffic. Activities at the weigh station would be at the discretion of the State Patrol Carrier Enforcement, allowing for temporary operations. Due to the enhanced functionality of the new truck scale location and the temporary nature of operation, permanent DMS installation would not occur at this location. Please see page 3.34 of the DEA document for more information.*

**2.10 An individual commented about the time and cost of this project taking so long and that it has changed again since the last public meeting several years ago. They expressed concern regarding "hardship on the part of all residents and businesses involved" along the US 385 and feel dismayed by the planned alternatives to address traffic congestion along the developed portion of US 385 as the highway approaches the City of Alliance from the south. Their concern was also due to their residence being located along the highway and living with expressway traffic so close to their home. The individual wanted to know why the project was not being pushed further to the west and affecting only agricultural land instead of residences. The individual compared the project to recent projects in nearby counties and feels that the "long-term planning in Western NE will destroy the livelihood of several residents and cause hardship for others." The individual also wanted to ensure that the City of Alliance was a part of the planning process because they felt the traffic at the intersection of US 385 and N-2 would be a nightmare and be a safety concern. (1 commenter)**

*Response:*

*Thanked them for attending the public hearing and sharing their concerns with the project representatives. NDOR explained that the alternatives presented at the Public Information Meeting in May of 2011 were evaluated for many factors, including impacts to private property and for comparative costs. The 5-lane highway centered on the existing alignment was the alternative selected, partly because it has the least amount of impacts to private property and a lower construction cost estimate. Other alternatives would have required more property rights to be acquired for right-of-way, including some structures, which would have required relocations of a residence and a business, compared to no anticipated relocations for the 5-lane alternative. With the 5-lane alternative, access is maintained to each of the properties along the east side of the highway. For these reasons the 5-lane alternative is preferred.*

*A traffic study was completed for the intersection of US 385 and N-2, and NDOR has determined that the intersection will operate at acceptable levels for the projected volume of traffic in the*

year 2035. The NDOR coordinated this project with the City of Alliance as a stakeholder in the project development process.

*If the environmental phase of this project is approved, representatives from NDOR's Right-of-Way Division will be in contact with affected property owners to begin discussions concerning temporary construction easements and possible land acquisition (if any) to construct the highway. This is anticipated to happen as early as the spring of 2015.*

**2.11 A representative of Peltz Companies, Inc. out of Alliance, Nebraska, submitted their company qualifications and information to NDOR for consideration. They noted that they felt this project would be an opportunity for the application of Roller Compacted Concrete (RCC) as a cost alternative to asphalt and conventional concrete. They attached a product marketing document for the material. (1 commenter)**

*Response:*

*Thanked them for their interest in the project. The information provided on Roller Compacted Concrete was received and forwarded to NDOR Materials and Tests division for consideration.*

**Table 3. COMMENTS RECORDED ON THE HEARING TRANSCRIPTS**

**(comments have been summarized, entire transcript can be found in the Appendix)**

**3.1 Property owner on northeast corner of US 385 and Kansas Street felt the project would provide an economic benefit for western Nebraska but wanted to make sure it was done right. The property owner prefers the alternatives that were presented in the past that shifted US 385 (between Rock Road and N-2 near Alliance) to the west, preserving the integrity of the properties that are on the east side of the highway. They felt that NDOR was trying to save a few dollars by leaving the highway on existing alignment while putting everyone on the east side in hardship. They were also concerned about the “hump” in US 385 south of N-2 (3<sup>RD</sup> Street) and state that it creates a visual “hole” where vehicles cannot be seen.**

*Response:*

*Commenter also submitted a written comment. Please see the comment and response provided in comment 2.10 above. Please also see the site distance response in Table 1, Comment 1.2.above.*

**3.2 A member of the Heartland Expressway Association spoke on behalf of the association and expressed gratitude for the quick turn-around with the environmental document and urged FHWA to conclude this assessment and issue a Finding of No Significant Impact. They urged NDOR to move as quickly as possible to fund and program the L62A to US 385 connection. They also encouraged NDOR to start initial planning and engineering on L-62A west to Bayard and the connection to US 26 as soon as possible. They also believe NDOR should look for ways to include in future programming the portion of US 385 that meets the Nebraska-South Dakota border.**

*Response:*

*Thanked them for their comment.*

<p><b>3.3 A representative from the Panhandle Air Development District, as well as the Heartland Expressway Association, commented on the public meeting and the options available online to comment. Feels this was beneficial to reach people in a large geographic region whom might not otherwise be able to comment.</b></p>
<p><i>Response:</i>  <i>Thanked them for their comment.</i></p>
<p><b>3.4 A resident of Alliance expressed support for the project stating it was “long overdue”. The resident stated that the project should extend another five miles to get to the north side of Alliance (Logan Road – at the north end of the sugar beet depot) and cover the area where the sugar beet trucks run during harvest and during processing. The resident expressed safety concerns, as well as a perception that truck traffic is “much, much higher” than NDOR’s numbers. The resident also expressed his perception that accidents occur in the area “constantly”.</b></p>
<p><i>Response:</i>  <i>Thanked them for their comment. The start and end points of the proposed project are located at junctions with other highways along this stretch of US 385. The north end of the project terminates at the junction with N-2 because traffic volumes split 55 percent to the north on US 385 and 35 percent to the east on N-2, and 10 percent to the west on 10<sup>th</sup> Street. Thus, traffic volumes are substantially reduced from the project’s north terminus, over the 5 miles (referenced by the commenter) to get to the north side of Alliance. Safety concerns had already been addressed by a 2010 project (Alliance NW, CN 51210, 385-4(1033)) on US 385 north of N-2. The 2010 project added safety elements by surfacing north of N-2 at the 10<sup>th</sup> Street and Logan Road Intersection, allowing for dedicated left and right turn lanes as well as wider shoulders. The project included widening at the 25<sup>th</sup> Street intersection.</i></p> <p><i>The proposed project was prioritized over other segments, because it has the highest traffic volumes of all segments along the Heartland Expressway. It also has an incident rate of crashes that is higher than the statewide average. Slow agricultural truck traffic mixes with passenger vehicles travelling this stretch of highway with its climbs and turns, which decreases efficiency in traffic movement, particularly during peak travel periods and harvest season. The entire Heartland Expressway is divided into segments, for the purposes of construction, to be completed as funding becomes available. Other Heartland Expressway segments (including 5 miles north of the north end of the Project) are planned to be improved in the future. Please see Section 1, subsection D, page 1.8-1.9; Section 2 B, page 2.1-2.2; Section 3, subsection E.2, page 3.37; and Section 4, subsection T, pages 4.70-4.74 of the DEA document for more information regarding the logical termini and anticipated future projects.</i></p>
<p><b>3.5 The Chairman of the Scottsbluff County Board of Commissioners and Vice-Chairman of the Heartland Express Organization, stated that they have been fighting for the project for 30 years. The Heartland Expressway is vital for the survival of the Panhandle.</b></p>
<p><i>Response:</i>  <i>Thanked them for their comment.</i></p>
<p><b>3.6 The State Senator from District 43, which is Alliance and east, spoke in favor of the project. The Senator agreed with the previous speaker about the desire to extend the project to the north side of Alliance. The Senator spoke in favor of Bonding and ultimately would like to see the expressway completed to South Dakota.</b></p>
<p><i>Response:</i>  <i>Thanked them for their comment. See response in Comment 3.5.</i></p>

**3.7 The City Manager for Alliance spoke in favor of the project and was thrilled that economic development was identified as a goal in the Environmental Assessment. A four-lane development absolutely is in the best interest of the overall economic health of Alliance.**

*Response:*

*Thanked them for their comment.*

**Table 4. Written Comments Received from Reviewing Resource Agencies**

**4.1 U.S. Fish and Wildlife Service (Service) has reviewed the project and stated that “The Service provides the following specific comments to the Draft Environmental Assessment (DEA) regarding ESA species updates, anticipated wetland impacts and the wildlife connectivity (Deer Vehicle Collision (DVC)) analysis:**

- **ESA Species Update**

Since the ESA consultation and DEA was written, the Northern Long-eared bat (*Myotis septentrionalis*) and the Rufa red knot (*Calidris canutus rufa*) have become federally listed as threatened species. Both species have documented occurrences in Box Butte County; however, habitat does not exist along the proposed project for either of these species. The Service concurred with the project on May 1, 2014.

- **Wetlands, Waters of the U.S., and Waters of the State (Section K. and K.1 on Page 4.32)**

As it has been summarized on Page 4.10 for Title VI/Environmental Justice (Section D) and on Page 4.35 for Noxious Weeds (Section M), the Service would recommend that page 4.32 (Section K) also include a summary of the Executive Order (EO) 11990, Protection of Wetlands, that was signed by the President in 1977. This EO 11990 requires federal agencies to “take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands.” This mandate for wetlands protection and conservation makes no distinction between wetlands under the jurisdiction of the Corps of Engineers (Corps) and isolated, interstate wetlands. The EO uses essentially the same definition for wetlands as the Clean Water Act.

As the Service understands it from the DEA, the project will permanently impact 10 acres of isolated Sand Hills Wetlands (total impacts occurring from 24 sites that have been determined to be Waters of the State); however, these unavoidable impacts will be offset at the appropriate mitigation ratio during future coordination with the Nebraska Department of Environmental Quality.

- **Wildlife Connectivity Discussions with Agencies and the Deer Vehicle Collision (DVC) Analysis (Pages 4.44-4.45, Appendix G – 31 July 2014 Memo.**

The Service has questions pertaining to the DVC data present in the July 31, 2014, Memo found in Appendix G. The Service provides these comments in order to assist the discussion sections and Appendix documents to help strengthen these areas to demonstrate how mitigation has been analyzed to be unnecessary at

this project.

On August 14, 2013, representatives from NDOR and FHWA met with representatives from the Service and the Nebraska Game and Parks Commission (Commission) regarding discussion on wildlife connectivity due to white-tailed deer collision data (DVC) that had been analyzed. At the August 14, 2013, meeting, NDOR had plotted DVC point of occurrence that had occurred from 2002 to 2010 onto an aerial map for the project's length and presented this information to the Service and Commission (additional information included the mile marker (MM) where the collision occurred and when there had been more than 1 collision see Attachments). NDOR expressed that the data showed that DVCs were fairly evenly distributed throughout the project alignment and that there were no "hot spots" identified. In addition, NDOR conveyed to the agencies that in particular, this stretch of highway had very flat geometry and, unlike the Interstate 80 project that had included deer crossing and fencing, that there were no good locations where existing structures with exclusionary fencing could be utilized, as there are no riparian corridors, bridges or large culverts.

The Service would like to point out that the density of deer collisions that had been occurring at the Interstate 80 Platte River crossing and the 27-miles of the L62A to Alliance project are very different so comparing these two locations is not a similar comparison of DVC data. One is in a rural part of the state with very different ADT and the other has the highest density of DVCs in the state and the public had safety concerns.

The Service questions how does NDOR develop the state average of DVC? This should be clearly identified within the EA as was discussed at the August 13, 2013, meeting (Enclosures).

The July 31, 2014, Memo makes reference to a November 14, 2011, Report and an Appendix document that breaks out the Crash Patterns observed along the project that were not discussed at the August 13, 2013, meeting but there is also nothing included within the EA for citations. These references should be included within the Appendix if they are going to be referenced.

There are differences between the July 31, 2014 Memo and what is described on Pages 4.44-4.45. The Service recommends that there should be one clear message that demonstrates that DVC collisions at this location are low and random as had been discussed in the August 14, 2013 meeting and also discuss the geometry of the alignment since that really was the rationale presented to the resource agencies by NDOR in the August 13, 2013 meeting.

The Service appreciates the opportunity to provide comments on this proposed project. Should you have any questions regarding these comments, please contact Ms. Brooke Stansberry within our office at [Brooke Stansberry@fws.gov](mailto:Brooke_Stansberry@fws.gov) or at (308) 382-6468, extension 207.

*Response:*

*Comments noted and DEA revised accordingly for those comments requiring action (e.g. EO 11990 language and DVC notes). Detailed revisions to the DEA are described in **Section 2 (starting on page 16)** of this document and the following summarizes the response to comments:*

- *ESA Species Update – The Service indicated that they reviewed the project for the newly listed Northern Long-Eared Bat and Rufa red knot, and that no suitable habitat is located along the proposed project. Comment acknowledged – suitable habitat is not present along the proposed project.*
- *Wetlands, Waters of the U.S., and Waters of the State – An introductory sentence about the executive order, E.O. 11990 Protection of Wetlands, was added to Section K Wetlands. The changes are identified below in **Section 2.2, page 23** of this document. The FWS comment acknowledging that the impacts to isolated wetlands will be mitigated as part of the project is correct. The mitigation measure to “coordinate with NDEQ concerning requirements for compensatory mitigation for Waters of the State” was included in the DEA under Section K.5 on page 4.33.*
- *Wildlife Connectivity Discussions with Agencies and the DVC Analysis - Information regarding the DVC analysis was updated in Chapter 4, Affected Environment and Environmental Impacts, Section N.4, Fish and Wildlife Coordination Act, page. 4.44, 5th paragraph carried onto page 4.45 is described below in **Section 2.2, pages 24-25** of this document.*
  - *The Service summarized a meeting that occurred on August 14, 2013 and pointed out that comparing deer collision rates on 385 to collision rates on Interstate 80 is flawed because of the nature of the facilities and difference in traffic volumes. NDOR agrees. The reference to the Interstate 80 DVC was part of a separate conversation with the Service regarding the deer collision rates and was not used during the analysis of the DVC on this project (refer to the July 31, 2014, memo in Appendix G of the DEA).*
  - *The Service asked how NDOR developed the state average DVC for this project. A sentence was added to Chapter 4, Section N.4 that “[t]he statewide average is computed by dividing the total reported DVC by the total miles on the state highway system each year.” Detailed revisions are described in **Section 2.2, pages 24-25** of this document.*
  - *The Service suggested including the November, 2011 Safety Analysis Report referenced in the July 31, 2014 Memo, in the Appendix of the DEA. The Safety Analysis Report (dated November 14, 2011) is an unpublished report, only available to individuals upon request from the NDOR Traffic Division. It is NDOR’s policy that due to the confidential nature of the information; they prohibit the production of the crash/safety report and site specific information. The NDOR policy statement stamped on traffic studies states that Federal Law prohibits the production of safety reports or content in discovery or use in evidence in State or Federal Court, and that the State of Nebraska has not authorized distribution to anyone other than the original recipient.*
  - *The Service asked that there be one clear message about the occurrence of DVC*



at this location as low and random, as discussed at the August 14, 2013 meeting, and to add discussion about the geometry of the alignment as rationale presented to the resource agencies. Discussion was added to Section N. 4 explaining that there were no satisfactory locations identified along the corridor, where existing structures with exclusionary fencing could be utilized. The narrative states that widening the highway from 2 to 4 lanes would improve sight distance and a driver's ability to react to deer adjacent to the roadway. Detailed revisions are described in **Section 2.2, pages 24-25** of this document.

**4.2 The US Army Corps of Engineers (USACE) Omaha District Nebraska Regulatory Office has reviewed the project and stated the following:**

**"It was previously stated by FHWA at the last NDOR Agency Meeting on June 8, 2015, that they believed this project would fit a NWP. However, I don't have specific site construction plans or impacts, so I can't confirm that at this time.**

**I have read the Draft EA and have the following comments:**

- **Do you know the length of the proposed box culvert(s) or extensions that are to be placed in Lowline Canal?**
- **On page 4.33 of the EA, in the 2nd paragraph from the top of the page it states, "All wetlands on the site were determined to be Waters of the State." As the language in this paragraph relates to the JD that was completed by the USACE, I would maybe reword the sentence to say something to the effect of, ...the USACE provided an Approved Jurisdictional Determination in December of 2012 that identified the 24 wetlands in the study area as isolated, non-jurisdictional wetlands... or simply, ...all wetlands in the study area were determined by the USACE to be isolated, non-jurisdictional wetlands... Just a language issue, as we do not make "Waters of the State" calls or determinations.**
- **Under K.4, on page 4.33 of the EA, I have the same comments as stated up above in #2 about "Waters of the State". It states, "As the USACE has determined that all the wetlands that occur on the project site are Waters of the State..." Please change.**
- **Under I., on page 6.3 of the EA, it is also stated that, "As the USACE has determined that all the wetlands that occur on the project site are Waters of the State..." Same comments as #2 & 3 up above.**

**Thank you for the opportunity to comment."**

*Response:*

*Comments noted and DEA revised accordingly for those comments requiring action (e.g. regarding rewording Waters of the State to isolated, non-jurisdictional wetlands). To address the USACE comments the following edits were made.*

- *The length of the proposed box culvert is 68 feet. Information on the length of the culvert extension for the Lowline Canal was added to Chapter 4, Section K.4 on page 4.33. The additional text is provided in **Section 2.2, page 24** of this document.*
- *To address the remaining bullets, the USACE-preferred terminology was implemented.*

*The text in Chapter 4, Section K.2 page 4.33, K.4 on page 4.33, and Chapter 6, Section I, page 6.3 was changed from referring to Waters of the State to “isolated, non-jurisdictional wetlands” per the USACE’s comment. Detailed revisions are described in Section 2.2, pages 24 and 26, and Section 3.9, page 29 of this document.*

*If any environmental conditions, new regulations/ordinances, or scope changes occur then NDOR would be required to reevaluate the environmental assessment (and associated technical documentation) to determine if it is still valid.*

**4.3 The Nebraska Game and Parks Commission (NGPC) staff members have reviewed the Draft EA for the L62A to Alliance (Heartland Expressway) project. We appreciate the opportunity to review and provide comments on the document.**

**Based on our review of the EA, we believe that the comments and concerns previously provided by NGPC staff, during earlier phases of project review, have been addressed in the Draft EA. We have no further comments at this time.**

**Thanks for the opportunity to review and comment on the Draft EA. If you have any questions, or require further information, please let me know.**

*Response:*

*Comments noted.*

## 2. CHANGES (ERRATA) TO THE DEA

The following pages of the Errata include additions of alterations to the DEA to clarify, further discuss, or make text corrections. These changes are provided below with reference to their pages from the DEA.

### 2.1 Universal Changes to the Draft Environmental Assessment

Several changes were made universally to the DEA text.

- The phrase “property rights acquisition” was changed to “acquisition of property rights for right-of-way”.
- The northern end of the project was changed from just north of the intersection with Highway N-2 (Mile Marker (MM) 109.25) to just south of the intersection with N-2 (MM 108.97), making the project shorter. To explain further, the logical terminus of the project always has been, and continues to be, the intersection with N-2; the difference is that the intersection as it exists has been found to be adequate to handle north-bound and east-bound traffic, and improvements north of the intersection are not needed.
- The phrase “AASHTO standards for speed limit” was changed to “AASHTO standards for design speed”.
- With reference to the date of programming the Alliance South project in the STIP, “FY15” was changed to “FY16”
- With reference to the date of programming the L62A project in the STIP, “FY16” was changed to “FY17”

- In the Mitigation Measures Section, all references to “would” and “will” in connection with the NDOR or contractor’s responsibility to comply with required mitigation measures are hereby changed to “shall”.
- References to the “Proposed Alternative” are changed to the “Selected Alternative”.
- References to “would” in the proposed alternative are now changed to “will” including the description of the selected alternative, design features, affected environment and environmental consequences.

## **2.2. Changes to the Draft Environmental Assessment by Section**

To provide the relevant context for each edit or change other than the universal edits, the entire original DEA paragraph has been included. At the beginning of each of these paragraphs, the original DEA Section titles are given for the readers’ orientation. Only original DEA paragraphs with non-universal edits or changes are reproduced here. DEA text to be deleted is shown as strikethrough text (~~strikethrough~~), and additions to the DEA text are *italicized*.

Changes to each section are in response to public and agency comments. These changes are provided below:

### **Changes to Executive Summary, Interim Phasing, page ES.3. 1st full paragraph after Design Alternatives bullet:**

Interim Phasing. The first construction project *will* be within the City of Alliance.

The second construction project *will* begin south of the Alliance improvements, this project includes an interim build phase that uses the existing US 385 lanes as the northbound lanes, while constructing two new southbound lanes to the west. This phase *will* extend to south of Angora to the existing junction of L62A. Once the improvements approach the junction, the depressed median *will* be tapered down to establish auxiliary turn lanes at the intersection. The outside southbound lane *will* transition into the existing free right, and the US 385 median *will* continue to taper down to zero south of the intersection. A dedicated left-turn lane *will* be formed at the junction for northbound left turns. The existing US 385 lanes *will* be resurfaced as needed, to extend the pavement life until such time they *can* no longer be resurfaced. ~~Once this occurs, the northbound lanes would be reconstructed at the 40-foot median width and match the elevation of the southbound lanes. The third construction project will be the sweeping curve connection to L62A and realignment of US 385. would be constructed during the third construction project.~~

*A future project would be constructed at such time that the northbound lanes can no longer be resurfaced. When this occurs, the northbound lanes would be reconstructed at the 40-foot median width and match the elevation of the southbound lane*

### **Changes to Executive Summary, General Project Schedule and Anticipated Funding, page ES.3.3<sup>rd</sup> paragraph:**

General Project Schedule and Anticipated Funding. The first construction project, Alliance South, DPS-385-4(139), CN 51522, programmed in the STIP for FY16, *will* construct US 385 from the

junction of N-2 south to approximately MM 100.00. The project *will* use designated federal funds and is estimated at \$23,655,000 for construction costs and construction engineering.

The second construction project, L62A North, S-385-3(1021), CN 51443, programmed in the STIP for FY17 *will* construct US 385 from approximately MM 100.00 south to the junction of US 385 and L62A. This project *will* use Build Nebraska Act funds and is estimated at \$28,403,000 for construction costs and construction engineering. The two projects above have operational independence and could be constructed in four construction seasons. *Preliminary engineering, ROW and utilities have or would occur under a separate project NH-385-3(118), CN 51432, and are estimated at \$9,276,000. NDOR is committed to constructing this segment in the future as funding becomes available; it will be considered in the next group of selections for the Build Nebraska Act.*

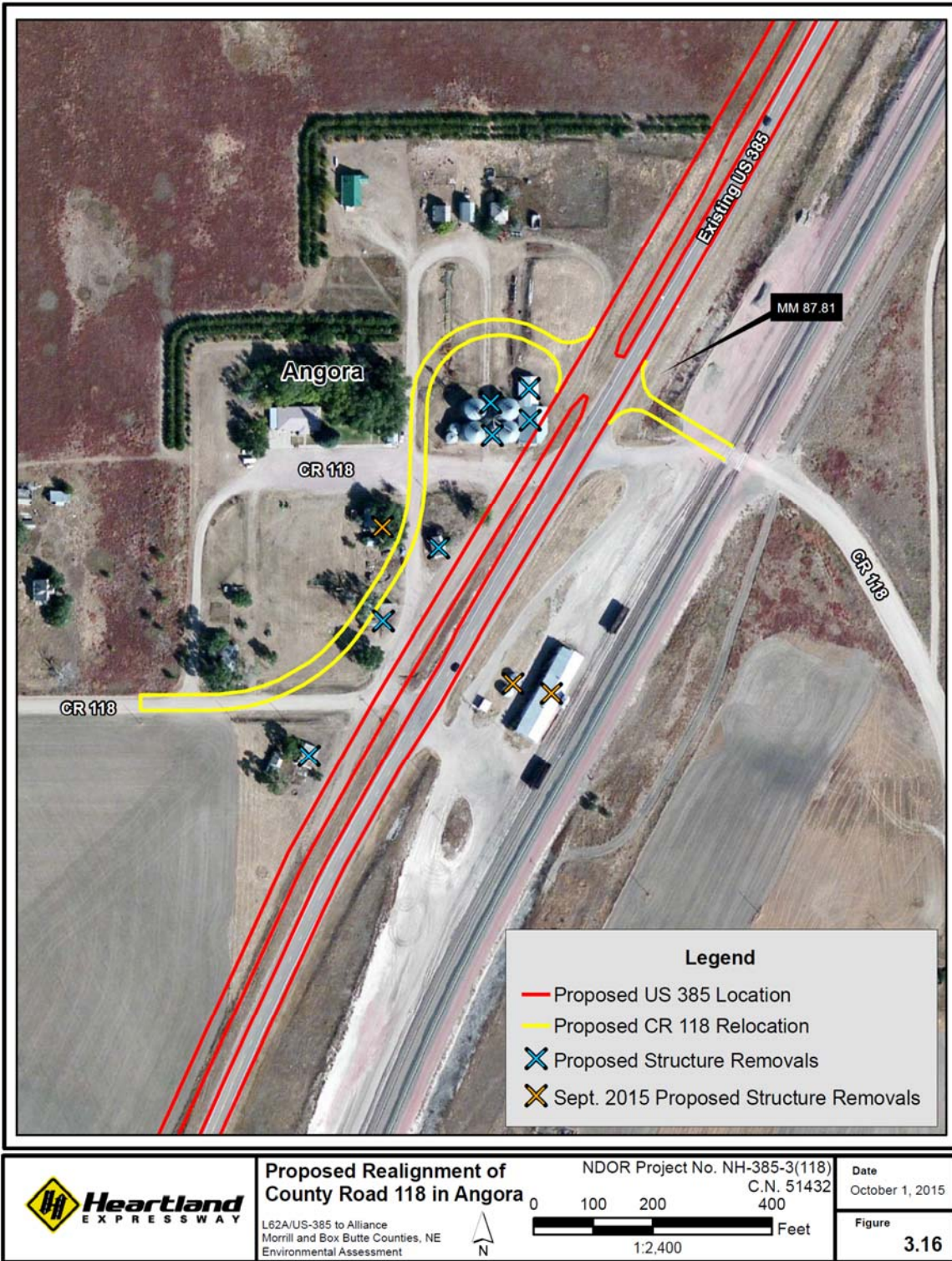
The third construction project also has operational independence and is currently not programmed because it is more than five years into the future. This project would construct the segment of highway connecting L62A to US 385, via the long sweeping curve. This project would also require reconstructing the south leg of US 385 to connect to the new sweeping curve. ~~Preliminary engineering, ROW and utilities have or would occur under a separate project NH-385-3(118), CN 51432, and are estimated at \$9,276,000.~~ *NDOR is committed to constructing this segment in the future as funding becomes available; it will be considered in the next group of selections for the Build Nebraska Act. The rest of the improvements and the highway will function and meet the Purpose and Need of the project even if some time passes before the third construction project could be built.*

*A future construction project would reconstruct the northbound lanes at such time that the existing pavement is no longer serviceable. NDOR is committed to constructing this segment in the future as funding becomes available; it will be considered in the next group of selections for the Build Nebraska Act.*

**Changes to Chapter 3, Alternatives, Section E.2, Preferred Alternative, Figure 3.16, page 3.33:**

*Two additional properties have been identified as acquisitions during the ROW process in September 2015. These properties contain structures identified for removal, which have been added with an orange "x" to Figure 3.16. Please note that in the DEA the figure contained black lines with dots on them that were not explained in the legend. The lines have been removed from the revised figure 3.16.*

Figure 3.16 Proposed Realignment of County Road 118 in Angora



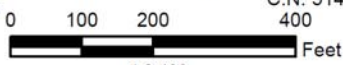
**Proposed Realignment of County Road 118 in Angora**

L62A/US-385 to Alliance  
Morrill and Box Butte Counties, NE  
Environmental Assessment



NDOR Project No. NH-385-3(118)

C.N. 51432  
400



1:2,400

Date  
October 1, 2015

Figure  
**3.16**

**Changes to Chapter 3, Alternatives, Section E.2, Preferred Alternative, page 3.34. After 5th paragraph:**

*A new widened shoulder will be constructed north of Angora to serve as a location for the State Patrol Carrier Enforcement to operate a weigh station at their discretion, allowing for temporary operations. The widened shoulder will be designed to allow trucks to pull off the highway, decelerate, complete the weighing operation, accelerate, and rejoin the flow of traffic. This will be an improved condition from the existing location that required trucks to reduce speed in the through lanes, make turning movements, and reenter the highway at low speeds.*

**Changes to Chapter 3, Alternatives, Section E.2, Preferred Alternative, page 3.35. After last paragraph:**

*During preliminary plan review by NDOR Right-of-Way Division and District 5, an additional option was discussed for configuration of the north terminus of the project. Since the junction of US 385/N-2/Country Club Road was rebuilt in 2001 and is considered adequate for current and future traffic volumes, it was recommended that consideration be given to tying into the existing US 385 cross section just south of the N-2 / Country Club Road intersection. This would reduce the project limits by an estimated quarter-mile, and would eliminate the need for temporary traffic handling during re-construction of N-2 east of US 385, or Country Club Road west of US 385. Because this change to the Preferred Alternative would reduce impacts to (ROW, traffic, etc.) when compared to the longer proposed project, the former analyses produces a worse case analysis for impacts; therefore, no reanalysis of impacts is required. Additionally, the logical terminus of the project was and continues to be the N-2 intersection. Thus the project as proposed meets the Purpose and Need and the intersection will still function at an acceptable level of service.*

**Changes to Chapter 3, Alternatives, Section E.2, Construction Phasing, page 3.36, 1st paragraph after Preferred Alternative discussion:**

The first construction project *will* be within the City of Alliance.

The second construction project *will* begin south of the Alliance improvements, this project includes an interim-build phase that uses the existing US 385 lanes as the northbound lanes, while constructing two new southbound lanes to the west. This phase *will* extend to south of Angora to the existing junction of L62A. Once the improvements approach the junction, the depressed median *will* be tapered down to establish auxiliary turn lanes at the intersection. The outside southbound lane *will* transition into the existing free right, and the US 385 median *will* continue to taper down to zero south of the intersection. A dedicated left-turn lane *will* be formed at the junction for northbound left turns. The existing US 385 lanes *will* be resurfaced as needed to extend the pavement life until such time they could no longer be resurfaced. ~~Once this occurs, the northbound lanes would be reconstructed at the 40-foot median width and match the elevation of the southbound lanes.~~

*The third construction project will be the sweeping curve connection to L62A and realignment of US 385. ~~would be constructed during the third construction project.~~*

*A future project would be constructed at such time that the northbound lanes can no longer be resurfaced. When this occurs, the northbound lanes will be reconstructed at the 40-foot median width and match the elevation of the southbound lanes.*

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section B.4, Environmental Impacts of the Preferred Alternative, page 4.6, second bullet:**

The Preferred Alternative would require:

- Acquisition of approximately 4 acres of zoned agricultural property in Angora.
- Removal of approximately ~~8-10~~ uninhabited structures in Angora. ~~(Note that this is less than the number in the alternatives screening process due to efforts to minimize impacts in Angora.)~~
- Acquisition of approximately 2.4 acres of temporary easements in Box Butte County for driveway construction.
- Relocation of one residence located near the Box Butte-Morrill county line. Acquisition would not affect access to or occupancy of other residences in the area.
- Relocation of two residences near Sarpy Road. Acquisition would not affect access to or occupancy of other residences in the area.
- Acquisition of approximately 40 acres of new ROW in Box Butte County, of which approximately 1 percent is accounted for in Alternative 9.
- Acquisition of approximately 250 acres of new ROW in Morrill County, of which approximately 60 percent is accounted for in Alternatives 1, 4, and 7.

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section C.4, Environmental Impacts of the Preferred Alternative, page 4.9, 3<sup>rd</sup> paragraph:**

In Angora, the buildings to be removed are degraded past the point of use *and are* unoccupied. *The buildings located on the property south of CR 118, on the east side of US 385 will be removed because they will no longer be accessible once the project is completed.* ~~In addition, †~~ There are no known plans to rehabilitate or repurpose any of *the buildings* to be removed, ~~structures~~ for business or other uses; therefore their removal would not negatively impact the economy or viability of Angora, which currently has a population of 3 persons. The post office in Angora would not be impacted by the project. Furthermore, the proposed project may benefit the community by removing possible hazardous structures, improving the visual setting, and improving *overall* access through enhancement of ~~the transportation facility~~ US 385.

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section C.4, Environmental Impacts of the Preferred Alternative, page 4.9, 4<sup>th</sup> paragraph:**

Currently there are approximately 60 field entry or driveway access points on this route, as well as nine county roads. Access to the county road system would be maintained during and after construction (See Section S. Temporary Construction Impacts). Of the approximately 20 field entry or driveway entrances, all will have an alternative access point within a quarter-mile either from US 385 or a county road, with the following exceptions ~~where there was no longer a need for access:~~

- 1 of the 2 entrances to the former wayside rest area
- 1 drive and 1 unofficial entrance to the property located directly south of CR 118 on the east side of US 385
- 2 drives to the truck scale area (to be relocated)
- 2 drives connecting to the former US 385 roadbed, near CR 120
- 2 railroad drives (unpermitted with NDOR for access to the state highway system).

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section C.4, Environmental Impacts of the Preferred Alternative, page 4.9, 6<sup>th</sup> paragraph:**

Property owners *will* be compensated for impacts to residential properties, farm and ranch property, irrigation equipment, grain storage structures, and other farm infrastructure during the ROW negotiation process which will follow the requirements of the Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act). Following this process, hardships on the property owners and farming operations (i.e. irrigation equipment) are mitigated by the property rights acquisition process, and *will* have no adverse socioeconomic impact.

*During ROW activities in the fall of 2015, it was discovered that the property on the east side of US 385, south of CR 118, will no longer have access from US 385, making it an uneconomic remnant. The owner currently has a permanent drive entry directly off US 385, that will require closure due to control of access. A second apparent drive which has been historically used for access to the property is located just south of CR 118, on BNSF property. BNSF has stated that they do not wish to grant NDOR a permanent easement for this access to the property, therefore, under the Uniform Act the property will be acquired and impacted by the project. This property east of US 385 had been identified in the Draft EA as not impacted by the project.*

*One landowner owns the grain storage structures on both the west and east sides of US 385. Depending upon the preference of the property owner, the privately owned grain storage facility located west of US 385 could be relocated or replaced in another location on the same property without adverse affects to farming operations. ~~The privately owned grain storage facility located east of US 385 will not be impacted.~~ See **Section O. Farmland.***



**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section E.2, Cultural Resources, page 4.19, add paragraph prior to heading of Paleontological Resources:**

*In 2015, Section 106 concurrence was re-evaluated by NDOR for standing structures located on the property on the east side of US 385, south of CR 118, as well as a residential structure and associated garage located west of US 385 (on the southwest corner of the intersection of Rd 95B and CR 118). The structures on the east side of US 385 are used for agricultural storage and the residential structures on the west side are unoccupied. These structures are located within the Section 106 Area of Potential Effect and had been previously evaluated. They were not previously considered eligible for listing on the National Register of Historic Places, nor were they to be affected by the Project. During activities for ROW acquisition, it was determined that these properties were uneconomic remnants needed to be acquired as part of the Project, as required by the Uniform Act. The structures are identified for demolition or salvage. Since the status of the acquisition of the structures changed, NDOR's Section 106 Specialist re-evaluated them and determined that the previous finding of "no historic properties affected" is still appropriate. This finding was discussed with FHWA on 10/01/2015, and SHPO on 10/02/2015, and it was decided that no further consultation was needed.*

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section I.4, Mitigation, page 4.28, add paragraph:**

*To the extent possible, drainage patterns will not change with this project; however, the drainage near MM 94.19 shall be taken into consideration during final design.*

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section K Wetlands, Waters of the US, and Waters of the State, Section K.1, Summary, page 4.32, before 1<sup>st</sup> paragraph:**

*Several regulations and guidelines pertain to wetlands, including EO 11990, Protection of Wetlands, which was signed by the President in 1977. The EO requires federal agencies to "take action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands." Wetlands are defined as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328). Scientists from Olsson and FHU environmental assessment teams conducted a wetland determination of the project location between 13 and 15 June 2011. Data for the field research were collected by driving the alignment to identify hydrophytic vegetation and signs of hydrology, then mapping all wetland sites using GPS in accordance with the methods set forth in the 1987 US Army Corps of Engineers Wetlands Delineation Manual (Environmental Laboratory, January 1987) and Regional Supplement to the US Army Corps of Engineers Wetland Delineation Manual: Great Plains Region (USACE, March 2010).*

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section K.2, Affected Environment, page 4.33, last sentence of first full paragraph:**

~~All wetlands on the site were determined to be Waters of the State. All wetlands in the study area were determined by the USACE to be isolated, non-jurisdictional wetlands.~~

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section K.4, Environmental Impacts of Preferred Alternative, page 4.33, add a sentence at end of 1<sup>st</sup> paragraph and edit first sentence of 2<sup>nd</sup> paragraph:**

At this time, only preliminary impacts are known due to the preliminary level of design that has been ~~done~~ completed. ~~Preliminary impacts indicate that~~ Based upon preliminary impact analysis, the Preferred Alternative will have an impact on approximately 10 acres of wetlands. In addition, extended or additional box culverts will be required at the Lowline Canal and Snake Creek crossings. *Currently, it is anticipated that the existing box culvert at the Lowline Canal will be extended approximately 68 feet.*

~~As the USACE has determined that all the wetlands that occur on the project site are Waters of the State~~ *As the USACE has determined that all wetlands in the study area were determined to be isolated, non-jurisdictional wetlands,* permanently impacted wetlands will require mitigation, as determined in coordination with NDEQ.

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section N.4, Swift Fox, page 41, 1<sup>st</sup> paragraph:**

**Swift Fox**

Suitable habitat for the swift fox is present in the project area and consists of shortgrass prairie, generally along L62A and US 385 from the Lowline Canal to just north of Angora. There is approximately 104 acres of suitable habitat within the Limits of Construction. Other locations along the project corridor are considered marginally suitable habitat. Along this segment of the roadway, the speed limit *will* remain unchanged (*unless specific legislation would change the speed limit on the expressway system*) and traffic volumes are expected to increase only minimally by 2035. In the area of the sweeping curve, the road has been designed to provide a wide grassy median (40-ft wide) which *will* serve as a rest area between crossings and will allow for greater sight distance for both animals and drivers.

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section N.4, Fish and Wildlife Coordination Act, page 4.44, 5<sup>th</sup> paragraph carried onto page 4.45:**

~~The most frequently observed crash patterns along the corridor were animal (deer) related collisions representing 35 percent to 38 percent of the reported collisions. The average across the statewide highway system in 2009 was 22.6 percent but varies considerably by county based on the local deer population. A detailed analysis of deer vehicle collisions (DVC) along the project corridor was conducted to identify any potential animal-vehicle collision hotspots (see~~

July 31, 2014 memo in Appendix G). NDOR compared 8 years of data to the statewide average and found the average number of ~~Deer-Related Collisions~~DVCs along the entire study corridor equates to 0.30 *reported crashes/mile/ year*. This was consistent with the statewide average of 0.29 *animal reported crashes/mile/year* on state highways in 2009. *The statewide average is computed by dividing the total reported DVC by the total miles on the state highway system each year. The data also showed that a* Animal-vehicle collisions are randomly distributed along the project corridor with no identified hotspots (2 or more crashes per mile per year). *During this analysis, there were no satisfactory locations identified along this corridor, where existing structures with exclusionary fencing could be utilized, as there are no fragmented riparian corridors or other habitat pathways that might attract animals.* The widening from 2 lanes to 4 lanes will provide some improvement in sight distance and a driver's ability to react to deer adjacent to the roadway.

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section P Hazardous Materials, Section P.4, Environmental Impacts of the Preferred Alternative, page 4.54, Table 4.5 – Section 9. Angora Elevator (east side of US 385), 'Description of Property' column:**

PREC. This property is a *sugar beet and past grain storage facility*. In the past, grain elevators used grain fumigants during their operation to prevent pest infestations. They also commonly used dust suppressants, petroleum products, fuels, etc. during operation. ~~No~~ *Right-of-way acquisition is expected.*

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section P Hazardous Materials, Section P.4, Environmental Impacts of the Preferred Alternative, page 4.60, Insert after Paragraph 3 and prior to 'P.5 Mitigation':**

*In 2015, Hazardous Materials were re-evaluated by NDOR for the Angora Elevator property on the east side of US 385, south of CR 118, as well as at an additional residential structure and associated garage located west of US 385 (located on the southwest corner of the intersection of Rd 95B and CR 118). The structures on the Angora Elevator property on the east side of US 385 have been used for agricultural storage and the residential structures on the west side are unoccupied. Both of these properties were previously included within the Hazardous Materials study area in the Draft EA, but were not identified as impacted. During activities for ROW acquisition in the fall of 2015, it was determined that these properties needed to be acquired as part of the Project. All structures on the properties are identified for demolition or salvage and will be removed. NDOR's Hazardous Materials Specialist re-evaluated the properties after the need for acquisition was identified, and determined that the previous finding of "...there are no human health concerns for the construction workers.", and that "...the need to use specific personal protective equipment (PE) during construction is not anticipated." is still appropriate.*

**Changes to Chapter 4, Affected Environment and Environmental Impacts, Section T.5, Summary of Impacts, page 4.76, Table 4.7 Summary of Environmental Consequences, 1<sup>st</sup> row – Land Ownership, Jurisdiction and Land Use, under Preferred Alternative:**

Moderate Negative: Acquisition of approximately 290 acres ROW, approximately 2.4 acres of temporary easements, relocation of 3 occupied residences, and removal of approximately 810 uninhabited structures in Angora.

**Changes to Chapter 6, Mitigation Measures, Section G. Streams, Drainages, and Floodplain Considerations, page 6.3, added 2<sup>nd</sup> paragraph:**

*To the extent possible, drainage patterns will not change with this project; however, the drainage near MM 94.19 shall be taken into consideration during final design. (NDOR Roadway Design)*

**Changes to Chapter 6, Mitigation Measures, Section I. Wetlands, Waters of the US, and Waters of the State, page 6.3, 1<sup>st</sup> sentence of 2<sup>nd</sup> paragraph:**

~~As the USACE has determined that all the wetlands that occur on the project site are Waters of the State~~ *As the USACE has determined that all wetlands in the study area are isolated, non-jurisdictional wetlands, permanently impacted wetlands will require mitigation as determined in coordination with NDEQ.*

**Changes to Chapter 9, Bibliography, page 9.1:**

23 CFR 771.119. Draft Environmental Assessments.  
33 CFR 328 Definition of Waters.  
36 CFR 800. Protection of Historic Properties.

**Changes to Chapter 9, Bibliography, page 9.1:**

49 USC 303. Policy on lands, wildlife and waterfowl refuges, and historic sites.  
59 FR 2920. 24 May 1977. Executive Order 11990, Protection of Wetlands  
64 FR 6183. 8 February 1999. Executive Order 13112, Invasive Species.

### **3. MITIGATION MEASURES**

#### **3.1. Summary**

To comply with all applicable Federal, State and local legislation, as well as any general or special conditions required by permits, the following mitigation measures/environmental commitments were presented in the DEA, have been incorporated into the Preferred Alternative, and are listed below in their final edited format. These commitments shall be implemented by NDOR by incorporating them into the project's construction documents. In addition to the mitigation measures listed below, the contractor shall be required to comply with NDOR's *Standard*

*Specifications for Highway Construction* (NDOR, 2007). Among other requirements, these standard specifications contain provisions and standard practices to maintain environmental quality compliance during construction. These mitigation measures hereby supersede any of those identified in the DEA. The following mitigation measures and commitments are not subject to modification without the prior written approval of FHWA.

The mitigation measures listed below are presented in association with the resource for which they most directly act to avoid or minimize impacts. Although some of the listed measures apply to multiple resources, they are listed only once, under the resource which they most directly benefit.

In addition to the mitigation measures, NDOR Standard Specifications and Special Provisions shall be applied to the Preferred Alternative to provide specific methodology.

### **3.2. Land Ownership, Jurisdiction, and Land Use**

- Access to individual businesses, residences, and other facilities in the area shall be maintained during construction (NDOR ROW Division, Contractor).
- Acquisition of property rights for right-of-way shall be conducted by payment of fair market value for the property rights and damages that may occur as a result of the taking. Acquisition of property rights for ROW shall be completed in conformance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (Uniform Act), as amended, (42 USC 4601 et seq.), and the Nebraska Relocation Assistance Act (Neb. Rev. Stat. Section 76-1214 et seq.) (NDOR ROW Division).

### **3.3. Socioeconomic Considerations**

- Maintain or replace existing livestock crossings. Contractor shall coordinate with landowners during construction to ensure timing of restrictions shall not interfere with their operations (NDOR Environmental, District Construction, Contractor).
- Per Standard Practice, NDOR shall notify the public at the start of construction by placing notices in the newspaper before construction, and electronic message boards may be used before the beginning of construction activities. NDOR shall also notify emergency services such as police and fire departments before construction activities begin, as well as maintain continued coordination throughout construction. Emergency services providers shall be invited to the pre-construction meeting for this project (NDOR Communication, NDOR District 5).
- Per standard specifications, the Contractor shall at all times, to the extent practicable, provide private dwellings, commercial properties, businesses, and public facilities access to and from the nearest intersecting public road or street (NDOR, 2007). Accommodations shall be made to ensure local traffic passing within the limits of the project has access to all private dwellings, commercial properties, businesses, agricultural properties, and public facilities. During those periods when a road is closed, even for a short duration, limited access must be maintained for authorized local traffic. If access is to be closed longer than one day, the Contractor shall coordinate with the affected property owners (Contractor, NDOR District 5).

### **3.4. Cultural and Paleontological Resources**

- For paleontological resources, additional field surveys and test excavations shall be conducted prior to construction. The Highway Paleontology Program shall be informed throughout the planning process with regard to alignment choice, grading details, and borrow pit locations. On-site monitoring and the fossil mitigation plan mentioned above shall be implemented throughout all phases of construction. (Contractor, NDOR Environmental Section)
- In the event of a discovery of archaeological or paleontological materials during construction, NDOR Standard Specifications for Highway Construction 107.10 (pg. 60, 2007) states, "The Engineer shall be promptly notified when any such articles are uncovered and the Contractor shall suspend operations in the area involved until such time that arrangements are made for their removal and preservation" (NDOR District Construction, Contractor).

### **3.5. Utilities**

- The Contractor shall follow the guidelines of NDOR's Policy for Accommodating Utilities on State Highway ROW (NDOR, 2001). It is NDOR's responsibility to notify utility companies of the need for relocation during the design stage of the project. The NDOR Utility Section shall coordinate utility agreements with the utility companies prior to construction. It is the Contractor's responsibility to notify utility companies of relocation needs during the construction phase of the project for utilities that were not relocated before construction (NDOR Communications, NDOR District 5, Utility Provider(s)).

### **3.6. Land Resources and Vegetation**

- Upland vegetation disturbed by road construction shall be seeded with appropriate seed mixtures. Sandy soils shall be protected from erosion by BMPs. NDOR Standard Specifications shall be followed (NDOR Roadside Stabilization Unit, District Construction).
- Those areas disturbed during construction shall require re-vegetation to prevent future erosion, sedimentation, or blowout conditions. To reduce impacts on vegetation within the limits of construction and permanent ROW and to ensure successful re-vegetation, some or all of the following measures shall be implemented (NDOR Roadside Stabilization Unit, District Construction):
  - Develop seed mixtures, rates and seeding dates for project areas.
  - Use manure as a top-dressing to help establish vegetation in nutrient-poor sandy soils.
  - Apply mulch on all slopes and ensure that mulch is adequately anchored to prevent wind and water erosion.
  - Implement specific procedures to prevent introducing or spreading noxious weeds.
  - Conduct follow-up inspections of all disturbed areas during the project establishment phase to determine vegetation success.
  - Remediate seeded areas as necessary until re-vegetation is successful.
  - The top 4 to 6 inches of soil shall be saved and stockpiled during construction for re-spreading on disturbed areas.

- Standard Specification Division 800 – Roadside Development and Erosion Control
- Standard Specification Section 805 - Certified noxious weed free mulch.

### **3.7. Streams, Drainage, and Floodplain Considerations**

- A floodplain development permit shall be obtained for the Snake Creek crossing (Project Sponsor).
- *To the extent possible, drainage patterns will not change with this project; however, the drainage near MM 94.19 shall be taken into consideration during final design. (NDOR Roadway Design)*

### **3.8. Groundwater and Wellhead Protection Areas**

- NDOR ROW shall coordinate with the owners of wells that shall be directly impacted by the proposed project. If the well is actively used, NDOR ROW shall get estimates to have the property owner hire their own contractor to replace the well. NDOR ROW shall then have an independent contractor decommission the well after ROW negotiations and acquisitions are complete. If the well is not in use, the Contractor shall decommission the well after negotiations with the owner (Contractor, NDOR ROW).
- A licensed water well contractor shall decommission any wells in accordance with the Nebraska Department of Health and Human Services regulations under Nebraska Administrative Code Title 178, Water Well Standards, Chapter 12, Water Well Construction, Pump Installation, and Water Well Decommissioning Standards (12 February 2005) (Contractor, NDOR ROW).

### **3.9. Wetlands, Waters of the US, and Waters of the State**

- Before any construction work, NDOR shall obtain a Section 404 permit from the USACE if impacts on Waters of the US are anticipated, as well as a Letter of Opinion of Non-Degradation from NDEQ for Impacts to Waters of the State (NDOR Environmental).
- ~~As the USACE has determined that all the wetlands that occur on the project site are Waters of the State, permanently impacted wetlands shall require mitigation as determined in coordination with NDEQ.~~ *As the USACE has determined that all wetlands in the study area are isolated, non-jurisdictional wetlands, permanently impacted wetlands will require mitigation as determined in coordination with NDEQ.* The typical wetland creation ratio for replacement of impacted wetlands ratios is 1.5:1, thus requiring approximately 15 acres of mitigation wetlands to offset approximately 10 acres of wetland impacts. However, at the discretion of NDEQ, impacted wetlands occurring within roadside ditches may be mitigated on-site at a 1:1 ratio, if the project design allows for the creation of new ditch wetlands adjacent to the impacted areas. Appropriate mitigation sites shall require adequate hydrology, and shall be seeded with a mix of hydrophytic grasses and sedges appropriate for the region to create in-kind replacement. Monitoring the progress of vegetation establishment and evaluating hydrology shall be required to ensure the success of the mitigation wetland areas (NDOR Environmental).

- NDOR shall obtain a Construction Storm Water (CSW) Permit from NDEQ under NPDES and shall produce an associated SWPPP before submitting the Notice of Intent (NOI). Additionally, NDOR is required as part of their MS4 permit to report annually to NDEQ on the status of post- construction activities. NPDES requirements include the evaluation of impaired and unique waters as part of the CSW NOI, SWPPP preparation, and MS4 permit (NDOR Roadside Stabilization Unit).

### **3.10. Platte River Depletions**

- The Contractor shall be required to provide the needed borrow material and shall identify a source of material that does not include dredging Platte River sediment. The Contractor shall try to obtain borrow material from an upland site to prevent depletion issues and shall be required to submit a Materials Source Site Identification and Evaluation form to NDOR and USACE. After receiving the form, NDOR shall forward the Material Source Form to the USFWS, NGPC, DNR, and HAP-NSHS (NDOR Environmental, District Construction, Contractor).
- If the borrow site is located within a depletion area of concern and it is identified that it will pond water after excavation, NDOR shall determine project-related impacts by calculating the evaporated loss of water at the borrow site, by using the Natural Resource Conservation Service (NRCS) – US Department of Agriculture (USDA) Consumptive Use Calculator. For borrow sites/detention basins that result in the exposure of groundwater in the North Platte River Basin, NDOR shall submit the borrow site request information to the NGPC and USFWS. This shall be done to determine ways to avoid depletions or provide offsets if depletions are to occur. Requests for borrow sites that occur outside the Platte River watershed shall be submitted to the DNR for tracking surface water depletions (NDOR Environmental, District Construction, Contractor).
- Borrow sites that expose groundwater and are obtained outside the PRRIP areas shall be offset according to the Biological Opinion prepared by NGPC in accordance with the Nebraska Nongame and Endangered Species Conservation Act. Borrow sites that pond water and occur outside the PRRIP area and the Platte River watershed, shall be calculated using the NRCS Consumptive Use Calculator and submitted to the DNR to be included in the report to the Governance Committee (NDOR Environmental, District Construction, Contractor).

### **3.11. Endangered Species Act, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and Fish and Wildlife Coordination Act**

- 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 FHWA. (District Construction, Contractor)



### 3.11.1. General Conservation Conditions

- 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 FHWA. (District Construction, Contractor)
- Conservation Conditions. Conservation conditions are to be fully implemented within the project boundaries as shown on the plans. (District Construction, Contractor)
- 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 shall require approval from the Federal Highway Administration and could require consultation with the USFWS and NGPC. (District Construction, Contractor)
- E&T Species. If state and/or federally listed species are observed during construction, contact NDOR Environmental. Contact NDOR Environmental for a reference of state and/or federally listed species. (NDOR Environmental, District Construction, Contractor)
- Refueling. Refueling shall be conducted outside of those sensitive areas identified on the plans, in the contract, and/or marked in the field. (Contractor)
- 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. Any project related activities that occur outside of these areas must be environmentally cleared/permitted with NGPC, 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 shall notify NDOR Environmental which shall 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)

- Waste/Debris. Construction waste/debris shall be disposed of in areas or a manner which shall not adversely affect state and/or federally listed species and/or designated critical habitat. (Contractor)
- Fencing. When project-related fence construction/relocation work is required to be done prior to the start of construction and if the fence work occurs outside urban or cropland areas not within swift fox or mountain plover range, then fencing can be installed/relocated at any time using the following criteria (Contractor, NDOR ROW Division):
  - a. The fencing is temporary in nature and/or consists of only hand-driven posts.
  - b. The work does not compact the soils (ex. through the use of heavy equipment) or cause soil disturbance beyond the driving of posts.
  - c. Within the whooping crane migration corridor, work occurring within a half of a mile of wetlands or perennial waters shall occur between the hours of 10:00 am to 4:00 pm when the work is between March 10<sup>th</sup> to May 10<sup>th</sup> or September 16<sup>th</sup> to November 16<sup>th</sup>. If the fencing work cannot meet these criteria, then NDOR Right-of-Way Division shall coordinate with NDOR environmental prior to the completion of Right-of-way negotiations.
- Platte River Depletions. All efforts shall be made to design the project and select borrow sites to prevent depletions to the Platte River. If there is any potential to create a depletion, NDOR (during design) and the contractor (for borrow sites) shall follow the current Platte River depletion protocols for coordination, minimization, and mitigation. In general the following are considered de minimis depletions, but may still require agency coordination; a project which: a) creates an annual depletion less than 0.1 acre feet, b) creates a detention basin that detains water for less than 72 hours, c) any diverted water shall be returned to its natural basin within 30 days, or d) creates a one-time depletion of less than 10 acre feet. (NDOR Environmental, District Construction)
- Re-vegetation. 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 and/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)

- Sensitive Areas. Environmentally Sensitive Areas shall be marked on the plans, in the field, or in the contract by NDOR Environmental for avoidance. (NDOR Environmental, District Construction)
- Species Surveys. If species surveys are required for this project, results shall be sent by NDOR to the USFWS, NGPC, and if applicable USACE. FHWA shall be copied on submittals. (NDOR Environmental, District Construction)

### **3.11.2 Blowout Penstemon**

- A qualified biologist shall survey according to protocol during the growing season (June - July) prior to the completion of the Process. If the Natural Heritage Database identifies a known occurrence within 1.0 mile of the project, since the year 1975, there shall be another survey according to protocol during the growing season immediately prior to construction. If species are not found during the survey, then the May Affect, Not Likely to Adversely Affect stands. If positive finding, then consultation is required. (NDOR Environmental)

### **3.11.3 Swift Fox**

- NOTE: The matrix identified both SF-1 and SF-2 conservation conditions; however, based on past conversations with NGPC and to reduce confusion, only SF-1, which is the more restrictive conservation condition, shall be implemented (NDOR Environmental).
- Up to a year prior to construction, NDOR or a qualified contractor may survey for potential swift fox den sites within the projects' environmental study area. Any potential den sites that are not in use by any species may be covered with 2" by 4" weld-wire fencing and adequately secured to the ground. Two weeks prior to the start of construction, a qualified biologist shall survey the environmental study area according to protocol, to determine if active swift fox den sites are present. If an active den with young is located and it is outside the project limits, then a buffer zone shall be established around the den and all construction activities shall avoid the buffer until the den is abandoned. If an occupied den with or without young is identified within the project limits or staging areas, NDOR shall immediately coordinate with the NGPC and notify FHWA (if applicable) to determine how to proceed. A buffer zone shall be established around the den and all construction activities shall avoid the buffer until NDOR gives approval to enter the buffer area. Between April 1 and August 31 the buffer zone shall be 250 yards around the active den site; other times of the year, the buffer shall be 100 yards around the active den site. (NDOR Environmental)
- Within swift fox habitat (within the second and third construction projects, but not the first project in Alliance), NDOR shall install fencing within the NDOR ROW using a 4-strand barbed wire, wildlife permeable, fencing (see example drawing in Appendix G). No woven or welded wire shall be allowed. During final design coordination with USFWS and NGPC shall occur to obtain concurrence on the fence locations. (NDOR Design, Construction, Contracting).

- Artificial escape dens shall be installed along the project corridor in areas of suitable habitat as determined by NDOR or a qualified biologist. Escape den specifications and habitat suitability maps for the Junction L62A/US 385 to Alliance project can be found in the attached Swift Fox Escape Den Protocol (see Appendix G). (NDOR).
- If the speed limit is changed in the future, NDOR shall coordinate with NGPC. (NDOR).

#### **3.11.4. Bald and Golden Eagle Protection Act**

- Suitable Golden Eagle nesting habitat exists within 0.5 mile of the Environmental Study Area. If construction will begin between February 1 and April 15, a nest survey must be completed at least 1 but not more than 14 days prior to construction. If construction will begin between April 15 and October 1, a nest survey completed in March is sufficient, as nests will likely already be constructed if nesting will occur that year. However, a nest survey may be completed anytime during this timeframe, as long as it is completed prior to construction. If golden eagles are nesting in the area, consultation with NGPC and USFWS shall be required. (NDOR Environmental, District Construction, Contractor)

#### **3.11.5 Migratory Bird Treaty Act**

- If the proposed construction project is planned to occur during the primary nesting season or at any other time that may result in the take of nesting migratory birds, the USFWS recommends that the project proponent (or construction contractor) arrange to have a qualified biologist conduct a field survey of the affected habitats and structures to determine the absence or presence of nesting migratory birds. Surveys must be conducted during the nesting season. USFWS further recommends that field surveys for nesting birds, along with information regarding the qualifications of the biologist(s) performing the surveys, be thoroughly documented and that such documentation be maintained on file by the project proponent (and/or construction contractor) until such time as construction on the proposed project has been completed. (NDOR Environmental)

#### **3.11.6 Fish and Wildlife Coordination Act**

- Any impacts to vegetated areas shall be revegetated per BMPs included in the erosion control plan. A Temporary Erosion Control Plan shall be developed before beginning construction to avoid impacts to fish and other aquatic organisms. This plan shall show the BMPs necessary at the beginning of the projects and shall be updated as BMPs are added or modified throughout the construction process. When land disturbances are greater than or equal to one acre, the Temporary Erosion Control Plan shall be a component of the NDOR's SWPPP. (NDOR Roadside Stabilization Unit)
- Comprehensive and effective erosion and sediment control measures shall be implemented throughout the construction process to minimize the likelihood of sediment discharges. NDOR promotes the use of sediment and erosion control techniques in combination with each other, rather than as stand-alone BMPs to improve the effectiveness of these BMPs. Please refer to NDOR's "Construction Stormwater Best Management Practices" Pocket Field Guide for additional information concerning NDOR's recognized BMPs. (NDOR Roadside Stabilization Unit)

### 3.12. Hazardous Materials

- Performance of the utility work set forth in the project plans and specifications shall be conducted in accordance with any easement agreement among the utility companies, Box Butte and Morrill Counties, and/or private landowners, and whether or not federal funds shall be used to reimburse for utility relocations. If federal funding is used, transformers shall be reviewed for PCB content (the equipment can be identified by blue stickers that say either “PCB-free” or “No PCBs”). If PCB-containing transformers or other equipment are suspected to be present, NDOR requires that they be managed and disposed of according to the TSCA regulations in coordination with USEPA. Releases of PCBs to the environment at levels requiring action under TSCA are to be managed or remediated according to TSCA regulations and in coordination with USEPA. If present, the utility owner is responsible for transformer equipment, including those that are PCB-containing and shall be responsible for maintaining and/or replacing equipment with PCB- free equipment. Any electrical equipment with no label or unknown concentration is assumed to be “PCB contaminated equipment” per EPA regulation and shall be managed by the utility company accordingly. NDOR or their representative shall contact the utilities to schedule performance of the work and shall coordinate the work with the project construction activities per NDOR’s Standard Specifications for Highway Construction, Subsections 105.06 and 107.16 (NDOR, 2007). (Project Sponsor, Contractor)
- Prior to the demolition/modification activities, structures must be thoroughly inspected for the presence of asbestos-containing material (ACM). All suspect ACM must be sampled and laboratory analyzed or is assumed to contain asbestos and must be handled as such. Suspect ACM associated with bridge structures may include, but are not limited to: utilities attached to the structure, joint compounds or sealers, and deck overlays. The inspector must be certified in accordance with the Nebraska Department of Health and Human Services (DHHS) Nebraska Asbestos Control Program Regulations, Title 178. A list of Licensed Asbestos Inspectors can be found at: <http://dhhs.ne.gov/publichealth/Documents/asbestosinspectors.pdf>. Documentation of inspection shall be provided to the NDOR project manager by the Contractor and shall be recorded in the ECOD system. If the bridge structure is comprised of only steel, concrete, brick or wood, an inspection by a certified inspection is not necessary. (Contractor)
- If ACM is found to be present, removal and disposal of the ACM shall be in accordance with DHHS Nebraska Asbestos Control Program Regulations, Title 178 and shall occur prior to any bridge demolition or renovation activities. The Contractor shall develop a removal and disposal plan in coordination with a licensed Asbestos Removal Contractor and NDOR. A list of Licensed Asbestos Inspectors can be found at: <http://dhhs.ne.gov/publichealth/Documents/asbestosinspectors.pdf>. (Contractor)
- Demolition of structures shall require the Contractor to submit a written NESHAP (National Emission Standards for Hazardous Air Pollutants) notification. If no asbestos is present, the notification is sent only to the Nebraska Department of Environmental Quality (NDEQ). If asbestos is present, in addition to the notification to NDEQ, the DHHS is also notified, using DHHS Form 5. The Contractor shall submit the NESHAP Notification of Demolitions and Renovation to NDEQ and DHHS (when required) at least 10 working days prior to commencement of any demolition activities or disturbance of any ACM. The ten day clock

starts with the day the Notification is postmarked, hand delivered (includes submittals by email notification) or picked up by a commercial delivery service, such as UPS, FedEx, etc. Faxing documents is prohibited. The NDOR project manager shall be provided copies of said notifications and their submittal date, which shall be recorded in the ECOD system. (Contractor)

- Currently, the Terry's Corner (WESTCO) service station at the intersection of US 385 and N-2 does not occur within the proposed construction areas. A Soil Vapor Extraction (SVE) remediation system and several groundwater monitoring wells are located on the Terry's Corner (WESTCO) Leaking Underground Storage Tank (LUST) site. Although the SVE system is currently inactive and in the NDEQ site closure process, modifications to this system and any groundwater monitoring wells shall require coordination with NDEQ and the owner of the system if project plans should change. The NDEQ contact is Quinn Krikac at (402) 472-0299. Appendix J includes the location of the SVE system and the monitoring wells. If the project plans should change, the location of the SVE system and associated wells shall be included in all project specifications and plan drawings. (NDOR Environmental, Designer, Contractor)
- 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 in 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 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. (Contractor)
- If hazardous materials are encountered during construction, applicable requirements for actions to be taken are located in Section 107.01 of the Standard Specifications for Highway Construction (NDOR 2007). Prior to construction activities, a Preconstruction Meeting shall be held as required by Section 103.01 of the 2002 NDOR Construction Manual. The purpose of the meeting is to discuss pertinent information to the project before construction begins, including hazardous materials reviews and health and safety issues. (District Construction, Contractor)

### **3.13. Material Sources and Waste Materials**

- The following project activities shall, to the extent possible, be restricted to the beginning and ending points (stationing, reference posts, mile markers, and/or section-township-range references) of the project, within the ROW designated on the project plans: borrow, burn sites, construction debris waste disposal areas, concrete and asphalt plants, haul roads, stockpiling areas, staging areas, and material storage areas. Any project-related activities that occur outside these areas must be environmentally cleared/ permitted with the USFWS and NGPC, as well as any other appropriate agencies by the Contractor and those clearances/permits shall be submitted to the District Construction Project Manager before 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 four ground photos showing the existing conditions of the proposed activity site, depth to groundwater and depth of the planned pit, and the “Platte River depletion status” of the site. The District Construction Project Manager shall notify NDOR Environmental, which shall coordinate with FHWA for acceptance, if needed. The Contractor must receive notice of acceptance from NDOR, before starting the above listed project activities. (NDOR Environmental, District Construction, Contractor)

### **3.14. Temporary Construction Impacts**

- Access to residences, farms, and businesses located on county roads within this project shall be maintained at all times via temporary roads, lane closings, phased construction, adjacent county roads, or other methods. Providing access at all times includes indirect access as well as direct access. Examples of indirect access include closing one county road intersection but leaving the adjacent ones open to maintain access. When the county road is done, it is opened and the next county road to be worked on is then closed. The goal is to maintain access from some public road to the property owners. Public and emergency services shall be notified of short-term road closures prior to them occurring. Message boards may be used to alert the public of road closures and detours. (District Construction, Contractor)
- For each impacted county road, access shall be constructed in phases to maintain access at all times. Methods to keep access open include: shoo-flies, constructing intersections half at a time, traffic management, and temporary access. A note shall be included on the construction plans indicating that access is to be maintained. Furthermore, per NDOR’s Standard Specifications, the Contractor shall at all times, to the extent practicable, provide private dwelling, commercial properties, businesses, and public facilities access to and from the nearest intersecting public road or street (NDOR, 2007). Accommodations shall be made to ensure local traffic passing within the limits of the project has access to all private dwellings, commercial properties, businesses, and public facilities. If a road is closed, limited access must be maintained for authorized local traffic. If access is closed longer than one day, the Contractor shall meet with the property owners to address temporary access issues. Access details shall be coordinated among NDOR’s Project Manager, the Contractor, and property owners. (District Construction, Contractor)
- If a temporary access road or detour is determined necessary for portions of the phased construction outside of the study area, the impacts shall be re-evaluated during final design. (NDOR Environmental)
- The Contractor is required by NDOR’s Standard Specification sections 309 and 312 for dust control during construction. (Contractor)

### **3.15. Public Involvement/Project Coordination**

- The south drive to the former rest area shall remain in place to allow field access to the property owner. The remainder of the pavement within the former rest area shall be removed. Future communication with the landowner in regarding ROW and access shall occur during the ROW process. (Project Sponsor)
- Acquisition of property rights for right-of-way shall be completed in conformance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (Uniform Act), as amended, (42 USC 4601 et seq.), and the Nebraska Relocation Assistance Act (Neb. Rev. Stat. Section 76-1214 et seq.). (Project Sponsor)



**APPENDIX A**

**NDOR Public Hearing Report**

# Nebraska Department of Roads

Draft Environmental Assessment Hearing

*Open House Format*

## NH-385-3(118); C.N. 51432 *JUNCTION L-62A/US-385 TO ALLIANCE*



Wednesday, October 1, 2014

Open House: 5:00-6:30 pm MDT/Public Forum: 6:30-7:00 pm MDT

Newberry's

402 Box Butte Avenue, Alliance, Nebraska



## CERTIFICATE

I, Sarah Kugler, Public Involvement Coordinator for the Communication Division of the  
Nebraska Department of Roads, do hereby certify that on

**Open House: 5:00-6:30 pm MDT/Public Forum: 6:30-7:00 pm MDT PM**

The State of Nebraska Department of Roads and the Nebraska State Highway Commission,  
under authority of Section 39-1110, Nebraska Revised Statutes, Reissue of Volume III, 1993,  
and in compliance with federal regulations, did conduct a Draft Environmental Assessment  
Public Hearing, in an Open House Format, at:

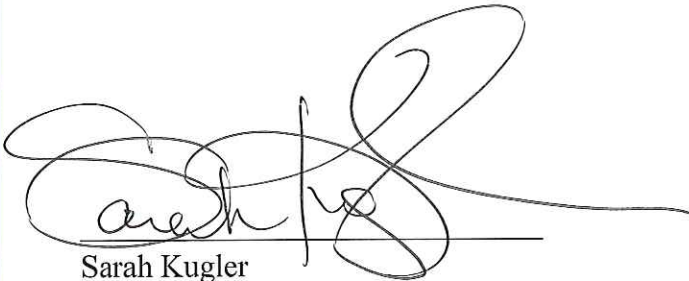
**Newberry's  
402 Box Butte Avenue, Alliance, Nebraska**

for the following project:

### **NH-385-3(118); C.N. 51432** ***Junction L-62A/US-385 to Alliance***

I further certify that, to the best of my ability, the accompanying material describes an accurate  
record of the public proceedings; that all materials provided to the public, or accurate  
duplicates, are documented in this report. All materials received from the public, including  
citizen comments received by the public involvement office within two weeks subsequent to the  
proceedings, are the actual documents as received or accurate duplicates or transcripts.

Witnessed by my hand and the official seal of the Nebraska Department of Roads  
affixed this October 16, 2014:



Sarah Kugler  
Public Involvement Coordinator  
Nebraska Department of Roads



**Public Hearing  
October 1, 2014  
Alliance**

SARAH KUGLER: Alright, we will begin tonight's public forum portion of the public hearing, if you guys want to take your seats.

Good evening. The Nebraska Department of Roads and the Nebraska State Highway Commission, in cooperation with the Federal Highway Administration, convenes this public forum comment portion of the public hearing on the Junction L62A, US-385 to Alliance project.

For the record, we are assembled this October 1<sup>st</sup>, 2014, at Newberry's, at 402 Box Butte Avenue, here in Alliance, Nebraska. The time is now 6:30 p.m.

My name is Sarah Kugler. I am the Department of Roads Public Hearings Officer. It is my function to facilitate this hearing under the authority of the state statutes and in compliance with federal regulations.

A recording of this hearing is being made. The transcript will be produced and made part of the official report of this hearing, and included in the project's national environmental act study, Nebraska Statue 39-110 states that the State Highway Commission will hold hearings regarding the activities of the Nebraska Department of Roads in compliance with the statute.

The District 5 Highway Commissioner Doug Leafgreen will moderate the public forum. Mr. Leafgreen.

DOUG LEAFGREEN: Thank you, Sarah. My name is Doug Leafgreen. I'm the District 5 Highway Commissioner, as she said, by statute we are to any public hearing, the Highway Commissioner for the district will host that. Tonight, you've been able to look at the draft environmental assessment, design issues, right-of-way issues, so we hope you've had an opportunity to talk to representatives of Federal Highway, Department of Roads and our consultants.

But the most important thing is, we really want to hear from you about any issues that you have on this project. Before we do open up for comments, I would like to make some introductions, so when I list these people, if they would stand. From Federal Highway, Melissa Maefsky, Justin Luther and Eric Hines. Thank you for coming. From the Department of Roads, Jon Barber, Jim Wilkinson, Doug Hoevet, by the way, Doug is the District 5 Construction Engineer; Toby Fierstein, Terry Kubicek, Gretchen Mueller Neemann, Tony Bui, and Sarah Kugler. And our consultants, Tony Eggelhoff, Matt McFadden, and Joan Darling.

During the comment portion, we will have these representatives so if you do have questions, they will field the questions. You've had an opportunity to view a video. I hope you took that opportunity to look at the video, outlines the project and many of the details about it.

For those of you that do not want to speak tonight and would like to make written comments, there are comment cards in the back that you can fill out. We do request that you get those to the Department of Roads. You can also email or send faxed comments to the Department of Roads.

With that, we're going to open the Public Comment portion of this. I would ask that if you come up, that you do give your name and spell it, your address, if you're with any city, county, any official or a company that you would please also list that.

With that, I will open the public hearing for comment. Who would like to come and comment?

HOWARD JENSEN: My name is Howard Jensen, and I live at 2491 South Highway 385, just, my property is on the northeast corner of 385 and the truck, Kansas Street bypass. Visited with these two gentlemen this evening, so they've brought a lot of things to my attention. But I've went to every one of these meetings that I could in the last several years. I think that the road itself and to be able to build this would be economically the thing that we need in western Nebraska, but I'm like everybody else, we ought to make sure we're doing it right the first time.

By looking what we seen today and the draft that was there, my major concern comes from the fact that we've talked in the past about being able to move this project to the west as it comes through Alliance, and if that would happen, then it would preserve the integrity of all the property that is on the east side of 385 now. If this project was built the way proposed today, I feel it would destroy my seven acres. Everything that I've built for eighteen years and my dad bought in '65; and it's been a continual battle with different things on that, but I realize that the state has the right-of-way there and they could build it, but we've waited twenty years or better now for it, why are we looking at maybe it saves us a few dollars by using what exists, but putting everybody, in my opinion, that's on the east of that road in a hardship. I feel I'd be totally destroyed. And that's one issue.

And the other issue that I've thought about many times, living in that area since 1965, and have brought it to the attention of many people, why we wouldn't look at it from the state level of trying to take some of that hump out that's on the south side of the intersection at 385 and 3<sup>rd</sup> Street. It's a hole there, when you come down into a hole. Why do we have a hole? You can't see Alliance, why don't we flatten that out a little bit? And you could do that. They created maybe a hardship when they put Holstein Drive in, when Pepsi went there, the distributing thing, but Pepsi still sits 10-15 feet below the road level. They could shave that off and you sell the dirt; if they're looking for revenue, that might be some place. But anyway, thanks for your time.

TIM GARWOOD: My name is Tim Garwood, G-A-R-W-O-O-D. I'm a member of the Heartland Express, and I'm going to speak more in generalities than what Howard, he was talking more on particulars and how it's going to affect him personally. But I kind of wanted to enter this basically on behalf of the Heartland Express Board.

First of all, thank you for providing this opportunity to once again voice our support for the completion of the Heartland Expressway as a four-lane highway through Nebraska, connecting with efforts by the Ports-to-Plain Expressway and Teddy Roosevelt Expressway. The Heartland Expressway Association represents citizens in all communities along the route, as a voice for the 90,000 people living in western Nebraska. The Heartland Expressway Association is providing comments regarding the next phase of the construction of this important trade, energy and transportation corridor. Thank you for the quick turnaround with the environmental assessment of the proposed next phase from Nebraska Highway 2 at Alliance to the L62A junction on U.S. Highway 385, approximately 28 miles to the south. The work completed by the consultants is thorough and we believe agreed upon, mitigation work addresses the concerns of environmental impact of this planned expansion and realignment. We urge the Federal Highway Administration to conclude this assessment and issue a finding of No Significant Impact for the project. The Heartland Expressway Association is in concurrence with the NDOR

stated preferred alternatives on the alignment of this next session of the Heartland Expressway. We note that the final construction piece, the connecting curve from the L62A junction to the north merging with US Highway 385 is actually not a part of the current project. We urge the NDOR to move as quickly as possible to get this project programmed into the STIP and allocate funding. We realize the plan is to utilize the next available funds from the Build Nebraska Act. We encourage the NDOR to also include in that programming statement as much of the initial planning and engineering as possible on portions of the L62A west to Bayard, Nebraska junction in connection with the US Highway 26. Identifying the next leg and phase of potential four-lane expansion is a logical next step for the NDOR and we support this apparent direction. We believe the NDOR should also be very mindful of the Heartland Express project just completed in South Dakota and look for ways to include the future programming of the portion of two-lane U.S. Highway 385 that meets four lanes at the Nebraska-South Dakota border north of Chadron.

Thank you again for this opportunity to share with you our thoughts regarding this important development. We also appreciate the chance to meet with other citizens and hear how the project will affect them. The property owners along the route, agricultural producers who have waited for years for a more efficient, safer way to transport their crops, are constituents that deserve the opportunity to be heard. Thank you.

LEAFGREEN: Anyway else?

DANIEL BENNETT: I'm Daniel Bennett, B-E-N-N-E-T-T, and I'm with Panhandle Air Development District, as well as Heartland Expressway Association, so Tim speaks for me. But I just wanted to commend NDOR on the public process set up here tonight, and also the online public forum that was available and will be available for the Scottsbluff or the West Viaduct project. I think that's a progressive way to go and I think that's a good way to get input from large geographic region who maybe all can't make the meeting tonight, and I think that'll be a good way to engage different types of people and also younger people going forward in the future, so. I just encourage you all to continue those efforts for the online participation. Thanks.

LEAFGREEN: Anyone else?

ART CRAWFORD: My name is Art Crawford. I live in Alliance, Nebraska. Long overdue, the four-lane road, in my judgment and view. I have a vast number of railroad friends who commute daily from the valley from the Chadron area. Thankfully, they've never had any accidents. But I don't expect to see it completed in my lifetime, to be flat-out straight honest with you folks. I visited with a lot of you, but I can't understand it, why we continue to drag our feet. Also, I visited with Mr. Herbert here. In the name of safety, and safety alone, I ask that we take the four-lane road from where we stop at 3<sup>rd</sup> Street, take it on north on 385, I think it would be five miles to a road called, County Road called Logan Road, that is the north edge of the sugar beet dump, depot. We're going into sugar beet harvest. Every man that can put someone in a truck to drive, to haul sugar beets, they do. From then 'til probably late November. Then we do the re-haul from this area to the valley to process the sugar beets into February or March. We have constant traffic on this road from trucks. I have to question your percentage of numbers for heavy trucks, 'cause I don't quite buy it, I believe it would be much, much higher. Just my own judgment, I have no way of knowing it, but it needs to be addressed in the name of safety, from where we are stopping at 3<sup>rd</sup> Street to north of the beet dump. We have accidents in that area constantly. 25<sup>th</sup> Street, 10<sup>th</sup> Street, there's people that have gave their lives there. Don't like that, don't want it any more than anyway else does. I would just like to know some consideration can be given for these issues, because if we don't, it's just going to get worse

because the traffic continues to get heavier. We got everything here, if we're going to build it from NDOR to here, figure of speech, we'll have all the equipment in the area, let's just do another four, five mile and be safe. Thank you.

MARK MASTERTON: Good evening. My name is Mark Masterton, that's spelled M-A-S-T-E-R-T-O-N, and I'm Chairman of the Scottsbluff County Board of Commissioners, and also Vice-Chairman of the Heartland Express Organization. I first heard about the Heartland Express in 1984 when I was first elected and it's been going that long, so yeah, it has been dragging out for a while. It's going to be thirty years here in a couple of days, but I believed in this project for that long, and you know, will continue to work on it as long as I can. We have made quite a bit of progress and the state is to be congratulated on that, as well as all the people that have been involved in it. I believe, in talking generalities, much like Tim and Daniel did, that the Heartland Express is of vital importance to the very survival of the Panhandle. As you all know, we are losing population. I can't quote how much, but every census every ten years tells us that we're losing population. We can't afford to do that here in the Panhandle. Right now we have six representatives in the legislature west of North Platte, so the effectiveness of what our senators can do in the legislature is certainly limited when you're dealing with the preponderance of population and influence on the legislature coming from the eastern part of the state. But it's our contention that if the Panhandle or the western part of the state is going to survive economically, and if we're going to be able to contribute to the future maybe glory of the state of Nebraska, I mean, we need a highway, we need the tools, we need the opportunity to prove that we can also contribute to the economic wellbeing of the state. Thank you.

AL DAVIS: State Senator Al Davis from District 43, which is Alliance and east, the other side of Highway 385 is Senator Schilz's District.

I'm basically here just to say first of all, how happy I am to see the project finally coming to fruition. It's been a long and arduous endeavor on the part of everyone, from all the communities involved. So, now that we know when it's going to happen, it's a great pleasure for me to see that happen. I wanted to touch a little bit on what Art said, and I haven't had a whole lot of time to study the maps, and looking at the terminus a little bit west of 3<sup>rd</sup> Street, I guess I have some concerns that maybe we should take that a little farther out of town. I'm not sure about what Mr. Crawford said, but I know I can just talk about my own driving, sometimes you're driving along distracted and you see something going on over here to one side, and then if we're coming to the end of our divided highway, so close to town, I think we might want to think about moving that out a little bit farther.

The other thing I'm going to say is basically directed at the Highway Commission. I think it's extremely important that we really consider bonding. We tried to do that last year in the legislature, and we had enough votes initially to do something with that, but of course, the Governor didn't care for the idea. But if we're going to build our roads, we have the opportunity now with low interest, and I'd like to see the Commission itself become more engaged in maybe trying to say to the Governor, whoever that might be, we have a real opportunity here, help us to get some funding so we can get these roads built and move things a little farther ahead of schedule.

We have a lot of things going on in North Dakota with oil, and that's going to be going on for many, many years, so this part of the state will really benefit by a divided highway all the way through. I'd like to see it moved up and would urge you to do that. Thank you.

LEAFGREEN: Other comments? Anyone else before we close it?

J.D. COX: Good evening. I'm J.D. Cox. I'm the City Manager here in Alliance, and I'd also like to echo the earlier comments to the appreciation for you all being here tonight. The fact that we've made it this far along in the process is really encouraging.

I wish we were here tonight talking about the entire Heartland Expressway from Colorado to South Dakota; but, hey, we're happy with this part of the process, at the very least. I did want to just make a couple of comments. I was absolutely thrilled to see in the Environmental Assessment that now economic development is being recognized as a fifth goal. Before, there were four goals and nowhere in there was economic development, and how can economic development not be considered as a part of what a highway will bring to a community or to a corridor? As we were speaking earlier this evening, you look at I-80 and all the development that has gone on along I-80, and although we can't speak to the individual impacts, I hope those impacts are very minimal and the landowners that are along the corridor, the impact overall to the community of Alliance could be substantial. And so I think looking forward to a four-lane development absolutely is in the best interest of the overall economic health of Alliance; it could benefit us tremendously. As was said earlier, it's too bad we don't already have it in place. We don't have the whole thing done. But having the process and the progress that we're making now, seeing it in black and white, that we're looking at 2015-2016 we're under construction, that's fantastic. So, I would like to echo the earlier comments and encourage the continued progress that we're making now. Thank you.

LEAFGREEN: Anyone else? Just a comment, Senator. The Highway Commission did go on record in support of the bonding act. There were two Commissioners that did vote in the negative. But I've been on the Highway Commission for 14 years and have been advocating bonding. It's not a real exciting topic in Nebraska, I will tell you that. We've always had a pay-as-you-go attitude. You found that out, I think, in the legislature and the opposition. We have a governor that does not support it. So we'll see. You know, in that same vein, road funding is going to be a real issue, folks, over the next ten or fifteen years. The gas tax is not keeping up. If it had not been for Senator Fischer and the Build Nebraska Act LB84, this project wouldn't be going forward, and we were basically, about two years ago, at a point where it was maintenance only. Rebuilding the Interstate, if any of you have been on that lately, you know the impact of the orange cones, but beyond that, just trying to maintain our roads. And so we need to help and talk to our congressmen and our state senators. Nobody wants to increase the gas tax or find another way to fund it; but, if we don't, you're not going to see any more continuation of the Heartland without money. The Department of Roads loves to build roads. I mean, all of these people here, they like to build new roads, but without the funding, it's going to be very difficult. So.

Any other comments or questions of any of these individuals here?

Any comments by any of the NDOR employees? Anything? If not, this will close this public comment portion. Thank you all for coming tonight.

COM13-ZF



APPENDIX

PUBLIC INVOLVEMENT PLAN

NOTIFICATION

VENUE

SUPPORT MATERIALS

ATTENDANCE

PUBLIC COMMENTS

PUBLIC INVOLVEMENT PLAN

Civil Rights Analysis

PI Plan Notes

Additional Considerations



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

DEPARTMENT OF ROADS

*Randall D. Peters, P.E., Director – State Engineer*

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759

Phone (402) 471-4567 • FAX (402) 479-4325 • [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)

04 June 2014

Joan Darling  
Environmental Sciences  
Olsson Associates

Ms. Darling,

I have reviewed the Environmental Justice materials in the Draft Environmental Assessment for the following project:

NDOR Control Number: 51432  
Project Number: NH-385-3(118)  
Project Name: Jct. L62A/US 385 to Alliance

Based on my review of your work, as well as my independent analysis of the scope of this project and the demographics of the project area, I concur with the data, the proposed mitigation, and the conclusions presented in the Environmental Justice section of the Draft Environmental Assessment.

To summarize briefly, in the areas surveyed, I agree that none of the data indicates the presence of a Limited English Proficiency (LEP) population that reaches the NDOR LEP outreach triggers of 5% or 1,000 persons. Additionally, I agree with your finding that there will be no disproportionately high and adverse human health or environmental effects visited upon minority and low-income populations, as defined in FHWA Order 6640.23A.

If you require further assistance or have any questions, please don't hesitate to contact me.

Thank you,

A handwritten signature in black ink, appearing to read "Chris Hassler".

Christopher Hassler  
Highway Civil Rights Specialist  
Civil Rights Office, Nebraska Department of Roads  
1500 Highway 2, P.O. Box 94759  
Lincoln, NE 68509  
[christopher.hassler@nebraska.gov](mailto:christopher.hassler@nebraska.gov)  
402.479.3553

In addition, it is anticipated that construction of the Heartland Expressway, of which the Preferred Alternative is a part, would result in economic benefit in the region. An analysis of the economic benefits has been prepared for NDOR as a technical memorandum and is presented in **Chapter 2**.

### **C.5 Mitigation**

Per Standard Practice, NDOR shall notify the public at the start of construction by placing notices in the newspaper before construction, and electronic message boards may be used before the beginning of construction activities. NDOR shall also notify emergency services such as police and fire departments before construction activities begin, as well as maintain continued coordination throughout construction. Emergency services providers would be invited to the pre-construction meeting for this project (NDOR Communication, NDOR District 5).

Per standard specifications, the Contractor shall at all times, to the extent practicable, provide private dwellings, commercial properties, businesses, and public facilities access to and from the nearest intersecting public road or street (NDOR, 2007). Accommodations shall be made to ensure local traffic passing within the limits of the project has access to all private dwellings, commercial properties, businesses, and public facilities. During those periods when a road is closed, even for a short duration, limited access must be maintained for authorized local traffic. If access is to be closed longer than one day, the Contractor would coordinate with the affected property owners (Contractor, NDOR District 5).

## **D. Title VI / Environmental Justice**

### **D.1 Summary**

The President signed Executive Order (EO) 12898, *Federal Actions to Address Environmental Justice in Minority and Low-Income Populations*, in 1994. This EO focuses the attention of Federal agencies on human health and environmental conditions in minority communities and low-income communities. Environmental justice analyses are performed to identify the potential for disproportionately high and adverse effects on minority and low-income populations from proposed actions, and to identify alternatives that might mitigate these effects.

FHWA Order 6640.23A defines "Minority" and "Low-Income" as follows:

- a. **Low-Income.** A person whose median household income is at or below the Department of Health and Human Services poverty guidelines.
- b. **Minority.** A person who is:
  1. **Black:** a person having origins in any of the black racial groups of Africa;
  2. **Hispanic or Latino:** a person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race;
  3. **Asian American:** a person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent;

Junction to Alliance. In addition, using data from the 2008-2012 American Community Survey, income and poverty status were considered and reviewed along the alignment for each study area to identify the potential for effects on low income populations.

**Table 4.1** shows minority and Hispanic populations for Census Tract 9511 and 9513 (which includes the part of the City of Alliance east of the project area, and, thus, the vast majority of the population on the project site), the two counties (all of Morrill County is in a single Census Tract, 9525), Nebraska, and the United States, while **Table 4.2** provides median household income, per capita income, and poverty status throughout both study areas.

**Table 4.1 – Minority Population in the Project Vicinity**

2010 U.S. Census Bureau Data						
	Census Tract 9511	Census Tract 9513	Box Butte County	Morrill County (Census Tract 9525)	Nebraska	United States
<b>Population</b>						
Total Population	2,259	4,217	11,308	5,042	1,826,341	308,745,538
<b>Number</b>						
White	2,202	3,490	10,149	4,600	1,572,838	223,553,265
Black or African American	3	28	52	12	82,885	38,929,319
American Indian and Alaska Native	15	281	409	55	18,427	2,932,248
Asian	3	9	34	18	32,293	14,674,252
Native Hawaiian and Other Pacific Islander	0	0	2	0	1,279	540,013
Some Other Race	12	252	379	280	79,109	19,107,368
Two or More Races	24	157	283	77	39,510	9,009,073
Hispanic or Latino (of any race)*	63	628	1,157	687	167,405	50,477,594
<b>Percentage</b>						
White	97.5	82.8	89.8	91.2	86.1	72.4
Black or African American	0.1	0.7	0.5	0.2	4.5	12.6
American Indian and Alaska Native	0.7	6.7	3.6	1.1	1.0	0.9
Asian	0.1	0.2	0.3	0.4	1.8	4.8
Native Hawaiian and Other Pacific Islander	0.0	0.0	0.0	0.0	0.1	0.2

Some Other Race	0.5	6.0	3.4	5.6	4.3	6.2
Two or More Races	1.1	3.7	2.5	1.5	2.2	2.9
Hispanic or Latino (of any race)*	2.8	14.9	11.4	14.9	9.2	16.4

*\*Note: The numbers and percentages of Hispanic or Latino people already are counted in the numbers and percentages for race, and thus are not included in the totals.*

*Source: U.S. Census Bureau, 2010*

Some Other Race	0.5	6.0	3.4	5.6	4.3	6.2
Two or More Races	1.1	3.7	2.5	1.5	2.2	2.9
Hispanic or Latino (of any race)*	2.8	14.9	11.4	14.9	9.2	16.4

*\*Note: The numbers and percentages of Hispanic or Latino people already are counted in the numbers and percentages for race, and thus are not included in the totals.*

*Source: U.S. Census Bureau, 2010*

level in Box Butte County was 19.9 percent, both higher percentages than those of Nebraska, with 12.4 percent, and of the United States with 14.9 percent. A low-income housing area is located adjacent to the north end of the project area, along the east side of US 385. However, this area would be avoided during construction.

Approximately 2.5 percent of the population of Census Tract 9511, 17.3 percent of the population of Census Tract 9513, and 10.2 percent of the population of Box Butte County is made up of racial minorities. The percentage in Census Tract 9513 is higher than, and the percentage in Box Butte County and in Census Tract 9511 is lower than, that of Nebraska, with 13.9 percent. However all are lower than the percentage in the United States, with 27.6 percent. In addition, Census Tract 9511 has approximately 2.8 percent Hispanic population, and Census Tract 9513 has approximately 12.6 percent Hispanic population, compared to 10.7 percent in Box Butte County overall, 9.2 percent in Nebraska, and 16 percent in the United States.

In Census Tract 9513, the Census Block Group that is closest to the project is Block Group 4 (Figure 4.2). This group is on the east side of US 385 and extends from north of the project at West 10<sup>th</sup> Street to south of Sarpy Road, south of the City of Alliance, and to the east in an uneven boundary roughly to County Road 60. This Block Group has the highest minority (26.4 percent) and Hispanic (21.5 percent) populations in the area. This block also has a higher percentage of people below the poverty level than the rest of the census tracts in the project area.

In general, minority and low-income populations constitute a slightly higher percentage of the total populations in Box Butte and Morrill counties than for Nebraska. The population of Census Block Group 4 has a meaningfully higher population of minorities and thus has a protected population. As previously described, most of the remaining project study area is routed through rural areas that are either undeveloped or in agricultural production, and these areas do not have any protected populations.

### **D.3 Environmental Impacts of the No-Build Alternative**

The No-Build Alternative would not result in disproportionate impacts on low-income, minority, or vulnerable age populations relative to the general population.

### **D.4 Environmental Impacts of the Preferred Alternative**

The potential adverse effects from this project for people living within the project area could include relocations of residences, right-of-way acquisition, and access limitations during and after construction. These effects have been considered with regard to protected populations, to determine if any would suffer a "disproportionately high and adverse effect".

A "disproportionately high and adverse effect" on minority and low-income populations means "an adverse effect that: (1) is predominantly borne by a minority population and/or a low-income population; or (2) will be suffered by the minority population and/or low-income population and is appreciably more severe or greater in magnitude than the adverse effect that will be suffered by the non-minority population and/or non-low-income population." (Definition from FHWA Order 6640.23A)



Relocations. The Preferred Alternative would result in the relocation of an occupied residence near MM 101.66 on the northwest side of US 385 and the relocation of two occupied residences near MM 106.40 on the southwest corner of the intersection of US 385 and Sarpy Road. According to Census Bureau data, public comment sheets, and personal communications, no known protected populations would be affected by any of the relocations.

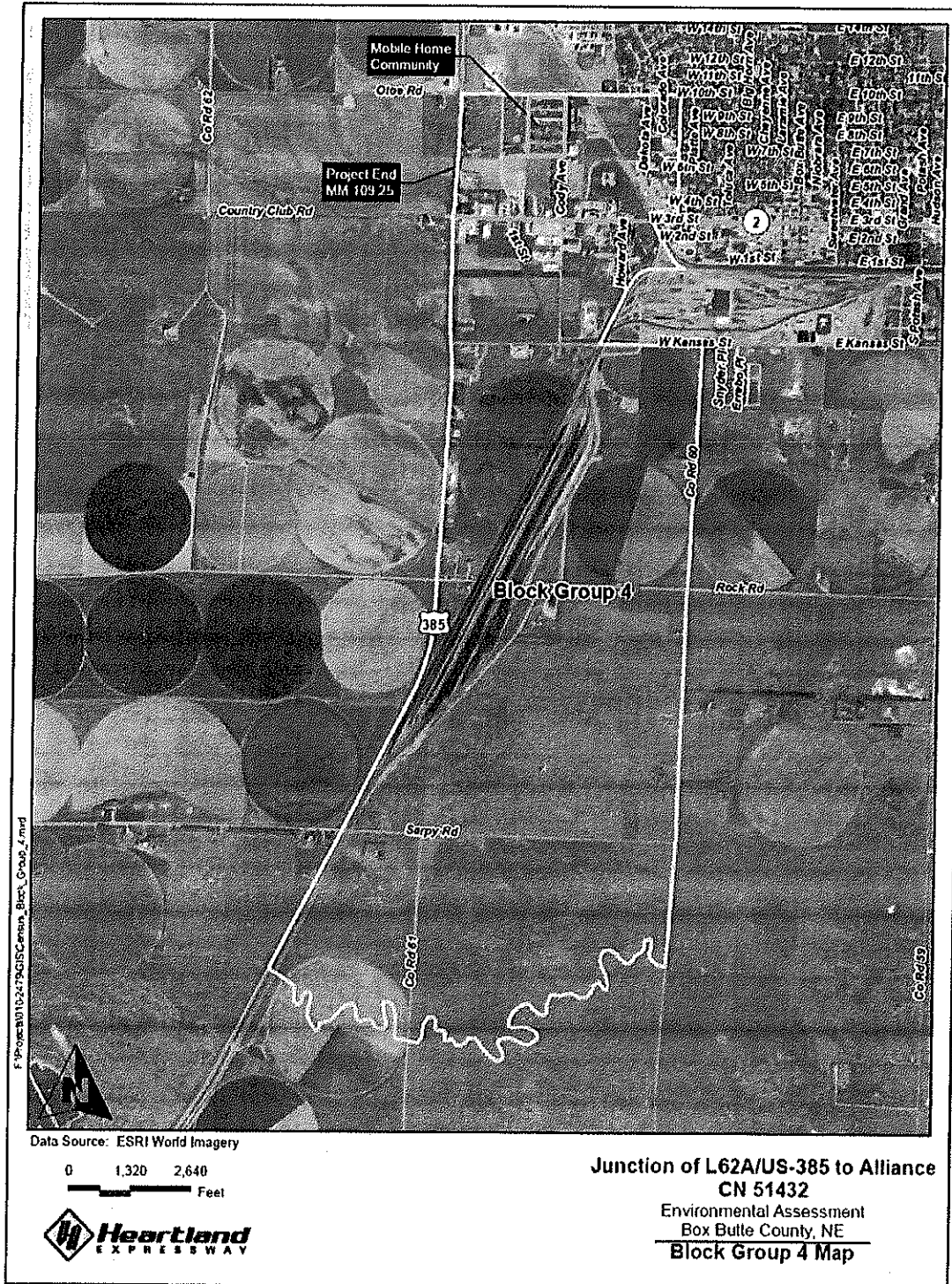
Right-of-Way Acquisition. Approximately 40 acres of right-of-way would be acquired in Box Butte County, and approximately 250 acres of right-of-way would be acquired in Morrill County. Several efforts have been made to reduce impacts to any residents in the area from right-of-way acquisition. First, the project would follow an already existing roadway and would not substantially alter the current land use. Second, proposed right-of-way acquisition has been mostly offset to the west, where there are fewer residences.

There are no protected populations within the Morrill County study area. In Box Butte County, the protected population in Census Block Group 4 is located to the east of the existing highway (as are almost all the residences on this stretch of US 385), thus most of the right-of-way will be acquired to the west of the highway, minimizing impacts to residents.

Within Census Block Group 4, right-of-way requirements have been minimized still further by eliminating a median and having a two-way left turn lane, thus narrowing the overall roadway. Small amounts of right-of-way will be needed from residences in Census Block Group 4 that front on or have driveway access to US 385, mostly for re-construction and consolidation of driveways to meet current safety standards.

As Census Block 4 covers an extensive area, in order to determine potential impacts to protected populations, an evaluation was made of the six Census Blocks within Census Block Group 4 that are immediately adjacent to US 385, extending from Otoe Road (West 10<sup>th</sup> Street) on the north to just south of Rock Road on the south. According to the 2010 Census Bureau data, this area includes a total population of 58, of which 8 (13.8 percent) are minorities (same numbers for Hispanics); this percentage is lower than the overall percentage in Census Tract 9513. Thus, the effects of acquisition of right-of-way from properties located adjacent to US 385 in Census Block Group 4 will not have a disproportionately high or adverse effect on the protected population in this Census Block Group. Note that no relocations are proposed for this area. **Figure 4.2** shows this block group and the low-income housing area in relation to the project terminus.

Figure 4.2 – Census Block Group 4 and Low Income Housing



Source: U.S. Census Bureau

Access Limitations. Access to all residences and businesses will be provided both during and after construction. Access changes may occur during construction however at most this would consist of a few feet. All drives will be maintained in the Alliance area. Thus, access limitations will not result in a disproportionately high or adverse effect on protected populations.

The permanent impacts on social and economic conditions of L62A to Alliance, once completed, would include benefits to the cities within the corridor and the cities that the proposed project would connect by providing a reliable transportation system contributing to economic growth and productivity of the region. In addition, safety would be enhanced for residents turning onto or off of US385 by the addition of a two-way left turn lane in Alliance and a median with turn lanes at other locations.

The adverse effects from this project will not be predominantly borne by minority/low income and will not be appreciably greater or more severe for the following reasons:

- There are no minority/low-income populations in the relocation areas.
- Within the right-of-way acquisition area, the population has a lower percentage of protected populations than surrounding areas.
- Temporary impacts from construction will be experienced by all residents and travelers.
- There will be no loss of access for residences during and after construction.
- There will be no loss of essential services for low income or minority populations.
- There is no disruption to patterns of travel in low income/ minority neighborhoods and no effects upon community cohesion in these neighborhoods, since the road is being improved on the existing alignment.
- After the project is completed, the project will provide an improved highway for all residents and travelers.

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 FHWA Order 6640.23A.

#### **D.5 Mitigation**

No mitigation is required.

### **E. Cultural and Paleontological Resources**

#### **E.1 Summary**

##### *Cultural Resources*

Section 106 of the National Historic Preservation Act, as amended, and implementing regulations found at 36 Code of Federal Regulations (CFR) Part 800, require that Federal agencies consider any effect a proposed action may have on historic properties. compliance process is generally as follows:

- Identify consulting parties.
- Identify and evaluate historic properties located within the horizontal and vertical Area of Potential Effect (APE) established for an undertaking.

## Public Involvement Plan

### **PH-385-3(118); JUNCTION L62-A/US-385 TO ALLIANCE; C.N. 51432**

The proposed project would begin on Nebraska Link 62A (L-62A), 2.19 miles west of the junction with U.S. Highway 385 (US-385) in Morrill County, and continue north on US-385 into the City of Alliance in Box Butte County, ending just north of the intersection with Nebraska Highway 2 (N-2), also known as West 3rd Street, for a distance of 24.75 miles on US-385. These portions of L-62A and US-385 are part of the "Heartland Expressway." The proposed project would reconstruct L-62A and US-385 from an existing two-lane highway to a four-lane divided highway with a depressed grass median in rural areas and a two-way left-turn lane in Alliance. A portion of the project involves realigning the junction of L-62A and US-385 on a new alignment northwest of the existing junction. The proposed project also includes improving intersections, culvert construction, and lighting.

This upcoming Public Hearing in District Five is to be presented in an open house format. The hearing will be held at Newberry's in Alliance, Wednesday, October 1, 2014, with an open house from 5:00-6:30 P.M. MST and a public forum from 6:30-7:00 P.M. MST

No civil rights issues have been identified.

The attached legal notice will appear in the *Alliance Times-Herald*, *Bayard Transcript*, and *Bridgeport News-Blade* on Aug. 27<sup>th</sup>, 2014 and again Sept. 24<sup>th</sup>, 2014. It will also appear in the *Hemingford Ledger* on Aug. 28<sup>th</sup> and again on Sept. 18<sup>th</sup>. Postcards will be mailed to a database of interested citizens, local businesses, schools, contiguous property owners, local, state, and federal government offices, and other stakeholder agencies on Sept. 17<sup>th</sup>. Temporary highway signs were requested and will be installed on or around the Sept. 15<sup>th</sup>. A press release will be sent to area news outlets on or around Sept. 24<sup>th</sup> and include a map. Flyers will be distributed locally on or around Sept. 25<sup>th</sup>. Information will be on the NDOR website "Projects" page the day after the meeting. A copy of the signed DEA will be made available to the public on Sept. 15<sup>th</sup> through Oct. 16<sup>th</sup> at the following locations:

1. City of Alliance-City Clerk (324 Laramie Avenue; Alliance, NE)
2. US Post Office-Angora (South 1<sup>st</sup> Street; Angora, NE)
3. City of Bridgeport-City Clerk (809 Main Street; Bridgeport, NE)
4. Alliance Public Library (1750 Sweetwater Avenue; Alliance, NE)
5. NDOR District 5 Office (140375 Rundell Road; Gering, NE)
6. NDOR Headquarters (1500 Highway 2; Lincoln, NE)
7. FHWA Nebraska Division (100 Centennial Mall North; Lincoln, NE)

### **Sarah R. Kugler**

Public Involvement Coordinator



NDOR Communication Division

402 479-4871; 402 416-7667 cell

[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)

## Highway Public Hearing

STP-385-3(118)  
*Jct. L62A & US-385 to Alliance*  
C.N. 51432

October 1, 2014  
5:00-6:30 PM MDT Open House; 6:30-7:00 PM MDT Public Forum  
Newberry's, 402 Box Butte Ave., Alliance, NE

## Highway Public Hearing Preview

STP-385-3(118) Jct. L62A & US-385 to Alliance; C.N. 51432

Craig Lind, NDOR District Five Engineer  
 Doug Hoevet, NDOR District Five Construction Engineer  
 Erich Hines,  
 Mike Owen,  
 Jim Wilkinson,  
 Lorraine Legg, NDOR Assistant Roadway Design Engineer  
 Toby Fierstein, NDOR Roadway Designer  
 Jon Barber,  
 Jason Jurgens,  
 Bob Frickel,  
 Gretchen Mueller-Neeman, NDOR Right of Way Agent  
 Joel Walker,  
 Sarah Kugler, NDOR Public Involvement Coordinator  
 Tony Bui, NDOR Public Involvement Specialist  
 Tony Egelhoff, Olsson Associates, Engineering Consultant  
 Matt McFadden, Felsburg, Holt, & Ullevig, Engineering Consultant  
 Kyle Anderson, Felsburg Holt & Ullevig, Engineering Consultant  
 Amy Zlotsky, Felsburg, Holt, & Ullevig, Environmental Consultant  
 Randy Kaster, Olsson Associates, Engineering Consultant  
 Joan Darling, Olsson Associates, Environmental Consultant

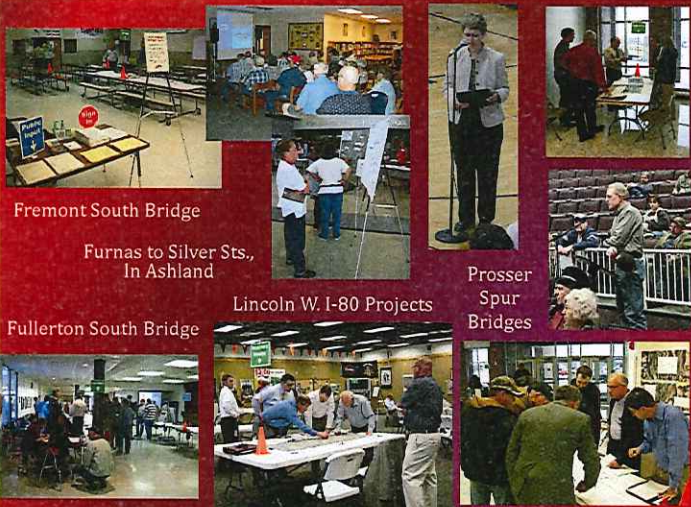
## Public Hearing Format

*Highway J Citizens Group, U.A  
vs. U.S. Dept. Of Transportation, E.D. Wis.  
3/23/10*

the court found that the FHWA and the Wisconsin DOT approved the project in violation of the National Environmental Policy Act, 42 U.S.C. §§4321-4347, by failing to prepare an adequate environmental impact statement.

**Defining a "Public Hearing"**

"A member of the public speaking privately to an agency representative or a court reporter does not constitute a public hearing merely because some other members of the public might happen to be within hearing distance," the court wrote, adding that "although members of the public who attend an open house can speak with each other as they walk around view the exhibits on display, this does not provide them with the opportunity to make their views generally known."



Fremont South Bridge  
 Furnas to Silver Sts.,  
 In Ashland  
 Prosser  
 Spur  
 Bridges  
 Fullerton South Bridge  
 Lincoln W. I-80 Projects

# Highway Public Hearing

## Local Demographics and Title VI Compliance

Table 4.1 - Minority Population in the Project Vicinity

Population	2010 U.S. Census: Bureau Data		Box Butte County	Nebraska	United States
	Census Tract 1011	Census Tract 1013			
Total Population	2,256	4,217	11,206	5,092	1,625,241
Whites	2,262	3,490	15,119	4,809	1,572,838
Black or African American	3	28	52	12	42,865
American Indian and Alaska Native	15	281	450	55	18,427
Asian	3	9	24	18	32,293
Native Hawaiian and Other Pacific Islander	0	0	2	0	1,239
Some Other Race	12	252	378	280	79,150
Two or More Races	24	157	263	77	39,830
Hispanic or Latino (of any race)	45	428	1,157	967	147,456
<b>Percentage</b>					
Whites	97.8	82.8	88.8	91.2	86.1
Black or African American	0.1	0.7	0.5	0.2	4.5
American Indian and Alaska Native	0.7	6.7	3.9	1.1	0.9
Asian	0.1	0.2	0.3	0.4	1.8
Native Hawaiian and Other Pacific Islander	0.0	0.0	0.0	0.0	0.1
Some Other Race	0.5	6.0	3.4	5.5	4.3
Two or More Races	1.1	3.7	2.5	1.5	2.2
Hispanic or Latino (of any race)	2.0	10.1	11.4	19.0	9.1

Written materials and a Spanish interpreter will not be needed for this public hearing

## Public Hearing Venue Newberry's, 402 Box Butte Ave., Alliance, NE



## Public Hearing Open House

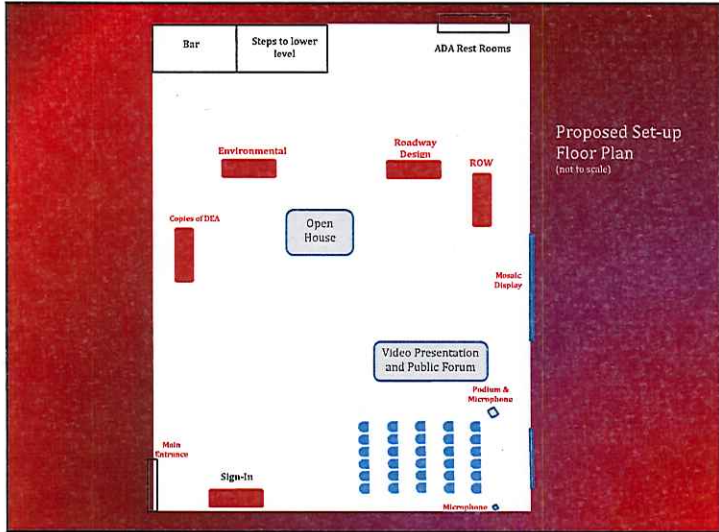


5:00-7:00 P.M. MDT; Wednesday, October 1, 2014  
Newberry's  
402 Box Butte Ave., Alliance, NE

## Newberry's meeting area



5:00-6:30 P.M. MDT,  
Open House;  
6:30-7:00 P.M. MDT,  
Public Forum;  
Wed., October 1, 2014



## Notification of Hearing

- Legal Notice published in:
  - *Alliance Times-Herald* on August 27<sup>th</sup> & September 24<sup>th</sup>
  - *Bayard Transcript* on August 27<sup>th</sup> & September 24<sup>th</sup>
  - *Bridgeport News-Blade* on August 27<sup>th</sup> & September 24<sup>th</sup>
  - *Hemingford Ledger* on August 28<sup>th</sup> & September 18<sup>th</sup>
- Targeted mailing
- Regional Media Release
- Temporary Highway Signs
- State and Department Websites
- Canvas Area Business and Residential with "Door Hanger" Flyers

\*sample sign

## Hearing Presentations

- Handout with Project Fact Sheet & Maps
- Video presentation looped through open house with the Project Engineering Statement
- Self-stamped Public Comment Sheets

## NOTIFICATION

### Legal Notice of Public Meeting

- Request to post DEA (available for viewing upon request)
  - **Angora Post Office**
- Request for Publication
- Affidavit of Publication
  - **Alliance Times-Herald**  
*August 27 and September 24, 2014*
  - **Bayard Transcript**  
*August 27 and September 24, 2014*
  - **Bridgeport News-Blade**  
*August 27 and September 24, 2014*
  - **Hemingford Ledger**  
*August 28 and September 18, 2014*

### Mailing

- Sample Letter/Postcard
- Mailing Database

### Official News Release

### Flyer

(Distributed to project area property owners and businesses)

### Photos of Temporary Highway Signs

### NDOR Website Page





Dave Heineman  
Governor

## STATE OF NEBRASKA

DEPARTMENT OF ROADS

Randall D. Peters, P.E., Director - State Engineer

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759

Phone (402) 471-4567 • FAX (402) 479-4325 • [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)

September 9, 2014

### **Angora Post Office**

Attn: Sue Chaulk  
100 Road 118  
Angora NE 69331-9725  
(308) 262-0876

Re: Posting of Draft Environmental Assessment—  
NDOR Project:  
**385-3(118) Junction of L62A/US 385 to Alliance; C.N. 51432**

Federal regulations require that the Draft Environmental Assessment (DEA) be posted in a government office for 31 days prior to a meeting. The Angora Post Office is the only option available in your area.

Please post the accompanying sign in a prominent place in your facility as a notice to the public that from September 15, 2014 through October 16, 2014 your facility has a copy of the DEA for the project Junction L62A/US 385 to Alliance for public review. We have also included pre-paid comment sheets that should be made available with the DEA for public use.

If you have any questions concerning this request, call (402) 479-4871. Please confirm receipt to [sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov). Thank you.

Sincerely,

A handwritten signature in black ink that reads "Sarah Kugler".

Sarah Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871



# PUBLIC COMMENT SHEET

NDOR Public Involvement

## Highway US-385: Junction L62A/US-385 to Alliance Heartland Expressway Box Butte and Morrill Counties, Nebraska Draft Environmental Assessment

Please submit your written comments by October 16, 2014.

Return to:

Sarah Kugler, NDOR Public Involvement  
P.O. Box 94759  
Lincoln, NE 68509-4759

[Sarah.Kugler@nebraska.gov](mailto:Sarah.Kugler@nebraska.gov)  
402 479-4871 Office  
402 479-3989 Fax

Lined area for writing comments.

*(Please Print)*

*The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your remarks, questions, and suggestions will be reviewed by appropriate personnel. Thank-you for your participation.*

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

**NEBRASKA DEPARTMENT OF ROADS  
NOTICE OF HIGHWAY PUBLIC HEARING**

**5:00-7:00 PM MST; Wed., October 1, 2014**

**Highway Public Hearing**

**Newberry's**

**402 Box Butte Ave., Alliance, NE**

**NH-385-3(118) JCT. L-62A/US-385 TO ALLIANCE; C.N. 51432**

The Nebraska Department of Roads (NDOR) will hold a Public Hearing in an open house format regarding the reconstruction of a portion of U.S. Highway 385 (US-385) from the junction of Nebraska Link 62A (L-62A) to the city of Alliance. The hearing will be held at Newberry's in Alliance, Wednesday, October 1, 2014, with an open house from 5:00-6:30 P.M. and a public forum from 6:30-7:00 P.M.

Identified as *NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432*, the proposed construction would be in Morrill and Box Butte counties in Nebraska. This portion of US-385 is identified as part of the "Heartland Expressway." The proposed project would include constructing a four-lane highway from the junction of L-62A/US-385 to Alliance. Federal funds would be used for the project, and the Federal Highway Administration (FHWA) is the lead federal agency.

Proposed construction would be built "under traffic," or without a detour. Appropriate traffic control may be necessary, at the junction of L-62A and US-385 and in the city of Alliance, to maintain traffic during construction. The proposed construction will begin between 2016 and 2019. The project schedule is subject to change based on available funding. The National Environment Policy Act (NEPA) process and preliminary engineering is scheduled to be completed following this public meeting.

Acquisition of property rights for right-of-way (ROW), including temporary and permanent easement rights, would be required. It is estimated that there would be approximately 300 acres of new property rights required to complete the project, with drive access managed along the corridor. Relocations/acquisitions would be required as part of this project.

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The Public Hearing is being held to provide information and receive input regarding this project. All citizens are invited to attend and present relevant comments and questions. The "Open House" portions of the hearing will allow the public to gather pertinent information about the project and speak one-on-one with project personnel. The "Public Forum" portion will allow citizens to express their opinions to all assembled and to hear other participants' comments and opinions. Comments will be recorded at the hearing, and will also be accepted for 15 days following the hearing, or until October 16, 2014. Design information will be

displayed and NDOR personnel and consultants will be present to answer questions and receive comments about the proposed project. All materials will be in English and Spanish and a Spanish language translator will be present at this meeting under Title VI guidelines.

NDOR will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English proficiency (LEP) will be made if the Department is notified by September 17, 2014. Notification should be submitted to: Sarah Kugler, Public Involvement Coordinator, Nebraska Department of Roads, P.O. Box 94759, Lincoln, NE 68509-4759; sarah.kugler@nebraska.gov; voice telephone (402) 479-4871, TDD telephone (402) 479-3834, Fax (402) 479-3989.

A Draft Environmental Assessment (DEA) has been prepared for this project in accordance with the federal code of regulations and the National Environmental Policy Act (NEPA). The DEA will be made available for review at the Public Hearing, and will also be available for review at the following locations for a 30-day comment period, beginning on September 15, 2014 and ending on October 16, 2014:

- NDOR Headquarters, 1500 Hwy 2, Lincoln, NE
- FHWA, Nebraska Division, 100 Centennial Mall North, Lincoln, NE
- NDOR District 5 Office, 140375 Rundell Road, Gering, NE
- Alliance City Office, 324 Laramie Ave., Alliance, NE
- Alliance Public Library, 1750 Sweetwater Ave., Alliance, NE
- Angora Post Office, 100 Road 118, Angora, NE
- City of Bridgeport – City Clerk, 809 Main Street, Bridgeport, NE

For more information, or to review the DEA, visit

<http://www.transportation.nebraska.gov/projects/> and click on the "Heartland Expressway" link. For further information regarding the proposed project, contact Nathan Sorben, NDOR Roadway Design, (402) 479-3780, [nathan.sorben@nebraska.gov](mailto:nathan.sorben@nebraska.gov); or Craig Lind, NDOR District Five Engineer, (308) 436-6587, [craig.lind@nebraska.gov](mailto:craig.lind@nebraska.gov).



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

DEPARTMENT OF ROADS

*Randall D. Peters, P.E., Director – State Engineer*

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759

Phone (402) 471-4567 • FAX (402) 479-4325 • [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)

August 25, 2014

***Alliance Times-Herald***

114 E 4th St.

Alliance, NE 69301

[classified@alliancetimes.com](mailto:classified@alliancetimes.com)

(308) 762-3060

Re: Legal Notice of Public Meeting—  
NDOR Project:  
**385-3(118) Junction of L62A/US 385 to Alliance; C.N. 51432**

Please publish the accompanying text as a standard legal notice, on or prior to August 27, 2014 and again on September 24, 2014.

Upon publication please send two copies of a notarized proof of publication, including billing, to:

Sarah Kugler  
NDOR Communication Division  
P.O. Box 94759  
Lincoln, NE 68509-4759

If you have any questions concerning this notice, call (402) 479-4871. Please confirm receipt to [sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov). Thank-you.

Sincerely,

Sarah Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871

# Advertising Invoice

**Alliance Times-Herald**

114 East Fourth Street  
Alliance, NE 69301

Phone: (308) 762-3060

Fax: (308) 762-3063

URL: alliancetimes.com

RECEIVED  
SEP 2 2014  
COMMUNICATION DIVISION

COMMUNICATION DIVISION  
SARAH KUGLER  
PO BOX 94759  
LINCOLN , NE 68509-4759

**Cust #:** 00003072  
**Phone** (402)479-4871  
**Date:** 08/27/2014

Ad#	Text	Start	Stop	Ins.	Amount	Prepaid	Due
00030017	notice of hearing 8/27	08/27/2014	08/27/2014	1	71.51	0.00	71.51

NDOR DOC# 1641561  
 AB# 00508653  
 TRANS 1513 OE 290  
 ACTIVITY 5400 ACCOUNT 4215  
 NIGP \_\_\_\_\_ DATE 09-02-14  
 APPROVED (PRINT NAME) Anne White  
 APPROVED SIGNATURE Anne White

38530118  
Ø

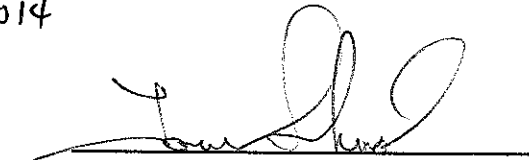
Please return a copy with payment **Total Due 71.51**

# Affidavit of Publication

**BOX BUTTE COUNTY** }  
**STATE OF NEBRASKA** } SS.

Tom Shaal, being first duly sworn, deposes and says that he is the Publisher of the Alliance Times-Herald, a legal newspaper, under the statutes of the State of Nebraska, published in Box Butte County; that said newspaper circulation in Box Butte County and that to his personal knowledge, the notice, a true copy of which is here to annexed, was published in said newspaper for 1 week on the following dates:

August 27, 2014



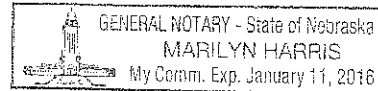
Subscribed in my presence and sworn to before me this

27 day of August, 2014

Fee \$ 71.51 Marilyn Harris

Notary Public

Federal I.D. Number 47-0368289



**NEBRASKA  
DEPARTMENT OF  
ROADS  
NOTICE OF  
HIGHWAY PUBLIC  
HEARING**

**5:00 - 7:00 PM MST;  
Wed., October 1, 2014  
Highway Public  
Hearing**

**Newberry's  
402 Box Butte Ave.,  
Alliance, NE**  
NH-385-3(118) Jct.  
L-62A/US-385 TO AL-  
LIANCE; C.N. 51432  
The Nebraska Depart-  
ment of Roads (NDOR)  
will hold a Public Hear-  
ing in an open house for-  
mat regarding the recon-  
struction of a portion of  
U.S. Highway 385  
(US-385) from the junc-  
tion of Nebraska Link  
62A (L-62A) to the city  
of Alliance. The hearing  
will be held at New-  
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Wednesday, October 1,  
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from 5:00-6:30 P.M. and  
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Identified as  
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(FHWA) is the lead fed-  
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"Public Forum" portion  
will allow citizens to ex-  
press their opinions to all  
assembled and to hear  
other participants' com-  
ments and opinions.  
Comments will be re-  
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will also be accepted for  
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hearing, or until October  
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mation will be displayed  
and NDOR personnel and  
consultants will be pre-  
sent to answer questions  
and receive comments  
about the proposed pro-  
ject. All materials will be  
in English and Spanish  
and a Spanish language  
translator will be present  
at this meeting under Ti-  
tle VI guidelines. NDOR  
will make every reason-  
able accommodation to  
provide an accessible  
meeting facility for all  
persons. Appropriate pro-  
visions for the hearing  
and visually challenged  
or persons with limited  
English proficiency  
(LEP) will be made if the  
Department is notified by  
September 17, 2014. No-  
tification should be sub-  
mitted to: Sarah Kugler,  
Public Involvement Coor-  
dinator, Nebraska Depart-  
ment of Roads, P.O. Box  
94759, Lincoln, NE  
68509-4759;  
sarah.kugler@nebraska.g  
ov; voice telephone (402)  
479-4871, TDD tele-  
phone (402) 479-3834,  
Fax (402) 479-3989.

A Draft Environmental  
Assessment (DEA) has  
been prepared for this  
project in accordance  
with the federal code of  
regulations and the Na-  
tional Environmental Pol-  
icy Act (NEPA). The  
DEA will be made avail-  
able for review at the  
Public Hearing, and will  
also be available for re-  
view at the following lo-  
cations for a 30-day com-  
ment period, beginning  
on September 15, 2014  
and ending on October  
16, 2014:

- o NDOR Headquarters,  
1500 Hwy 2, Lincoln, NE
- o FHWA, Nebraska Divi-  
sion, 100 Centennial Mall  
North, Lincoln, NE
- o NDOR District 5 Of-  
fice, 140375 Rundell  
Road, Gering, NE
- o Alliance City Office,  
324 Laramie Ave., Alli-  
ance, NE
- o Alliance Public Library,  
1750 Sweetwater Ave.,  
Alliance, NE
- o Angora Post Office,  
100 Road 118, Angora,  
NE
- o City of Bridgeport -  
City Clerk, 809 Main  
Street, Bridgeport, NE

For more information, or  
to review the DEA, visit  
[http://www.transport  
ation.nebraska.gov/pro-  
jects /](http://www.transportation.nebraska.gov/projects/) and click on the  
"Heartland Expressway"  
link. For further informa-  
tion regarding the pro-  
posed project, contact  
Nathan Sorben, NDOR

Roadway Design, (402)  
479-3780, nathan.sor-  
ben@nebraska.gov; or  
Craig Lind, NDOR Dis-  
trict Five Engineer, (308)  
436-6587, craig.lind@ne-  
braska.gov.  
PUBLISH: August 27,  
2014 ZNEZ



# Advertising Invoice

Alliance Times-Herald

114 East Fourth Street  
Alliance, NE 69301

Phone: (308) 762-3060

Fax: (308) 762-3063

URL: alliancetimes.com

RECEIVED  
SEP 29 2014  
COMMUNICATION DIVISION

COMMUNICATION DIVISION  
SARAH KUGLER  
PO BOX 94759  
LINCOLN , NE 68509-4759

Cust #: 00003072  
Phone (402)479-4871  
Date: 09/24/2014

Ad#	Text	Start	Stop	Ins.	Amount	Prepaid	Due
00030031	notice of hearing 8/27	09/24/2014	09/24/2014	1	71.84	0.00	71.84

NDOR DOC# 1646358  
AB# 00508653  
TRANS 1513 OE 290  
ACTIVITY 5400 ACCOUNT 4215  
NIGP - DATE 9-29-14  
APPROVED (PRINT NAME) Teddy Pika  
APPROVED SIGNATURE Teddy Pika

Please return a copy with payment

Total Due 71.84

**NEBRASKA  
DEPARTMENT OF  
ROADS  
NOTICE OF  
HIGHWAY PUBLIC  
HEARING**

5:00 - 7:00 PM MST;  
Wed., October 1, 2014  
Highway Public  
Hearing  
Newberry's  
402 Box Butte Ave.,  
Alliance, NE

NH-385-3(118) JCT.  
L-62A/US-385 TO AL-  
LIANCE; C.N. 51432  
The Nebraska Depart-  
ment of Roads (NDOR)  
will hold a Public Hear-  
ing in an open house for-  
mat regarding the recon-  
struction of a portion of  
U.S. Highway 385  
(US-385) from the junc-  
tion of Nebraska Link  
62A (L-62A) to the city  
of Alliance. The hearing  
will be held at New-  
berry's in Alliance,  
Wednesday, October 1,  
2014, with an open house  
from 5:00-6:30 P.M. and  
a public forum from  
6:30-7:00 P.M.

Identified as  
NH-385-3(118) Jct.  
L-62A/US-385 to Alli-  
ance; C.N. 51432, the  
proposed construction  
would be in Morrill and  
Box Butte counties in Ne-  
braska. This portion of  
US-385 is identified as  
part of the "Heartland Ex-  
pressway." The proposed  
project would include  
constructing a four-lane  
highway from the junc-  
tion of L-62A/US-385 to  
Alliance. Federal funds  
would be used for the  
project, and the Federal  
Highway Administration  
(FHWA) is the lead fed-  
eral agency.

Proposed construction  
would be built "under  
traffic," or without a de-  
tour. Appropriate traffic  
control may be necessary,  
at the junction of L-62A  
and US-385 and in the  
city of Alliance, to main-  
tain traffic during con-  
struction. The proposed  
construction will begin  
between 2016 and 2019.  
The project schedule is  
subject to change based  
on available funding.  
The National Environ-  
ment Policy Act (NEPA)  
process and preliminary  
engineering is scheduled  
to be completed follow-  
ing this public meeting.  
Acquisition of property  
rights for right-of-way  
(ROW), including tempo-  
rary and permanent ease-  
ment rights, would be re-  
quired. It is estimated  
that there would be ap-  
proximately 300 acres of  
new property rights re-  
quired to complete the  
project, with drive access  
managed along the corri-

**BOX BUTTE COUNTY }  
STATE OF NEBRASKA } SS.**

Tom Shaal, being first duly sworn, deposes and says that he is the Publisher of the Alliance Times-Herald, a legal newspaper, under the statutes of the State of Nebraska, published in Box Butte County; that said newspaper circulation in Box Butte County and that to his personal knowledge, the notice, a true copy of which is here to annexed, was published in said newspaper for 2 week on the following dates:

*August 27 and September 24, 2014*

*Tom Shaal*

Subscribed in my presence and sworn to before me this

24 day of September, 2014

Fee \$ 71.84

*Marilyn Harris*  
Notary Public

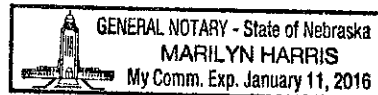
Federal I.D. Number 47-0368289

dor. Relocations/acqui-  
sitions would be required  
as part of this project.  
The Public Hearing is be-  
ing held to provide infor-  
mation and receive input  
regarding this project.  
All citizens are invited to  
attend and present rele-  
vant comments and ques-  
tions. The "Open House"  
portions of the hearing  
will allow the public to  
gather pertinent informa-  
tion about the project and  
speak one-on-one with  
project personnel. The  
"Public Forum" portion  
will allow citizens to ex-  
press their opinions to all  
assembled and to hear  
other participants' com-  
ments and opinions. Com-  
ments will be re-  
corded at the hearing, and  
will also be accepted for  
15 days following the  
hearing, or until October  
16, 2014. Design infor-  
mation will be displayed  
and NDOR personnel and  
consultants will be pre-  
sent to answer questions  
and receive comments  
about the proposed pro-  
ject. All materials will be  
in English and Spanish  
and a Spanish language  
translator will be present  
at this meeting under Ti-  
tle VI guidelines. NDOR  
will make every reason-  
able accommodation to  
provide an accessible  
meeting facility for all  
persons. Appropriate pro-  
visions for the hearing  
and visually challenged

or persons with limited  
English proficiency  
(LEP) will be made if the  
Department is notified by  
September 17, 2014. No-  
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Public Involvement Coor-  
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ov; voice telephone (402)  
479-4871, TDD tele-  
phone (402) 479-3834,  
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A Draft Environmental  
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regulations and the Na-  
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Public Hearing, and will  
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and ending on October  
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sion, 100 Centennial Mall  
North, Lincoln, NE
- NDOR District 5 Of-  
fice, 140375 Rundell  
Road, Gering, NE
- Alliance City Office,  
324 Laramie Ave., Alli-  
ance, NE



- Alliance Public Library,  
1750 Sweetwater Ave.,  
Alliance, NE
  - Angora Post Office,  
100 Road 118, Angora,  
NE
  - City of Bridgeport -  
City Clerk, 809 Main  
Street, Bridgeport, NE
- For more information, or  
to review the DEA, visit  
<http://www.transportation.nebraska.gov/projects/> and  
click on the  
"Heartland Expressway"  
link. For further infor-  
mation regarding the pro-  
posed project, contact  
Nathan Sorben, NDOR  
Roadway Design, (402)  
479-3780, nathan.sor-  
ben@nebraska.gov, or  
Craig Lind, NDOR Dis-  
trict Five Engineer, (308)  
436-6587, craig.lind@ne-  
braska.gov.  
PUBLISH: August 27,  
September 24, 2014  
ZNEZ



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

DEPARTMENT OF ROADS

*Randall D. Peters, P.E., Director – State Engineer*

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759

Phone (402) 471-4567 • FAX (402) 479-4325 • [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)

August 25, 2014

***Bayard Transcript***

336 Main St.

Bayard NE 69334

[btranscript@gmail.com](mailto:btranscript@gmail.com)

(308) 586-1313

Re: Legal Notice of Public Meeting—  
NDOR Project:  
**385-3(118) Junction of L62A/US 385 to Alliance; C.N. 51432**

Please publish the accompanying text as a standard legal notice, on or prior to August 27, 2014 and again on September 24, 2014.

Upon publication please send two copies of a notarized proof of publication, including billing, to:

Sarah Kugler  
NDOR Communication Division  
P.O. Box 94759  
Lincoln, NE 68509-4759

If you have any questions concerning this notice, call (402) 479-4871. Please confirm receipt to [sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov). Thank-you.

Sincerely,

A handwritten signature in cursive script that reads "Sarah Kugler".

Sarah Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871

Transcript Gate, LLC  
d.b.a. Bayard Transcript

P.O. Box 626  
336 Main Street  
Bayard, NE 69334

Sarah Kugler  
NDOR Communication Division  
P.O. Box 94759  
Lincoln, NE 68509-4759

Invoice #

2934

RECEIVED  
SEP 12 2014  
COMMUNICATION DIVISION

NDOR DOC# 1643732  
ASN 00510849  
TRANS 1513 OF 290  
ACTIVITY 5400 ACCOUNT 4215  
MIS# DATE 9-12-14  
APPROVED (PRINT NAME) Teddy Pika  
APPROVED SIGNATURE *Teddy Pika*

Date	Description	Amount
8-27-14	Notice of Highway Public Hearing- 196 lines	70.56

*This is only the first run!  
Second run is scheduled for September 24.*

btranscript@gmail.com

1-308-586-1313  
Fax 1-308-586-2311

Total	\$70.56
Payments/Credits	\$0.00
Balance Due	\$70.56

**Affidavit of Publication**  
**STATE OF NEBRASKA**  
**SS**  
**COUNTY OF MORRILL**

Alisha Siebenthal, being first duly sworn, deposes and says that she is the editor of the Bayard Transcript, a legal newspaper, published at Bayard, Morrill County, Nebraska and of general circulation in said County and State, and that a notice copy of which is hereby attached, entitled:

Notice of highway  
public hearing

was published in issue of every number of the paper (not a supplement) during the period of publication, for one consecutive week(s), the first insertion having been made August 27, 2014 and the last insertion on \_\_\_\_\_, 20\_\_.

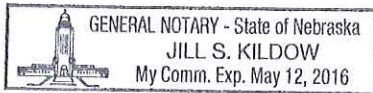
Number of lines/inches: 196

Publisher's Fee: 170.56

Alisha Siebenthal  
Signature

-----  
Subscribed in my presence and sworn to before me this 9<sup>th</sup> day of September, 2014

Jill S Kildow  
Notary



## Notices

### NEBRASKA DEPARTMENT OF ROADS NOTICE OF HIGHWAY PUBLIC HEARING 5:00 - 7:00 PM MST; Wed., October 1, 2014

Highway Public Hearing  
Newberry's  
402 Box Butte Ave.,  
Alliance, NE  
NH-385-3(118) JCT. L-  
62A/US-385 TO  
ALLIANCE; C.N. 51432

The Nebraska Department of Roads (NDOR) will hold a Public Hearing in an open house format regarding the reconstruction of a portion of U.S. Highway 385 (US 385) from the junction of Nebraska Link 62A (L-62A) to the city of Alliance. The hearing will be held at Newberry's in Alliance, Wednesday, October 1, 2014, with an open house from 5:00-6:30 P.M. and a public forum from 6:30-7:00 P.M.

Identified as NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432, the proposed construction would be in Morrill and Box Butte counties in Nebraska. This portion of US-385 is identified as part of the "Heartland Expressway." The proposed project would include constructing a four-lane highway from the junction of L-62A/US-385 to Alliance. Federal funds would be used for the project, and the Federal Highway Administration (FHWA) is the lead federal agency.

Proposed construction would be built "under traffic," or without a detour. Appropriate traffic control may be necessary, at the junction of L-62A and US-385 and in the city of Alliance, to maintain traffic during construction. The proposed construction will begin between 2016 and 2019. The project schedule is subject to change based on available funding. The National Environment Policy Act (NEPA) process and preliminary engineering is scheduled to be completed following this public meeting.

Acquisition of property rights for right-of-way (ROW), including temporary and permanent easement rights, would be required. It is estimated that there would be approximately 300 acres of new property rights required to complete the project, with drive access managed along the corridor. Relocations/acquisitions would be required as part of this project.

The Public Hearing is being held to provide information and receive input regarding this project. All citizens are invited to attend and present relevant comments and questions. The "Open House" portions of the hearing will allow the public to gather pertinent information about the project and speak one-on-one with project personnel. The "Public Forum" portion will allow citizens to express their opinions to all assembled and to hear other participants' comments and opinions. Comments will be recorded at the hearing, and will also be accepted for 15 days following the hearing, or until October 16, 2014. Design information will be displayed and NDOR personnel and consultants will be present to answer questions and receive comments about the proposed project. All materials will be in English and Spanish and a Spanish language translator will be present at this meeting under Title VI guidelines. NDOR will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English proficiency (LEP) will be made if the Department is notified by September 17, 2014. Notification should be submitted to: Sarah Kugler, Public Involvement Coordinator, Nebraska Department of Roads, P.O. Box 94759, Lincoln, NE 68509-4759; sarah.kugler@nebraska.gov; voice telephone (402) 479-4871, TDD telephone (402) 479-3834, Fax (402) 479-3989.

A Draft Environmental Assessment (DEA) has been prepared for this project in accordance with the federal code of regulations and the National Environmental Policy Act (NEPA). The DEA will be made available for review at the Public Hearing, and will also be available for review at the following locations for a 30-day comment period, beginning on September 15, 2014 and ending on October 16, 2014:

"NDOR Headquarters,  
1500 Hwy 2, Lincoln, NE  
" FHWA, Nebraska  
Division, 100 Centennial  
Mall North, Lincoln, NE

"NDOR District 5 Office,  
140375 Rundell Road,  
Gering, NE

"Alliance City Office, 324  
Laramie Ave., Alliance, NE  
"Alliance Public Library,  
1750 Sweetwater Ave.,  
Alliance, NE

"Angora Post Office, 100  
Road 118, Angora, NE

"City of Bridgeport - City  
Clerk, 809 Main Street,  
Bridgeport, NE

For more information, or to review the DEA, visit <http://www.transportation.nebraska.gov/projects/> and click on the "Heartland Expressway" link. For further information regarding the proposed project, contact Nathan Sorben, NDOR Roadway Design, (402) 479-3780, [nathan.sorben@nebraska.gov](mailto:nathan.sorben@nebraska.gov); or Craig Lind, NDOR District Five Engineer, (308) 436-6587, [craig.lind@nebraska.gov](mailto:craig.lind@nebraska.gov).

Published in the Bayard  
Transcript, August 27,  
2014, September 24, 2014.



**Dave Heineman**  
Governor

## STATE OF NEBRASKA

DEPARTMENT OF ROADS

*Randall D. Peters, P.E., Director – State Engineer*  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402) 471-4567 • FAX (402) 479-4325 • [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)

August 25, 2014

***Bridgeport News-Blade***

801 Main St.  
PO Box 400  
Bridgeport NE 69336  
[news@newsblade.net](mailto:news@newsblade.net)  
(308) 262-0675

Re: Legal Notice of Public Meeting—  
NDOR Project:  
**385-3(118) Junction of L62A/US 385 to Alliance; C.N. 51432**

Please publish the accompanying text as a standard legal notice, on or prior to August 27, 2014 and again on September 24, 2014.

Upon publication please send two copies of a notarized proof of publication, including billing, to:

Sarah Kugler  
NDOR Communication Division  
P.O. Box 94759  
Lincoln, NE 68509-4759

If you have any questions concerning this notice, call (402) 479-4871. Please confirm receipt to [sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov). Thank-you.

Sincerely,

Sarah Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871

BRIDGEPORT  
**NEWS-BLADE**  
 PO Box 400  
 Bridgeport, NE 69336-0400

Phone & Fax Number  
 (308) 262-0675  
 Books@NewsBlade.net

# Statement

Date	Terms
8/30/2014	Net 30
Amount Due	
\$115.46	

NDOR  
 %COMMUNICATIONS DIVISION  
 PO BOX 94759  
 LINCOLN, NE 68509-4759

Date	Transaction	Amount	Balance			
07/31/2014 08/27/2014	Balance forward INV #20143851. --- 1st run Legal Notice, 171 @ \$0.36 = 61.56 --- Add'l runs Legal Notice, 171 @ \$0.3152 = 53.90 --- Public Hearing --- Tax: Sales Tax - Bridgeport @ 6.5% = 0.00	115.46	0.00 115.46			
<p>NDOR DOC# <u>164348</u></p> <p>AB# <u>00512599</u></p> <p>TRANS <u>1513</u> OE <u>290</u></p> <p>ACTIVITY <u>5400</u> ACCOUNT <u>4215</u></p> <p>NICK <u>-</u> DATE <u>9-27-14</u></p> <p>APPROVE (PRINT NAME) <u>Teddy Pike</u></p> <p>APPROVED SIGNATURE <u>[Signature]</u></p>						
<i>A 1.5% finance charge will be assessed monthly on all amounts past due; minimum charge is \$.55.</i>	CURRENT	1-30 DAYS PAST DUE	31-60 DAYS PAST DUE	61-90 DAYS PAST DUE	OVER 90 DAYS PAST DUE	Amount Due
	115.46	0.00	0.00	0.00	0.00	<b>\$115.46</b>



**AFFIDAVIT OF PUBLICATION**

RECEIVED  
SEP 29 2014  
COMMUNICATION DIVISION

State of Nebraska, }  
                                  } §:  
Morrill County

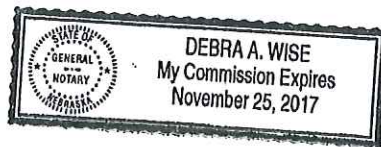
Beverly Erickson, being first duly sworn, deposes and says that she is the Secretary of the BRIDGEPORT NEWS-BLADE, a legal newspaper published at Bridgeport, Morrill County, Nebraska, and of general circulation in said county and state; and that a notice, a copy of which is hereunto attached, entitled Notice of Public Hearing, NH-385-3 (118) Junction L-62A/US-385 to Alliance, CN 51432, was published in said paper, in the regular and entire issue of every number of the paper (not a supplement) during the period of publication, for Two consecutive weeks, the first insertion having been made on August 27, 2014 and the last insertion made on September 24, 2014.

**Printer's Fee \$115.46**

Beverly Erickson

Subscribed in my presence and sworn to before me this 24th day of September, 2014.

Debra A Wise



**NEBRASKA DEPARTMENT OF ROADS  
NOTICE OF HIGHWAY  
PUBLIC HEARING**

**5:00 - 7:00 PM MST;**

**Wed., October 1, 2014**

**Highway Public Hearing  
Newberry's**

**402 Box Butte Ave., Alliance, NE**

**NH-385-3(118) JCT.  
L-62A/US-385 TO ALLIANCE;  
C.N. 51432**

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•FHWA, Nebraska Division, 100 Centennial Mall North, Lincoln, NE

•NDOR District 5 Office, 140375 Rundell Road, Gering, NE

•Alliance City Office, 324 Laramie Ave., Alliance, NE

•Alliance Public Library, 1750 Sweetwater Ave., Alliance, NE

•Angora Post Office, 100 Road 118, Angora, NE

•City of Bridgeport - City Clerk, 809 Main Street, Bridgeport, NE

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NDOR Roadway Design, (402) 479-3780, nathan.sorben@nebraska.gov; or Craig Lind, NDOR District Five Engineer, (308) 436-6587, craig.lind@nebraska.gov.



Dave Heineman  
Governor

## STATE OF NEBRASKA

DEPARTMENT OF ROADS

Randall D. Peters, P.E., Director – State Engineer

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759

Phone (402) 471-4567 • FAX (402) 479-4325 • [www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)

August 25, 2014

### **Hemingford Ledger**

714 Box Butte Ave.

Hemingford, NE 69348

[amber.ningen@hemingfordledger.com](mailto:amber.ningen@hemingfordledger.com)

(308) 487-3334

Re: Legal Notice of Public Meeting—  
NDOR Project:  
**385-3(118) Junction of L62A/US 385 to Alliance; C.N. 51432**

Please publish the accompanying text as a standard legal notice, on or prior to August 28, 2014 and again on September 18, 2014.

Upon publication please send two copies of a notarized proof of publication, including billing, to:

Sarah Kugler  
NDOR Communication Division  
P.O. Box 94759  
Lincoln, NE 68509-4759

If you have any questions concerning this notice, call (402) 479-4871. Please confirm receipt to [sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov). Thank-you.

Sincerely,

A handwritten signature in black ink that reads "Sarah Kugler".

Sarah Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871



**Classified Invoice/Statement**

**9** P.O. Box 7 Hemingford, NE 69348  
 308-487-3334 Fax 308-487-3347  
 Hemingford Ledger Online: www.ledgeronline.com  
 Federal ID# 45-5331244

Standard Advertising Invoice (SAI)

For inquiries: Call 308-487-3334

<b>5 Billing Date</b>	<b>1 Billing Period</b>
09/18/14	2014 - 9
<b>3 Terms of Payment</b>	<b>6 Billed Acct. No.</b>
Due Upon Receipt	2NEROD

**B Billed Account**

NE DEPT OF ROADS  
 Attn: ~~CONTRACTS SECTION~~ *Communications*  
 1500 Highway 2  
 P.O. BOX 94759  
 LINCOLN NE 68509-4759

10 Date	11 Type	12 Ref No.	13-14 Description	15 Size	16 Units	18 Rate	19-20 Amount
09/18/14	OTH	A/R:13102010 Ord:53896543	NOTICE OF HWY PUBLIC HEARING Hemingford Ledger Classified, 100 Public Notices 09/18/2014	1.00 X 13.99	13.99	4.32	60.45

<b>Type</b>
OTH - Hemingford Ledger

<b>23</b>
<b>Amount Due</b>
60.45

Please detach and return this portion with payment. To ensure proper credit to your account, please write your customer number on your check. If you have any questions about your account, please contact Accounts Receivable at (308) 487-3334

<b>25 Billing Date</b>
09/18/14
<b>26 Customer No.</b>
2NEROD

Order #53896543  
 A/R:13102010

NDOR DOC# 1650393  
 AB# 00526189  
 TRANS 1513 OE 290  
 ACTIVITY 5400 ACCOUNT 4216  
 NIGP                      DATE 10-21-14

<b>Amount Due</b>
60.45

Hemingford Ledger  
 P.O. Box 7  
 Hemingford, NE 69348

APPROVED (PRINT NAME) Mary Jo Die NE DEPT OF ROADS  
 APPROVED SIGNATURE [Signature] 1500 Highway 2  
 P.O. BOX 94759  
 LINCOLN NE 68509-4759

**AFFIDAVIT OF PUBLICATION**

The Hemingford Ledger  
PO Box 7  
Hemingford, NE 69348

State of Nebraska  
County of Box Butte ) ss.

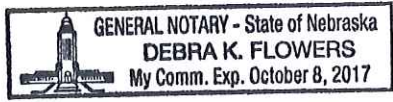
I, Jennifer Harms do solemnly swear that I am the Accounts Receivable Bookkeeper of the Hemingford Ledger, a legal newspaper of general circulation, published weekly at Hemingford, Box Butte County, Nebraska; that the notice hereto attached and which forms a part of this affidavit was Published in said paper 2 (two) consecutive week (s) in the issues published, respectively August 28, and September 18, 2014

~  
\_\_\_\_\_ that said notice was published in the regular and entire issues and every number of the paper on the days mentioned, the same being the corresponding day of each week during the period of time of publication and that said notice was published in the newspaper proper and not in the supplement.

Jennifer Harms  
9/22/14  
SUBSCRIBED in my presence and sworn to before me on \_\_\_\_\_.

Debra K. Flowers  
Notary Public

The publication fees amount to \$ 120.51  
2NEROD



See Attached

~ ~

**NEBRASKA DEPT. OF  
ROADS  
NOTICE OF HIGHWAY  
PUBLIC HEARING  
5:00 - 7:00 PM MST;  
Wed., October 1, 2014  
Highway Public Hearing  
Newberry's  
402 Box Butte Ave.,  
Alliance, NE  
NH-385-3(118) JCT.  
L-62A/US-385 TO ALLI-  
ANCE; C.N. 51432**

The Nebraska Department of Roads (NDOR) will hold a Public Hearing in an open house format regarding the reconstruction of a portion of U.S. Highway 385 (US-385) from the junction of Nebraska Link 62A (L-62A) to the city of Alliance. The hearing will be held at Newberry's in Alliance, Wednesday, October 1, 2014, with an open house from 5:00-6:30 P.M. and a public forum from 6:30-7:00 P.M.

Identified as NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432, the proposed construction would be in Morrill and Box Butte counties in Nebraska. This portion of US-385 is identified as part of the "Heartland Expressway." The proposed project would include constructing a four-lane highway from the junction of L-62A/US-385 to Alliance. Federal funds would be used for the project, and the Federal Highway Administration (FHWA) is the lead federal agency.

Proposed construction would be built "under traffic," or without a detour. Appropriate traffic control may be necessary, at the junction of L-62A and US-385 and in the city of Alliance, to maintain traffic during construction. The proposed construction will begin between 2016 and 2019. The project schedule is subject to change based on available funding. The National Environment Policy Act (NEPA) process and preliminary engineering is scheduled to be completed following this public meeting.

Acquisition of property rights for right-of-way (ROW), including temporary and permanent easement rights, would be required. It is estimated that there would be approximately 300 acres of new property rights required to complete the project, with drive access managed along the corridor. Relocations/acquisitions would be required as part of this project.

The Public Hearing is being held to provide information and receive input regarding this project. All citizens are invited to attend and present relevant comments and questions. The "Open House" portions of the hearing will allow the public to gather pertinent information about the project and speak one-on-one with project personnel. The "Public Forum" portion will allow citizens to express their opinions to all assembled and to hear other participants' comments and opinions. Comments will be recorded at the hearing, and will also be accepted for 15 days following the hearing, or until October 16, 2014. Design information will be displayed and NDOR personnel and consultants will be present to answer questions and receive comments about the proposed project. All materials will be in English and Spanish and a Spanish language translator will be present at this meeting under Title VI guidelines.

NDOR will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English proficiency (LEP) will be made if the Department is notified by September 17, 2014. Notification should be submitted to: Sarah Kugler, Public Involvement Coordinator, Nebraska Department of Roads, P.O. Box 94759, Lincoln, NE 68509-4759; sarah.kugler@nebraska.gov; voice telephone (402) 479-4871, TDD telephone (402) 479-3834, Fax (402) 479-3989.

A Draft Environmental Assessment (DEA) has been prepared for this project in accordance with the federal code of regulations and the National Environmental Policy Act (NEPA). The DEA will be made available for review at the Public Hearing, and will also be available for review at the following locations for a 30-day comment period, beginning on September 15, 2014 and ending on October 16, 2014:

- NDOR Headquarters, 1500 Hwy 2, Lincoln, NE
- FHWA, Nebraska Division, 100 Centennial Mall North, Lincoln, NE
- NDOR District 5 Office, 140375 Rundell Road, Gering, NE
- Alliance City Office, 324 Laramie Ave., Alliance, NE

- Alliance Public Library, 1750 Sweetwater Ave., Alliance, NE
- Angora Post Office, 100 Road 118, Angora, NE
- City of Bridgeport – City Clerk, 809 Main Street, Bridgeport, NE

For more information, or to review the DEA, visit <http://www.transportation.nebraska.gov/projects/> and click on the "Heartland Expressway" link. For further information regarding the proposed project, contact Nathan Sorben, NDOR Roadway Design, (402) 479-3780, nathan.sorben@nebraska.gov; or Craig Lind, NDOR District Five Engineer, (308) 436-6587, craig.lind@nebraska.gov.

2P: August 28, Sept. 18, 2014



NOTICE OF HIGHWAY PUBLIC HEARING



**Wed., October 1, 2014; 5:00-7:00 PM MST**  
**Newberry's, 402 Box Butte Ave., Alliance, NE**  
**Jct. L-62A/US-385 to Alliance**

The Nebraska Department of Roads (NDOR) will hold a public hearing to provide information and receive input on the Draft Environmental Assessment (DEA) regarding the construction of a portion of U.S. Highway 385 (US-385) from the junction of Nebraska Link 62A (L-62A) to the city of Alliance. This portion of US-385 is identified as part of the "Heartland Expressway."

The DEA will be available for review at the public hearing. Copies can also be reviewed at the City Office of Alliance, Alliance Public Library, Angora Post Office, City Office of Bridgeport,

NDOR District Five Headquarters in Gering, FHWA-Nebraska Division and NDOR Headquarters in Lincoln, or at <http://www.transportation.nebraska.gov/projects/> by clicking on the "Heartland Expressway" link. The information is available for a 30-day comment period: September 15 – October 16, 2014.

Questions or comments, please contact:  
Sarah Kugler  
Public Involvement Coordinator  
Nebraska Department of Roads  
P.O. Box 94759, Lincoln, NE 68509-4759  
[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)  
402-479-4871

L62A North Morrill County  
(Temporary)  
6-11-14

	<b>Address</b>	<b>Last Name Sort</b>
1.	Bayard Chief of Police 445 Main St Bayard NE 69334	Chief of Police - Bayard
2.	Community Bible Church 900 Main St Bayard NE 69334	Church - Community Bible
3.	Bayard First United Methodist Church 138 W 10th St Bayard NE 69334	Church - First United Methodist
4.	Greek Orthodox Church 810 1st Ave Bayard NE 69334	Church - Greek Orthodox
5.	Mount Calvary Lutheran Church 1237 Ave A Bayard NE 69334	Church - Mount Calvary Lutheran
6.	Sacred Heart Catholic Church 942 Ave B Bayard NE 69334	Church - Sacred Heart Catholic
7.	Bayard Clerk/Treasurer 445 Main St Bayard NE 69334	City Clerk - Bayard
8.	Bayard City Council 445 Main St Bayard NE 69334	City Council - Bayard
9.	Morrill County Assessor 6th and Main St Bridgeport NE 69336	County Assessor - Morrill
10.	Morrill County Board of Commissioners 6th and Main St Bridgeport NE 69336	County Board - Morrill
11.	Morrill County Clerk 6th and Main St Bridgeport NE 69336	County Clerk - Morrill
12.	Morrill County Highway Superintendent 6th and Main St Bridgeport NE 69336	County Highway Superintendent - Morrill
13.	Morrill County Surveyor 6th and Main St Bridgeport NE 69336	County Surveyor - Morrill
14.	Morrill County Zoning Administrator 6th and Main St Bridgeport NE 69336	County Zoning - Morrill
15.	NE Dept of Environmental Quality 1200 N St Ste 400 PO Box 98922 Lincoln NE 68509	DEQ



L62A North Morrill County  
(Temporary)  
6-11-14

16.	Morrill County Emergency Manager 6th and Main St Bridgeport NE 69336	Emergency Manager - Morrill County
17.	Bayard Engineer 445 Main St Bayard NE 69334	Engineer - Bayard
18.	Bayard Fire Chief 445 Main St Bayard NE 69334	Fire Chief - Bayard
19.	Nebraska Game and Parks 2200 N 33rd St Lincoln NE 68503	Game & Parks
20.	Heartland Expressway Association PO Box 1344 Scottsbluff NE 69363	Heartland Expressway Assoc.
21.	Nebraska State Historical Society Archaeology Division PO Box 82554 Lincoln NE 68509-2554	Historical Society
22.	Morrill County Community Hospital 1313 S St PO Box 579 Bridgeport NE 69336	Hospital - Morrill County Community
23.	Bayard Public Library 509 Ave A PO Box B Bayard NE 69334-0676	Library - Bayard
24.	Bayard Mayor 445 Main St Bayard NE 69334	Mayor - Bayard
25.	Bayard Public Schools 726 4th Ave PO Box 607 Bayard NE 69334-0607	Schools - Bayard
26.	The Honorable Ken Schilz Senator State of Nebraska District 47 State Capitol PO Box 94604 Lincoln NE 68509	Senator Schilz
27.	Morrill County Sheriff 6th and Main St Bridgeport NE 69336	Sheriff - Morrill
28.	Nebraska State Patrol Troop E 4500 Ave I Scottsbluff NE 69363	State Patrol - Troop E
29.	Bayard Street Commissioner 445 Main St Bayard NE 69334	Street Commissioner - Bayard

L62A North Morrill County  
(Temporary)  
6-11-14

30.	U.S. Post Office Bayard 517 Main St Bayard NE 69334-1400	USPS
-----	---	------

L62A North Morrill County  
(Permanent)  
6-11-14

	<b>Address</b>	<b>Last Name Sort</b>
1.	Arnold and Annette 2660 County Road 60 Alliance NE 69301-6002	
2.	Angora Cemetery Association c/o Tye Wallesen PO Box 1465 Angora NE 69331	Angora Cemetery
3.	Benda Land and Cattle Co. 113 W 21 St Alliance NE 69301	Benda Land and Cattle
4.	Dale and Janice Berry c/o Rebecca R. Hofer 4460 Maroon Cir Broomfield CO 80020	Berry
5.	Bullock Family Trust R.C. Chip Findley, Trustee PO Box 1267 Scottsbluff NE 69363	Bullock Family Trust
6.	Burke Cattle Company 10124 Rd 128 Angora NE 69331	Burke Cattle Company
7.	C. C. Mulloy Ltd. 10746 Rd 126 Angora NE 69331	C.C. Mulloy
8.	Forest and Dorothy Carnine 12648 US 385 Angora NE 69331	Carnine
9.	Daniel and Christine Carnine 12662 US 385 Angora NE 69331	Carnine
10.	Sue Chaulk and Kevin Blehm 10110 Rd 120 Angora NE 69331	Chaulk and Blehm
11.	Ronald and Gale Daharsh 10580 Rd 130 Angora NE 69331	Daharsh
12.	Howard and Jill Daharsh 10574 Rd 130 Angora NE 69331	Daharsh
13.	Merlin and Penelope Dilley 704 Mississippi Alliance NE 69301	Dilley
14.	Edward and Vivian Donnelly c/o James Douglass 9530 Rd 120 Angora NE 69331	Donnelly

L62A North Morrill County  
(Permanent)  
6-11-14

15.	Ronald and Debra Sue Glau 1840 18 <sup>th</sup> St Gering NE 69341	Glau
16.	Dean and Amber Glau 11 Driver Ln Littleton CO 80123	Glau
17.	Robert and Joyce Ann Glau 11 Driver Ln Littleton CO 80123	Glau
18.	Frederic Glau 11 Driver Ln Littleton CO 80123	Glau
19.	Kevin and Vickie Hall 9339 Rd 108 Bridgeport NE 69336	Hall
20.	JES Farm Inc. Roy and Jo Ann Swanson 3030 CR 63 Alliance NE 69301	JES Farm
21.	Kathryn Jessen c/o Kathy Uhler 130 Joy St Kelso WA 98626	Jessen
22.	Arthur Loomis c/o Brenda Houser 140077 Vercruysse Rd Mitchell NE 69357	Loomis
23.	E. L. and Lauretta McLaughlin PO Box 274 Alliance NE 69301	McLaughlin
24.	Donald and Mary Lee Metz PO Box 1504 Angora NE 69331	Metz
25.	Donald and Mary Lee Metz PO Box 150 Angora NE 69331	Metz
26.	Guy Metz Jr. 80096 Metz Dr Scottsbluff NE 69361	Metz Jr.
27.	Coote and Christine Mulloy 9958 Rd 120 Angora NE 69331	Mulloy
28.	NE Colorado Cellular Inc. 1224 W Platte Ave Fort Morgan CO 80701	NE Colorado Cellular
29.	Carol Oakley 3502 Elm Ave Rapid City SD 57701	Oakley

L62A North Morrill County  
(Permanent)  
6-11-14

30.	John and Doreen Powers 13894 US 385 Alliance NE 69301	Powers
31.	Rush Creek Land and Livestock Co. PO Box 105 Lisco NE 69148	Rush Creek Land
32.	John Stine Rt 1 Box 175 Mooreland OK 73852	Stine
33.	Wally Wallesen PO Box 1506 Angora NE 69331	Wallesen

September 17, 2014

FOR IMMEDIATE RELEASE

## **Public Hearing October 1 for US-385 Improvements in Alliance Area**

The Nebraska Department of Roads (NDOR) will hold a public hearing in an open house format October 1, regarding the proposed improvement of a portion of U.S. Highway 385 (US-385), from the junction of Nebraska Link 62A (L-62A) to the city of Alliance, in Morrill and Box Butte counties. The hearing for the proposed project, known as **Jct. L0-62A/US-385 to Alliance**, will be held from 5:00-7:00 p.m. MDT, with an open house from 5:00-6:30 p.m. MDT, and a public forum from 6:30-7:00 p.m. MDT, at Newberry's, 402 Box Butte Ave., In Alliance.

Personnel from the Department of Roads will be available to answer questions, receive comments, and discuss any aspect of the proposed highway improvement project. Information regarding the project will be available after the hearing on the NDOR website at [www.transportation.nebraska.gov/projects/](http://www.transportation.nebraska.gov/projects/) by clicking on the "Heartland Expressway" link.

#NDOR#

**Contact:**

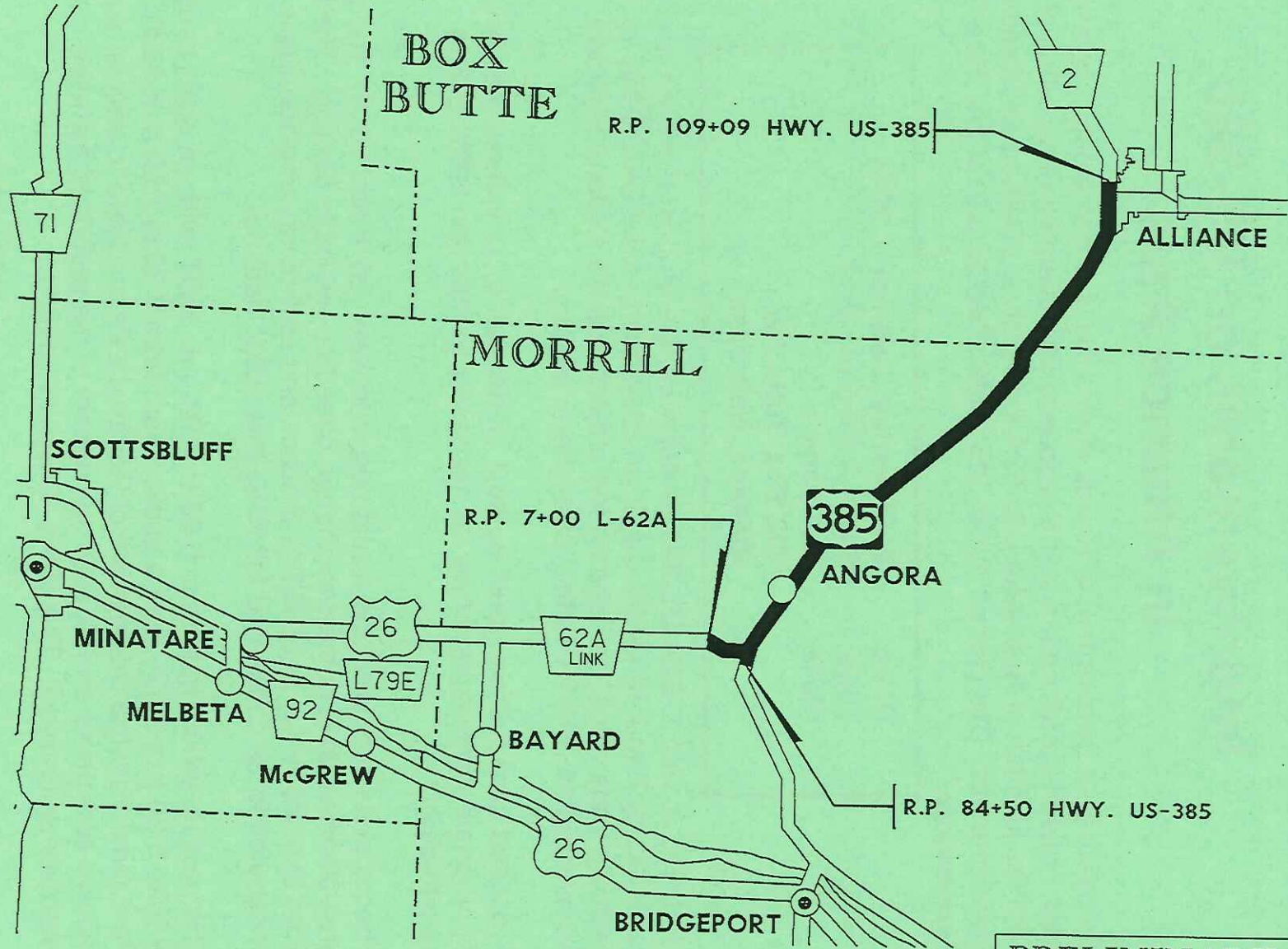
Craig Lind, District 5 Engineer, Gering, (308) 436-6587

NR10-ND

# JUNCTION OF L62A/US-385 TO ALLIANCE 385-3(118)

C.N. 51432

BOX BUTTE/MORRILL COUNTIES



**PRELIMINARY PLAN**  
NOT FINAL - SUBJECT TO CHANGE

## Matulka, Denise

---

**Subject:** Canvasing

**From:** Kugler, Sarah  
**Sent:** Friday, September 26, 2014 10:33 AM  
**To:** Bui, Tony  
**Subject:** FW: Canvasing

---

**From:** Hoevet, Doug  
**Sent:** Friday, September 26, 2014 10:30 AM  
**To:** Kugler, Sarah  
**Subject:** RE: Canvasing

Hi Sarah,  
I handed fliers out to convenience stores, the library, newspaper, grocery store, agricultural implement dealers, banks (including Farm Credit Services), newspaper, thrift shop, city offices, some of the homes along the corridor a few restaurant/bars, and the Newberry Coffee house.  
Have a great weekend!  
Doug

Doug Hoevet, P.E.  
NDOR District Construction Engineer  
308-436-6587 [doug.hoevet@nebraska.gov](mailto:doug.hoevet@nebraska.gov)

---

**From:** Kugler, Sarah  
**Sent:** Thursday, September 25, 2014 1:05 PM  
**To:** Hoevet, Doug  
**Subject:** Canvasing

Doug,  
Can you send me a general list of the place you canvased this afternoon for the Alliance Hearing? I'd like to add it to our report. Thanks

**Sarah R. Kugler**  
Public Involvement Coordinator/  
Highway Commission Secretary  
NDOR Communication Division  
1500 Hwy 2  
Lincoln, NE 68509-4759  
402-479-4871 (phone)  
402-416-7667 (mobile)  
402-479-3989 (fax)  
[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)



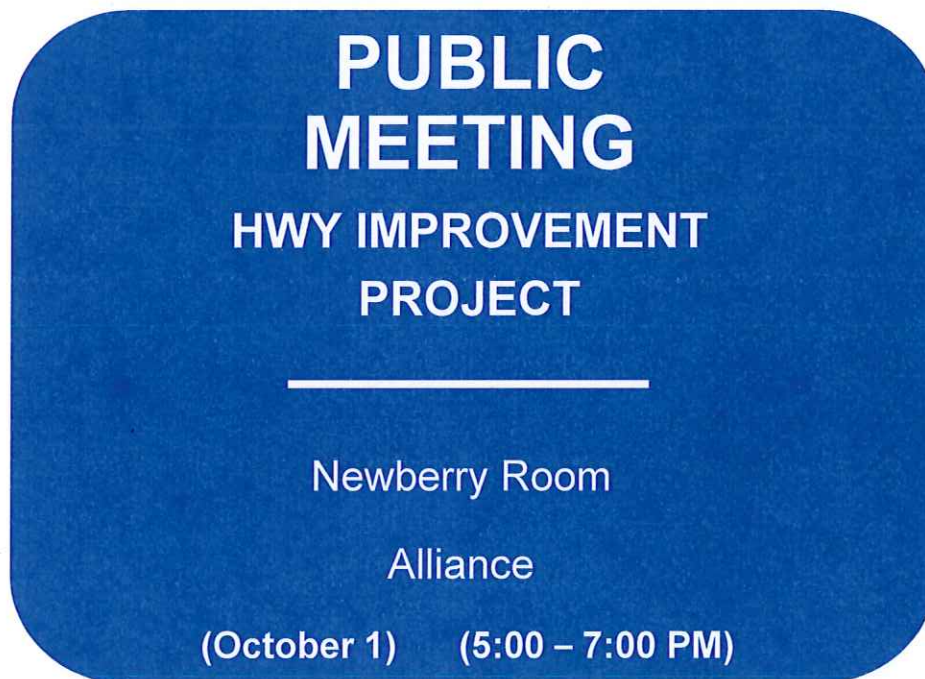
# Public Hearing Sign Work Order

To: DOR Traffic Sign Orders

Attachments: DR Form 124  
Map

cc: Craig Lind, District Engineer  
Doug Hoevet, District Construction Engineer  
Chris Ford, District Operations and Maintenance Manager  
Paul Howard, Charles Miles, Maintenance Yard Supervisor  
Nathan Sorben, Project Engineer  
Steve Biltoft, Operations

*Please route back to Communication for proofing and cc for tracking. Thank you.*



District 5  
Maintenance Yard: Alliance  
Erect Date: September 15, 2014  
Remove Date: October 2, 2014  
Project: 385-3(118) L62A/US-385 to Alliance; CN  
51432  
Comments: **2 signs placed at your discretion, in middle of project, south of the County line –in the flat section; other 3 signs refer below:**

**Northbound:**

US-385; South of 385 and L62A Junctions

**Southbound:**

US-385; South of 3<sup>rd</sup> Street

**Eastbound:**

L62A; at the base of hill (West of the Junction of 385 and L62A)







## Heartland Expressway in the Nebraska Panhandle



**Build Nebraska Act  
Tier 2 Project**

[Text Only](#)

[Subscribe to Email Updates](#)

[Main Build Nebraska Act Page](#)

[Questions](#)

[NDOR Main Page](#)

**IMPORTANT!** If you're trying to view these PDF's in Explorer, the Controls to Zoom In ONLY show up if you hold your cursor over the bottom of the browser window after the file is opened in that window.

### Project Update - August 2014

#### Corridor Development & Management Plan

NE Hwys 71, and 26, Link L-62A, and US 385  
TCSP-71-2(112) Control #51436

Materials from June 7, 2012 Information Open House

[Video Presentation from Meeting](#)  
*(The link will open in a new window.  
Click the Play icon to view the video)*

[Handout from Meeting](#)

[Meeting Notice & Map for 6-7-2012  
Information Open House](#)

Materials from Oct 13, 2011 Information Open House  
*Not all documents are available in Spanish*

[Handout - English Version](#)  
[Handout - Spanish Version](#)

[Presentation](#)  
The link will take you to the Presentation  
on the NDOR Vimeo Site

[Display Boards](#)  
Large PDF File (11M)

Materials from May 3, 2011 Information Open House

**English**

[Previous Fact Sheet - 2011 May Meeting](#)

**Alternates**  
Files Size Range 620K-1M

[Alliance A, B, C Alternates](#)  
[Alliance D & E Alternates](#)  
[Angora Alternates](#)  
[Jct L62A & Hwy 385 Alternates](#)

**Segments**  
Files Size Range 3-5 M

**Junction L 62A US 385 to Alliance**  
Project # 385-3(118); Control # 51432

**[Draft Environmental Assessment](#)**  
**[To submit a public comment, click here.](#)**  
***(Public comments will be accept through October 16,  
2014)***

Materials from October 1, 2014 Public Hearing

[Hearing Notice](#)

[Hearing Handout/Fact Sheet](#)

[Hearing Displays/Exhibits](#)

**Hearing Mosaics**  
[South End](#)  
[Middle](#)  
[North End](#)

[Hearing Video](#)  
*(This link will open a PowerPoint presentation.)*

[A - South](#) | [B - Middle](#) | [C - North](#)

**Typical Sections**  
all in one PDF (170K)

**Spanish**  
*Not all documents are available in Spanish*

**Fact Sheet - 2011 May Meeting**

**Alternates**  
Files Size Range 620K-1M

**Alliance A, B, C Alternates**  
**Alliance D & E Alternates**  
**Angora Alternates**  
**Jct L62A & Hwy 385 Alternates**

**Segments**  
Files Size Range 3-5 M

[A - South](#) | [B - Middle](#) | [C - North](#)

[Go to Top of Page](#)

VENUE

Newberry's  
402 Box Butte Avenue, Alliance, Nebraska

Venue Relative to Project Map  
Aerial Location Map  
Floor Plan

ADA Accessibility Checklist

Photos of Venue  
Exterior  
Interior



JCMG Holdings, LLC  
402 Box Butte Avenue  
Alliance, NE 69301  
308-761-1300

**Deptment of roads**  
**October 1, 2014**

<u>Item</u>	<u>Quantity</u>	<u>Price</u>
Linens	10	\$45.00
Hall rental	5	\$125.00
<b>Subtotal</b>		<b>\$170.00</b>
<b>Tax exempt</b>		
<b>TOTAL AMOUNT DUE:</b>		<b>\$170.00</b>

\*Please make checks payable and mail to:

JCMG Holdings, LLC  
2350 Hwy 2  
Alliance, NE 69301

\*Please contact Tamika Hoppes, Manager with any additional questions

At 308-761-1300 or by email at [newberry.events@gmail.com](mailto:newberry.events@gmail.com)

NDOR DOC# 1650429  
AB# 02013320  
TRANS 1513 OE 290  
ACTIVITY 5400 ACCOUNT 4242  
NIGP — DATE 10-21-14  
APPROVED (PRINT NAME) Mary Jo Oie  
APPROVED SIGNATURE MJ Oie

**NEBRASKA DEPARTMENT OF ROADS  
NOTICE OF HIGHWAY PUBLIC HEARING**

38530118 Ø

**5:00-7:00 PM MST; Wed., October 1, 2014****Highway Public Hearing****Newberry's****402 Box Butte Ave., Alliance, NE****NH-385-3(118) JCT. L-62A/US-385 TO ALLIANCE; C.N. 51432**

The Nebraska Department of Roads (NDOR) will hold a Public Hearing in an open house format regarding the reconstruction of a portion of U.S. Highway 385 (US-385) from the junction of Nebraska Link 62A (L-62A) to the city of Alliance. The hearing will be held at Newberry's in Alliance, Wednesday, October 1, 2014, with an open house from 5:00-6:30 P.M. and a public forum from 6:30-7:00 P.M.

Identified as *NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432*, the proposed construction would be in Morrill and Box Butte counties in Nebraska. This portion of US-385 is identified as part of the "Heartland Expressway." The proposed project would include constructing a four-lane highway from the junction of L-62A/US-385 to Alliance. Federal funds would be used for the project, and the Federal Highway Administration (FHWA) is the lead federal agency.

Proposed construction would be built "under traffic," or without a detour. Appropriate traffic control may be necessary, at the junction of L-62A and US-385 and in the city of Alliance, to maintain traffic during construction. The proposed construction will begin between 2016 and 2019. The project schedule is subject to change based on available funding. The National Environment Policy Act (NEPA) process and preliminary engineering is scheduled to be completed following this public meeting.

Acquisition of property rights for right-of-way (ROW), including temporary and permanent easement rights, would be required. It is estimated that there would be approximately 300 acres of new property rights required to complete the project, with drive access managed along the corridor. Relocations/acquisitions would be required as part of this project.

---

The Public Hearing is being held to provide information and receive input regarding this project. All citizens are invited to attend and present relevant comments and questions. The "Open House" portions of the hearing will allow the public to gather pertinent information about the project and speak one-on-one with project personnel. The "Public Forum" portion will allow citizens to express their opinions to all assembled and to hear other participants' comments and opinions. Comments will be recorded at the hearing, and will also be accepted for 15 days following the hearing, or until October 16, 2014. Design information will be



38 530/180

displayed and NDOR personnel and consultants will be present to answer questions and receive comments about the proposed project. All materials will be in English and Spanish and a Spanish language translator will be present at this meeting under Title VI guidelines.

NDOR will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions for the hearing and visually challenged or persons with limited English proficiency (LEP) will be made if the Department is notified by September 17, 2014. Notification should be submitted to: Sarah Kugler, Public Involvement Coordinator, Nebraska Department of Roads, P.O. Box 94759, Lincoln, NE 68509-4759; sarah.kugler@nebraska.gov; voice telephone (402) 479-4871, TDD telephone (402) 479-3834, Fax (402) 479-3989.

A Draft Environmental Assessment (DEA) has been prepared for this project in accordance with the federal code of regulations and the National Environmental Policy Act (NEPA). The DEA will be made available for review at the Public Hearing, and will also be available for review at the following locations for a 30-day comment period, beginning on September 15, 2014 and ending on October 16, 2014:

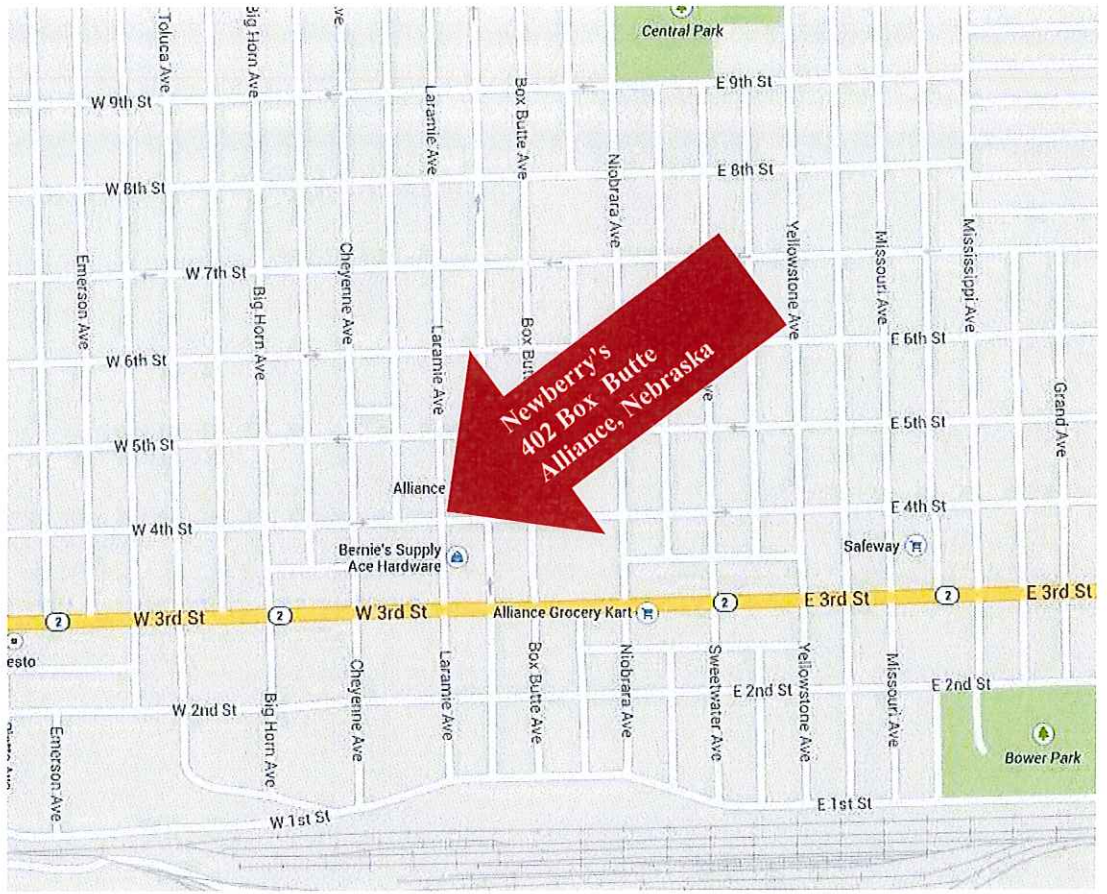
- NDOR Headquarters, 1500 Hwy 2, Lincoln, NE
- FHWA, Nebraska Division, 100 Centennial Mall North, Lincoln, NE
- NDOR District 5 Office, 140375 Rundell Road, Gering, NE
- Alliance City Office, 324 Laramie Ave., Alliance, NE
- Alliance Public Library, 1750 Sweetwater Ave., Alliance, NE
- Angora Post Office, 100 Road 118, Angora, NE
- City of Bridgeport – City Clerk, 809 Main Street, Bridgeport, NE

For more information, or to review the DEA, visit <http://www.transportation.nebraska.gov/projects/> and click on the "Heartland Expressway" link. For further information regarding the proposed project, contact Nathan Sorben, NDOR Roadway Design, (402) 479-3780, [nathan.sorben@nebraska.gov](mailto:nathan.sorben@nebraska.gov); or Craig Lind, NDOR District Five Engineer, (308) 436-6587, [craig.lind@nebraska.gov](mailto:craig.lind@nebraska.gov).

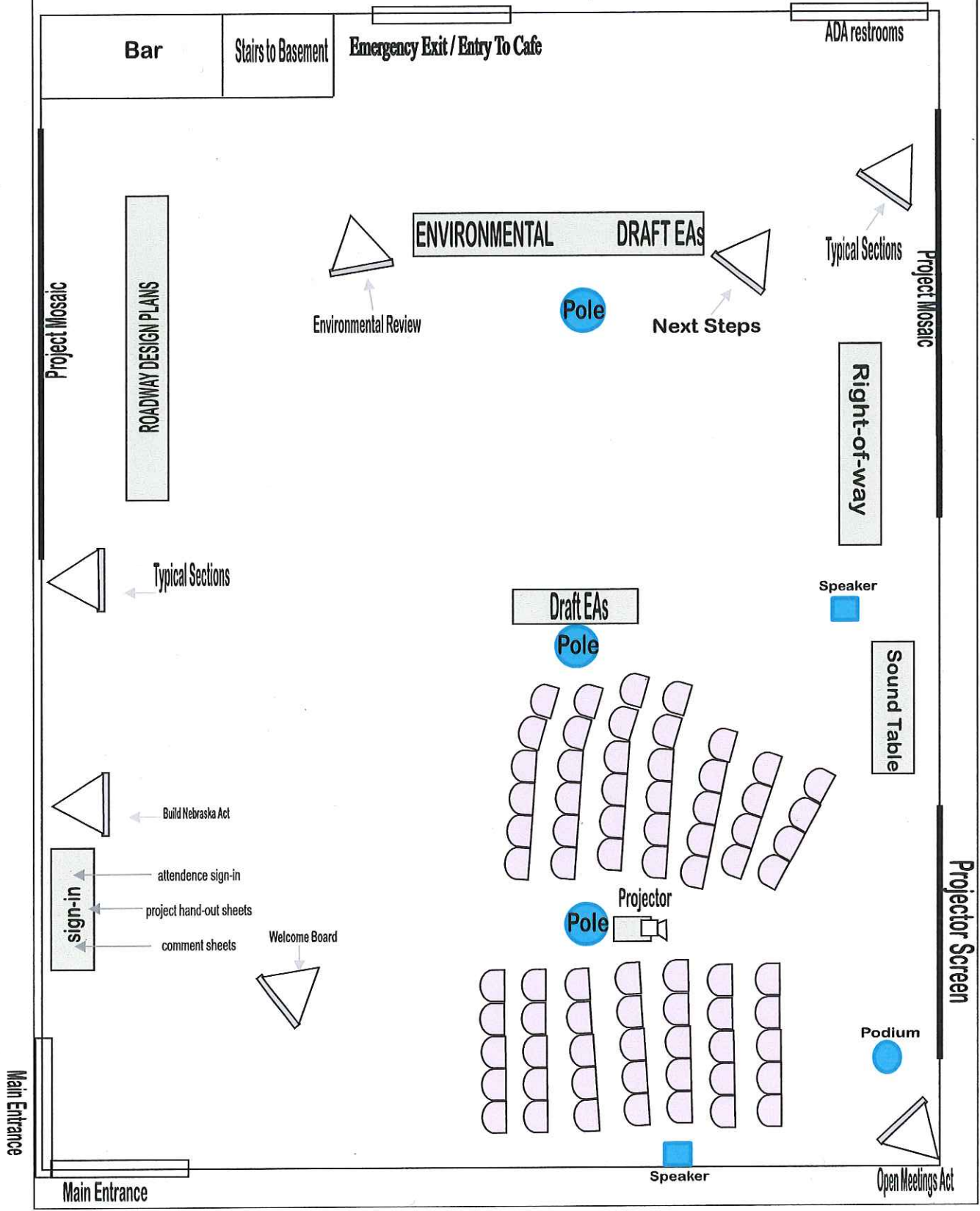


**Newberry's  
402 Box Butte  
Alliance, Nebraska**

**Meeting location relative to project  
NH-385-3(118); Junction L-62A/US 385 to Alliance; C.N. 51432**



# Newberry's Floor Plan (not to scale)




# NDOR Public Involvement ADA Accessibility Checklist

Event: Public Hearing  
 Project: NH-385-3(118) Junction L-62A/US-385 to Alliance; C.N. 51432  
 Date: October 1st, 2014  
 Time: 5:00 - 7:00 PM  
 Venue: Newberry's, 402 Box Butte Avenue

Element	Accommodation Area	Yes	No	N/A
<u>Transportation</u>	Is the facility/meeting location accessible by public transportation?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If yes, is public transportation available at the time of the meeting/training?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Evacuation</u>	Do you know the emergency evacuation plans for the meeting/training location? <i>not posted</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Parking</u>	Does the building have accessible ( <i>handicap</i> ) parking spaces?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	If yes, are they at least 8' wide and have 5' aisles next to them?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Sidewalk</u>	Are there unobstructed curb ramps leading to the sidewalk ( <i>walkway</i> )?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Walkway</u>	Is there a walkway from the parking lot to the building, at least 36" wide?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Does the walkway have a stable and firm surface?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If the accessible route is different from the primary route to and through the building, can you post signs with the wheelchair symbol that slow the route?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the walkway level and free of steps?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	If no, is there a ramp at least 36" wide?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If there is a ramp, does it have a gentle slop ( <i>1" rise to 12" length</i> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Entrance/Doors</u>	Is the door at least 36" wide ( <i>wide enough for a wheelchair</i> )?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Can the hardware be operated with one hand ( <i>level, push plate, etc.</i> ) with minimum of twisting or grasping?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Are the handles low enough to reach ( <i>maximum 48" high</i> )?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Can the door be pushed open easily?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the threshold no more than 1/2" high and beveled?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	When a vestibule, is there a minimum of 48" between the sets of doors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

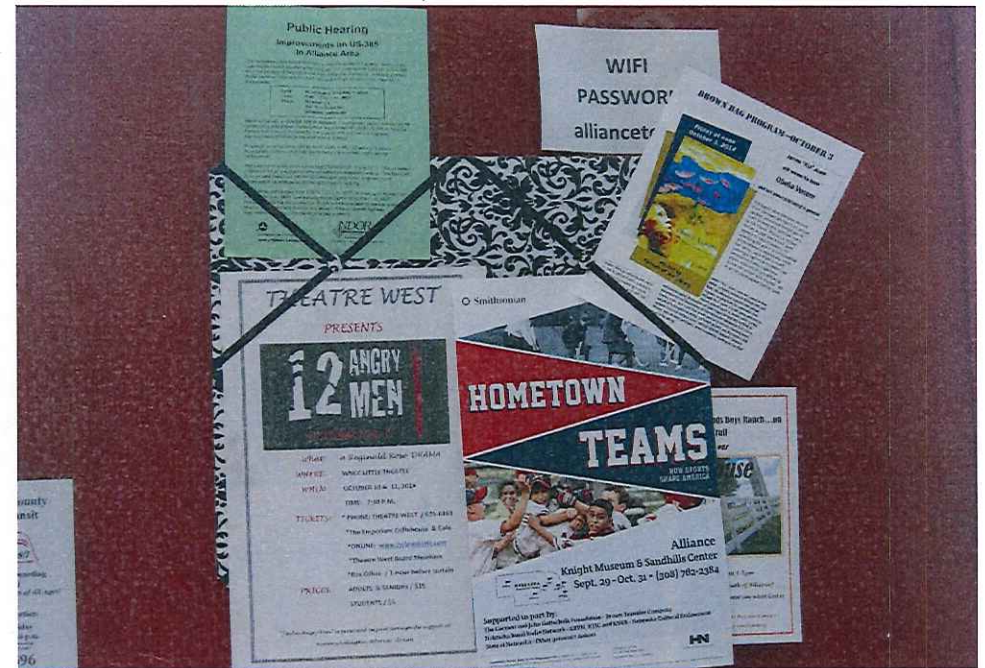
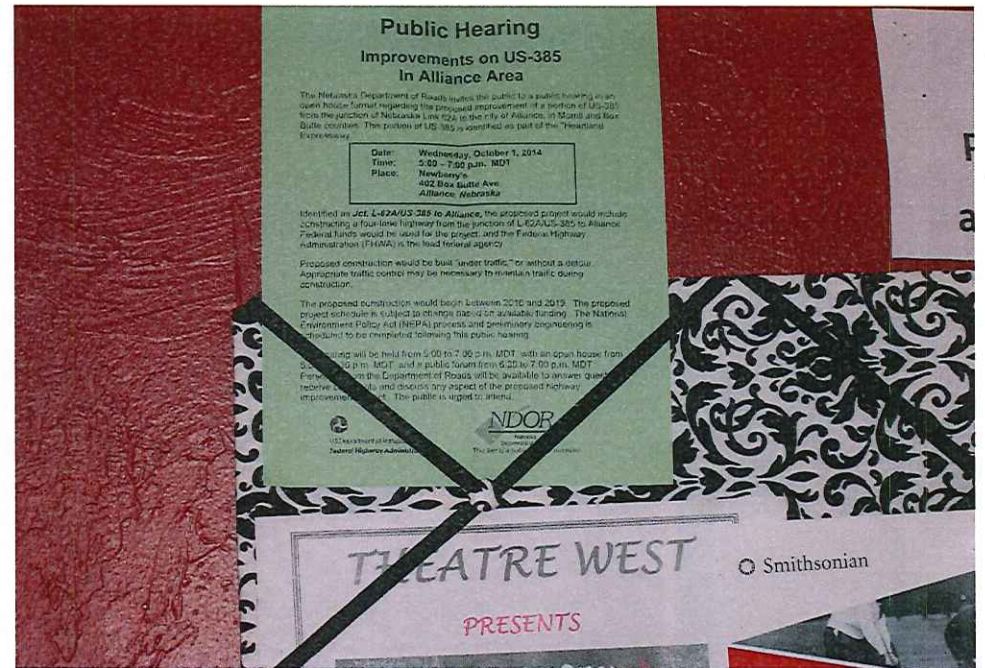
Element	Accommodation Area	Yes	No	N/A
<u>Floors</u>	Are the floors hard and not slippery?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is there a floor mat to dry feet and crutch tips to prevent slipping?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Corridors</u>	Is there a 36" corridor, from the entrance to where the meeting/training is held?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the path free of objects projecting 4" maximum into the corridor?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Elevators</u>	Is there an elevator in the facility where the meeting/training is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	If yes, is it a working one that is large enough for a wheelchair?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Are the controls within reach ( <i>maximum 48"</i> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Do the controls have Braille?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is there an audible signal ringing at each floor?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
	Is there an audible two-way emergency communication system in the elevator?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Meeting/Training Rooms</u>	Is there enough clearance around the table for a wheelchair to move?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Can the wheelchair pull under the edge of the table to sit close?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Restrooms</u>	Is there a wide, accessible path to the restroom?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is there a toilet stall wide enough that a wheelchair can enter and close the door behind? Interior space to turn around?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is the water closet ( <i>toilet</i> ) 17-19 inches high to the rim?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Can the wheelchair roll under the sink ( <i>29" to the bottom</i> )?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Can the faucets be reached and turned on easily?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Are the dispensers ( <i>soap, towel, etc.</i> ) reachable ( <i>maximum 48" high</i> )?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Is there a mirror at an accessible height ( <i>bottom of the mirror 44" above the floor</i> )?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Fire Alarms</u>	Are there flash fire alarm signals in the building, in the meeting/training room?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<u>Signage</u>	Is there Braille text in the signage at the facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

  
 \_\_\_\_\_  
 Signature

Tony Bui  
 NDOR Public Involvement

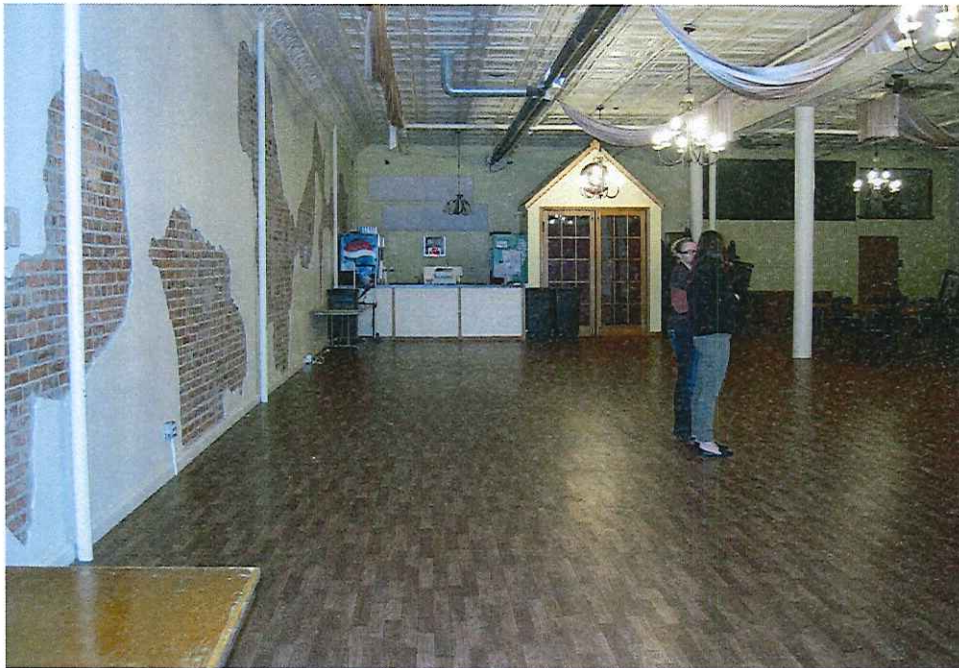
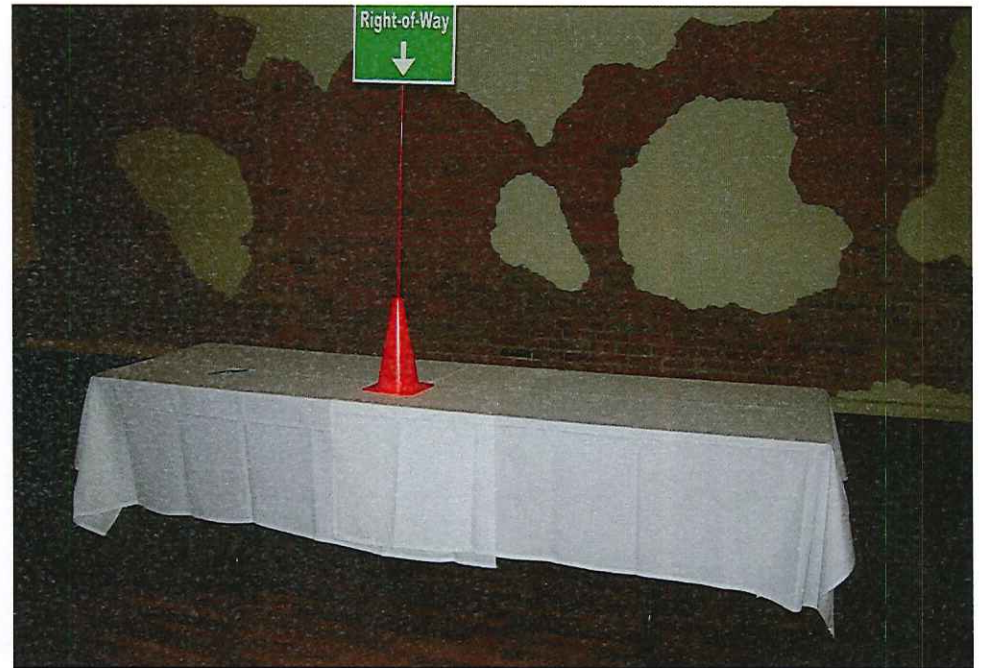
  
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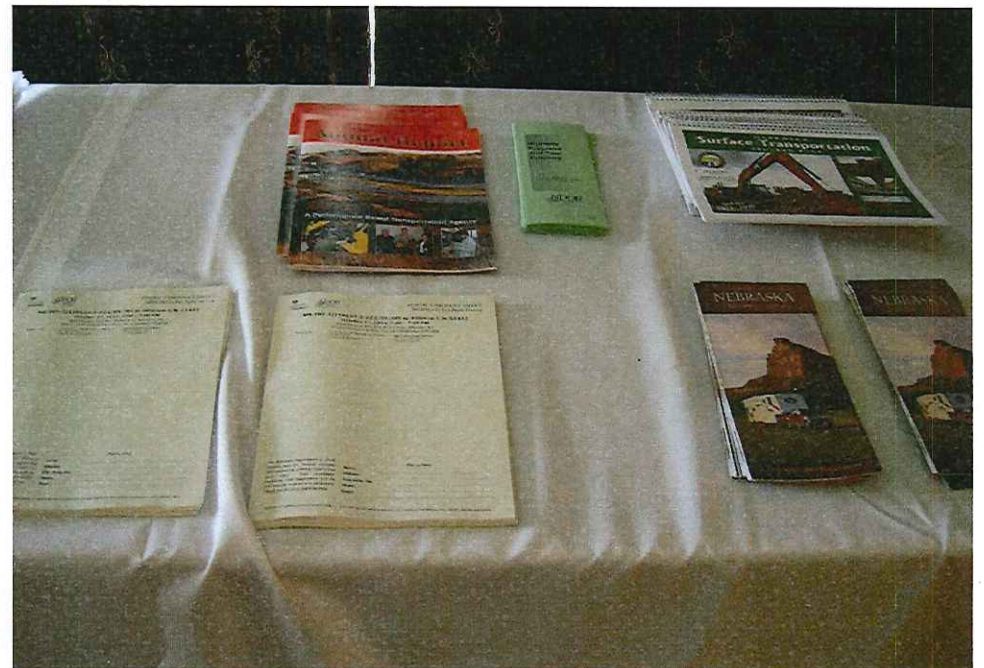


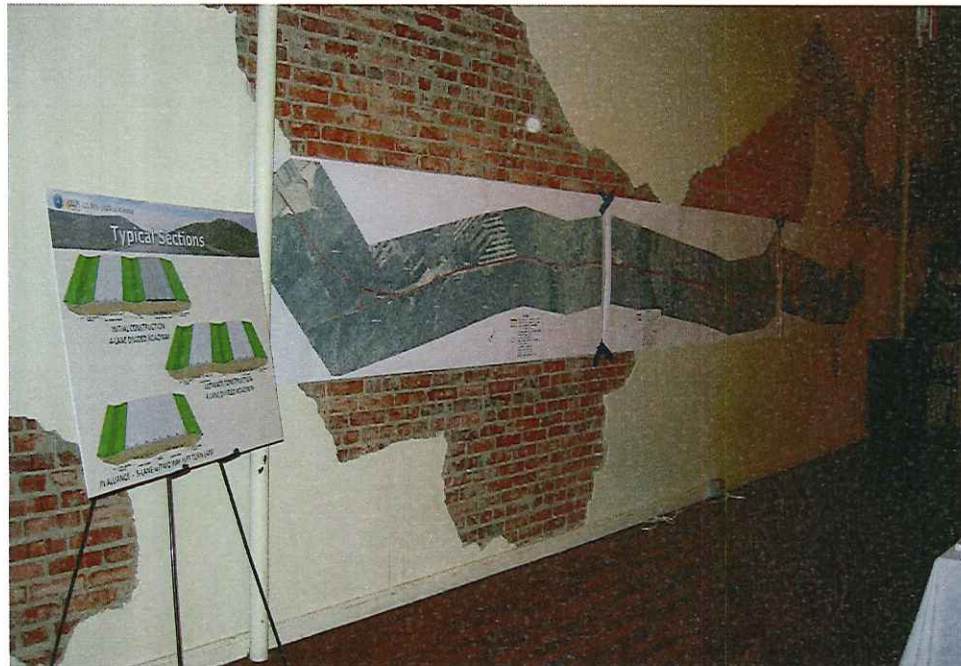














## SUPPORT MATERIALS

Handouts distributed to the Public

Posted Presentations

Display Boards

PowerPoint Presentation

Proposed Design Mosaic Maps



## PUBLIC HEARING

Wednesday, October 1, 2014

Newberry's, 402 Box Butte Ave., Alliance, NE

Open House: 5:00-6:30 pm MDT / Public Forum: 6:30-7:00 pm MDT

NH-385-3(118); C.N. 51432

# JUNCTION L-62A/US-385 TO ALLIANCE

This public hearing is being held to provide information and receive input on the Draft Environmental Assessment (DEA) regarding the construction of a portion of U.S. Highway 385 (US-385) from the junction of Nebraska Link 62A (L-62A) to the city of Alliance. This portion of US-385 is identified as part of the "Heartland Expressway."

**LOCATION:** The proposed project would begin on Nebraska Link 62A (L-62A), 2.19 miles west of the junction with U.S. Highway 385 (US-385) in Morrill County, and continue north on US-385 into the City of Alliance in Box Butte County, ending just north of the intersection with Nebraska Highway 2 (N-2), also known as West 3rd Street, for a distance of 24.75 miles on US-385. These portions of L-62A and US-385 are part of the "Heartland Expressway."

**PURPOSE AND NEED SUMMARY (full purpose and need description can be found in the DEA):**

The purpose of this project is to:

- provide an improved north-south highway on a National Highway System (NHS) High Priority Corridor that increases the efficiency and safety of travel.
- fulfill legislative intent of previous transportation bills which provided federally "earmarked" funds for the Heartland Expressway.
- fulfill legislative intent of the Build Nebraska Act, which identified this project as a high priority project for state funds.
- address roadway and operational deficiencies.

An additional project goal is to:

- improve the highway infrastructure in order to facilitate economic development.

The need for the project is based on the mix of traffic, including a high percentage of heavy-truck traffic, in combination with some areas where the roadway geometry does not meet standards.

**SCOPE OF WORK:** The proposed construction project would improve the existing US-385 two-lane highway from the Junction of US-385 and L62A, north to Alliance. The improvements would consist of constructing a four-lane divided highway with a depressed grass median throughout the rural portion of the project and five-lane section in Alliance that would provide two lanes in each direction and a center left-turn lane. The project would include reconstruction of the US-385/L62A intersection on a new alignment northwest of the existing highway junction. The proposed project would incorporate improvements to intersections, drainage structures, and lighting.

**TRAFFIC COUNT:**

Year	US-385 – South of N-2		US-385 – North of L-62A		L-62A – West of US-385	
	2014	2036	2014	2036	2014	2036
<b>Vehicles per Day</b>	3885	4950	3550	4655	2520	3410
<b>% Trucks</b>	18%	18%	19%	19%	19%	19%

**ESTIMATED CONSTRUCTION SCHEDULE:** Construction of the new southbound lanes is anticipated to be completed under two separate projects. The first, Alliance South, is anticipated to begin in 2016. The second, L-62A North, is anticipated to begin in 2017. The US-385/L62A Junction construction project and reconstruction of the existing northbound lanes is not yet programmed.

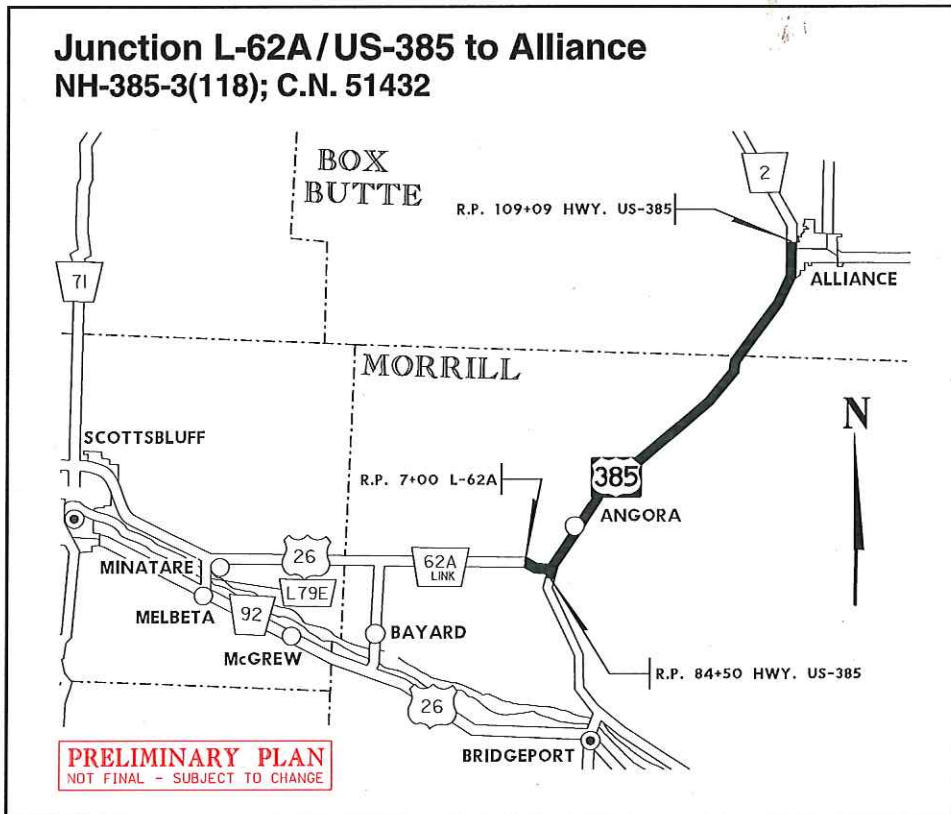


**ACCOMMODATION OF TRAFFIC:** Proposed construction would be built “under traffic,” or without a detour. Appropriate traffic control may be necessary to maintain traffic during construction.

**RIGHT-OF-WAY:** Acquisition of property rights for new right-of-way (ROW) and temporary and permanent easement rights would be required. It is estimated approximately 300 acres of new ROW would be required to complete the project, with access control rights purchased along the entire corridor. It is anticipated three residential relocations would be required; no commercial relocations are expected.

**POTENTIAL IMPACTS:** A draft Environmental Assessment (EA) has been prepared to determine the potential environmental impacts associated with the proposed project. Environmental resources evaluated include wetlands, threatened and endangered species, cultural resources, environmental justice, noise impacts, aesthetics and required acquisition of property rights for new ROW. The draft EA document may be viewed on the NDOR website at <http://www.transportation.nebraska.gov/projects/>. Copies are available at the FHWA and NDOR headquarters in Lincoln, the NDOR District 5 Office in Gering, in Alliance at the City Offices and Public Library, the Angora Post Office, and the City Office of Bridgeport. The information is available for a 30-day comment period: September 15—October 16, 2014.

**ESTIMATED COST:** The first construction project, Alliance South, DPS-385-4(139), CN 51522, would construct US-385 from West 3<sup>rd</sup> Street south to approximately Mile Marker (MM) 100+00 and is estimated at \$25 million. The second construction project, L-62A North, S-385-3(1021), CN 51443, would construct US-385 from approximately MM 100+00 south to the junction of US-385 and L-62A, and is estimated at \$30 million. The third project, which would construct a sweeping curve connecting L-62A to US-385, is currently not programmed. Preliminary engineering, ROW and utilities costs for the corridor are tracked under a separate project, NH-385-3(118), CN 51432, and are estimated at \$10 million. The total cost (in today’s dollars) of the project contemplated is estimated at \$90 million, which includes an estimated \$25 million to construct the sweeping curve and reconstruct the northbound lanes. Funding sources would include federal, state (the Build Nebraska Act), and local funding (City of Alliance). The City of Alliance would participate with a 20% cost share for the portions of the project within or adjacent to the city limits.



U.S. Department of Transportation  
**Federal Highway Administration**



**Send comments to:**

**NDOR Public Involvement**

**Sarah Kugler**

P.O. Box 94759; 1500 Hwy. 2

Lincoln, NE 68509-9983

402-479-4871

[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)

**For more information:**

**NDOR District 5 Engineer**

**Craig Lind**

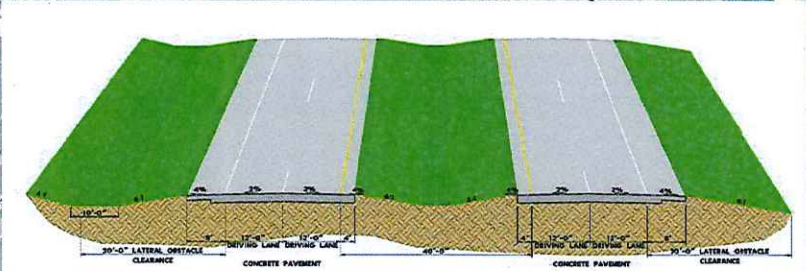
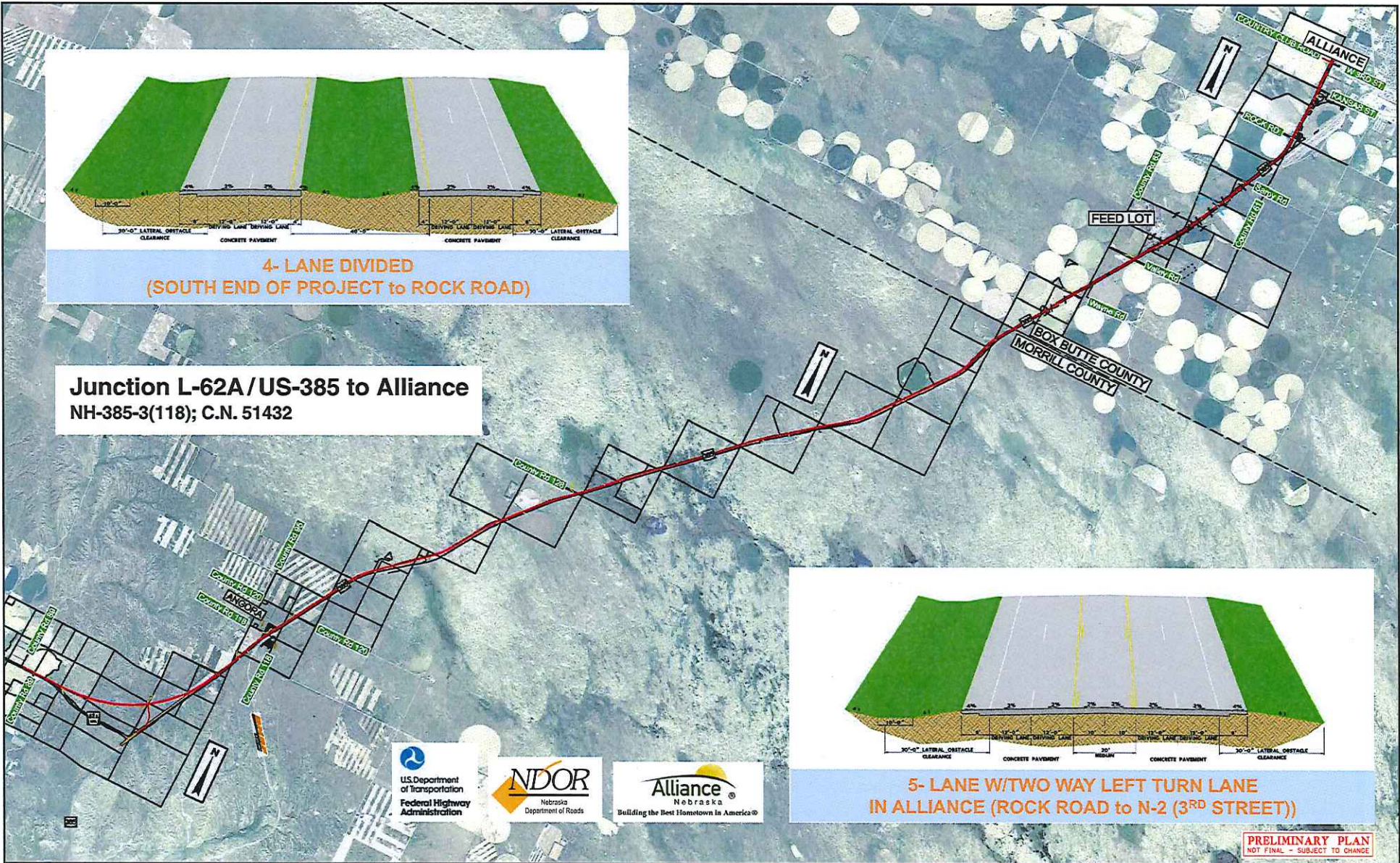
P.O. Box 220; 140375 Rundell Rd.

Gering, NE 69341

308-436-6587

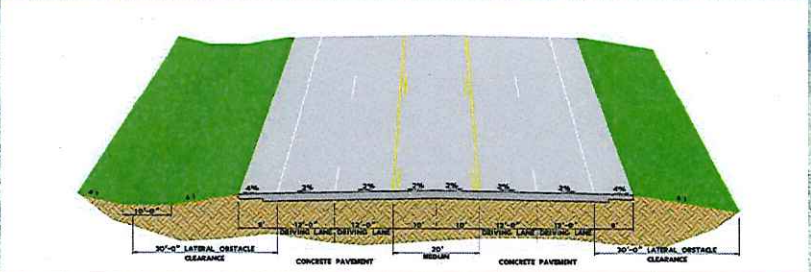
[craig.lind@nebraska.gov](mailto:craig.lind@nebraska.gov)

[www.transportation.nebraska.gov](http://www.transportation.nebraska.gov)



**4-LANE DIVIDED  
(SOUTH END OF PROJECT to ROCK ROAD)**

**Junction L-62A/US-385 to Alliance  
NH-385-3(118); C.N. 51432**



**5-LANE W/TWO WAY LEFT TURN LANE  
IN ALLIANCE (ROCK ROAD to N-2 (3<sup>RD</sup> STREET))**



**PRELIMINARY PLAN  
NOT FINAL - SUBJECT TO CHANGE**



US 385: L62A to Alliance

# JUNCTION L-62A/US 385 TO ALLIANCE

## Public Hearing

October 1, 2014

5:00-7:00 pm

Newberry's  
402 Box Butte Ave.  
Alliance, NE

Junction L-62A/ US 385 to Alliance  
NH-385-3(118) - CN 51432



U.S. Department of Transportation  
Federal Highway Administration



Project Number NH-385-3(118)  
C.N. 51432

Highway US 385: Junction L62A/US 385 to Alliance  
Heartland Expressway  
Box Butte and Morrill Counties, Nebraska

**DRAFT ENVIRONMENTAL ASSESSMENT**

Submitted Pursuant to 49 USC 4302(j)(1) and 23 CFR 771.171  
to the U.S. Department of Transportation, Federal Highway Administration  
by Nebraska Department of Roads

Project Sponsor certifies and I hereby certify that the content of this document and the scope of the project are accurate. I hereby agree to give approval to distribute this information to the public and agency review and coordinate. Such approval does not constitute approval of the project or any other part of the project administration.

*[Signature]* For Nebraska Department of Roads  
Project Sponsor

*[Signature]* For U.S. Department of Transportation  
Project Engineer

Date: 8/26/14

The following persons may be contacted for additional information:

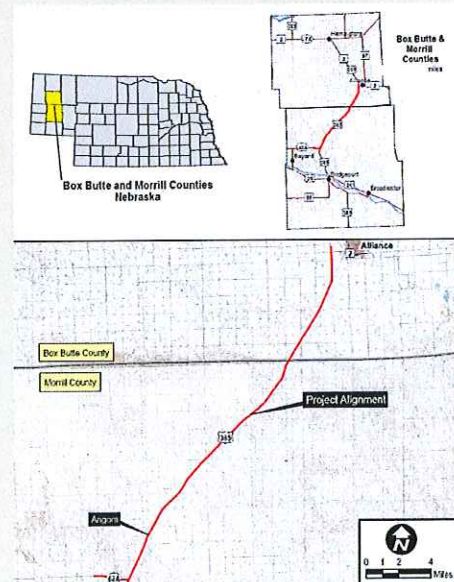
Nebraska Highway Program Director, Ryan Lecker Federal Highway Administration 100 Central Expressway, Room 220 Lincoln, NE 68515 Phone: 402-472-6812	Michael Olson, P.E. Planning & Project Development Nebraska Department of Roads 1001 Maryland Lincoln, NE 68508-4715 Phone: 402-472-4715
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US 385: L62A to Alliance

# Purpose and Need

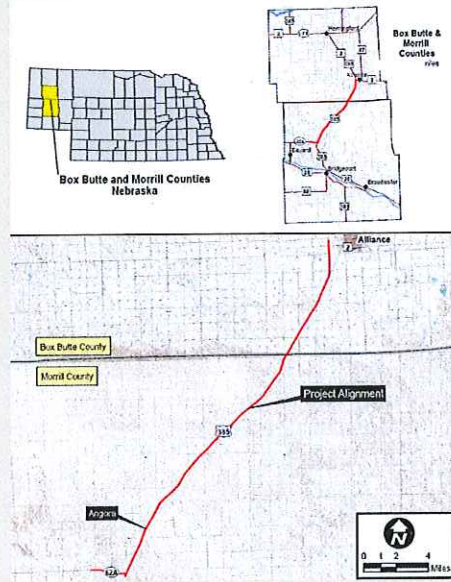
- **Purpose**
  - to provide an improved north-south highway on a NHS High Priority Corridor that increases the efficiency and safety of travel
  - to fulfill the *legislative intent* of ISTEPA, SAFETEA-LU and the Build Nebraska Act
  - to address roadway and operational deficiencies
- **An Additional Project Goal**
  - to facilitate *economic development* of the region



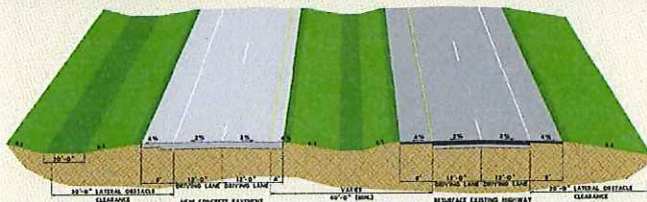


# Purpose and Need

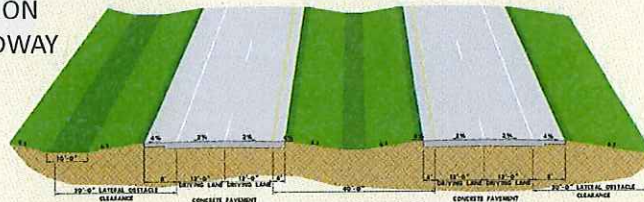
- Need
  - this segment of the Heartland Expressway has the highest traffic volumes, including high truck traffic
  - geometric deficiencies exist in the area traversing the Sandhills



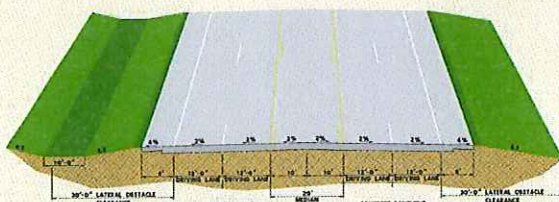
# Typical Sections



INITIAL CONSTRUCTION  
4-LANE DIVIDED ROADWAY



ULTIMATE CONSTRUCTION  
4-LANE DIVIDED ROADWAY



IN ALLIANCE - 5-LANE w/TWO WAY LEFT TURN LANE



# Environmental Review

- Wetlands
- Fish & Wildlife Habitat
- Endangered & Threatened Species
- Water Quality
- Floodplains
- Historic & Cultural Resources
- Land Use
- Farmland
- Recreation Areas
- Community Resources
- Hazardous Materials
- Noise
- Transportation Needs
- Economic Impacts
- Minority & Low Income Populations
- Right-of-Way Relocations
- Access



# NEXT STEPS

- 1 • Public Hearing (You are Here)
- 2 • Public Comments (*until October 16*)
- 3 • NDOR Responses (*October and November*)
- 4 • Final Environmental Document Approval (*Winter 2015*)
- 5 • Right-of-Way Activities (*2015*)
- 6 • Construction – Alliance South (*2016*)
- 7 • Construction – L-62A North (*2017*)

# Highway Public Hearing Jct. L62A & US-385 to Alliance NH-385-3(118); C.N. 51432



October 1, 2014  
5:00-6:30 PM MDT *Open House*  
6:30-7:00 PM MDT *Public Forum*  
Newberry's  
402 Box Butte Ave., Alliance, NE

5:00-6:30 PM MDT *Open House*  
6:30-7:00 PM MDT *Public Forum*



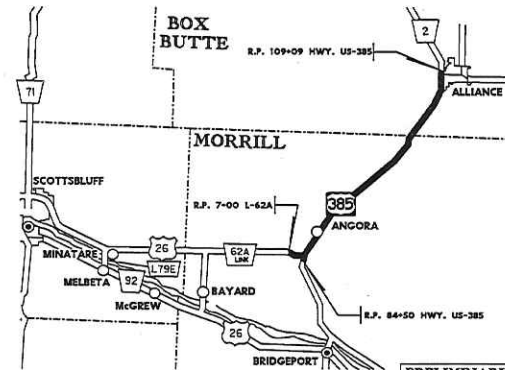
## Previous Public Meetings



Public Information Meeting  
May 3, 2011  
Knight Museum,  
Alliance

### JUNCTION OF L62A/US-385 TO ALLIANCE 385-3(118)

C.N. 51432  
BOX BUTTE/MORRILL COUNTIES



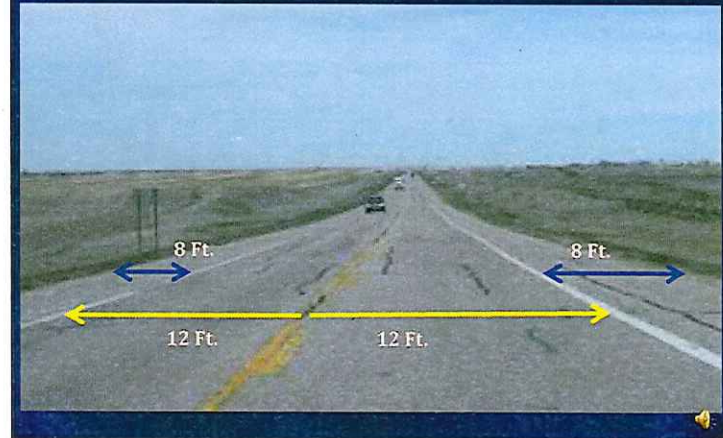
PRELIMINARY PLAN  
NOT FINAL - SUBJECT TO CHANGE

## Average Daily Traffic (ADT)

U.S. Highway 385 (US-385)  
Junction of Nebraska Link 62A (L-62A) and US-385 to Alliance

YEAR	2016	2036 (projected)
VEHICLES PER DAY	3700	5000
19% HEAVY TRUCKS		

## Existing Roadway



## Proposed Improvements:

- Four lane divided roadway
- Grading to improve slopes and sight lines
- New and upgraded lighting (In Alliance & at Jct. L-62A)

## Purpose of the Project

- To provide an improved North-South highway
- To fulfill legislative intent
- To address roadway and operational deficiencies

### Additional Project Goal:

- To facilitate economic development

### Need for the Project



- Traffic Volumes
- Frequent Climbs & Turns

Public Information Meeting  
Gering Civic Center  
Oct. 13, 2011

Public Information Meeting  
Gering Civic Center  
May 7, 2012



Nebraska State Highway Commission Hearing

Alliance City Library  
June 22, 2012



### Project Design & Public Input







## Environmental Assessment

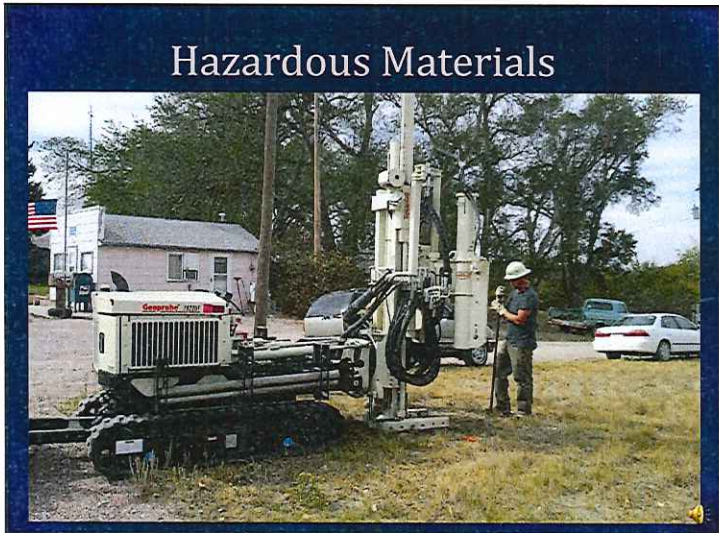
The draft Environmental Assessment Document is available for review at the following locations:

- NDOR Headquarters, 1500 Hwy 2, Lincoln
- FHWA, Nebraska Division, 100 Centennial Mall N., Lincoln
- NDOR District 5 Office, 140375 Rundell Road, Gering
- Alliance City Office, 324 Laramie Ave., Alliance
- Alliance Public Library, 1750 Sweetwater Ave., Alliance
- Angora Post Office, 100 Road 118, Angora
- Bridgeport City Office, 809 Main St., Bridgeport

And on the NDOR website at:  
<http://www.nebraskatransportation.org/projects/heartland-exp/index.htm>

### General Environmental Impact Considerations:

- Constructability
- Construction Schedule
- Traffic Control
- Wetland Impacts
- Threatened and Endangered Species
- Right-Of-Way
- Hazardous Waste
- Recreational Use Lands
- Historic Properties
- Trails or Wildlife Sanctuaries
- Socio-Economic Impacts
- Safety Considerations
- Total Length of the Project
- Total Estimated Cost



## Wetlands



## Threatened & Endangered Species



Black-footed Ferret  
(*Mustela nigripes*)

## Threatened & Endangered Species



Swift Fox  
(*Vulpes velox*)

## Threatened & Endangered Species



Blowout Penstemon  
(*Penstemon haydenii*)  
aka: Hayden's beardtongue

## Historic Preservation



Highway Progress and Your Property

Right-of-Way Acquisition and Your Property

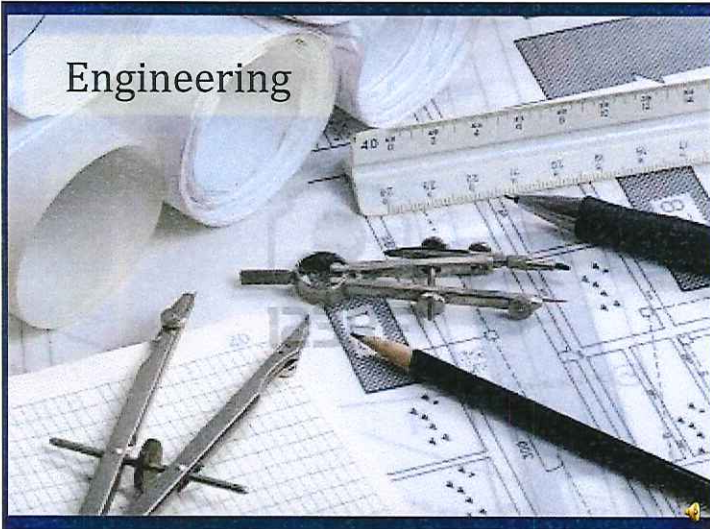
Prepared by  
Nebraska Department of Roads  
Right-of-Way Division

**NDOR**  
Nebraska  
Department of Roads

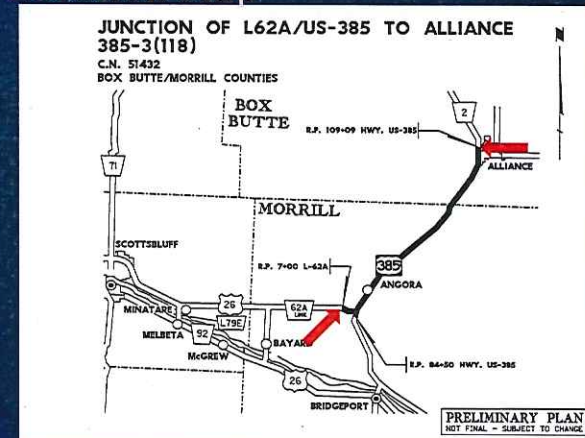
07/03

Right of Way (ROW)

## Engineering



## Location Map



### Alternatives Studied

- No Build  
(Maintain existing roadway only)
- Sweeping Curve L62A & US-385
- Angora
- Alliance

### Alternatives Studied – Sweeping Curve

### Alternatives Studied - Angora

### Alternatives Studied - Alliance

- 5-Lane, (Alternative A) **A**
- 4-Lane Raised Median (Alternative B) **B**
- 4-Lane Divided Median (Alternative C) **C**
- Offset 4-Lane Raised Median (Alternative D) **D**
- Offset 4-Lane Divided Median (Alternative E) **E**

### Alternatives Studied - Alliance

- 5-Lane, (Alternative A)

**A**

EXISTING HIGHWAY

5-LANE W/TWO WAY LEFT TURN LANE

### Alternatives Studied - Alliance

**B**

**C**

**D**

**E**

LEGEND

### Preferred Alternative

Alliance Alternative A

Angora Alternative 4

Sweeping Curve Alternative 1

FELLEDGE

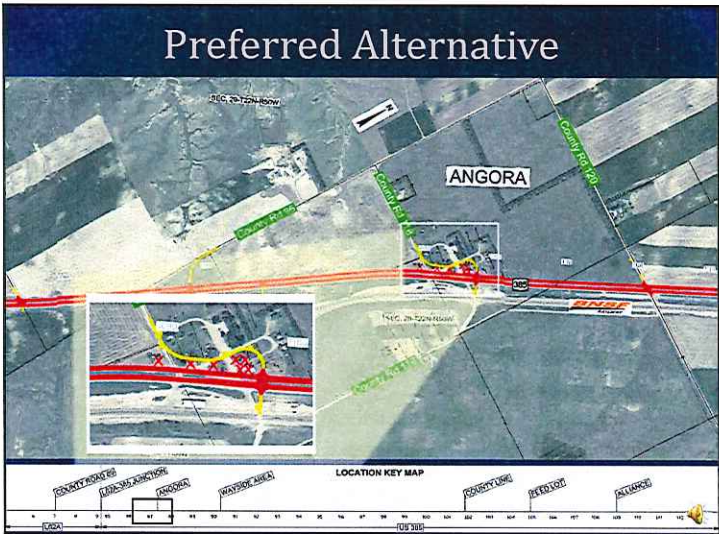
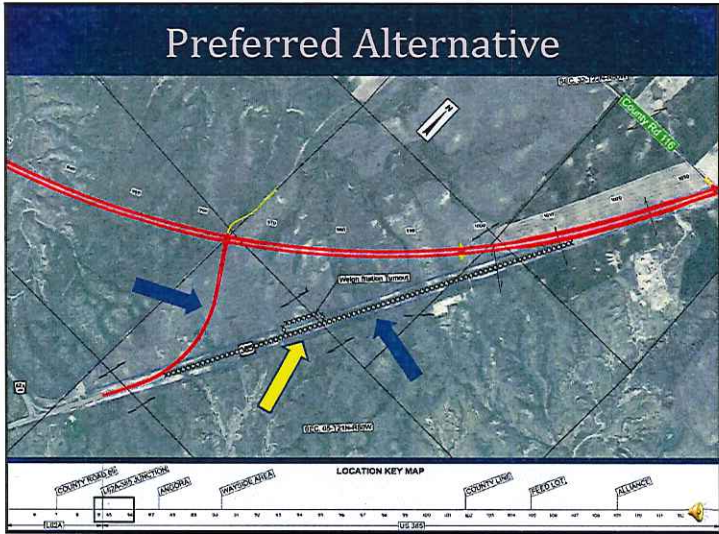
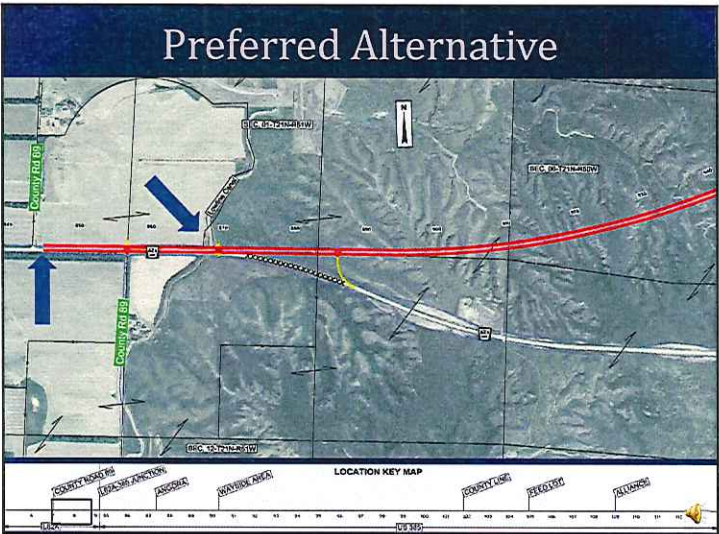
ROAD EXISTING

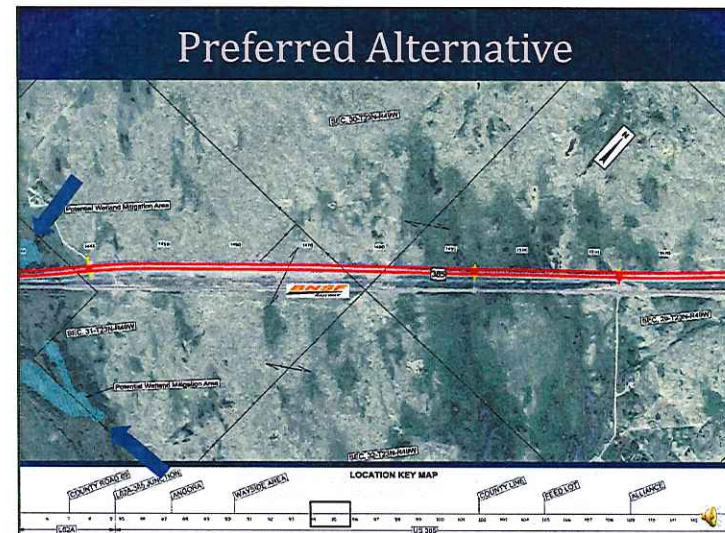
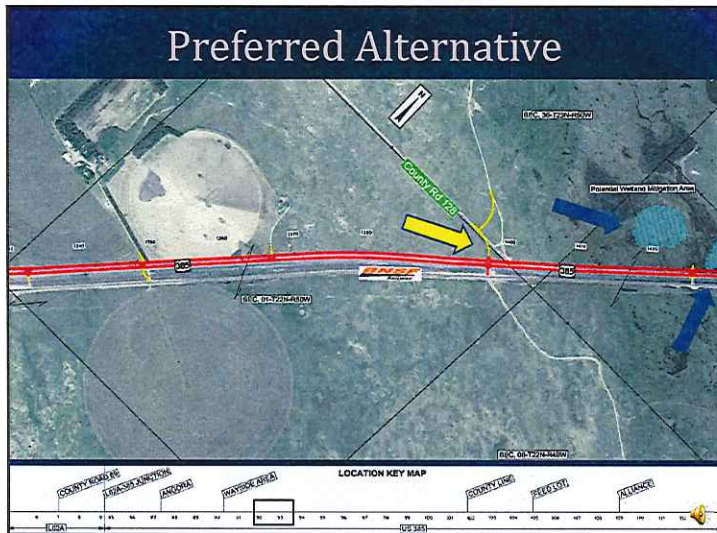
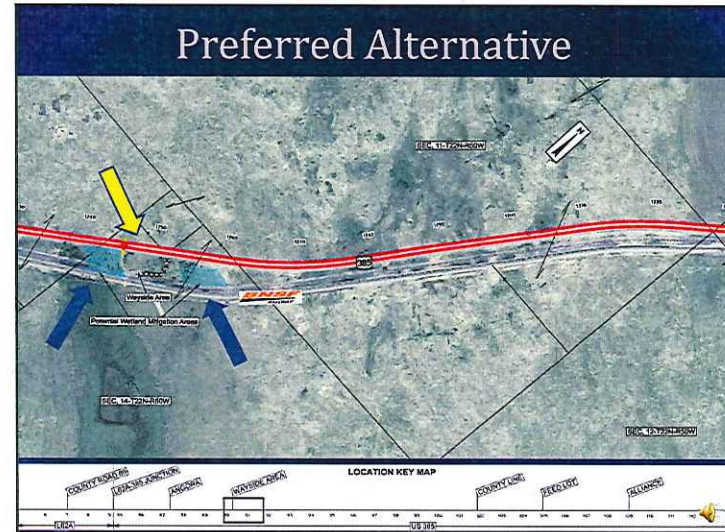
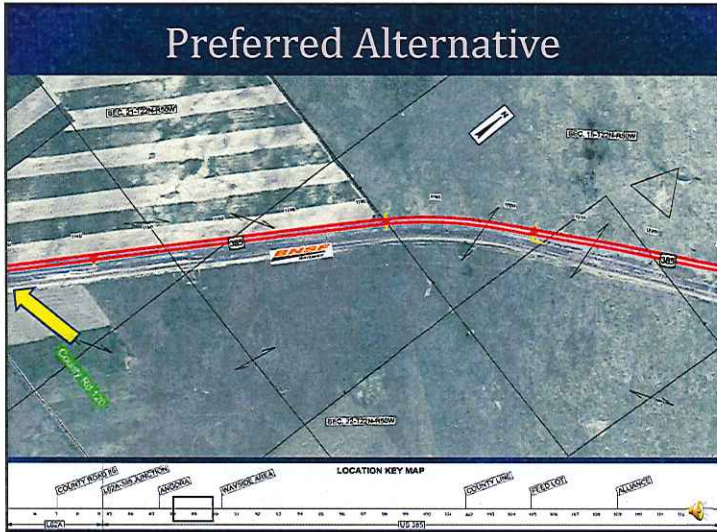
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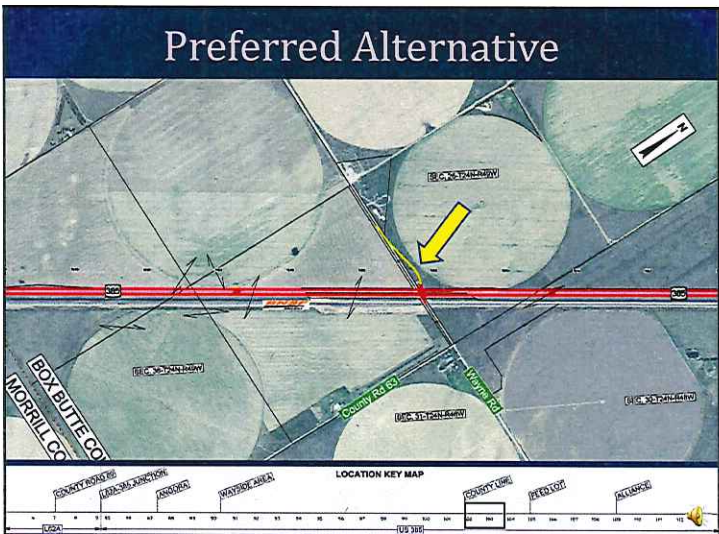
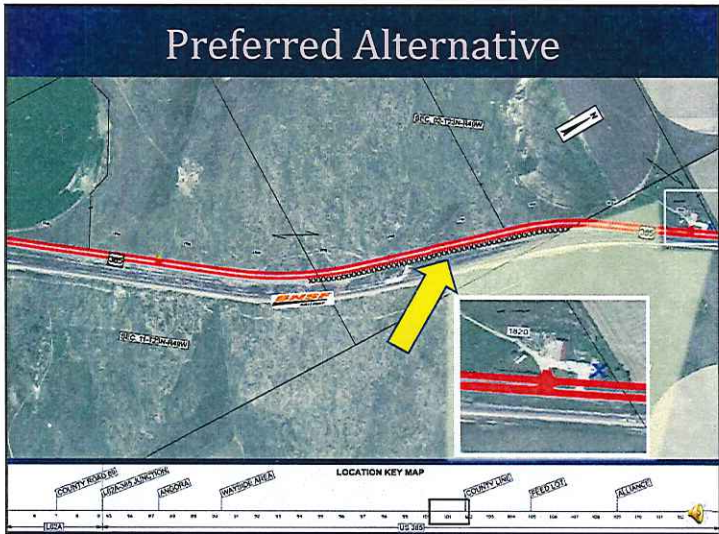
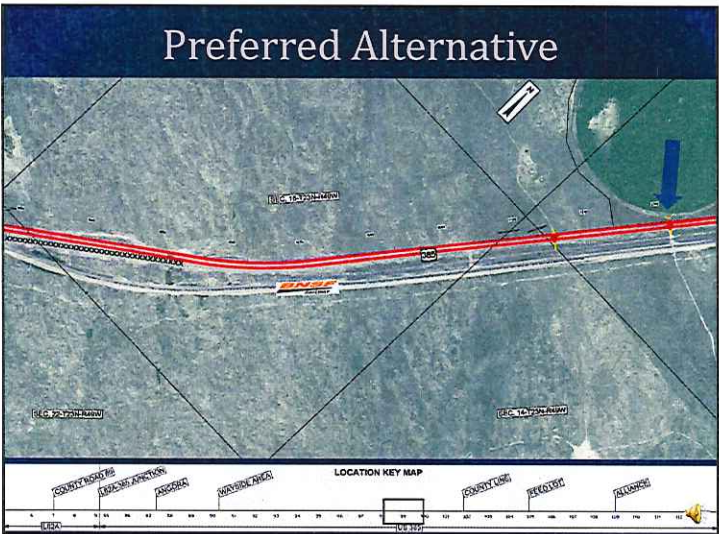
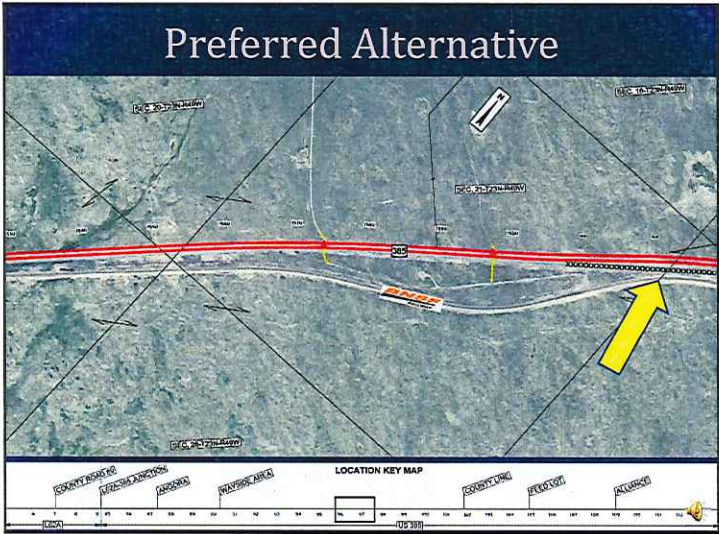
5-LANE W/TWO WAY LEFT TURN LANE

### LEGEND

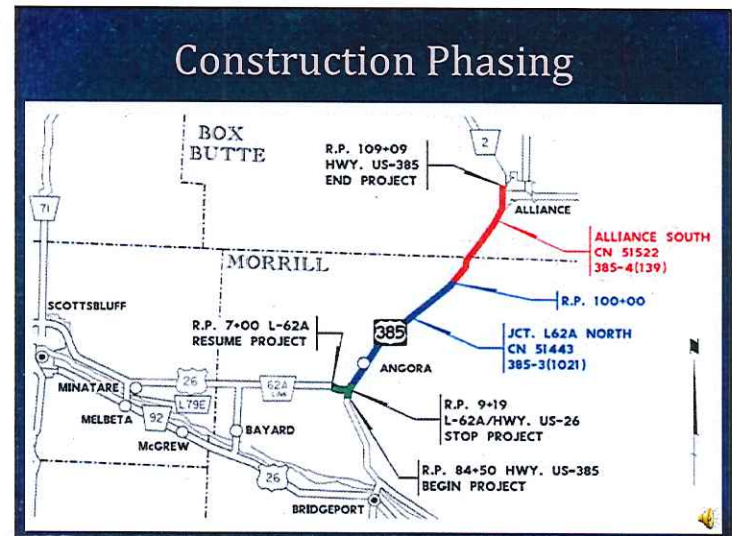
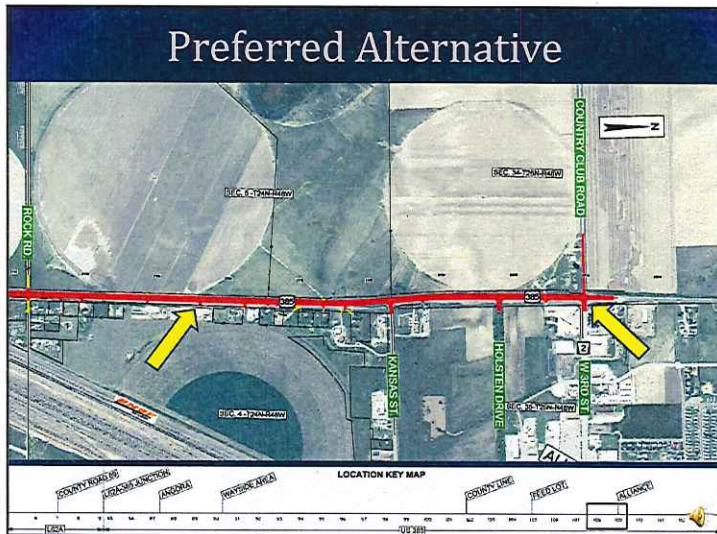
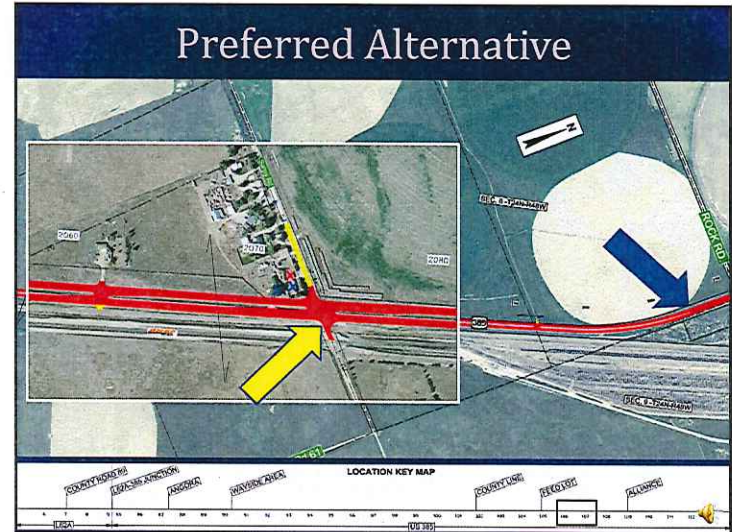
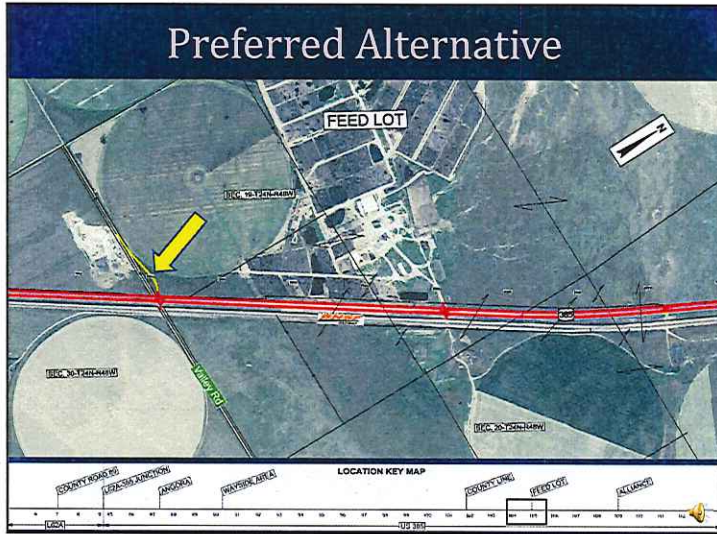
	EXISTING RIGHT OF WAY
	EXISTING RAILROAD RIGHT OF WAY
	WETLANDS
	POTENTIAL WETLAND MITIGATION SITE
XXXXXXXXXX	OBLITERATE ROADWAYS & DRIVES
	BUILDINGS REMOVAL
	RESIDENTIAL ACQUISITION
	NEW SURFACED ROADWAYS & DRIVES
	NON-SURFACED ROADWAYS & DRIVES



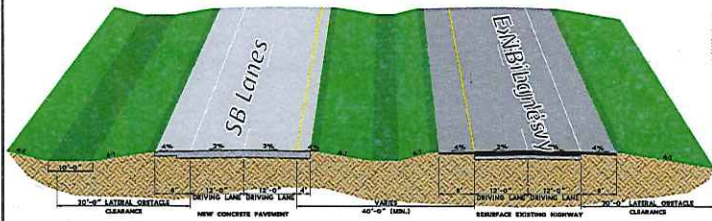








### Construction Phasing



4-LANE DIVIDED  
PHASED CONSTRUCTION

### Construction Traffic




### Local Access



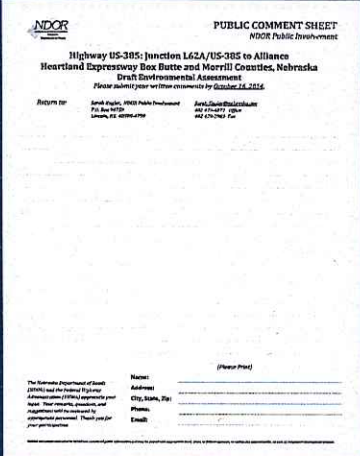
### Construction Cost

- Alliance South \$25 million
- Junction L-62A North \$30 million
- Sweeping Curve & NB Lanes \$25 million
- Preliminary Engineering,  
Right of Way, and Utilities \$10 million
- Total \$90 million\*

\*in present day dollars



# Public Comments



**PUBLIC COMMENT SHEET**  
NDOR Public Involvement

**Highway US-385: Junction L62A/US-385 to Alliance**  
Heartland Expressway Box Butte and Merrill Counties, Nebraska  
Draft Environmental Assessment  
Please submit your written comments by **October 16, 2014**

RETURN TO: Sarah Kugler, NDOR Public Involvement  
1100 N. 17th St.  
Lincoln, NE 68502-3206


NAME: \_\_\_\_\_ (Please Print)  
ADDRESS: \_\_\_\_\_  
CITY, STATE, ZIP: \_\_\_\_\_  
PHONE: \_\_\_\_\_  
EMAIL: \_\_\_\_\_

NDOR Public Involvement Officer  
P.O. Box 94759  
Lincoln, NE 68509

sarah.kugler@nebraska.gov

402 479-4871 Office  
402 479-3989 Fax

www.transportation.nebraska.gov



Official Nebraska Government Website

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511 Road Conditions & WebCams | Weather  
Road Conditions in Any State | Interstate Bridge Weather Info  
Work Zone Safety - It's Your Road | CityCams

Design & Construction Report in PDF  
L30 Resurfacing Projects | Jacob-Wheat 2012

NDOR Annual Report - 2011  
Build Nebraska Act (B.N.A.)

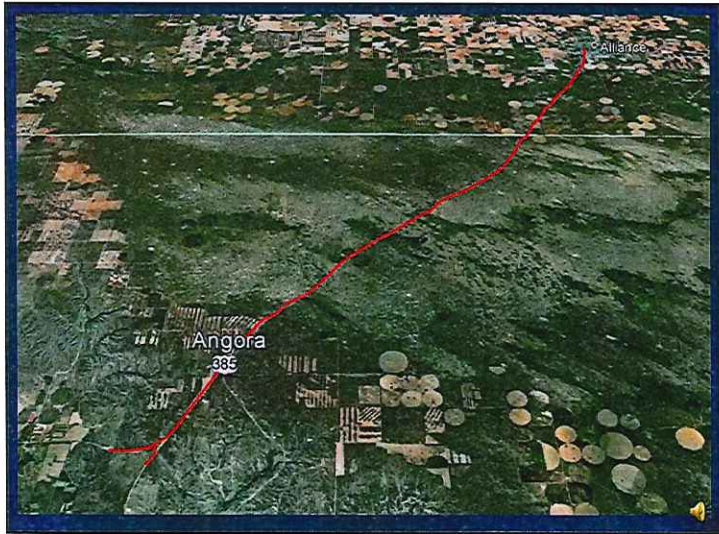
News Releases | Meetings & Hearings  
Industry Events | Film Library  
Accident Reports | NDOR's Office of Highway Safety

Ask a Question or Report a Highway Concern  
Employment Opportunities  
Communication Videos | TMS Site  
Historical Info | Language Translation Info


Local Districts Info | Federal Funds Purchase Program  
Construction Info | NDOR Experience Measures  
Transportation Litigation Library

2012 Traffic Counts

Public Policies & Regulations | Accessibility Options | State of NE Site  
Internet Privacy Policy | NDOR's Information Security Policy | Contact Us




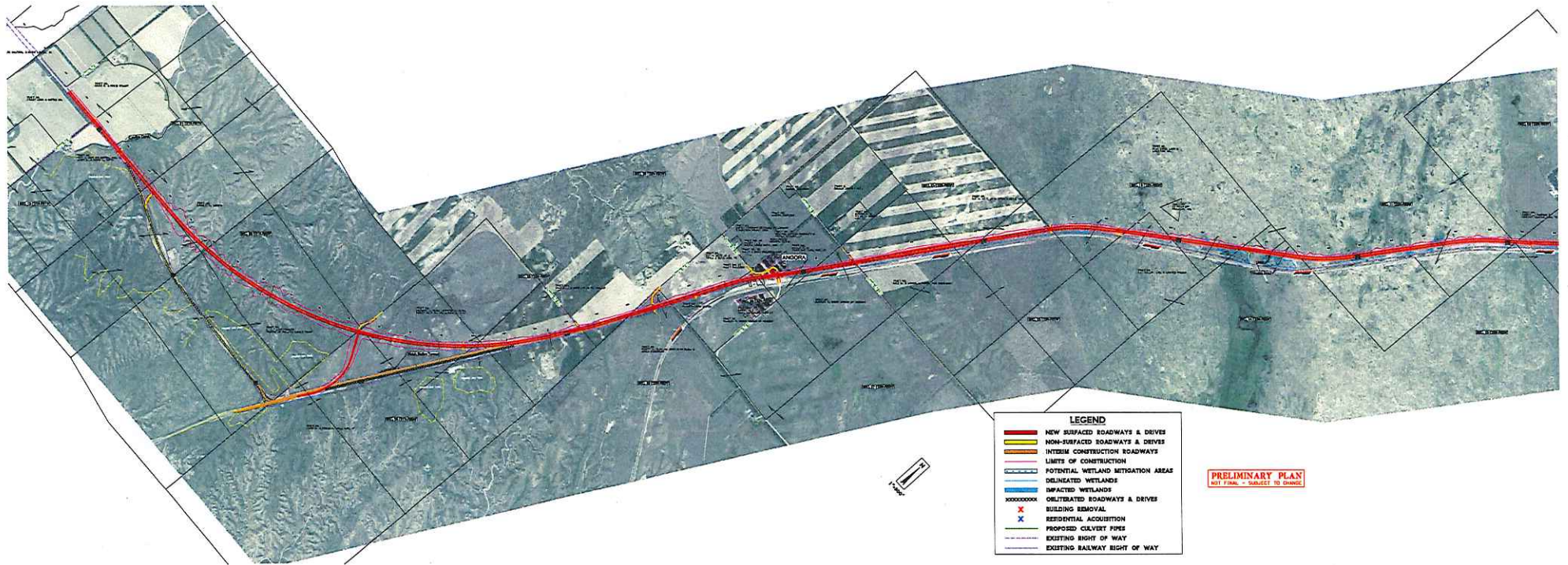
Highway Public Hearing  
Jct. L62A & US-385 to Alliance  
NH-385-3(118); C.N. 51432



October 1, 2014  
5:00-6:30 PM MDT *Open House*  
6:30-7:00 PM MDT *Public Forum*  
Newberry's  
402 Box Butte Ave., Alliance, NE

Jct. L62A & US-385 to Alliance  
NH-385-3(118); C.N. 51432

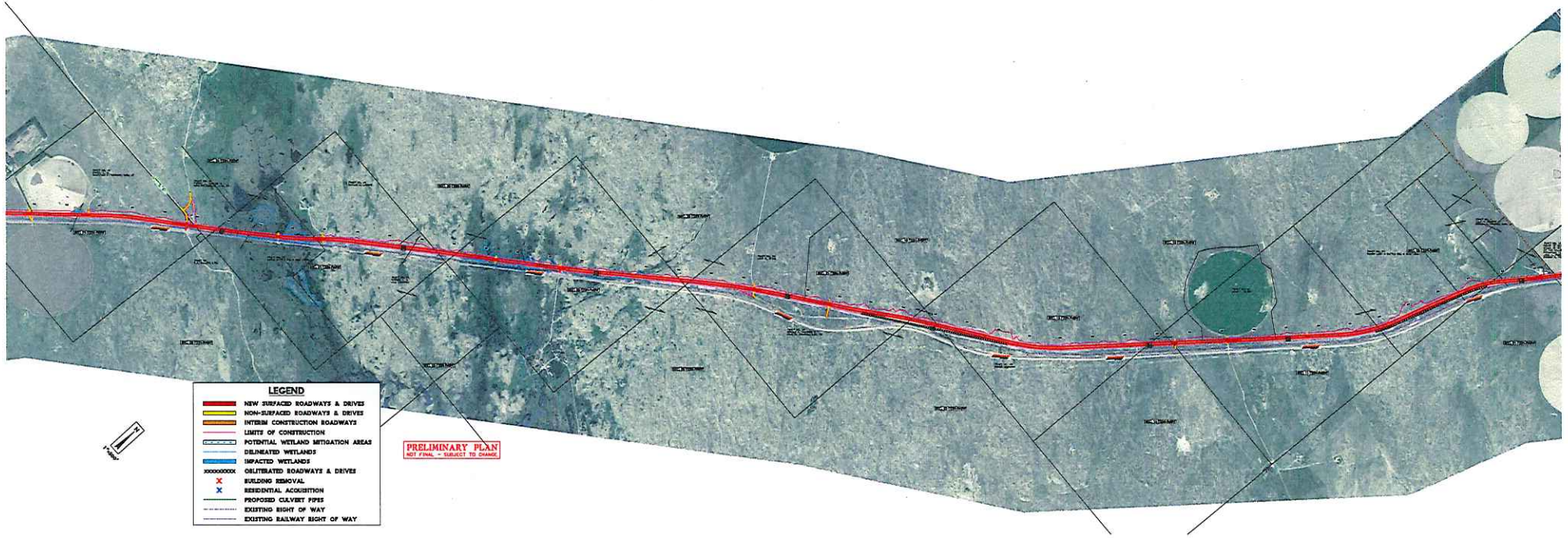


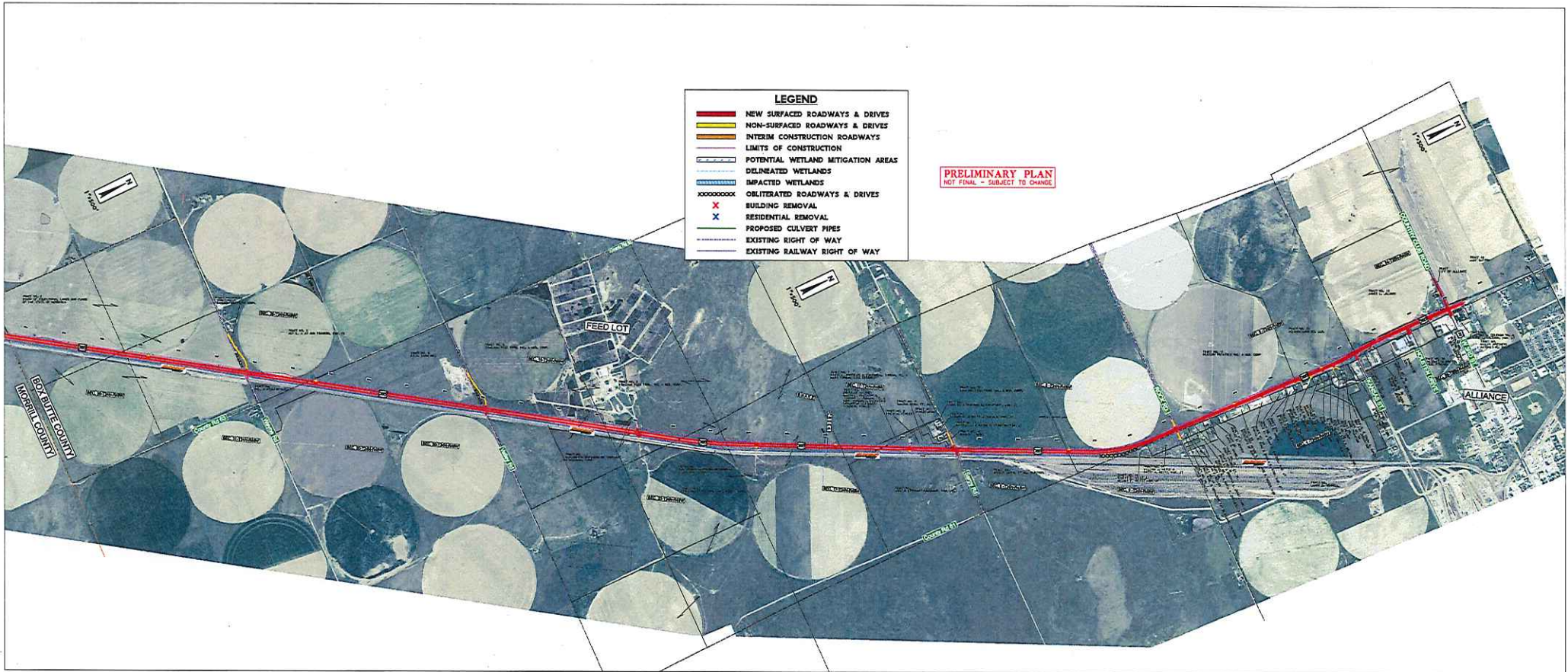


**LEGEND**

	NEW SURFACED ROADWAYS & DRIVES
	NON-SURFACED ROADWAYS & DRIVES
	INTERIM CONSTRUCTION ROADWAYS
	LIMITS OF CONSTRUCTION
	POTENTIAL WETLAND MITIGATION AREAS
	DELIMITATED WETLANDS
	IMPACTED WETLANDS
	BUILDING REMOVAL
	RESIDENTIAL ACQUISITION
	PROPOSED CURVEEY FENCE
	EXISTING RIGHT OF WAY
	EXISTING RAILWAY RIGHT OF WAY

**PRELIMINARY PLAN**  
NOT FINAL - SUBJECT TO CHANGE





**LEGEND**

<span style="color: red;">———</span>	NEW SURFACED ROADWAYS & DRIVES
<span style="color: yellow;">———</span>	NON-SURFACED ROADWAYS & DRIVES
<span style="color: orange;">———</span>	INTERIM CONSTRUCTION ROADWAYS
<span style="color: grey;">———</span>	LIMITS OF CONSTRUCTION
<span style="color: lightblue;">———</span>	POTENTIAL WETLAND MITIGATION AREAS
<span style="color: blue;">———</span>	DELINEATED WETLANDS
<span style="color: green;">———</span>	IMPACTED WETLANDS
<span style="color: black;">xxxxxxx</span>	OBLITERATED ROADWAYS & DRIVES
<span style="color: red;">x</span>	BUILDING REMOVAL
<span style="color: blue;">x</span>	RESIDENTIAL REMOVAL
<span style="color: green;">———</span>	PROPOSED CULVERT PIPES
<span style="color: black;">———</span>	EXISTING RIGHT OF WAY
<span style="color: black;">———</span>	EXISTING RAILWAY RIGHT OF WAY

**PRELIMINARY PLAN**  
NOT FINAL - SUBJECT TO CHANGE

FOX BUTTE COUNTY  
MCKEAN COUNTY

FEED LOT

ALLIANCE

ATTENDANCE

Sign-In Sheets

Photos of Public Meeting





# NH-385-3(118) JCT. L-62A/US-385 TO ALLIANCE; C.N. 51432 Public Hearing

Your attendance and participation is appreciated. The following information will be used for future meeting notifications and affirmative action purposes, as specified by law.

Name	Contact Information	Interest <small>(Property Owner, Government Official, or Interested Citizen)</small>	Please Check Appropriate Boxes			
			Notification	Sex	Ethnicity	
Please Print <i>Randy Benda</i>	Address <i>1791 CR 59</i> City/Zip <i>Alliance 69301</i>		<input type="checkbox"/> Mailing <input checked="" type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>Craig BARTHEL</i>	Address <i>2541 S. Hwy 385</i> City/Zip <i>Alliance, NE 69301</i>		<input type="checkbox"/> Mailing <input checked="" type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>Brent Kusek</i>	Address <i>324 Lermie</i> City/Zip <i>Alliance NE 69301</i>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>Brandi McCaslin</i>	Address <i>1110 Circle Dr. Suite F2</i> City/Zip <i>Scottsbluff NE 69341</i>	<i>Sen. Fishers Office</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input checked="" type="checkbox"/> Other	<input type="checkbox"/> M <input checked="" type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>John Kiss</i>	Address <i>PO Deanna D</i> City/Zip <i>Alliance, NE 69301</i>	<i>Law Enforcement</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input checked="" type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>ROSTREY</i>	Address <i>PO Box D</i> City/Zip <i>Alliance 69301</i>	<i>Director OF PUBLIC WORKS</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>Tim Garwood</i>	Address <i>1407 Black Hills Ave.</i> City/Zip <i>Alliance NE 69301</i>	<i>Heartland Board member</i>	<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>Jim Fraedrich</i>	Address <i>2710 S Hwy 385</i> City/Zip <i>Alliance NE 69301</i>		<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>Rick Willis</i>	Address <i>416 Valley View Dr</i> City/Zip <i>Scottsbluff NE 69361</i>	<i>ADRIAN SMITH</i>	<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	<input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <i>McLaughlin Ed Bud Laurie</i>	Address <i>80 Box 274</i> City/Zip <i>Alliance, NE 69301</i>	<i>Prop-Owner</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F	<input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other



# NH-385-3(118) JCT. L-62A/US-385 TO ALLIANCE; C.N. 51432 Public Hearing

Your attendance and participation is appreciated. The following information will be used for future meeting notifications and affirmative action purposes, as specified by law.

Name	Contact Information	Interest <small>(Property Owner, Government Official, or Interested Citizen)</small>	Please Check Appropriate Boxes		
			Notification	Sex	Ethnicity
Please Print <b>CARL WEST</b>	Address <b>6800 LOGAN RD</b> City/Zip <b>ALLIANCE NE 69301</b>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input checked="" type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Ed Lucas</b>	Address <b>POB 353</b> City/Zip <b>Hemington, NE 69348</b>	<b>CITIZEN</b>	<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Jim DOUGLAS</b>	Address <b>9530 ROAD 120</b> City/Zip <b>ANBORA NE.</b>		<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Dub Cotter</b>	Address <b>706 W 3rd</b> City/Zip <b>Chadron, NE 69331</b>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input checked="" type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Jack Scott</b>	Address <b>735 W. 14th St</b> City/Zip <b>ALLIANCE 69301</b>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Carin Richardson</b>	Address <b>5 K-1 Road</b> City/Zip <b>Ogallala, NE 69153</b>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Loren Gorsuch</b>	Address <b>20399 Rd 134</b> City/Zip <b>Bingham, NE 69335</b> <b>lesal.gorsuch@live.com</b>		<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Mark Masterton</b>	Address <b>2410 4th</b> City/Zip <b>Southfield 69301</b>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>Art Crawford</b>	Address <b>1419 Cheyenne Ave</b> City/Zip <b>Alliance 69301</b>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other
Please Print <b>MARY BARTHEL</b>	Address <b>2541 S Hwy 385</b> City/Zip <b>Alliance 69301</b>		<input checked="" type="checkbox"/> Mailing <input checked="" type="checkbox"/> Newspaper <input checked="" type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input checked="" type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> Other



# NH-385-3(118) JCT. L-62A/US-385 TO ALLIANCE; C.N. 51432 Public Hearing

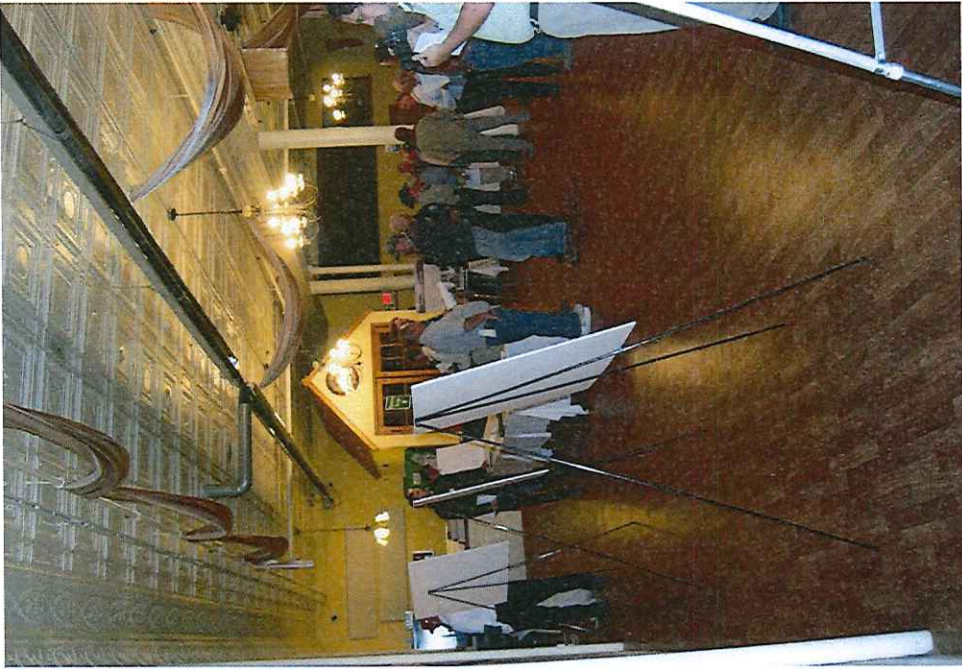
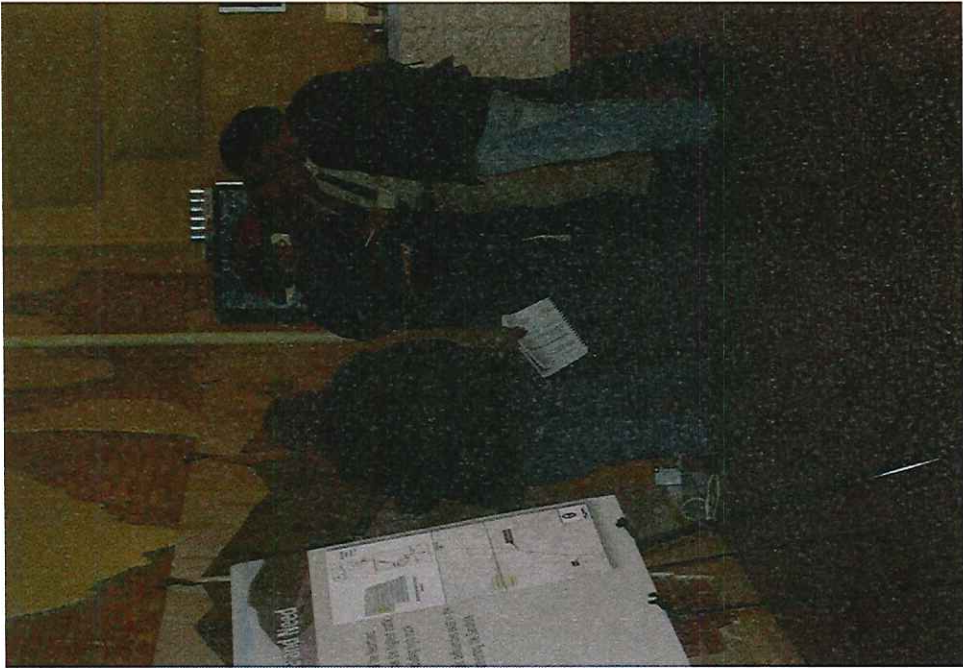
Your attendance and participation is appreciated. The following information will be used for future meeting notifications and affirmative action purposes, as specified by law.

Name	Contact Information	Interest <small>(Property Owner, Government Official, or Interested Citizen)</small>	Please Check Appropriate Boxes		
			Notification	Sex	Ethnicity
Please Print Kevin Larsen	Address 226 Bordeaux City/Zip Chadron NE 69337		<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print FRED FELDGES	Address 231 W 21st City/Zip Alliance NE		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print Bo Secrest	Address 224 Black Hills Ave City/Zip Alliance/69301		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print Susan Unzicker	Address 305 Box Butte Alliance Chamber City/Zip Alliance NE 69301		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print Jake Peltz Robyn Peltz	Address 1427 Cheyenne City/Zip Alliance NE 69301		<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input checked="" type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print Bob Henderson	Address PO Box 762 E-g Tower Plaza City/Zip Alliance Ne 69304		<input type="checkbox"/> Mailing <input checked="" type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print Sander Al Davis	Address 66455 Pondosa Dr City/Zip Hyannis Ne 69350		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print HOWARD E. JENSEN	Address 2491 So Hwy 385 P.O. Box 833 City/Zip Alliance NE 69301		<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print MAYR DICKINSON	Address 308-760-6458 City/Zip		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print Kevin Horn	Address Alliance City/Zip		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other

# NH-385-3(118) JCT. L-62A/US-385 TO ALLIANCE; C.N. 51432 Public Hearing

Your attendance and participation is appreciated. The following information will be used for future meeting notifications and affirmative action purposes, as specified by law.

Name	Contact Information	Interest <small>(Property Owner, Government Official, or Interested Citizen)</small>	Please Check Appropriate Boxes		
			Notification	Sex	Ethnicity
Please Print <i>EVERETT LOOMIS</i>	Address <i>11437-89</i> City/Zip <i>Boyan, Ne 69334</i>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>MIKE MCGINNIS</i>	Address <i>1512 West 3rd St</i> City/Zip <i>Alliance, Ne. 69301</i>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>VITOM BLAKEMAN</i>	Address City/Zip <i>6090 Park Rd Alliance</i>		<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>Milo Rust</i>	Address <i>PO Box 390</i> City/Zip <i>Chadron 69337</i>	<i>city of Chadron</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>KEVIN HOWARD</i>	Address <i>305 Box Butte</i> City/Zip <i>Alliance 69301</i>	<i>City of Alliance</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>STEVE SWANSON</i>	Address <i>3030 CR. 63</i> City/Zip <i>ALLIANCE 69301</i>	<i>PROPERTY OWNER</i>	<input checked="" type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>Chelsie Herian</i>	Address <i>305 Box Butte</i> City/Zip <i>Alliance 69301</i>	<i>Box Butte Dev. Corp / Heartland Board</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input type="checkbox"/> M <input checked="" type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>Gary Bende</i>	Address <i>113 W 21st</i> City/Zip <i>Alliance Ne</i>	<i>property owner</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input type="checkbox"/> Email <input type="checkbox"/> Friend <input checked="" type="checkbox"/> Other	<input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>J.D. Cox</i>	Address <i>119 Box Butte</i> City/Zip <i>Alliance, NE</i>	<i>Property owner / City Manager</i>	<input checked="" type="checkbox"/> Mailing <input checked="" type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input checked="" type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other
Please Print <i>Daniel Bennett</i>	Address <i>1517 Broadway Suite 101</i> City/Zip <i>Scottsbluff, NE 69301</i>	<i>PADD / Heartland Board</i>	<input type="checkbox"/> Mailing <input type="checkbox"/> Newspaper <input type="checkbox"/> Hwy. Sign <input type="checkbox"/> Website	<input checked="" type="checkbox"/> Email <input type="checkbox"/> Friend <input type="checkbox"/> Other	<input checked="" type="checkbox"/> M <input type="checkbox"/> F <input checked="" type="checkbox"/> White <input type="checkbox"/> Hispanic/Latino <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian/Pacific Islander <input type="checkbox"/> Black <input type="checkbox"/> Other







PUBLIC COMMENTS

Sample Citizen Comment Sheet

Comment Matrix

Written Citizen Comments

(written comments postmarked or received by October 16, 2014)

NDOR Participants/Notes





**PUBLIC COMMENT SHEET**

*NDOR District Five Public Hearing*

**NH-385-3(118) JUNCTION L-62A/US-385 TO ALLIANCE; C.N. 51432**

**October 1<sup>st</sup>, 2014; 5:00 – 7:00 PM**

Newberry's, 402 Box Butte Ave., Alliance, NE

*Please submit your written comments by October 16<sup>th</sup>, 2014.*

*Return to:*

Sarah Kugler, NDOR Public Involvement  
P.O. Box 94759  
Lincoln, NE 68509-4759

[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)  
402 479-4871 Office  
402 479-3989 Fax

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*The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank-you for your participation.*

*(Please Print)*

**Name:**

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**Address:**

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**City, State, Zip:**

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**Phone:**

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**Email:**

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**Comments Matrix**

**Project:** US-385 to Alliance

<b>Date</b>	<b>Time</b>	<b>First Name</b>	<b>Last Name</b>	<b>Company Name</b>	<b>Address</b>	<b>Email</b>	<b>Comments</b>	<b>Daytime Phone</b>	<b>Reply</b>
		Carin	Richardson		5 -1 Rd Ogallala NE 69153	shoemaker.carin@yahoo.com	Looking forward to the ease of traveling on a 4-lane road.	785-210-6887	Thank you for your comment.
		Carl	West		6800 Logan Rd Alliance NE 69301	qualityhaying@outlook.com	To better facilitate northbound truck traffic from Bridgeport north to Alliance, would it be possible to leave the existing portion of 385 for a free right at the 385 junction, or make another free right onto 385.	308-760-1245	Dear Mr. West: A traffic study was completed for the proposed realigned intersection of US-385 and L-62A. The study indicated that a free right turn lane was not warranted to handle the traffic at this time. However, the initial project would widen US-385 on its current alignment, leaving the intersection with L-62A as-is for the time being. The reconstruction of this intersection would not occur for some time. When it does occur, the traffic report would be reviewed to see if a free right turn lane would then meet warrants.  Jim Wilkinson, PE Planning & Location Studies Engineer Planning & Project Development Division
10-9-14	9:57 am	Tim	Garwood		Heartland Board Member	tgarwood@bbc.net	Jim, we meet recently at the Newberry Building in Alliance during the Heartland meeting. At the time there was a gentleman that was upset about how the changes were going to effect his property. His name is Howard Jensen. Howard expressed his concerns to several people at that time. I know Howard can get off on several issues at the same time but he is genuinely concerned about his property. Howard was in to see me yesterday to expound on these concerns. My problem lies in the fact that nobody has responded to Howard since the meeting. I don't know if his concerns justify looking at possible		The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project. In receipt of your comments regarding Howard Jensen, we are including a copy of the letter we sent to Mr. Jensen.  Jim Wilkinson, PE Planning & Location Studies Engineer Planning & Project Development Division  copy of Jensen letter was emailed along with response

Date	Time	First Name	Last Name	Company Name	Address	Email	Comments	Daytime Phone	Reply
							<p>changes in the design plans at that location or not but I honestly believe that someone needs to contact Howard and either truly justify the reason the design is the way it is, or consider some design changes to accommodate his concerns.</p> <p>In talking with Doug Leafgreen that night, I asked him if design plans were set or was there any room for changes. His response to me was that there was still time for changes and that was one purpose of that meeting. Let me know what your thoughts are concerning this matter.</p>		
1-1-14		Deb	Cottier, Treasurer	Heartland Expressway Association Board of Directors	706 W 3 <sup>rd</sup> St Chadron NE 69337		<p>NDOR Public Hearing and Open House</p> <p>Thank you for providing this opportunity to once again voice our support for the completion of the Heartland Expressway as a 4 lane highway through Nebraska, connecting with efforts by the Ports to Plains Expressway and Teddy Roosevelt Expressway. The Heartland Expressway Association represents citizens in all communities along the route. As a voice for the 90,000 people living in Western Nebraska, the Heartland Expressway Association is providing comments regarding the next phase of the construction of this important trade, energy and transportation corridor.</p> <p>Thank you also for the quick turn around on the environmental assessment of the proposed next phase from Nebraska Highway 2 at Alliance, NE to the L-62A junction on US Highway 385 approximately 28 miles to the south. The work completed by the consultants is thorough and we believe the agreed upon mitigation</p>		Thank you for your comment.

Date	Time	First Name	Last Name	Company Name	Address	Email	Comments	Daytime Phone	Reply
							<p>work addresses the concerns of environmental impact of this planned expansion and realignment. We urge the Federal Highway Administration to conclude this assessment and issue a Finding of No Significant Impact for the project.</p> <p>The Heartland Expressway Association is in concurrence with the NDOR stated preferred alternatives on the alignment of this next section of the Heartland Expressway. We note that the final construction piece, the connecting curve from L-62A to the north merging with US Highway 385 is not actually a part of the current project. We urge NDOR to move as quickly as possible to get this project programmed into the STIP and allocate funding. We realize the plan is to utilize the next available funds from the Build Nebraska act fund. We encourage NDOR to also include in that programming statement as much of the initial planning and engineering as possible on portions of L-62 A west to the Bayard, NE junction and connection with US Highway 26. Identifying the next leg or phase of potential 4-lane expansion is a logical next step for NDOR and we support this apparent direction.</p> <p>We believe that NDOR should also be ever mindful of the Heartland Expressway project just completed in South Dakota and look for ways to include in future programming the portion of 2-lane US Highway 385 that meets 4 lanes at the Nebraska-South Dakota border north of Chadron.</p> <p>Thank you again for this opportunity to share with you our thoughts regarding this important development project. We</p>		

Date	Time	First Name	Last Name	Company Name	Address	Email	Comments	Daytime Phone	Reply
							also appreciate the chance to meet with other citizens to hear how this project will affect them. The property owners along the route, agricultural producers who have waited for years for a more efficient, safer way to transport their crops, are constituents that deserve this opportunity to be heard. Thank you.		

Date	Time	First Name	Last Name	Company Name	Address	Email	Comments	Daytime Phone	Reply
10-14-14	11:25 am	Charles	Mulloy		10746 Rd 126 Angora NE 69331		<p>Charles Mulloy called to verbally express his comments regarding the Junction L62-A/*S-385 to Alliance project as he wasn't able to attend the Public Hearing.</p> <p>Mr. Mulloy is concerned about the access to the roadside park/rest area, as he owns a property on the west side of the rest area and uses that rest area to maneuver his machinery. Is that rest area going to be removed? If that rest area is going to be removed, he would like to know what would happen to the property remaining.</p> <p>Regarding County Road-120 (CR-120), he owns property on the north side of the radio tower also and would like to know if that will be impacted. His last comment was if we have trouble maintaining the roads that we have then why expand them, the project is a waste of money in his opinion.</p> <p><i>-- Written comment received after comment period closed. Attached to logged phone comment --</i></p>	308-760-8254	<p>Dear Mr. Mulloy:</p> <p>The southern drive to the rest area will remain in place to serve the private railroad crossing, however, the north drive and the remaining rest area will be closed. NDOR would consider requests to purchase excess right of way created as a result of this project. After the project construction is complete NDOR will decide whether to maintain ownership of this property or consider selling it. For the property on the north side of the radio tower, we are proposing to purchase land along the west side of the highway to accommodate the widening. The distance from the existing fence line varies from approximately 80' to 140' depending on the exact location. Existing field access locations will generally be perpetuated with the project. To the extent possible, drainage patterns would not change with this project, however, your comment concerning the drainage is noted and will be taken into consideration during final design. The access locations in Angora would be consolidated to one location. The Post Office would not be impacted by the project. Access to County Road 120, north of Angora, would remain as it is today.</p> <p>Jim Wilkinson, PE Planning &amp; Location Studies Engineer Planning &amp; Project Development Division</p>

7-18-14		Steve	Klemm		12627 Park Lane Cir Omaha NE 68164	<p>Dear Governor: You've heard from me before. I retired in January 2014 after more than 30 years with the Omaha National weather Service. Now I have considerable free time to monitor developments concerning highway projects around the region, which I missed out on while employed. I tune in to your monthly statewide radio programs whenever possible. Thanks for that, and your overall great performance as governor. On recent shows there were callers from Alliance and Chadron with comments about the Heartland Expressway. I'm in favor of this long awaited project, but must voice my objection to a portion of the routing from Scottsbluff to Kimball. One of the reasons the project was undertaken was to steer tourists to the Black Hills area, not only from Colorado, but also from Nebraska and points south and east. Because I'm a native South Dakotan, I know that most Black Hills tourists come from the Midwest, not Colorado, which has plenty of mountainous terrain of its own bar none. So a logical route for the Expressway would be to circuit it along U.S. 285 from Rapid City to Chadron, Alliance, Bridgeport, and Sidney to I-76 at Sterling, CO. Midwest tourists travelling west on I-80 could then exit onto the Heartland Expressway (U.S. 385) at Sidney. The Kimball exchange is out of the way resulting in extra mileage. Colorado tourists bound for the Black Hills through Sterling and Sidney would be using the shortest route possible.</p> <p>I should point out that for Scottsbluff's interests, I do support the four-laning of U.S. 26 project (currently under construction) connecting them with</p>	<p>August 8, 2014 Dear Mr. Klemm: Thank you for your letter and kind words. Citizens like you challenge us in our performance and help make this state a better place. Below is background on the Heartland Expressway, followed by my comments. Interest in the Heartland Expressway was spurred many years ago and then intensified in 1991 with the passing of the Intermodal Surface Transportation Efficiency Act (ISTEA). This act called for the development of high priority corridors on a National Highway System. It also identified the Heartland Expressway from Denver, through Scottsbluff, and on to Rapid City as a high priority corridor. In 1988, before ISTEA, the Nebraska Legislature instructed the Nebraska Department of Roads (NDOR) to identify a 600-mile expanded expressway system to connect urban centers (cities with a population of 15,000 or greater) to the Interstate System. With the expanded expressway system and the high priority corridor established by ISTEA, NDOR began transportation studies in coordination with the neighboring states of South Dakota, Wyoming and Colorado. These studies led to construction along US-71 between Kimball and Scottsbluff and this four-lane expressway segment is now complete. Provided the legislative guidance and the state's investment in completed segments, it is not feasible to shift away from the identified Heartland corridor. I discussed US-385 with the</p>
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						<p>U.S. 385 just south of Angora. This assures that the Scottsbluff area will have good access to the rest of Nebraska, which as a self-contained community in their own right, satisfies their needs. Reasonable access to Cheyenne and the Colorado Front Range is already available via U.S. 85 and I-25 connections.</p> <p>I've already contacted the Colorado and South Dakota officials about this routing conflict. The SD governor was ticked off concerning this news. Colorado DOT wants to upgrade the U.S. 287 corridor from Limon, CO all the way to Amarillo, TX. Then it seems logical they would support extending the Heartland Expressway from Kimball to Brush to Limon along SR71. The Sidney to Sterling route would also work for them, depending on Nebraska's lead, so either solution is satisfactory.</p> <p>So my conclusion is that Nebraska has acted against South Dakota's interests, and I take it personally, since every possible challenge won for them, is a plus for their struggling economy. South Dakota residents have a downtrodden spirit and often fail to stand up for their own interests partially due to persistent bullying by Minnesota! Thanks for your attention, and all you do for the people of greater Nebraska.</p>		<p>Nebraska Department of Roads and they informed me that the segment between Sidney and Bridgeport is a principal arterial with 8-foot surfaced shoulders. NDOR is actively maintaining the segment and it is a suitable route for people traveling west along I-80 with a destination to Alliance, Scottsbluff or the Black Hills area. NDOR assured me that they coordinated the necessary activities with South Dakota and are not acting against their interests in constructing segments along the identified Heartland corridor.</p> <p>Again, thank you for your comments and your support of the Nebraska Transportation System. Please visit the Nebraska Department of Roads' website for information and updates on the Heartland Expressway and projects along the identified corridor.</p> <p>Sincerely, Dave Heineman  cc: Randall D. Peters, NDOR  Director-State Engineer  bc: Andy Cunningham</p>	
9/18/14	17:50	Craig	Barthel		<p>Craig Barthel  2541 S. Hwy 385  Alliance Ne 69301</p>	goldwingivr@yahoo.com	<p>It's about time. The State government used the money for the road a few years ago and now can't figure out where to come up with it. Get it back from the eastern part of the state! WE DO EXIST. 385 is a very dangerous road and needs to be 4 lanes from Scottsbluff to alliance and beyond alliance to the SD state line. Let's get it done or someone is going to put in a</p>	(308) 762-2854	Thank you for your comment.



							<p>petition to annex into WY. If this is what the state government thinks of the people of the western half of Nebraska, then maybe we better My wife and I have both had close calls on this stretch of highway from Alliance and Angora.</p> <p>Get on with it! Let's get it done! The people of this area are getting tired of all the excuses for not being able to get the road done.</p>		
9/18/14	18:11	Craig	Barthel		Craig Barthel 2541 S. Hwy 385 Alliance Ne 69301	goldwinglvr@yahoo.com	<p>Question: Which of the proposals is going to be used? I live on this section of highway 1 mile south of Terry's corner on the east side of the highway. 4 out 5 of the proposals did away with my house and it would be nice to know if I will have to move.</p> <p>Craig</p>	(308) 762-2854	<p>The Public Hearing held on October 1st, 2014 at Newberry's presented the preferred alternative. This included the 5-lane highway in the vicinity of Alliance. With this alternative, the Nebraska Department of Roads does not anticipate acquiring homes in the area between Rock Road and Nebraska Highway 2 (West 3rd Street).</p> <p>Jim Wilkinson, PE Planning &amp; Location Studies Engineer Planning &amp; Project Development Division</p>
10/12/14	12:37					macrl76@msn.com	<p>A truck driver asked me about the truck scale design north of Angora. He asked that the NDOR provide a DMS that could be triggered by the scale people when the truck scales are full to allow truck traffic to bypass the scale instead of backing up onto the drive lanes or shoulder and cause a potential accident.</p> <p>NO ADDRESS/NAME WAS INCLUDED</p>	(308) 436-6587	<p>The proposed truck scale would be designed to meet the needs of that particular location. The current proposed design for the portable scale locations are a widened shoulder, each direction of travel. There are no plans for a scale building or electronics, the weigh station signs will continue to be static signs with no DMS capabilities.</p> <p>Jim Wilkinson, PE Planning &amp; Location Studies Engineer Planning &amp; Project Development Division</p>

10/20/14		Howard	Jensen		2491 So Hwy 385-PO Box 833 Alliance NE 68301	hejensen@telecomwes t.net	As a residence and tax payer of Box Butte Co. and State of NE for a lifetime and for the past 25+ years looking & thinking of building Heartland Express and attending the meeting of Oct. 1, 2014 in Alliance – I am left with a feeling of dismay and concern as the plans on building have CHANGED AGAIN!! which would in resulting in what I feel as total hardship on the part of all residence & business involved along the east side of So. Hwy 385 in Box Butte Co. and City of Alliance – building a 4 lane and then try to jam all that into a 5 lane road forcing one's to try & live w/o expressway on their front steps makes no sense at all – WHY I ASKED, the answer was because the NDOR wants to be fiscal responsible & use existing right of way, instead of pushing the project to the west where only farm ground & no residence are effected – we all have seen how fiscal responsible the NDOR have been in building the expressway in S Bluff & Kimball Counties – over roads & waterways around towns w/large intersection with plenty of room for auto & truck passage – and then a new maintenance building to house hundreds of pieces of equipment – OH!! the road & bridge to nowhere on the west side of S Bluff to ease traffic in the city – I have seen the work an results of the long term planning in Western NE – because as for the past 42 years I have driven these roads acct employment w/BNSF. If this project as proposed is built – it will destroy the livelihood of more than several residence & cause hardship for others. The City of Alliance should also be considered w/this project because trying to put all this in the space at the junction of Hwy 2 & 385, I believe	(308) 762-3860	Dear Mr. Jensen: Thank you for attending the public hearing and sharing your concerns with the project representatives. I understand how frustrating these large projects can be, taking years to navigate the process. The alternatives that were presented at the Public Information Meeting held back in May of 2011 were evaluated for many factors, including impacts to private property and for comparative costs. The alternative selected, the 5-lane highway centered on the existing alignment, had the least amount of impacts to private property and was the least expensive to construct. You may recall that the alternatives which offset the highway to the west required frontage roads on the east side of the highway to maintain access to those properties, an added expense over the 5-lane alternative. The intersections that would have been built with those options required relocating one residence and one business to make the connections to the frontage roads, compared to no relocations were required for the 5-lane alternative. For these reasons the 5-lane alternative was selected. With the 5-lane alternative, access is maintained to each of the properties along the east side of the highway. The City of Alliance has been involved with the coordination efforts on this project. A traffic study was completed for the intersection of US-385 and Nebraska Hwy 2, and the intersection would operate at acceptable levels for the projected volume of traffic in the year 2035. Upon completion of the
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							<p>would be a traffic nightmare and safety problems. I have many concerns w/this project and expressed them at the Oct. 1 2014 meeting – w/my business &amp; home located at 2491 S Hwy 385, I wonder what and when the NDOR will want or take to satisfy their project. May we visit soon-as of now the NDOR has put our lives and buss. plans on hold.</p>	<p>environmental phase of this project, representatives from NDOR's Right-of-Way division will be in contact with you to begin discussions concerning temporary construction easements and possible land acquisition (if any) to construct the highway. We would anticipate this to happen as early as the spring of 2015.</p> <p>Jim Wilkinson, PE          Planning &amp; Location Studies          Engineer          Planning &amp; Project Development          Division</p>
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10/3/14	10:25 am	Jake	Peltz	Peltz Companies, Inc.	Alliance, NE	<a href="mailto:jakepeltz@outlook.com">jakepeltz@outlook.com</a>	<p>My name is Jake Peltz and I'm with Peltz Companies, Inc. out of Alliance, Nebraska. We are a national leader in the Roller Compacted Concrete/Soil Cement Industry completing intermodal facilities, dams, distribution centers, and other pavement structures all across the continental United States. I was at the meeting the other day at the Newberry Building and looked at the specs for the Heartland Expressway and seen it's to be done in 9" doweled concrete. However, there was nothing set yet on the highway shoulders that I could acknowledge.</p> <p>We think this would be a great application for Roller Compacted Concrete (RCC). Not only is it a cost alternative to asphalt and conventional concrete but along with the high volume production, minimal to low labor, and high strengths and durability of the RCC – it proves hands down to succeed over asphalt and be a big cost alternative to Conventional Concrete. I am going to attach you a document that showcases this application done to similar projects.</p> <p>Thanks Sarah hope to hear from you soon,</p> <p>Jake Peltz, Peltz Companies, Inc.  <a href="http://www.peltzco.com">http://www.peltzco.com</a>  <i>(Please see report for attachment referred to in email.)</i></p>	308-760-2633	<p>The information you provided on Roller Compacted Concrete was forwarded to the Material and Research Division, who makes decisions on pavement types (including thickness) based on the underlying soils, available materials, and traffic characteristics.</p> <p>Jim Wilkinson, PE  Planning &amp; Location Studies  Engineer  Planning &amp; Project Development  Division</p>
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**PUBLIC COMMENT SHEET**  
*NDOR District Five Public Hearing*

**NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432**  
**October 1<sup>st</sup>, 2014; 5:00 – 7:00 PM**

Newberry's, 402 Box Butte Ave., Alliance, NE  
*Please submit your written comments by October 16<sup>th</sup>, 2014.*

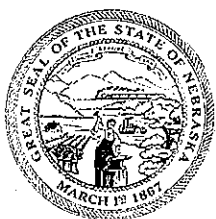
**Return to:**

Sarah Kugler, NDOR Public Involvement      *sarah.kugler@nebraska.gov*  
P.O. Box 94759    402 479-4871 Office  
Lincoln, NE 68509-4759                                402 479-3989 Fax

*Looking forward to the ease of  
traveling on a 4-lane road.*

*The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank you for your participation.*

(Please Print)  
Name: Carin Richardson  
Address: 5 K-1 Rd  
City, State, Zip: Ogallala, NE 69153  
Phone: 785-210-6887  
Email: shoemaker.carin@yahoo.com



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**

**Randall D. Peters, P.E.**, *Director - State Engineer*  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Carin Richardson  
-5-1 Rd  
Ogallala NE 69153

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Ms. Richardson:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

Thank you for your participation.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah R. Kugler".

Sarah R. Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871

SRK/COM13-ZG



**PUBLIC COMMENT SHEET**  
*NDOR District Five Public Hearing*

**NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432**

**October 1<sup>st</sup>, 2014; 5:00 – 7:00 PM**

Newberry's, 402 Box Butte Ave., Alliance, NE

Please submit your written comments by October 16<sup>th</sup>, 2014.

Return to:

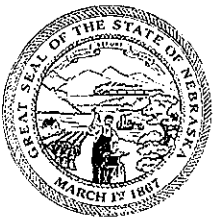
Sarah Kugler, NDOR Public Involvement  
P.O. Box 94759  
Lincoln, NE 68509-4759

[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)  
402 479-4871 Office  
402 479-3989 Fax

To better facilitate northbound truck traffic from Bridgeport north to Alliance, would it be possible to leave the existing portion of 385 for a free right at the 385 junction, or make another free right on to 385.

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank you for your participation.

(Please Print)  
Name: Carl Carl West  
Address: 6800 LOGAN Rd  
City, State, Zip: ALLIANCE NE 69301  
Phone: 308-760-1245  
Email: qualityhaying@aoutlook.com



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**  
Randall D. Peters, P.E., Director - State Engineer  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

L. Carl West  
6800 Logan Rd  
Alliance NE 69301

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Mr. West:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

A traffic study was completed for the proposed realigned intersection of US-385 and L-62A. The study indicated that a free right turn lane was not warranted to handle the traffic at this time. However, the initial project would widen US-385 on its current alignment, leaving the intersection with L-62A as-is for the time being. The reconstruction of this intersection would not occur for some time. When it does occur, the traffic report would be reviewed to see if a free right turn lane would then meet warrants.

Thank you for your participation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Wilkinson".

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH



## Matulka, Denise

---

**From:** Kugler, Sarah  
**Sent:** Thursday, October 09, 2014 2:51 PM  
**To:** Matulka, Denise  
**Subject:** FW: Heartland concerns

Please print and add to the project report. Thank you.

### **Sarah R. Kugler**

*Public Involvement Coordinator*  
NDOR Communication Division  
402-479-4871; 402-416-7667  
[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)

---

**From:** Wilkinson, Jim  
**Sent:** Thursday, October 09, 2014 1:54 PM  
**To:** Kugler, Sarah  
**Cc:** Bui, Tony; Owen, Mike  
**Subject:** FW: Heartland concerns

For your records.

---

**From:** Wilkinson, Jim  
**Sent:** Thursday, October 09, 2014 1:42 PM  
**To:** 'Tim Garwood'  
**Subject:** RE: Heartland concerns

Tim,

I am acknowledging receipt of your e-mail. As you may know from the October 1 public meeting, or from NDOR's website <http://www.transportation.nebraska.gov/projects/heartland-exp/index.htm> (click on the Hearing Notice) that the public comment period ends October 16. NDOR plans to respond to public comments, including Mr. Jensen's, after that. Thank you for following up.

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division  
Nebraska Department of Roads  
(402)479-4417

**Privileged and Confidential**

**Confidentiality notice:** this e-mail, including all attachments is confidential, and is for the sole use of the named recipient(s) and may contain information that is privileged or exempt from disclosure under applicable laws. Any unauthorized review, use, disclosure, or distribution is prohibited unless specifically provided under the Nebraska public records act. If you are not the intended recipient, you are hereby notified that the dissemination, distribution or copying of this message is strictly prohibited. If you receive this message in error, or are not the named recipient(s), please notify the sender at the e-mail address above delete this e-mail from your computer and destroy all copies of this message. Receipt by anyone other than the named recipient(s) is not a waiver of any other applicable privilege

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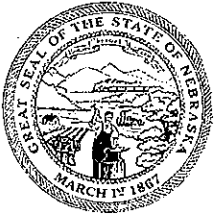
**From:** Tim Garwood [<mailto:tgarwood@bbc.net>]  
**Sent:** Thursday, October 09, 2014 9:57 AM  
**To:** Wilkinson, Jim  
**Subject:** Heartland concerns

Jim,

We meet recently at the Newberry Building in Alliance during the Heartland meeting. At the time there was a gentleman that was upset about how the changes were going to effect his property. His name is Howard Jensen. Howard expressed his concerns to several people at that time. I know Howard can get off on several issues at the same time but he is genuinely concerned about his property. Howard was in to see me yesterday to expound on these concerns. My problem lies in the fact that nobody has responded to Howard since the meeting. I don't know if his concerns justify looking at possible changes in the design plans at that location or not but I honestly believe that someone needs to contact Howard and either truly justify the reason the design is the way it is, or consider some design changes to accommodate his concerns.

In talking with Doug Leafgreen that night, I asked him if design plans were set or was there any room for changes. His response to me was that there was still time for changes and that was one purpose of that meeting. Let me know what your thoughts are concerning this matter.

Tim Garwood  
Heartland Board Member  
[tgarwood@bbc.net](mailto:tgarwood@bbc.net)



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**

**Randall D. Peters, P.E., Director - State Engineer**  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Tim Garwood  
Heartland Board Member

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Mr. Garwood:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project. In receipt of your comments regarding Howard Jensen, we are including a copy of the letter we sent to Mr. Jensen.

Thank you for your participation.

Sincerely,

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH

email  
tgarwood@  
bbc.net



NDOR Public Hearing and Open House  
Wednesday October 1, 2014  
Alliance, NE

Thank you for providing this opportunity to once again voice our support for the completion of the Heartland Expressway as a 4 lane highway through Nebraska, connecting with efforts by the Ports to Plains Expressway and Teddy Roosevelt Expressway. The Heartland Expressway Association represents citizens in all communities along the route. As a voice for the 90,000 people living in Western Nebraska, the Heartland Expressway Association is providing comments regarding the next phase of the construction of this important trade, energy and transportation corridor.

Thank you also for the quick turn around on the environmental assessment of the proposed next phase from Nebraska Highway 2 at Alliance, NE to the L-62A junction on US Highway 385 approximately 28 miles to the south. The work completed by the consultants is thorough and we believe the agreed upon mitigation work addresses the concerns of environmental impact of this planned expansion and realignment. We urge the Federal Highway Administration to conclude this assessment and issue a Finding of No Significant Impact for the project.

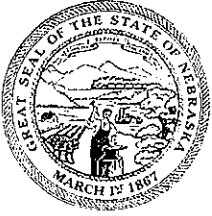
The Heartland Expressway Association is in concurrence with the NDOR stated preferred alternatives on the alignment of this next section of the Heartland Expressway. We note that the final construction piece, the connecting curve from L-62A to the north merging with US Highway 385 is not actually a part of the current project. We urge NDOR to move as quickly as possible to get this project programmed into the STIP and allocate funding. We realize the plan is to utilize the next available funds from the Build Nebraska Act fund. We encourage NDOR to also include in that programming statement as much of the initial planning and engineering as possible on portions of L-62A west to the Bayard, NE junction and connection with US Highway 26. Identifying the next leg or phase of potential 4-lane expansion is a logical next step for NDOR and we support this apparent direction.

We believe the NDOR should also be ever mindful of the Heartland Expressway project just completed in South Dakota and look for ways to include in future programming the portion of 2-lane US Highway 385 that meets 4 lanes at the Nebraska-South Dakota border north of Chadron.

Thank you again for this opportunity to share with you our thoughts regarding this important development project. We also appreciate the chance to meet with other citizens to hear how this project will affect them. The property owners along the route, agricultural producers who have waited for years for a more efficient, safer way to transport their crops, are constituents that deserve this opportunity to be heard. Thank you.

Sincerely,  
Deb Cottier, Treasurer  
Heartland Expressway Association Board of Directors  
706 W 3<sup>rd</sup> St.  
Chadron, NE 69337

A handwritten signature in black ink that reads 'Deb Cottier'. The signature is written in a cursive style with a large, looped 'D' and 'C'.



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**

**Randall D. Peters, P.E.**, Director - State Engineer  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Deb Cottier, Treasurer  
Heartland Expressway Association  
Board of Directors  
706 W 3rd St  
Chadron NE 69337

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Ms. Cottier:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

Thank you for your participation.

Sincerely,

Sarah R. Kugler  
Public Involvement Coordinator  
Communication Division  
(402) 479-4871

SRK/COM13-ZG



Nebraska  
Department of Roads

# PUBLIC COMMENT PHONE LOG

From: Charles Mulloy

---

Phone: (308) 760-8254

Date: 10/14/2014

---

Address: 10746 Rd 126, Angora, NE 69331

Time: 11:25 AM

---

Re: Public Hearing Comment

Project: NH-385-3(118); Junction L-62A/US-385 to Alliance; CN  
51432

---

Urgent     For Review     Please Comment     Please Reply     Please Recycle

---

●Comments:

Charles Mulloy called to verbally express his comments regarding the Junction L62-A/US-385 to Alliance project as he wasn't able to attend the Public Hearing.

Mr. Mulloy is concerned about the access to the roadside park/rest area, as he owns a property on the west side of the rest area and uses that rest area to maneuver his machinery. Is that rest area going to be removed? If that rest area is going to be removed he would like to know what would happen to the property remaining.

Regarding County Road-120 (CR-120), he owns property on the north side of the radio tower also and would like to know if that will be impacted. His last comment was if we have trouble maintaining the roads that we have then why expand them, the project is a waste of money in his opinion.

Phone conversation notes logged by:

Sarah Kugler,  
NDOR Public Hearings Officer / State Highway Commission Secretary  
PO Box 94759  
Lincoln, NE 68509-4759  
(402) 479-4871  
[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)

---





# PUBLIC COMMENT SHEET

## NDOR District Five Public Hearing

### NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432

### October 1<sup>st</sup>, 2014; 5:00 - 7:00 PM

Newberry's, 402 Box Butte Ave., Alliance, NE

Please submit your written comments by October 16<sup>th</sup>, 2014.

Return to:

Sarah Kugler, NDOR Public Involvement  
P.O. Box 94759  
Lincoln, NE 68509-4759

[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)  
402 479-4871 Office  
402 479-3989 Fax

RECEIVED  
OCT 31 2014  
COMMUNICATION DIVISION

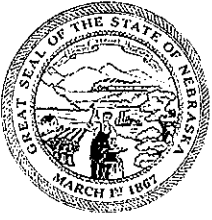
My biggest concern is the State will not fix the water flow they dammed when they widened shoulders. Hwy had a ditch like left side of road on map. But put a shoulder like right side of map which stopped most water from flowing from meadow to culverts under road and track and down to lake, which recharge my meadow. Will I be able to get on rd at N turn and off at S turn at road side park, for haying? Will you keep the road side rest area? Will the road take out Post Office in Angora? Will we have both access roads in and North of Angora?

at the meeting cost of maintaining roads was talked about. If we can't afford to keep up our existing roads why are we adding more?  
Returning map with notes on it.

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank you for your participation.

(Please Print)

Name: Charles Mulloy  
Address: 10746 Rd 126  
City, State, Zip: Angora, Ne. 69337  
Phone: 308-760-8254, 308-762-2238  
Email:



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**

**Randall D. Peters, P.E., Director - State Engineer**  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Charles Mulloy  
10746 Rd 126  
Angora NE 69331

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Mr. Mulloy:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

The southern drive to the rest area will remain in place to serve the private railroad crossing, however, the north drive and the remaining rest area will be closed. NDOR would consider requests to purchase excess right of way created as a result of this project. After the project construction is complete NDOR will decide whether to maintain ownership of this property or consider selling it. For the property on the north side of the radio tower, we are proposing to purchase land along the west side of the highway to accommodate the widening. The distance from the existing fence line varies from approximately 80' to 140' depending on the exact location. Existing field access locations will generally be perpetuated with the project. To the extent possible, drainage patterns would not change with this project, however, your comment concerning the drainage is noted and will be taken into consideration during final design. The access locations in Angora would be consolidated to one location. The Post Office would not be impacted by the project. Access to County Road 120, north of Angora, would remain as it is today.

Thank you for your participation.

Sincerely,

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH



Roads to draft  
F. EGT (Roads)  
GOVERNOR'S OFFICE

July 18, 2014

Governor Dave Igeman  
P.O. Box 94848  
Lincoln, NE 68509-4848

JUL 22 2014

RECEIVED 621410

Dear Governor:

You've heard from me before. I retired in January 2014 after more than 30 years with the Omaha National Weather Service. Now I have considerable free time to monitor developments concerning highway projects around the region, which I missed out on while employed.

I tune in to your monthly statewide radio programs whenever possible. Thanks for that, and your overall good performance as governor. On recent shows there were callers from Alliance and Chadron with comments about the Heartland Expressway. I'm in favor of this long awaited project, but must voice my objection to a portion of the routing from Scottsbluff to Kimball. One of the reasons the project was undertaken was to steer tourists to the Black Hills area, not only from Colorado, but also from Nebraska and points south and east. Because I'm a native South Dakotan, I know that most Black Hills tourists come from the Midwest, not Colorado, which has plenty of mountains terrain of its own - bar none. So a logical route for the Expressway would be to route it along U.S. 385 from Rapid City to Chadron, Alliance, Bridgeport, and Sidney to I-76 at Sterling, CO. Midwest tourists travelling west on I-80 could then exit onto the Heartland Expressway (U.S. 385) at Sidney. The Kimball exchange is out of the way resulting in extra mileage. Colorado tourists bound for the Black Hills through

Stevling and Sidney would be using the shortest route possible.

I should point out that for Scottsbluff's interests, I do support the four-laning of U.S. 26 project (currently under construction) connecting them with U.S. 385 just south of Angola. This assures that the Scottsbluff area will have good access to the rest of Nebraska, which as a self contained community in their own right, satisfies their needs. Reasonable access to Cheyenne and the Colorado Front Range is already available via U.S. 85 and I-25 connections.

I've already contacted the Colorado and South Dakota officials about this routing conflict. The SD governor was ticked off concerning this news. Colorado DOT wants to upgrade the U.S. 287 corridor from Limon, CO all the way to Amarillo, TX. Then it seems logical they would support extending the Heartland Expressway from Kimball to Brush to Limon along SR 71. The Sidney to Stevling route would also work for them, depending on Nebraska's lead, so either solution ~~works~~ is satisfactory.

So my conclusion is that Nebraska has acted against South Dakota's interests, and I take it personally, since every possible challenge won for them, is a plus for their struggling economy. South Dakota residents have a down-trodden spirit and often fail to stand up for their own interests, partially due to persistent bullying by Minnesota!

Thanks for your attention, and all you do for the people of greater Nebraska.

Sincerely, Steve Klemm  
12627 Park Ln. Cir.  
Omaha, NE 68164

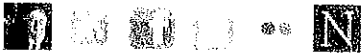
**McAuliffe, Jill**

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**From:** Gillming-Weber, Lana  
**Sent:** Wednesday, July 23, 2014 10:59 AM  
**To:** McAuliffe, Jill  
**Subject:** 621410 FW: Attached Image  
**Attachments:** 2960\_001.pdf

Please have a response prepared for the gov's signature -- the due date is 8-6-14. Thanks!

Lana Gillming-Weber  
Assistant to the Governor for Correspondence  
PO Box 94858  
Lincoln, NE 68509-4848  
402-471-1964 (Ph)  
402-471-6031 (F)  
[lane.gillming-weber@nebraska.gov](mailto:lane.gillming-weber@nebraska.gov)  
[www.Governor.Nebraska.gov](http://www.Governor.Nebraska.gov)



**From:** [governor.office@nebraska.gov](mailto:governor.office@nebraska.gov) [mailto:governor.office@nebraska.gov]  
**Sent:** Wednesday, July 23, 2014 10:58 AM  
**To:** Gillming-Weber, Lana  
**Subject:** Attached Image

Governor # 621410

Date: 7-23-14

To:  Peters, Randy *RP*  
 Jamshidi, Moe [ ]  
 Jaber, Khalil *KJS*  
 Mike Owen [ ]  
 \_\_\_\_\_ [ ]

Return By: 8-6-14

**For Action as Indicated:**

- Prepare reply for Governor's signature and return to Director's Office.
- Prepare reply for \_\_\_\_\_ signature and return to Director's Office.
- Reply direct to writer. Return original letter and copy of reply to Director's Office.
- Return attached correspondence and routing slip to Director's Office.
- Show cc: to Governor.
- Show cc: to Randy
- Show bc: to Andy
- Complete and return to Director's Office.
- For your information.
- For your recommendations.
- Action deemed necessary.
- Required action.
- Scanned to \_\_\_\_\_ on \_\_\_\_\_

c/o Jim Wilkinson  
Heartland Expressway  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

August 8, 2014

Mr. Steve Klemm  
12627 Park Ln. Cir.  
Omaha, NE 68164

Dear Mr. Klemm:

Thank you for your letter and kind words. Citizens like you challenge us in our performance and help make this state a better place. Below is background on the Heartland Expressway, followed by my comments.

Interest in the Heartland Expressway was spurred many years ago and then intensified in 1991 with the passing of the Intermodal Surface Transportation Efficiency Act (ISTEA). This act called for the development of high priority corridors on a National Highway System. It also identified the Heartland Expressway from Denver, through Scottsbluff, and on to Rapid City as a high priority corridor. In 1988, before ISTEA, the Nebraska Legislature instructed the Nebraska Department of Roads (NDOR) to identify a 600-mile expanded expressway system to connect urban centers (cities with a population of 15,000 or greater) to the Interstate System. With the expanded expressway system and the high priority corridor established by ISTEA, NDOR began transportation studies in coordination with the neighboring states of South Dakota, Wyoming and Colorado. These studies led to construction along US-71 between Kimball and Scottsbluff and this four-lane expressway segment is now complete. Provided the legislative guidance and the state's investment in completed segments, it is not feasible to shift away from the identified Heartland corridor.

I discussed US-385 with the Nebraska Department of Roads and they informed me that the segment between Sidney and Bridgeport is a principal arterial with 8-foot surfaced shoulders. NDOR is actively maintaining the segment and it is a suitable route for people traveling west along I-80 with a destination to Alliance, Scottsbluff or the Black Hills area. NDOR assured me that they coordinated the necessary activities with South Dakota and are not acting against their interests in constructing segments along the identified Heartland corridor.

Again, thank you for your comments and your support of the Nebraska Transportation System. Please visit the Nebraska Department of Roads' website for information and updates on the Heartland Expressway and projects along the identified corridor.

Sincerely,

**Signed By:**

Dave Heineman  
Governor

DH:RDP:MO:GOV11-ZX

cc: Randall D. Peters, P.E., NDOR Director – State Engineer  
bc: Andy Cunningham

## Matulka, Denise

---

**To:** Kugler, Sarah  
**Subject:** RE: Heartland Expressway

---

**From:** Jake Peltz [<mailto:jakepeltz@outlook.com>]  
**Sent:** Friday, October 03, 2014 10:25 AM  
**To:** Kugler, Sarah  
**Subject:** Heartland Expressway

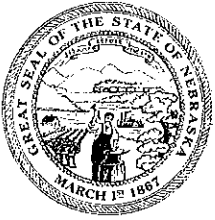
Sarah,

My name is Jake Peltz and I'm with Peltz Companies, Inc out of Alliance, Nebraska. We are a national leader in the Roller Compacted Concrete / Soil Cement Industry completing intermodal facilities, dams, distribution centers, and other pavement structures all across the continental United States. I was at the meeting the other day at the Newberry Building and looked at the specs for the Heartland Expressway and seen it's to be done in 9" doweled concrete. However, there was nothing set yet on the highway shoulders that I could acknowledge.

We think this would be a great application for Roller Compacted Concrete (RCC). Not only is it a cost alternative to asphalt and conventional concrete but along with the high volume production, minimal to low labor, and high strengths and durability of the RCC--it proves hands down to succeed over asphalt and be a big cost alternative to Conventional Concrete. I am going to attach you a document that showcases this application done to similar projects.

Thanks Sarah hope to hear from you soon,

**Jake Peltz**  
**Peltz Companies, Inc**  
<http://www.peltzco.com>  
**308.760.2633**  
[jakepeltz@outlook.com](mailto:jakepeltz@outlook.com)



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**

**Randall D. Peters, P.E.**, Director – State Engineer  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Jake Peltz  
Peltz Companies, Inc.  
1016 Flack Ave  
Alliance NE 69301

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Mr. Peltz:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

The information you provided on Roller Compacted Concrete was forwarded to the Material and Research Division, who makes decisions on pavement types (including thickness) based on the underlying soils, available materials, and traffic characteristics.

Thank you for your participation.

Sincerely,

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH



PUBLIC COMMENT SHEET

NDOR District Five Public Hearing

RECEIVED  
OCT 20 2014  
COMMUNICATION DIVISION

NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432

October 1st, 2014; 5:00 - 7:00 PM

Newberry's, 402 Box Butte Ave., Alliance, NE

Please submit your written comments by October 16th, 2014.

1 of 2

Sarah Kugler, NDOR Public Involvement  
P.O. Box 94759  
Lincoln, NE 68509-4759

sarah.kugler@nebraska.gov  
402 479-4871 Office  
402 479-3989 Fax

As a residence and tax payer of Box Butte Co. + STATE of NE for a lifetime and for the past 25+ years looking + thinking of building HEARTLAND Express and attending the meeting of Oct. 1, 2014 in Alliance - I am left with a feeling of dismay and concern as the plans on building have CHANGED AGAIN !! which would in resulting in what I feel as total hand slip on the part of all residence + Business involved along the east side of so Hwy 385 in Box Butte Co and City of Alliance - Building a 4 lane and then try to jam all that into a 5 lane road forcing own's to try + Live w/c Express way on their front steps makes no sense at all - WHY I ASKED, the answer was because the NDOR wants to be fiscal responsible + use existing Right of way, instead of pushing the project to the west where only farm ground + NO residence are effected - We all have seen how fiscal responsible the N.D.O.R. have been in building the Express way in S-Bluff + Kimball counties - over roads + water ways around towns w/ large intersection with plenty of room for auto + truck passage - and then a new maintenance building to house hundreds of pieces of equipment - OH !! the road + bridge to nowhere on the west side of S-Bluff to ease traffic in the city - I have seen the work an results of the

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank you for your participation.

(Please Print)

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_  
Email: \_\_\_\_\_

Comment arrived after deadline





**PUBLIC COMMENT SHEET**

*NDOR District Five Public Hearing*

**RECEIVED**  
OCT 20 2014  
COMMUNICATION DIVISION

**NH-385-3(118) Jct. L-62A/US-385 to Alliance; C.N. 51432**

**October 1<sup>st</sup>, 2014; 5:00 - 7:00 PM**

Newberry's, 402 Box Butte Ave., Alliance, NE

Please submit your written comments by October 16<sup>th</sup>, 2014.

2062

Return to:

Sarah Kugler, NDOR Public Involvement  
P.O. Box 94759  
Lincoln, NE 68509-4759

[sarah.kugler@nebraska.gov](mailto:sarah.kugler@nebraska.gov)  
402 479-4871 Office  
402 479-3989 Fax

Long term planning in Western NE - because as for the past 42 years I have driven these roads acct employment w/ BNSF.

If this project as proposed is built - it will destroy the livelihood of more than several residence + cause hardship for others.

The City of Alliance should also be concerned w/ this project because trying to put all this in the space at the junction of Hwy 2 + 385, I believe would be a traffic night mare and safety problems.

I have many concerns w/ this project and expressed them at the Oct 1 2014 meeting - w/ my business + home located at 2491 So Hwy 385, I wonder what AND when the N.D.O.R. will WANT or TAKE to SATISFY their project.

MAY we visit soon - as of now the NDOR has put our lives + Busss. plans on hold.

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel. Thank you for your participation.

(Please Print)

Name: HOWARD E. JENSEN  
Address: 2491 SO Hwy 385 - P.O. Box 833  
City, State, Zip: ALLIANCE, NE 69301  
Phone: 308-762-3860  
Email: hejensen@telecomwest.net



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

DEPARTMENT OF ROADS

Randall D. Peters, P.E., Director - State Engineer  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Howard Jensen  
2491 So Hwy 385  
PO Box 833  
Alliance NE 68301

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

Dear Mr. Jensen:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

Thank you for attending the public hearing and sharing your concerns with the project representatives. I understand how frustrating these large projects can be, taking years to navigate the process. The alternatives that were presented at the Public Information Meeting held back in May of 2011 were evaluated for many factors, including impacts to private property and for comparative costs. The alternative selected, the 5-lane highway centered on the existing alignment, appeared to have the least amount of impacts to private property and a lower construction cost estimate. You may recall that the alternatives which offset the highway to the west required frontage roads on the east side of the highway to maintain access to those properties, an added expense over the 5-lane alternative. The intersections that would have been built with those options may have required relocating one residence and one business to make the connections to the frontage roads, compared to no anticipated relocations for the 5-lane alternative. With the 5-lane alternative, access is maintained to each of the properties along the east side of the highway. For these reasons the 5-lane alternative is preferred.

A traffic study was completed for the intersection of US-385 and Nebraska Hwy 2, and NDOR believes that the intersection will operate at acceptable levels for the projected volume of traffic in the year 2035. The NDOR coordinated this project with the City of Alliance.

Upon completion of the environmental phase of this project, representatives from NDOR's Right-of-Way division will be in contact with you to begin discussions concerning temporary construction easements and possible land acquisition (if any) to construct the highway. We would anticipate this to happen as early as the spring of 2015. In the meantime, District 5 Engineer Doug Hoevet will be in touch and, if you wish, will meet with you to further review this project.

Thank you for your participation.

Sincerely,

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH

## I-285 Asphalt Shoulder Replacement with Roller Compacted Concrete Atlanta, GA



## Project Location



## Definition

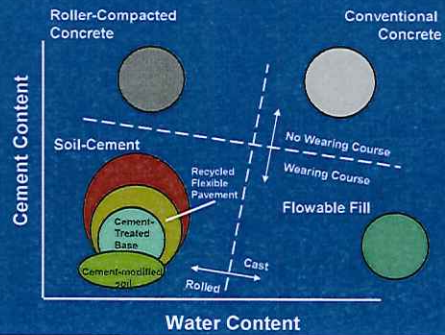
“Roller-Compacted Concrete (RCC) is a no-slump concrete that is compacted by vibratory rollers.”

- Zero slump (consistency of damp gravel)
- No forms
- No reinforcing steel
- No finishing
- Consolidated with vibratory rollers



Concrete pavement placed in a different way!

## Cement-Based Pavement Materials



## Why Use RCC on I-285?

Ease of Placement



Durability



Successful Projects Elsewhere

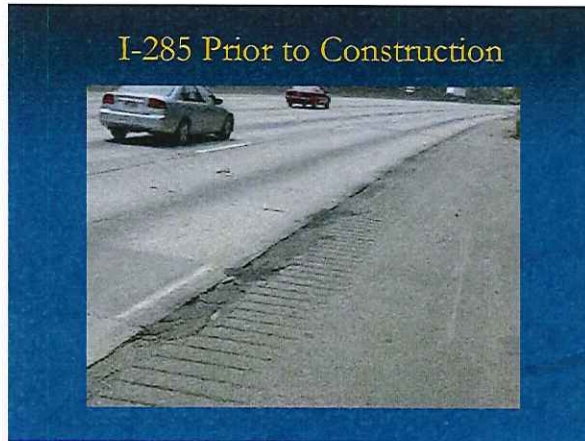


Cost Effective



## HEAVY TRUCK CORRIDOR





## The Project

NHS – M001-00(534)01

17.3 miles of shoulder reconstruction with RCC, PCC slab replacement, various bridge joint replacements, and safety upgrades including guardrail, recovery zone improvements, rumble strips and wet reflective striping

## The Project

Let: July 2004

- RCC Subcontractor: A. G. Peltz – Birmingham, AL
- Total Contract Price: \$20,168,734  
RCC cost: \$ 4.3 million
- Start Date: September, 2004  
Completion Date: November, 2005
- RCC Paving: October thru November, 2004  
March thru early August, 2005  
22 week-ends

## Comparisons

- Total cost associated with RCC: Approx. \$8 million
  - Associated costs include grading, saw-cutting, joint sealing, etc.
  - RCC Contract Price: \$115 per cubic yard
- Cost if asphalt had been used: Approx. \$7.35 million
  - Based on estimated cost of \$42 per ton
- Differences:
  - RCC goes down in one lift and asphalt requires two or three lifts for same depth creating the need for more traffic control and additional time
    - Less impact to traveling public
    - Safer for workers and motorists
  - It is anticipated that RCC will have a useful life about two times that of asphalt resulting in lower long-term maintenance costs

## Contract Specifics

- New shoulder width of 10 to 14 feet
- South of I-20, RCC six inches deep
- North of I-20, RCC 8 inches deep with 8 inches of GAB
- Contract calls for approx. 38, 500 cubic yards of concrete ( 203,000 sq. yds )
- Work hours restricted primarily to weekends
  - 9:00 p.m. Friday until 5:00 a.m. Monday
  - Holiday restrictions
- Traffic counts at approx. 140,000 ADT
- Truck Traffic: 15% ( 7000 trucks in OSL per day)

## Typical Construction Schedule

- Removal of shoulders began Fri. Night at 9:00 PM.
- Typically removed between 1.5 and 2 miles.
- RCC placement began Sat. at 5:00 AM and continued until 6:00 PM. Began again Sun. at 5:00 AM and continued until completion.
- All lanes must be reopened by 5:00 AM Monday.

## Design and Acceptance



RCC: Required 28-day Mix Design Strength of 4,000 psi

Acceptance based on density- 98% AASHTO T-180 or 28-day core strength of 3500 psi

Core strength averaged 3980 psi

Cylinder strength averaged 3964 psi

## Design Loading Analysis

Table 1

RCC Thickness Required	Allowable Interior Load Repetitions Over Lifetime of RCC Pavement	Design Life in Years		
		20 yr	10 yr	5 yr
		Allowable Daily Repetitions		
5.5	25977	4	7	14
6	121504	17	33	67
6.5	432506	59	118	237
7	1000000	500	1000	2000

## Old Material Removed



## Old Material Removed



## Base Prepared for Compaction



Base Ready for Compaction



Base Compacted



Concrete Plant



New Concrete Placed



New Concrete Placed



Material Placement



Spreader



Short Cure Rate



Initial Roller Compaction



Initial Roller Compaction

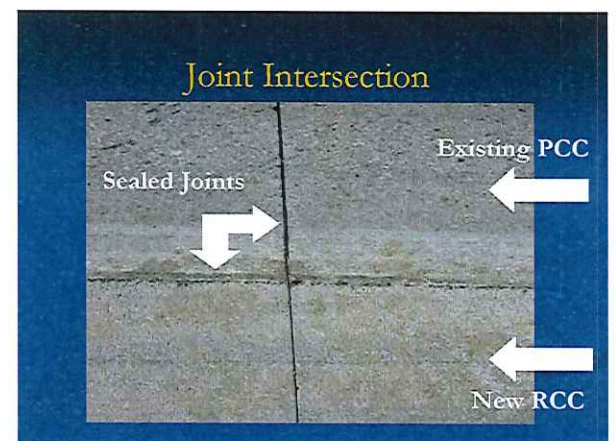
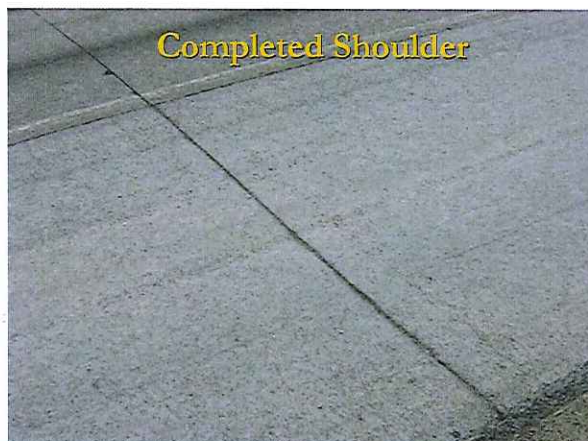
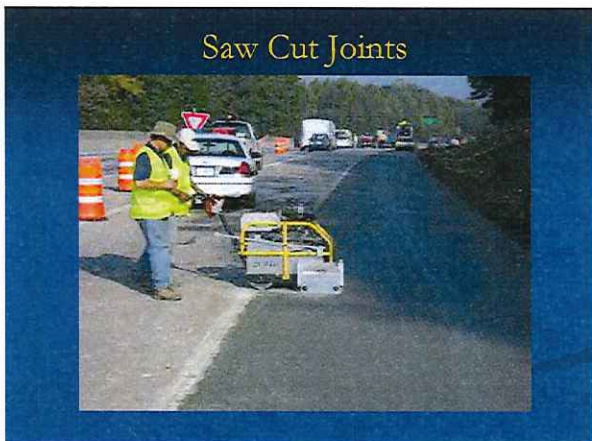
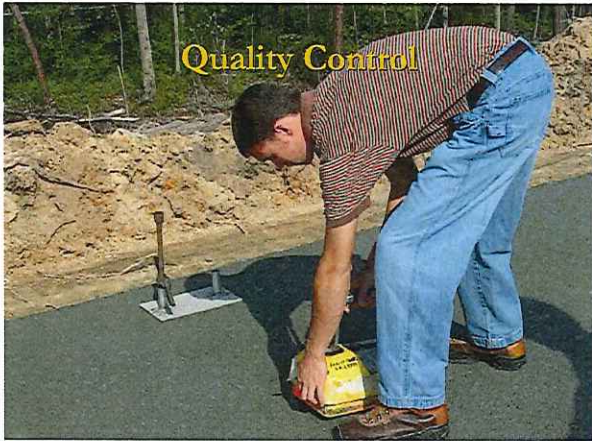


Roller Compaction  
(rubber-coated drum)



Curing







Rumble Strips



Finished Product

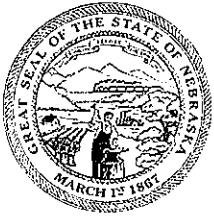


Finished Product



QUESTIONS OR COMMENTS





**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**  
**Randall D. Peters, P.E., Director - State Engineer**  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

L. Jake Peltz  
Peltz Companies, Inc.  
1016 Flack Ave  
Alliance NE 69301

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432


Dear Mr. Peltz:

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

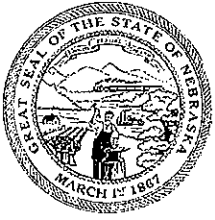
The information you provided on Roller Compacted Concrete was forwarded to the Material and Research Division, who makes decisions on pavement types (including thickness) based on the underlying soils, available materials, and traffic characteristics.

Thank you for your participation.

Sincerely,

  
Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

## DEPARTMENT OF ROADS

**Randall D. Peters, P.E.**, Director - State Engineer  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

The proposed truck scale would be designed to meet the needs of that particular location. The current proposed design for the portable scale locations are a widened shoulder, each direction of travel. There are no plans for a scale building or electronics, the weigh station signs will continue to be static signs with no DMS capabilities.

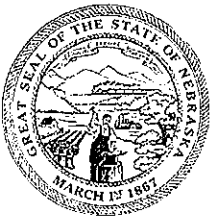
Thank you for your participation.

Sincerely,

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH

email  
maer176@  
msn.com



**Dave Heineman**  
Governor

# STATE OF NEBRASKA

**DEPARTMENT OF ROADS**  
**Randall D. Peters, P.E., Director - State Engineer**  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471 4567 • FAX (402)479 4325 • [transportation.nebraska.gov](http://transportation.nebraska.gov)

November 25, 2014

Craig Barthel  
2541 S. Hwy 385  
Alliance NE 69301  
Dear Mr. Barthel:

Re: Project No. 385-3(118)  
Also known as: Junction of L62A/US-385 to Alliance  
Control No. 51432

The Nebraska Department of Roads (NDOR) and the Federal Highway Administration (FHWA) appreciate your input in regards to the above project.

The Public Hearing held on October 1st, 2014 at Newberry's presented the preferred alternative. This included the 5-lane highway in the vicinity of Alliance. With this alternative, the Nebraska Department of Roads does not anticipate acquiring homes in the area between Rock Road and Nebraska Highway 2 (West 3rd Street).

Thank you for your participation.

Sincerely,

Jim Wilkinson, PE  
Planning & Location Studies Engineer  
Planning & Project Development Division

COM12-ZH

**Nebraska Department of Roads**  
**Open House: 5:00-6:30 p.m. MST/Public Forum: 6:30-7:00 p.m. MST**  
**5:00-7:00 PM; Wednesday, October 1, 2014**  
**Newberry's, 402 Box Butte Ave., Alliance, NE**

## **NH-385-3(118) Junction L-62A/US 385 to Alliance; CN 51432**

### PUBLIC MEETING PARTICIPANTS

Transportation personnel present at the public meeting included:

Doug Leafgreen – District 5 Highway Commissioner

Doug Hoevet – (NDOR Gering) District Five Construction Engineer

Melissa Maiefski – Federal Highway Administration

Justin Luther – FHWA

Erich Hines – FHWA

Jim Wilkinson – (NDOR Lincoln) Planning Engineer

Toby Fierstein – (NDOR Lincoln) Engineer

Jon Barber – (NDOR Lincoln) Highway Environmental Program Manager

Terry Kubicek – (NDOR Lincoln) Highway ROW Project Manager

Gretchen Mueller-Neeman – (NDOR Lincoln) Right-of-Way

Sarah Kugler – (NDOR Lincoln) Public Involvement Coordinator

Tony Bui – (NDOR Lincoln) Public Involvement Specialist

Joan Darling – (Olsson Associates) Consultant Environmentalist

Tony Egelhoff – (Olsson Associates) Consultant Engineer

Matthew B. McFadden – (Felsburg Holt & Ullevig)

### PARTICIPANTS' NOTES

#### **Jim Wilkinson -**

- My general impression of the public hearing is that it was successful meeting with many positive comments about the project and the need for the project.
- I spoke with several folks throughout the open house portion, and after the public forum. All of them support the project, many were interested in as much detail as they could get regarding the location, accesses, wetlands, i.e. things having to do with property mostly. Mr. Howard Jensen expressed concern and disappointment that the preferred alternative consists of widening about centerline, as opposed to widening to the west and away from his property (I recommend that NDOR's roadway design team consider this – it could have construction phasing advantages and be a small price to pay in order to keep some distance between the widened highway and residences/facilities on the east side) and other properties on the east side of US-385 in the area of Kansas Ave; Terry Kubicek did a good job conversing with him. I also spoke with Jim Douglas

and his wife, Deb Cottier, Tim Garwood, Daniel Bennet, Trish Carnine (not sure if I have her last name correct), Milo Rust, Alliance Mayor Feldges, Alliance City Administrator D.J. Cook, Craig (?), Al and others. Craig and Al mentioned concerns about beet harvest operations north of Alliance; the rigs drag mud onto the highway creating very slick conditions. Mayor Feldges and Howard Jensen expressed concern with the vertical curve just south of N-2. As far as media, Kevin Larsen (spelling?) interviewed me; I believe he is with a radio station out of Chadron but not sure.

### **Terry Kubicek -**

- At the Alliance L62A public meeting, I spoke with Howard Jansen (?) and Mark Masterton. Mr. Jansen expressed his concerns to me and one of the consultants and made the same statements on the record. Mr. Masterton was a member of the Heartland Association and simply expressed his support of the project as an economic stimulator for Alliance and Western Nebraska.

### **Joan Darling -**

- One group of two people asked about structure removals in Angora. I explained about the relocation of CR 118 and showed them the figure in the DEA. They were okay with removal of structures, said that they were happy we were there.
- Two people asked about wetlands – one a landowner of one of the wetland complexes. I spoke to her at length, discussed how we delineated wetlands, how we determined impacts, that mitigation measures are not yet known. One of the potential mitigation locations would be on her property, I said that would be negotiated through the ROW process if she was interested. She hadn't decided if she was interested or not.
- The other person who asked about wetlands was with the Heartland Expressway group. I explained about how it had been determined that these were Waters of the State rather than Waters of the U.S.
- Two people commented on the Heartland Corridor Study. I explained the differences between the L62A to Alliance study and the overview study.
- A couple of questions about the process and why it was taking so long. Explained some of the process.
- Also spoke to Alliance Mayor and aides for Senator Fisher and Congressman Smith. No particular questions from them, just general discussion of process.
- Several people came to look at the DEA. I told them where they could look at copies after the meeting and if they wanted a copy, they could request it. They had no questions or comments at that time, and I told them that if they had questions later they should fill out the forms and mail them in.

### **Tony Eglehoff -**

- Carl West – Concerned with sight distance at hills located around STA 1600+00. Had a serious injury accident in Sept 2011 there, where he was struck by a truck. Moves farm equipment between pivots in this area.
- Also would like to see a free right turn constructed at the proposed realigned US 385 Jct. when the sweeping curve is constructed.
- Gentleman (didn't get name) – Stated he sometimes drives 40 miles out of his way, via Hemingford & N-71, just to avoid this stretch of US385.
- Couple that lives near Angora (didn't get names) – Stated County Road 120, west of US385 can be impassible for significant periods of time due to wet weather, also noted an old creek bed that comes from the northwest that adds to the problems.
- Loran Gorsech (sp) – Farms the John Stine Ranch land, was interested in the impacts to the pivots and how much ROW would be required. Seems satisfied when questions were answered.
- Officer Kiss – Often notices queues of cars (12 or more) following large trucks, unable to pass.
- Brent Kosek (Community Development Director) – Requested an electronic set of plans (PDF).

- Mayor of Alliance – Asked about allowing signage to private drives so you find where to turn. Will this be allowed, is there a permitting process?
- Tim Garwood (Hartland Expressway Board) – Asked about the skewed intersections. Why some were corrected and others not. Explained we corrected those over the 30 degree skew, and evaluated the others for impacts and cost. Decided to leave those as is.
- Steve Swanson – Farms land generally near STA 1860 and STA 1890, Wanted to know how much ROW would be taken. Showed him the plans and estimated widths from existing ROW. He noted Valley Road and County Road 63 were abandoned by the county in 2006 and 2007. They are now private roads, but still have large truck loads in and out.
- Trish Faller – Lives west of County Road 128. Has major concerns with sight distance from south, coming over hill. Concerned with moving cattle and trucks coming from south. Noted the ultimate condition will improve sight distance. Need to confirm the interim condition works as well.

### **Matthew B. McFadden -**

- Spoke with two (2) properties owners who farm along the corridor. Both expressed total support for the project. Wants it built sooner.
- Spoke to the property owners who live on the southwest corner of US-385 & Sarpy Road. I discussed with them that their property, including their home, would be acquired with the project. They indicated that they were aware of this. They didn't express any specific concerns. I directed them to the ROW table so they could learn more about the ROW acquisition process.
- I spoke with a representative from the power company. They have power running from Alliance to Wayne road, along the west side of US-385. He asked whose responsibility it was to relocate their facility. I explained that typically if it was on State ROW, it would likely be the utilities responsibility, and if it was on private easement it would be the states responsibility.
- Virgil Blakeman lives on corner of US-385 and Rock Rd. Glad to see the 5-lane section in Alliance. Wishes project could be built faster.
- State Senator Al Davis was glad to see this project finally happening.
- Mr. Jensen lives on the northeast corner of US-385 and Kansas Street. Was supportive of the overall project but very concerned about the impact to his property. Would very much like the road to be widened to the west to avoid additional impacts to properties on the east side of the highway (especially his own). Was also concerned about drainage problems that he stated began after the Pepsi distributor regraded and built on the site to north of his property. Water ponds along his north property line toward the rear of his property (east side). Said this never happened prior to the Pepsi development. Mr. Jensen has a long standing dispute with NDOR over his property line fronting US-385. He believes NDOR changed the property line a long time ago causing a hardship for him and his family. NDOR's ROW agent visited with Mr. Jensen and told him that the design team would take his comments under consideration. Mr. Jensen also asked the design team to review the site distance between Kansas Street and 3rd Street. He believes there is a dip there that tricks drivers into thinking it is safe to turn.



Dave Heineman  
Governor

# STATE OF NEBRASKA

## DEPARTMENT OF ROADS

Randall D. Peters, P.E., Director - State Engineer  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • transportation.nebraska.gov

December 22, 2014

The Honorable Dave Heineman  
Governor of Nebraska  
State Capitol Building  
P.O. Box 94848  
Lincoln, NE 68509-4848

Dear Governor Heineman:

On December 12, 2014 the Nebraska State Highway Commission, under counsel from the Nebraska Department of Roads (NDOR) Planning and Project Development Division, voted to recommend approval of the project location, project design, and access control plan of NDOR Project **NH-385-3(118), Junction L-62A/IS-385 to Alliance, C.N. 51432**. This section of Highway 385 from the junction of Nebraska Link 62A to the City of Alliance is located within both Morrill and Box Butte Counties.

Information relevant to the project is enclosed for your review.

Your signature authorizing approval to proceed is respectfully requested.

Sincerely,

Randall D. Peters, P.E.  
Director - State Engineer

RDP:MJO:z

### Attachment

cc: Mike Owen  
Jim Knott  
Sarah Kugler ✓  
Mary Jo Oie

I, Dave Heineman, Governor of the State of Nebraska, affix my signature of approval of the project location and project design and the access control plan of the stated segment of Highway 385 from the junction of Nebraska Link L62A.

Signed on this the 29 day of December, 2014

Dave Heineman, Governor, State of Nebraska



**APPENDIX B**

**Supplemental Documentation related to Cultural Resources**

**Hazardous Materials Evaluation for Additional Property Acquisition in Angora**

**Heartland Expressway Junction L62A/US 385 to Alliance  
NH-385-3(118), CN 51432  
HP#1201-069-01  
Angora, Morrill County, Nebraska**

**Supplemental Documentation related to Cultural Resources**

**Stacy Stupka-Burda, NDOR Section 106 Specialist  
September 30, 2015**

An Environmental Assessment (EA) is being prepared for the National Highway System (NHS) corridor located between the junction of United States Highway 385 (US 385) and State Link 62A (L62A) and the City of Alliance, Nebraska. This corridor is part of the Heartland Expressway, a High Priority Corridor on the NHS.

In August 2006, the Nebraska State Historic Preservation Office (SHPO) concurred with a recommendation of “no adverse effect” regarding the project referenced above based upon a report completed by the Nebraska Highway Archeology Program (Koch 2006, Dirr 2006)[NH-385-3(115), CN 51304]. These resources were re-evaluated in 2012 and resulted in a recommendation of “no historic properties affected” (Koch 2012, Mohr 2012). SHPO concurred with this recommendation on 02/06/2012. Two supplemental Section 106 evaluations were prepared in August 2014, regarding National Register of Historic Places (NRHP) eligibility of eight acquisitions and the former Angora landfill. These supplemental evaluations resulted in effects recommendations of “no historic properties affected” and SHPO concurred on 08/08/2014 and 08/20/2014.

During Right of Way (ROW) negotiations, it was determined that it would be necessary to acquire additional properties previously not individually evaluated. This supplemental Section 106 submittal has been prepared to evaluate these resources in Angora, Morrill County, Nebraska. Contained within this submittal is a NRHP evaluation of one house and a storage building with associated grain bins and a scale house proposed for removal by the project (Figure 1). These standing structures did not meet basic Nebraska State Historic Preservation Office survey guidelines during earlier investigations of the Area of Potential Effects (APE). The Area of Potential Effects (APE) as defined in Dirr’s 2006 and reiterated by Mohr in 2012 remains the same, 0.25 miles on either side of the centerline of existing US Highway 385.

#### **House and garage – FN2015-01**

This small, one story wood frame house with gable ends is located on the west side of US Highway 385 (Figure 1). This stuccoed house has an offset front entry with a gable roofed door hood. The door hood has Craftsman style triangular braced supports with decorative braces (Figure 2.) Paired double hung windows are present on both the primary façade and the southern façade. A one story gable roofed concrete block garage is also present on the property (Figure 3).

This property does not convey significance under the guidelines established by the National Register of Historic Places; it is a common residential style and garage with no distinguishing architectural details. This property is not recommended eligible for listing in the NRHP.

51432\_Jct of L-62A/US-385 to Alliance, Morrill County



Figure 1. Properties evaluated under this submittal, Angora, Morrill County, Nebraska.



Figure 2. View of FN2015-01, house. Morrill County Assessor photo.



Figure 3. View of FN2015-01, garage. Morrill County Assessor photo.

### **Storage Building, Grain Gins and Scale House – FN2015-02**

A steel storage building, two small round corrugated steel bins, as well as a concrete block scale house bunker are located on the east side of US Highway 385 in Angora (Figures 1, 4 -5). These buildings do not convey significance under the guidelines established by the National Register of Historic Places (NRHP). These building types are ubiquitous across Nebraska and taken on their own, they are not individually eligible nor are they eligible as a historic district.

FN2015-02 is not recommended eligible for listing in the NRHP.



Figure 4. View of FN2015-02, steel storage bridge, steel grain bins and concrete block scale house. Morrill County Assessor photo.



Figure 5. View of FN2014-3, view is north. Morrill County Assessor photo.

## Conclusion

This submittal includes the NRHP evaluation of two properties, a house with associated garage and a storage building with associated grain bins and scale house. None of these properties meet the very strict guidelines established by the NRHP for historical significance. Therefore, none of these properties are recommended eligible for listing in the NRHP. It is recommended that the project as proposed will have no effect on historic properties.

Stupka-Burda coordinated verbally with FHWA on 10/01/2015 regarding whether or not FHWA wanted this supplemental evaluation to go to SHPO for their formal review. FHWA responded that with SHPO approval, this supplemental evaluation could be saved to the file without further SHPO review. Verbal consultation with SHPO on 10/02/2015 confirmed that there was no need to submit this for formal SHPO review. This supplemental evaluation, and the entire project, meets the requirements of a Tier II Project under the Section 106 PA (July 2015).

*Stacy Stupka-Burda*

Digitally signed by Stacy Stupka-Burda  
DN: cn=Stacy Stupka-Burda, o=NDOR,  
ou=Planning & Project Development,  
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Date: 2015.10.05 09:06:39 -05'00'



Planning and Project Development

**Date:** October 7, 2015

**To:** Cindy Veys, Highway Environmental/NEPA Specialist, Planning and Project Development

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

**Subject:** Hazardous Materials Evaluation for Additional Property Acquisition in Angora associated with the NDOR project L62A to Alliance (C.N. 51432)

**Overview**

A hazardous materials review (HMR) was completed by Olsson Associates for the NDOR project L62A to Alliance and was approved by NDOR on December 20, 2012. As a part of the HMR a subsurface investigation was completed at select locations in the town of Angora, to determine if contamination was present, both within the project footprint and where properties were identified to be acquired. The results of the HMR and soil borings revealed that very minor amounts of motor oil existed within the project's footprint, but were well below the risk-based screening levels for human exposure from contaminated surface soils. However, during Right of Way (ROW) design in September of 2015, NDOR discovered two properties that must be acquired, which were not previously identified as acquisitions. Both of these properties were previously included within the limits of the Hazardous Materials study area and the HMR in the Draft EA, but were not at that time identified as impacted properties. As a result of the new ROW discovery, Will Packard, NDOR's Hazardous Materials Specialist, completed a hazardous materials re-evaluation in September, 2015 for the two acquisitions.

**Discussion of Acquired Properties**

One property acquisition, containing a house and garage, is located west of US 385 on the southwest corner of the intersection of Rd 95B and CR118 in Angora. The structures are residential in nature, unoccupied, and will be evaluated for asbestos and lead as initiated by the ROW Division's protocol, prior to demolition or disposal. The other property acquisition includes some non-commercial, privately-used agricultural equipment, sugar beet, and grain storage structures east of US-385 and south of CR118. With the project's access control requirements, NDOR's ROW appraiser concluded that the property on the east side of US 385 would be land-locked, therefore rendering it an uneconomic remnant which must be acquired under the Uniform Act.



The landowner's son accompanied a NDOR Relocation Agent during the week of September 28, 2015, to make a personal property relocation inventory of the structures to be acquired. The son stated that the site is utilized for their personal operation and is not operated as a commercial business. The sugar beet and agricultural equipment storage structure is used for the storage of vehicles (primarily semi tractor-trailer trucks) used for transportation of grain and sugar beets. The two small grain bins have not been used for grain storage in some time and now house mechanical equipment. In addition to the existing grain bins, several other grain bins previously existed at this location, but have since been removed. The single-axle surface scale and accompanying concrete block shed are also no longer in use.

NDOR's ROW Appraiser determined that the sugar beet storage building and grain bins on the east side of US-385, are economically tied to the grain bins located on the west side of US-385, on the northeast corner of the intersection of Rd 95B and CR 118. The property containing the grain bins on the west side of US 385 was identified in the DEA for acquisition. Both the grain bin structures on the west side of US 385 and the grain bin, sugar beet, and agricultural equipment storage structures on the east side of US-385, are owned by the same landowners.

### **Hazardous Material Evaluation**

A database review conducted in September, 2015 revealed that there are no state or federal programs listed for the new acquisition properties, nor are there any documented releases associated with grain fumigants or other contaminants. The sugar beet and grain storage structures east of US 385, were not previously USDA-operated facilities (where historically grain fumigants were used), but rather private storage facilities. As part of the investigation conducted by OA in September, 2012 the soils surrounding the grain bins on the west side of US 385, were sampled for contamination. The analytical report showed that the results of soil borings were negative for grain fumigants. Given that the grain storage bins on the east side of US 385 have the same landowners and were similarly used, it is unlikely that soil contamination would be present.

Finally, the structures on the east side of US 385 are not located within the project footprint, thus project construction excavation is not planned for those locations. The structures would be demolished or removed after NDOR acquires the property, with minimal soil disturbance. Based upon the information and rationale presented above, there is a low potential that contamination is present in the area of the properties to be acquired. Therefore, the finding in the DEA that "...there are no human health concerns for the construction workers" and that "...the need to use specific personal protective equipment (PE) during construction is not anticipated", is still appropriate.

Although the potential to encounter hazardous materials is determined to be low, the following commitment is included in the mitigation measures of the FEA and will be carried forward to the project's Green Sheet:

"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)."



10/14/15

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

Will Packard, Highway Environmental Specialist  
Planning and Project Development  
NDOR

# **Appendix G**

## **Section 7/Endangered and Threatened Species Coordination**

**Species Specific Survey Protocols:  
Swift Fox Escape Dens and Golden Eagle Surveys**

## Swift Fox Escape Den Installation Protocol

Junction of L62A/US-385 to Alliance

Project Number: NH-385-3(118)

Control Number: 51432

### Introduction

To mitigate for potential mortality of swift fox (*Vulpes velox*) due to vehicle-fox collisions on the expanding Junction L62A and US-385 corridor, the installation of artificial escape dens may help to prevent mortality from coyote predation of swift foxes in the vicinity of the Project and off-set potential mortality to the species. Swift foxes rely on dens throughout the year for protection from predators (Tannerfeldt et al. 2003), and better access to dens may reduce swift fox mortality from coyotes (Kitchen et al. 1999). Successful use of artificial dens has been demonstrated with studies of the federally-listed San Joaquin kit fox (*Vulpes macrotis mutica*) in California (Bjurlin et al. 2005) and swift fox in northwest Texas (McGee et al. 2006). Swift fox and San Joaquin kit fox are closely related species (Mercure et al. 1993) with similar morphology. Consequently, artificial dens for both species would have similar specifications. Den openings are the same size for both species, an approximate diameter of 20 cm (Cutter 1958, Pruss 1999).

### Artificial Den Description

Escape dens should consist of 3- to 6-m lengths of 20-cm diameter pipe (Figure 1a). Pipes should be polyvinyl chloride (PVC) or high density polyethylene (corrugated plastic sewer pipe) (Figure 1b). Pipes should be placed on the surface of the ground and covered with 1-2 m of soil (Figure 1c). Both open ends of the pipe should be left exposed (McGee et al. 2006). Although natural den entrances are 20 cm, artificial den entrances can be modified to an opening of 10-15 cm in order to exclude larger predators such as the red fox. One way this can be accomplished is by driving a stake into the ground in front of the entrances at the desired width (Bjurlin et al. 2005). Artificial dens should be permanently marked to alert maintenance personnel to their presence.

### Location Selection

Escape dens should be installed as close as possible to the area where natural dens are potentially being disturbed or destroyed. They should also be in areas that swift fox are likely to utilize. This is generally in elevated areas with well-drained soils, near the tops of gently sloping hills (20% slope or less). If possible, den entrances should generally be oriented east or west, as most natural dens in Nebraska have this orientation (Hines and Case 1991), but more importantly they should be oriented to avoid flooding during precipitation events. Dens should be located in grassland with short vegetation (<30 cm. (Meyer 2009), such as overgrazed cattle pasture (Allardyce and Sovada 2003) or near prairie dog towns (Russell 2006). Den locations will preferably be located in loamy soils, as swift fox generally avoid areas of clay soils (Marks 2005). The majority of natural den sites in Nebraska occur in sandy loam soil (Hines 1991). Dens may be located near anthropogenic areas such as roads or culverts (Tannerfeldt et al. 2003). The distance of dens to

major roads may not be an important factor as San Joaquin kit foxes have been observed to use dens within 100 feet of major roadways at the same rate as those at greater distances from the roadway (Bjurlin et al. 2005). Location considerations are summarized in the following bullet points:

- **Topographic Location:** elevated, well-drained areas, near tops of slopes
- **Slope:** gently sloping, about 20% or less
- **Aspect:** openings should be oriented to avoid flooding; should face east or west only if possible
- **Vegetation:** short grass, less than 30 cm in height
- **Substrate:** loam or sandy loam is preferred over clay or very sandy soils
- **Anthropogenic Features:** may be located near roads or culverts, no known minimum distance

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Figures

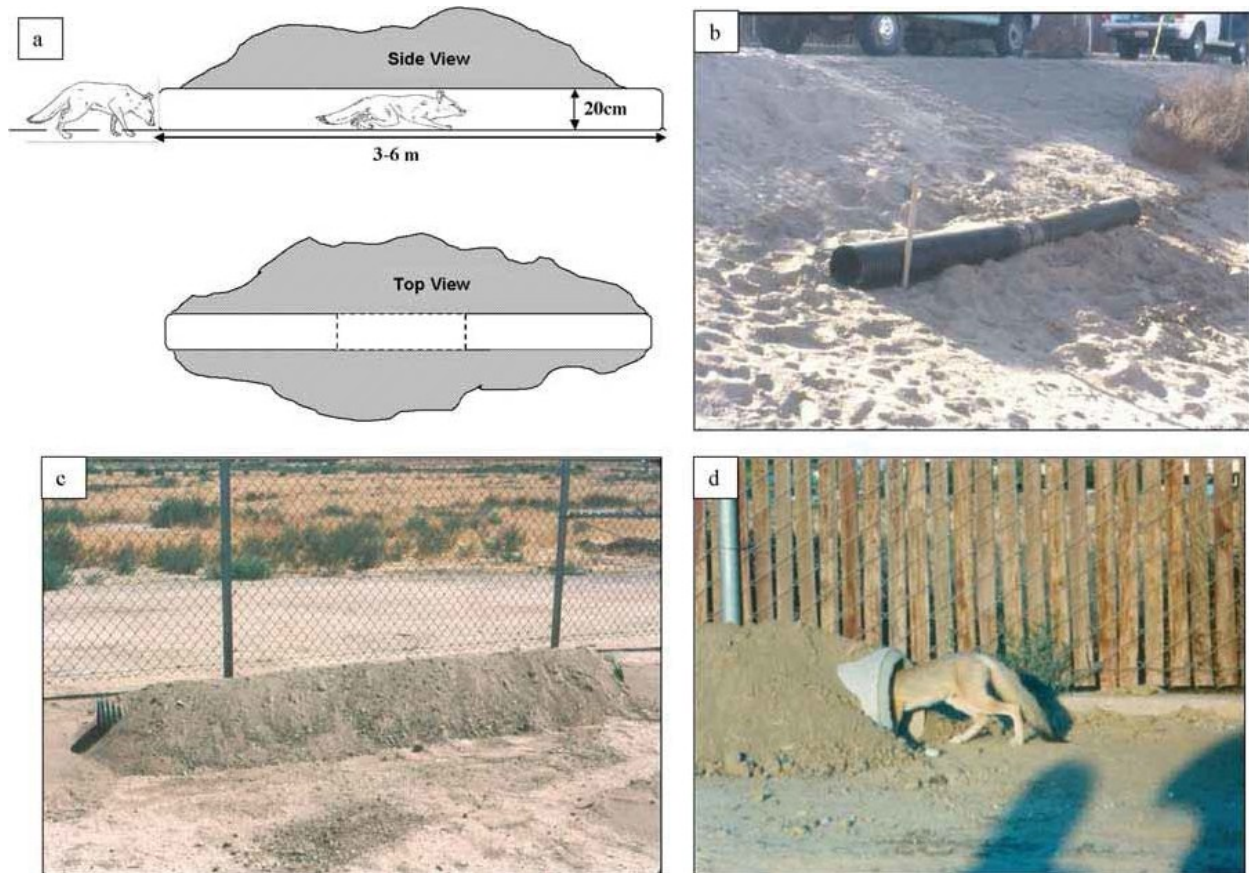


Figure 1. Artificial escape dens for San Joaquin kit fox at Bakersfield, CA. a) Escape den schematic. b) High-density polyethylene escape den under construction. c) Completed den. d) Kit fox entering escape den. (Bjurlin et al. 2005.)



## Nebraska Transportation Habitat Assessment Protocol for Golden Eagle

### ***Background***

Golden eagles (*Aquila chrysaetos*) can be found in the tundra, throughout grasslands, woodland-brushlands, and forested habitat, south to arid deserts, including Death Valley, California (Kochert et al., 2002). They are aerial predators and eat small to mid-sized reptiles, birds, and mammals up to the size of mule deer fawns and coyote pups. They also are known to scavenge and utilize carrion. In Nebraska's Panhandle, golden eagles are found in arid open country with grassland for foraging, which covers approximately the western quarter of the state. These habitats are typically near buttes or canyons which serve as nesting sites. Golden eagle food sources often consist of prairie dogs and jackrabbits; however, eagles are opportunistic scavengers and will occasionally feed on any available animal carcass. Golden eagles are a regular spring and fall migrant and winter visitor in central Nebraska, but they are not commonly observed in the eastern third of the state.

Golden eagles build nests on cliffs, in the largest trees of forested stands, or on rock escarpments, allowing for an unobstructed view of the surrounding habitat (Beecham and Kochert 1975, Menkens and Anderson 1987, Bates and Moretti, 1994). Usually, sticks and soft material are added to existing nests, or new nests are constructed to create a strong, flat or bowl shaped platform for nesting (Palmer 1988, Watson 1997, Kochert et al., 2002). Golden eagles have been known to decorate multiple nests in a single year; continuing to do so until they lay eggs in a selected nest. The completed nest structure(s) can vary from large and multi-layered; or a small augmentation of sticks in caves with little material other than extant detritus (Ellis et al., 2009).

Golden eagles avoid nesting near urban areas and do not generally nest in densely forested habitat. Individuals will occasionally nest near semi-urban areas where housing density is low or in farmland habitat; however golden eagles have been noted to be sensitive to some forms of human presence (Pagel et al., 2010). Golden Eagles lay one to four eggs, with two eggs being common and four eggs being rare. The laying interval between eggs ranges between three to five days. Severe weather may delay the onset of egg-laying (Driscoll, 2010).

Phenology is not well understood in Nebraska; however nesting birds have been observed on eggs in April and young birds reported by the third week of May (Molhoff, 2001). The golden eagle breeding season generally occurs from mid-January to mid-September, but varies according to geographic area (Phillips et al., 1990, Verner et al., 1980).

Driscoll (2010) describes that breeding chronology begins with an increase in courtship flights and nest refurbishment in December and January. Some eagle pairs lay eggs as early as January; however, mid-February is more typical. Incubation is 45 days. Young hatch from mid-March through April and remain in the nest for 10 weeks, fledging in June. Fledglings remain in the breeding area for up to two months, during which the adults continue to feed them. Juveniles disperse from the breeding area during July and August.

### *Purpose*

Golden eagles are legally protected by the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act and are considered a Tier II at-risk species (i.e., a species that is at-risk in Nebraska but doing well in other parts of its range) by the Nebraska Game and Parks Commission (NGPC) (Schneider et. al., 2011). The Nebraska Department of Roads (NDOR) and Federal Highway Administration (FHWA) has a need to demonstrate due diligence efforts that the transportation program is trying to avoid potential conflicts between eagles and potentially disruptive construction activities, as is already assessed and completed for bald eagles and migratory birds (Bald eagle survey protocol, 2007, NDOR APP, 2012). To document this effort for golden eagles, a habitat assessment process will be followed and coordinated with the NGPC and the U.S. Fish and Wildlife Service (USFWS).

### *Habitat Assessment Process*

1) Similar to our Species Evaluation Process for listed species, NDOR will determine if a proposed project occurs in a county within the most current available breeding range map (2012 example attached) and if there are known nest observations identified by NGPC's Heritage Program or the Breeding Bird Atlas within a 0.5-mile radius of the project.

2) In addition to range & nest location data, other types of desktop (GIS) information could be analyzed to determine whether the Limits of Construction are within 0.5-mile of the following golden eagle habitat indicators:

- Undeveloped
- Native grassland
- Trees
- Steep terrain
- Biologically Unique Landscapes (Pine Ridge, Wildcat Hills, Panhandle Prairies, Kimball Grasslands, Oglala Grasslands)
- Rocky escarpments
- Cliffs
- Rock outcrop
- Shortgrass prairie
- Sandhills dune prairie with 400 foot high rolling dunes
- Prairie dog towns

(3) If a **known** nest does occur within 0.5-mile of the project, or the habitat within 0.5-mile of the project appears to suggest a strong likelihood for golden eagle occupancy, a planned site visit prior to construction should take place:

It is recommended that the dates of the site visit should be sensitive to the local nesting (i.e. laying, incubating, and brooding) and conducted during weather conditions favorable for observing from medium to long range distances (+300—700 meters) (Pagel et al, 2010). There is some unknown proportion of golden eagles that nest in trees in the panhandle (<10%) but these nests are not always detected as cliff-dwelling nests are but usually they are found in

fairly remote locations (Joel Jorgensen, pers comm). It seems likely that these tree nests should be detected by following the bald eagle nest survey protocol.

(4) If nests are identified, follow up coordination with the Service and Commission should take place.

### ***Nest Surveys***

Golden eagle nests are typically large and distinctive, but may be well concealed and difficult to see against cliff faces and within rocky areas, or if in a tree, when trees have foliage. Nest surveys should complete a full inspection of rock escarpments, buttes, cliff faces, and large trees within 0.5-mile of the project in areas considered suitable habitat. Identified nests should be recorded using GPS. In addition to nests, any golden eagles observed during the survey and their behavior should be noted on the survey report. Potential nests should be observed from a distant location that does not disturb the eagles to confirm presence or absence of eagle activity. Nest surveys are to be conducted by a qualified biologist. Surveys resulting in a positive nest location will be sent to the NGPC and USFWS.

If construction will begin between February 1 and April 15, a nest survey must be completed at least 1, but not more than 14 days prior to construction. If construction will begin between April 15 and November 1, a nest survey completed in March is sufficient, as nests will likely already be constructed if nesting will occur that year. However, a nest survey may be completed at any time during this timeframe, as long as it is completed prior to construction. If golden eagles are nesting in the area, consultation with USFWS will be required, so it is in the project proponent's best interest to complete the survey and notify the agencies as early as possible.

### Identification resources

The field identification of North American eagles:

[http://www.globalraptors.org/grin/researchers/uploads/155/eagle\\_i.d.\\_1983.pdf](http://www.globalraptors.org/grin/researchers/uploads/155/eagle_i.d._1983.pdf)

Good examples of differences between species (i.e. feet, bills, feathers and pictures):

<http://www.hancockwildlife.org/forum/viewtopic.php?showtopic=132018>

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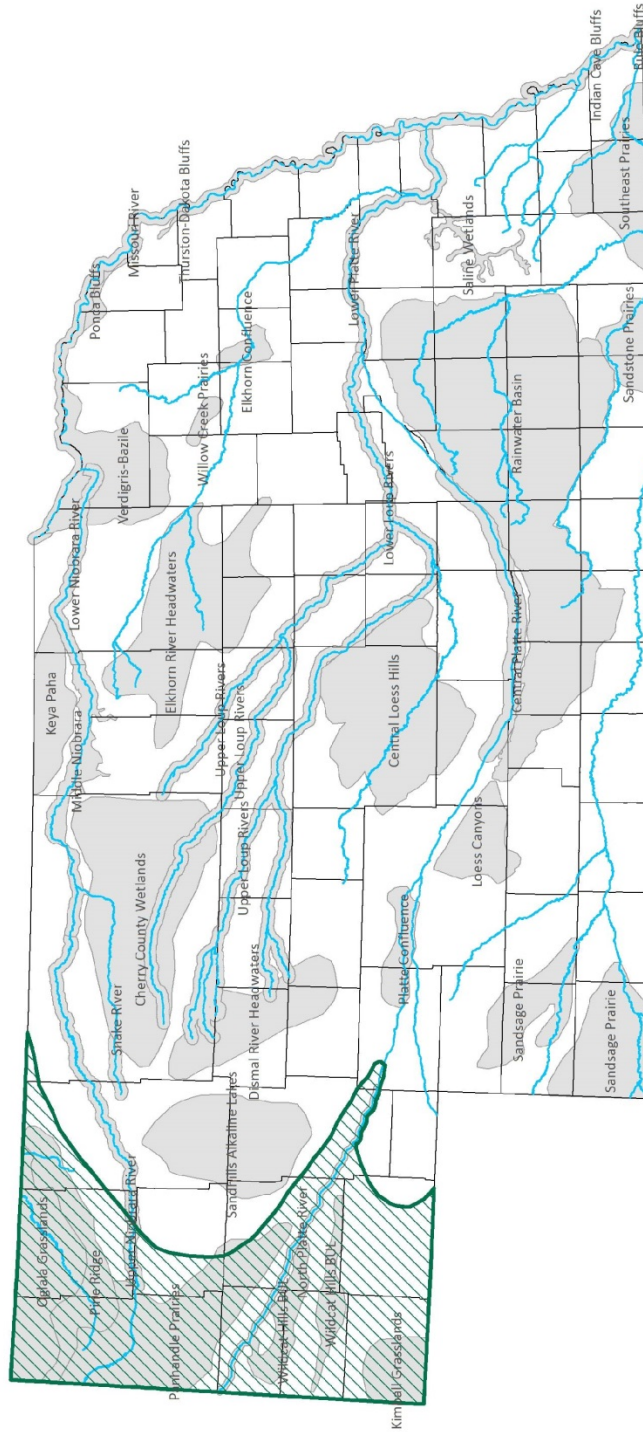
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# Current breeding range of Golden Eagle (*Aquila chrysaetos*)



Nebraska Natural Heritage Program,  
Nebraska Game and Parks Commission  
September 2012



Adult Golden Eagle (USFWS)



Immature Bald Eagle (USFWS)

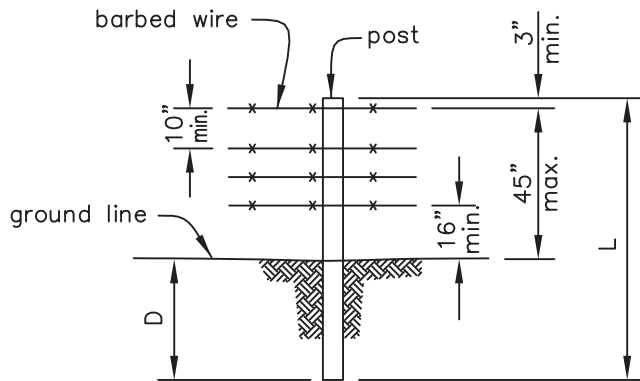
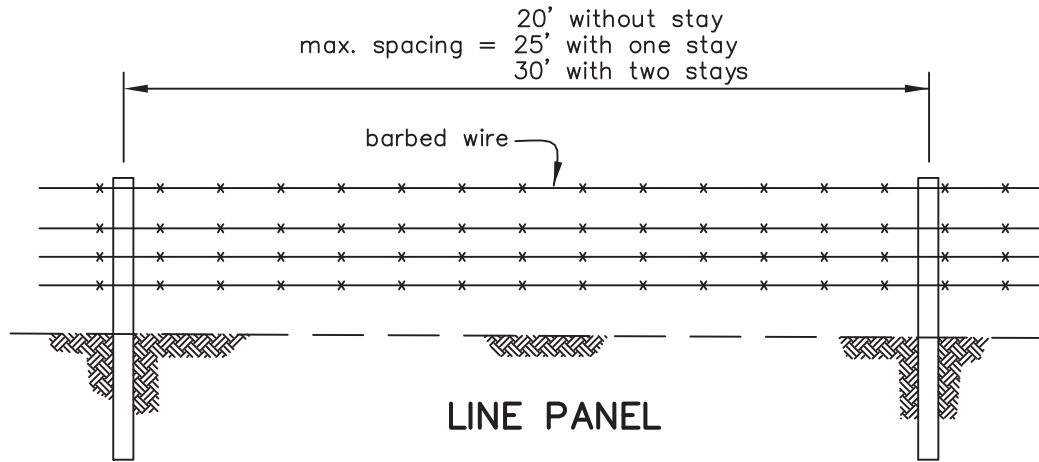


Golden Eagle (USFWS)



Turkey Vulture (USFWS)

**Fencing Design for  
Swift Fox-Additional 1 Commitment**



**BARBED WIRE**

Min. line wire diameter:  
12.5 gauge conventional or  
15.5 gauge high tensile.

2 twisted strands with 14 gauge or  
heavier two-point barbs on 5 inch  
or less centers (min.).

Type Z, Class 1 (min. or equiv.)  
zinc-coating as per ASTM A121.

**BARBED WIRE DETAIL**

LINE	Wood:	L = 6 1/2 ft. min. D = 2 1/2 ft. min. Dia. = 3 in. min.	Fiberglass:	L = 6 ft. min. D = 18 in. min. Dia. = 1 1/4 in. min.
	Steel:	L = 6 ft. min. D = 18 in. min. Standard "T" or "U"; > 1.33 lbs/ft of length		

CORNER OR GATE	Wood:	L = 8 ft. min. D = 3 1/2 ft. min. Dia. = 5 in. min.	Steel:	L = 7 ft. min. D = 3 ft. min. (set in conc.) Dia. = Round 2 3/8 in. O.D. or Angle iron 2 1/2 x 2 1/2 x 1/4 (in.)
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STAYS Wood: 1 1/2 in. dia. min. of durable wood  
Fiberglass: Any manufactured for this purpose  
Wire: 9.5 gauge, zinc coated, twisted, manufactured for this purpose

SPECIES for all wood: \_\_\_\_\_

SPECIAL INSTRUCTIONS

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Drawing not to scale. Standardized drawing  
must be adapted to the specific site.

Modified from Washington LSK-0010.dwg

U.S.D.A. - NATURAL RESOURCES CONSERVATION SERVICE	JOB CLASS	Date
	CAD FILE NO. NE500-10-002.dwg	Designed _____
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