

DATE: March 27, 2018

TO: Melissa Maiefski and Scott Stapp FHWA, Project File

THROUGH: Jon Barber, NDOT Environmental Documents Unit Program Manager

FROM: Caroline Jezierski, NDOT Hwy Environmental Biologist/NEPA Specialist

SUBJECT: 21209_S-75-2(1072)_Murray – Plattsmouth_Reevaluation 2018

The US-75/US-34 Murray – Plattsmouth, Control Number (CN) 21209, Project Number S-75-2(1072) project was originally approved as a portion of an Environmental Impact Statement by FHWA on October 26, 2000. A reevaluation due to elapsed time and project changes was approved by FHWA on April 17, 2017.

The project is located in Cass County starting at US-34 mile marker (MM) 373.33, and extends north to US-34 MM 380.16, roughly 400 feet south of the junction of US-75/US-34 and Oak Hill Road/Ave B, Plattsmouth, Nebraska.

The project is being re-evaluated to determine whether the following would impact the determinations of potential project impacts set forth in the re-evaluation:

- The location of the tie-in point at the N-1 intersection was moved approximately 300 feet west of the originally reviewed location;
- Median removal and crossovers at the north end of the project are outside of the project limits as defined by the project description;
- The project start MM was shifted, extending the length of the project by 0.23 miles;
- Changes in the requirements for the 2017 Title 117 Water Quality Certification.

Tie-in Point Change & Median Removal and Crossovers

NDOT Designer, Tony Kessler, determined that phasing work and cost could be reduced by changing the location of the tie-in point at the N-1 intersection. In addition, if the tie-in point was moved about 300 feet to the west of the originally reviewed location, the elevation of the new work would be the same as that of the existing roadway (Figure 1 & 2).

To accommodate traffic during construction of the project, the center median located on US 34/US-75 just north of the intersection with Oak Hill Road would need to be removed. Crossovers could then be added to enable traffic to move through the area. The location of the median and subsequent crossovers is outside of the project limits (Figure 3).

The NDOT Environmental Biologists and Specialists evaluated the potential impacts of the proposed changes.

Wetlands: Roger Yerdon determined the proposed tie-in shift and the addition of the crossovers would not change the permitted S404 impacts for the project.

Threatened and Endangered Species: Melissa Marinovich determined the tie-in shift and median crossover locations are within the area reviewed for impacts to threatened and endangered species. In addition, no new project activities were identified. The changes would not impact the effect determination.

Section 106: Stacy Stupka stated a third of the area between the original and new tie-in point was covered by the area of potential effects (APE) for CN 21209. The remaining two-thirds was encompassed in the APE for the NDOT project Murray – US 34 & 75 (CN 22467A). The level of effort for the 22467A review was appropriate for the proposed tie-in point change.

Ms. Stupka also stated the proposed crossovers were considered in the APE and the level of effort is appropriate for the change. The addition of the crossovers would not change the project effects determination.

The proposed changes would not change the project effects determination of *no historic properties affected*.

Hazardous Materials and Noise: Will Packard determined the proposed tie-in shift does not change the determination made in the Hazardous Materials Review or noise study.

Scott Stapp, FHWA Environmental Section, concurred with Mr. Packard's assessment that the extension of the project limits for the median removal and crossovers would not necessitate an additional noise study. Not only are the removal of the median and construction of the crossovers a temporary activity during the construction of the project, the area has been covered by a previous noise analysis. In addition, Mr. Packard determined the removal of the median would not require soil disturbance. Therefore, it would not change the determinations made in the Hazardous Materials Review.

Environmental Justice: Chris Hassler, Highway Civil Rights Coordinator, stated the proposed changes would not affect the previous determinations for Environmental Justice or Limited English Proficiency.

Public Involvement: Sarah Soula, Public Involvement Manager, stated the additional proposed changes do not affect the previous Public Involvement determinations.

Other Resources: Caroline Jezierski, determined the proposed tie-in shift would not result in changes to the original impact determinations for the following resources: Section 4(f) properties, tribal/federal land, farmland, wild and scenic rivers/national rivers inventory, floodplain/floodway, impaired waters, air quality, or access (Figure 4 & 5).

Project Start MM Change

During the Plans, Specifications, and Estimates stage of the project, it was determined to assist with transitioning from the project to the current road would require more distance than originally reviewed. In the 2017 re-evaluation, the beginning MM was 373.33 with 1400 feet of beyond this point for pavement transitioning and temporary traffic phasing. The updated MM would be 373.01, 0.23 miles or approximately 1700 feet beyond the original starting MM and about 300 feet beyond the transition zone.

The additional 300 feet of transition area at the start of the project was reviewed by the NDOT Environmental Biologists and Specialists.

Wetlands: Roger Yerdon determined the additional area is still within the area originally delineated for wetlands and there would be no additional impacts. No further evaluation for impacts to wetlands from this change would be needed.

Threatened and Endangered Species: Melissa Marinovich determined the additional area is within the footprint and buffer reviewed for impacts to threatened and endangered species and no additional activities have been added. Therefore, no further evaluation is needed and the effect determination remains appropriate.

Section 106: Stacy Stupka determined the area was covered by the APE. No further evaluation is required under Section 106.

Hazardous Materials and Noise: Will Packard determined the shift in the starting MM does not change the noise, air, or hazmat determinations.

Water Quality Certification

When the re-evaluation for this project was completed, an individual quality certification and a Title 117 Letter of Opinion from the State of Nebraska would be required. In the 2017 Title 117 Water Quality Certification, the Nebraska Department of Environmental Quality (NDEQ) no longer requires notifications for projects impacting greater than 200 linear feet of wetlands. Based on this update, an individual water quality certification is not required for this project. NDEQ has certified the Nationwide Permit #14 (NWP#14) as written, from U.S. Army Corps of Engineers (USACE)

The Wetlands/Waters of the U.S. Environmental Commitments included in the re-evaluation were:

“The Contractor shall not stage, store, waste or stockpile materials and equipment in undisturbed locations, or in known/potential wetlands and/or known/potential streams that exhibit a clear “bed and Bank” channel. Potential wetland areas consist of any area that is known to pond water, swampy areas or areas supporting known wetland vegetation or areas where there is a distinct difference in vegetation (at lower elevations) from the surrounding upland areas. (Contractor)

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

The project will require a Section 404 Permit for impacts to waters of the U.S. The permit shall be obtained prior to project letting. The contractor shall adhere to all permit conditions, including regional and general conditions, during construction. (NDOT Environmental, Contractor)

The project will require a Title 117 Letter of Opinion for impacts to waters of the State. (NDOT Environmental, Contractor)”

Due to the updated NDEQ requirements, the final Environmental Commitment is no longer required.

Determination

The scope of work related to and areas where the tie-in point shift, the removal of the median and construction of crossovers, and the shift in the project start were reviewed by NDOT Specialists who determined the activities, as proposed, do not have the potential to cause impacts/effects different than was previously determined.

The Environmental Commitments documented in the re-evaluation completed in 2017 would remain valid, with the exception of the following Wetlands/Waters of the U.S. commitment which shall be removed:

“The project will require a Title 117 Letter of Opinion for impacts to waters of the State. (NDOT Environmental, Contractor)”

NDOT recommends additional environmental analysis is not required. There would be no change to the impacts or level of the NEPA document.

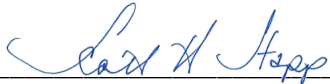
NDOT respectfully requests your review of the changes detailed above and concurrence that the proposed project needs no further environmental analysis.

Sincerely,

Jon Barber
Hwy Environmental Program Manager
Project Development
Nebraska Department of Transportation

Date

FHWA concurs with the reevaluation of the proposed project additions and has determined that no further environmental analysis is required.



Federal Highway Administration Nebraska Division

04/03/2018

Date

Memorandum

DATE January 12, 2018

TO Project File

FROM Tony Kessler

SUBJECT 75-2(1072) Murray – Plattsmouth 21209
N-1 Profile Adjustment

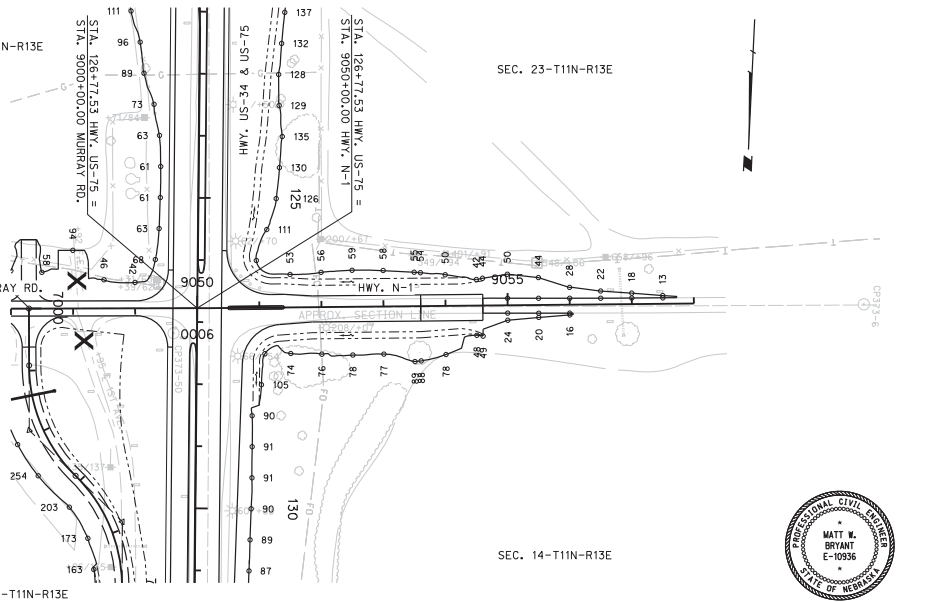
In reviewing the project plans for the work at the Hwy. 1 intersection it was noted that a certain amount of phasing work and cost could be reduced by changing the location of the tie-in point. Minimizing the phasing cost requires the work to move approximately 300' west where the elevation of the new work would be the same as that of the existing roadway (see the attached profile comparison sheet). The work is represented by the attached plan sheet.

PRELIMINARY PLAN
NOT FINAL - SUBJECT TO CHANGE

WILSON
& COMPANY

PROJECT NO.
75-2(1072)
C.N. 21209

SHEET NO.
16



OLD DESIGN

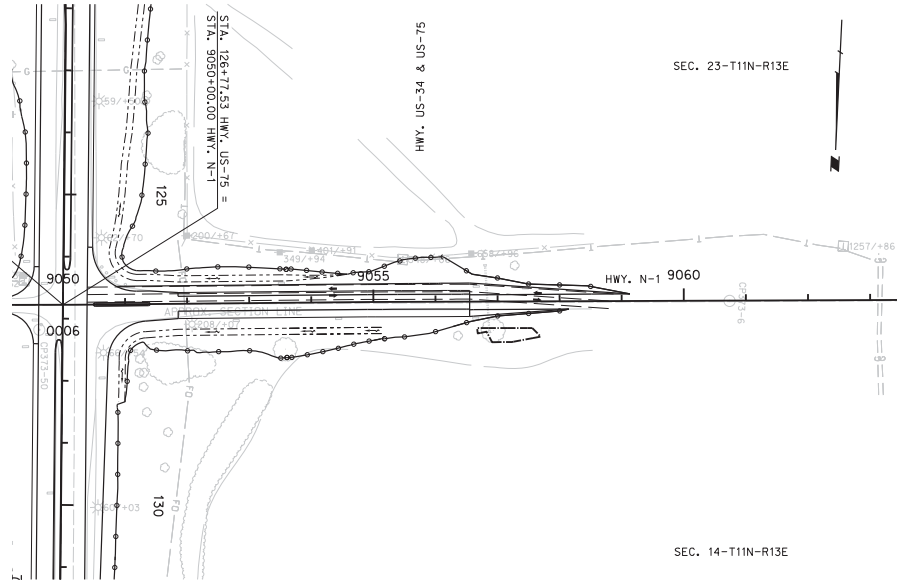
9050
HWY. N-1

PRELIMINARY PLAN
NOT FINAL - SUBJECT TO CHANGE

WILSON
& COMPANY

PROJECT NO.
75-2(1072)
C.N. 21209

SHEET NO.
21209opp14



NEW DESIGN

9050
HWY. N-1

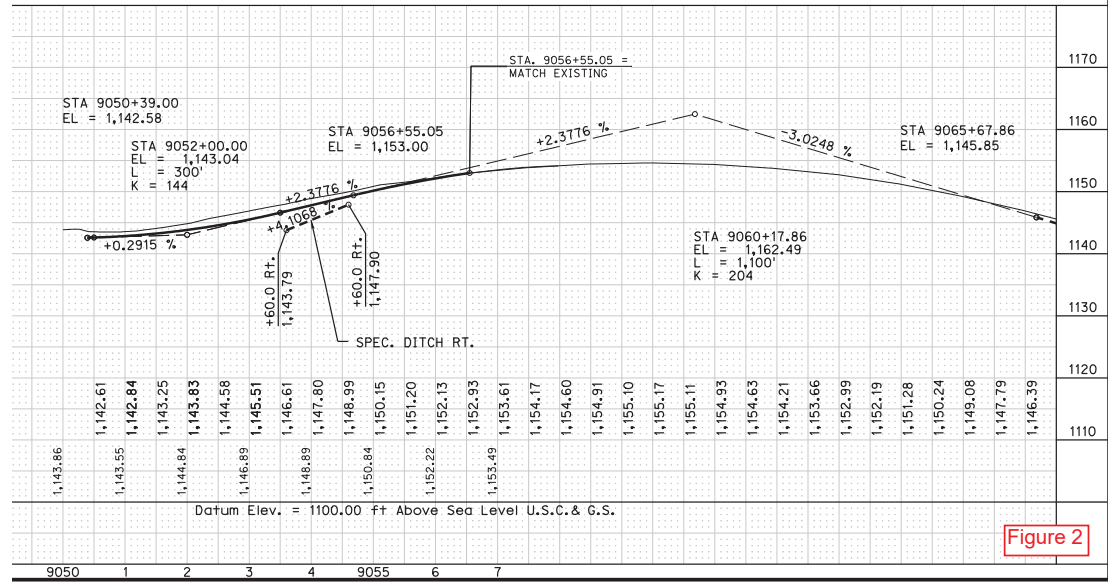
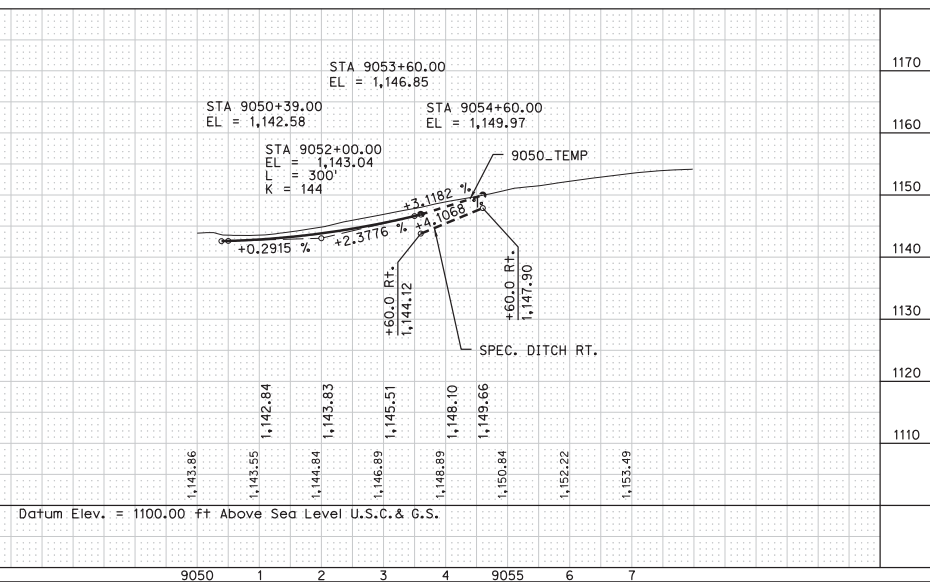
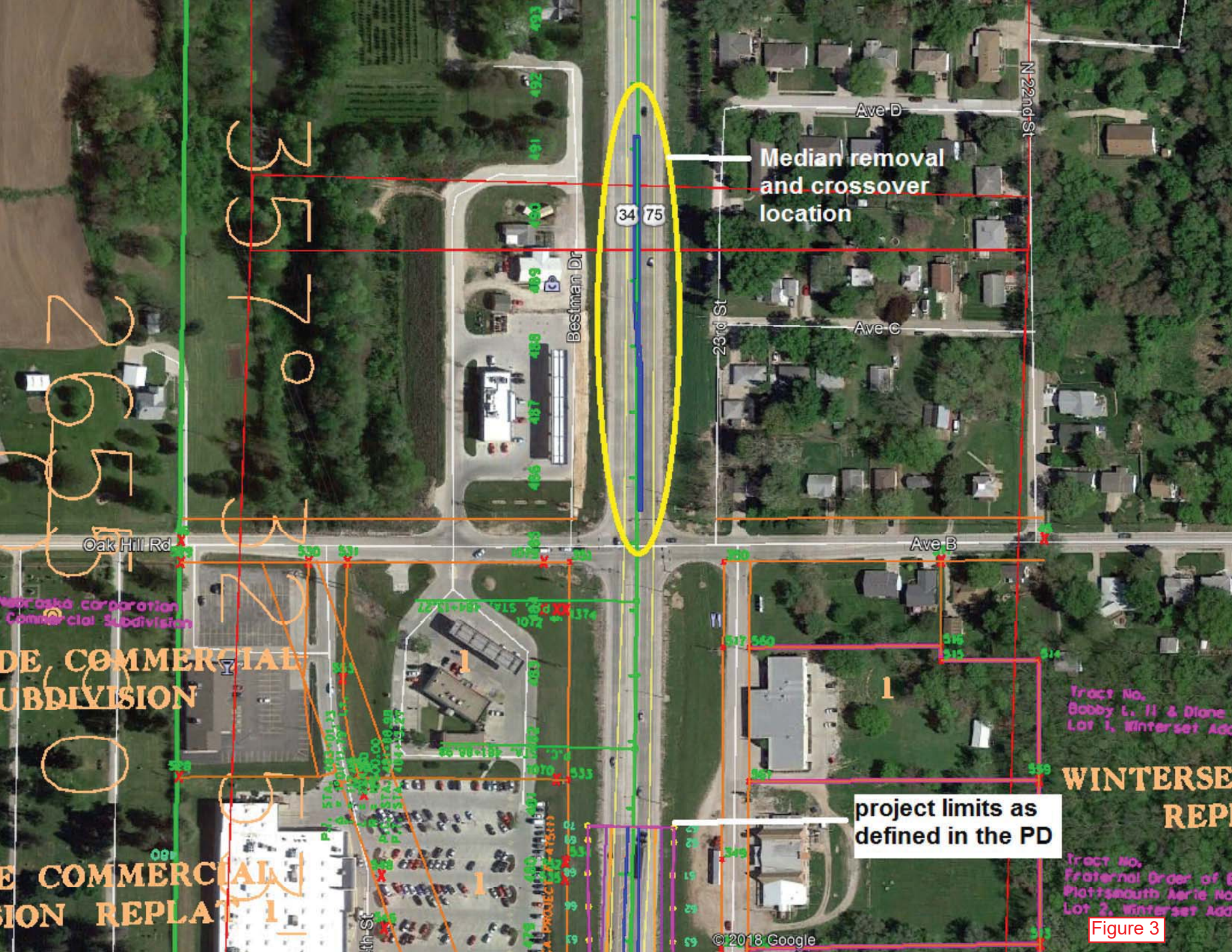


Figure 2



Median removal and crossover location

project limits as defined in the PD

3570

DE COMMERCIAL SUBDIVISION

Tract No. Bobby L. II & Diane Lot 1, Winterse Add

WINTERSE

Tract No. Fraternal Order of E Plattsmouth Aerie No Lot 2, Winterse Add

Figure 3

Tie-in Point Change and Median Removal and Crossovers

Supporting Documentation

From: [Yerdon, Roger](#)
To: [Marshall, Anthony](#); [Marinovich, Melissa](#); [Packard, Will](#); [Stupka, Stacy](#); [Soula, Sarah](#)
Cc: [Barber, Jon](#)
Subject: RE: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval
Date: Thursday, January 25, 2018 8:30:11 AM
Attachments: [image001.png](#)

After reviewing the proposed tie-in shift and the addition of the crossovers, it will not change the permitted S404 impacts associated with this project.

Thank you.
Roger

Roger Yerdon
Highway Environmental Biologist
Nebraska Department of Transportation
Technical Resources Unit
1500 Highway 2, Lincoln, NE 68509
402-479-4419
roger.yerdon@nebraska.gov

From: Marshall, Anthony
Sent: Wednesday, January 24, 2018 3:56 PM
To: Marinovich, Melissa <melissa.marinovich@nebraska.gov>; Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Soula, Sarah <sarah.soula@nebraska.gov>
Cc: Barber, Jon <Jon.Barber@nebraska.gov>
Subject: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval

All,
Please review the attached documents and determine if this proposed tie-in shift (at hwy 1/hwy 75 intersection) and addition of the crossovers (on the north end of the project, not in the Project Description) would change your original impact determination.
The tie-in shift would move approximately 300 feet farther west along Hwy 1 from its original location.

Thank you,
Anthony

Anthony Marshall | Environmental Section
NEBRASKA DEPARTMENT OF TRANSPORTATION
1500 Highway 2 | Lincoln, NE | 68509
402.479.3548 | Anthony.marshall@nebraska.gov

From: [Marinovich, Melissa](#)
To: [Marshall, Anthony](#); [Yerdon, Roger](#); [Packard, Will](#); [Stupka, Stacy](#); [Soula, Sarah](#)
Cc: [Barber, Jon](#)
Subject: RE: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval
Date: Thursday, January 25, 2018 9:49:19 AM

This slight tie-in shift and the location of the median crossover is still within the area reviewed for impacts to T&E species. No new activities were identified; therefore, no further reevaluation of the T&E effect determination is needed. Thanks for checking and making us aware of this design shift!

Melissa Marinovich
Highway Environmental Biologist
Office: 402-479-3546
Cell: (402) 560-0760
melissa.marinovich@nebraska.gov

From: Marshall, Anthony
Sent: Wednesday, January 24, 2018 3:56 PM
To: Marinovich, Melissa <melissa.marinovich@nebraska.gov>; Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Soula, Sarah <sarah.soula@nebraska.gov>
Cc: Barber, Jon <Jon.Barber@nebraska.gov>
Subject: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval

All,
Please review the attached documents and determine if this proposed tie-in shift (at hwy 1/hwy 75 intersection) and addition of the crossovers (on the north end of the project, not in the Project Description) would change your original impact determination.
The tie-in shift would move approximately 300 feet farther west along Hwy 1 from its original location.

Thank you,
Anthony

Anthony Marshall | Environmental Section
NEBRASKA DEPARTMENT OF TRANSPORTATION
1500 Highway 2 | Lincoln, NE | 68509
402.479.3548 | Anthony.marshall@nebraska.gov

From: [Stupka, Stacy](#)
To: [Marshall, Anthony](#); [Marinovich, Melissa](#); [Yerdon, Roger](#); [Packard, Will](#); [Soula, Sarah](#)
Cc: [Barber, Jon](#); [Dittmer, Dillon](#); [Turner, Katie](#)
Subject: RE: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval
Date: Thursday, January 25, 2018 9:45:33 AM

Anthony,

The NDOT project Murray to Plattsmouth (CN 21209) was processed as a Tier III project on 10/26/16, with a project effects determination of *no historic properties affected*.

The proposed crossovers located at the northern end of the project were considered in the area of potential effects (APE), and the level of effort is appropriate. The addition of these crossovers would not change the project effects determination.

Approximately 100 feet of the proposed 300 foot shift west at the intersection of N-1 and US 75 to accommodate a new tie-in location was also considered in the original APE for CN 21209. The remaining 200 feet was encompassed in the APE for the NDOT project Murray – US 34 & 75 (CN 22467A) and the level of effort is appropriate. This project was processed as a Tier II project on 12/04/17 with a project effects determination of *no historic properties affected*.

Neither of the proposed changes would change the project effects determination of *no historic properties affected* for either project and no additional consultation under Section 106 is required.

Thank you,
Stacy

Stacy Stupka

Cultural Resources Manager / Section 106 Specialist

Nebraska Department of Transportation

OFFICE 402-479-3879

stacy.stupka@nebraska.gov

dot.nebraska.gov

From: Marshall, Anthony

Sent: Wednesday, January 24, 2018 3:56 PM

To: Marinovich, Melissa <melissa.marinovich@nebraska.gov>; Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Soula, Sarah <sarah.soula@nebraska.gov>

Cc: Barber, Jon <Jon.Barber@nebraska.gov>

Subject: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval

All,

Please review the attached documents and determine if this proposed tie-in shift (at hwy 1/hwy 75 intersection) and addition of the crossovers (on the north end of the project, not in the Project Description) would change your original impact determination.

The tie-in shift would move approximately 300 feet farther west along Hwy 1 from its original location.

Thank you,
Anthony

Anthony Marshall | Environmental Section
NEBRASKA DEPARTMENT OF TRANSPORTATION
1500 Highway 2 | Lincoln, NE | 68509
402.479.3548 | Anthony.marshall@nebraska.gov

From: [Packard, Will](#)
To: [Marshall, Anthony](#); [Marinovich, Melissa](#); [Yerdon, Roger](#); [Stupka, Stacy](#); [Soula, Sarah](#)
Cc: [Barber, Jon](#)
Subject: RE: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval
Date: Thursday, March 1, 2018 11:26:08 AM

Anthony,

The proposed shift for the tie in does not change the determination made in the HMR or noise study. The project shift in project limits does include additional noise receptors to analyze and no hazardous material sites were identified in this area. In addition, the estimated vehicle miles traveled would not change and thus the MSAT memo is still valid. Thank you,

Will

From: Marshall, Anthony
Sent: Wednesday, January 24, 2018 3:56 PM
To: Marinovich, Melissa <melissa.marinovich@nebraska.gov>; Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Soula, Sarah <sarah.soula@nebraska.gov>
Cc: Barber, Jon <Jon.Barber@nebraska.gov>
Subject: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval

All,

Please review the attached documents and determine if this proposed tie-in shift (at hwy 1/hwy 75 intersection) and addition of the crossovers (on the north end of the project, not in the Project Description) would change your original impact determination.

The tie-in shift would move approximately 300 feet farther west along Hwy 1 from its original location.

Thank you,
Anthony

Anthony Marshall | Environmental Section
NEBRASKA DEPARTMENT OF TRANSPORTATION
1500 Highway 2 | Lincoln, NE | 68509
402.479.3548 | Anthony.marshall@nebraska.gov

From: [Packard, Will](#)
To: [Jeziarski, Caroline](#)
Subject: RE: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval
Date: Friday, March 16, 2018 1:54:22 PM

Caroline,

The removal of the median will not require soil disturbance and therefore does not impact hazmat. The HMR determinations remain valid.

Will

From: Marshall, Anthony
Sent: Wednesday, January 24, 2018 3:56 PM
To: Marinovich, Melissa <melissa.marinovich@nebraska.gov>; Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Soula, Sarah <sarah.soula@nebraska.gov>
Cc: Barber, Jon <Jon.Barber@nebraska.gov>
Subject: 21209 Murray to Plattsmouth - Tie-in Shift & Crossovers Re-eval

All,

Please review the attached documents and determine if this proposed tie-in shift (at hwy 1/hwy 75 intersection) and addition of the crossovers (on the north end of the project, not in the Project Description) would change your original impact determination.

The tie-in shift would move approximately 300 feet farther west along Hwy 1 from its original location.

Thank you,
Anthony

Anthony Marshall | Environmental Section
NEBRASKA DEPARTMENT OF TRANSPORTATION
1500 Highway 2 | Lincoln, NE | 68509
402.479.3548 | Anthony.marshall@nebraska.gov

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

From: [Stapp, Scott \(FHWA\)](#)
To: [Packard, Will](#)
Cc: [Barber, Jon](#); [Marshall, Anthony](#); [Maiefski, Melissa \(FHWA\)](#); [Peters, Taylor \(FHWA\)](#); [Petracek, Sue](#)
Subject: RE: 21209 Plattsmouth to Bellevue - Noise
Date: Monday, March 5, 2018 8:46:21 AM

Hi Will,

As we discussed on March 1, 2018, the removal of the median and the use of crossovers is needed only for the construction of the project and the median will be replaced after construction. As a result, the impacts will be temporary in nature and do not require additional traffic noise analysis.

Thanks,
Scott
P\ENV

From: Packard, Will [mailto:Will.Packard@nebraska.gov]
Sent: Tuesday, February 20, 2018 9:15 AM
To: Maiefski, Melissa (FHWA) <melissa.maiefski@dot.gov>; Stapp, Scott (FHWA) <scott.stapp@dot.gov>
Cc: Barber, Jon <Jon.Barber@nebraska.gov>; Marshall, Anthony <anthony.marshall@nebraska.gov>
Subject: 21209 Plattsmouth to Bellevue - Noise

Melissa and Scott

Recent coordination with design indicated the need for a crossover north of Oak Hill Road in Plattsmouth. The original project limits were 400 feet south of Oak Hill Road with 200 feet for pavement transition (see attached aerial). The noise analysis completed for the project ended at Oak Hill Road. The only project element occurring north of Oak Hill Road is removal of the median for the crossovers. 23 CFR 772.5(8) states that "If a project is determined to be Type I project under this definition then the entire project area as defined in the environmental document is a Type I project." However, NDOT's position is that a noise analysis would not need to extend north and cover this area because the noise sensitive receptors north of Oak Hill Road were analyzed as part of the re-evaluation for the Plattsmouth to Bellevue section of the project. The noise study covered that 2-lane to 4-lane expansion adding project. The removal of the median is a temporary construction item to allow for crossovers and will be re-built. No permanent changes will occur in this area. Could you please provide NDOT your guidance on this issue. Thank you,

Will Packard
Environmental Specialist
Nebraska Department of Transportation
Project Development Division
(402) 479-4312



Legend

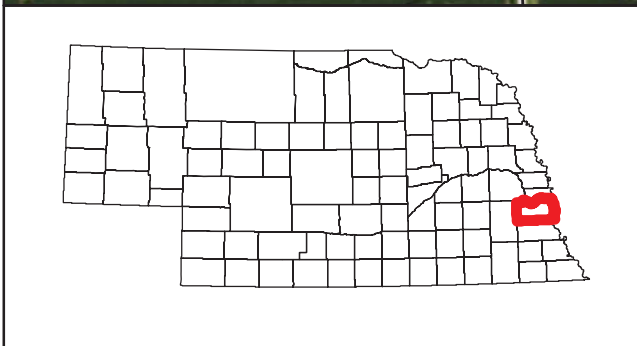
- City Boundaries

Project Alignment

- 21209
- 22467A
- Wellhead Protection Areas

Flood Zone

- A
- AE
- AH
- AO
- AREA NOT INCLUDED
- Impaired Streams
- Impaired Lakes
- Tribal Lands
- Federal Lands
- State Park Areas
- Public Parks
- Trails
- Golf_Course



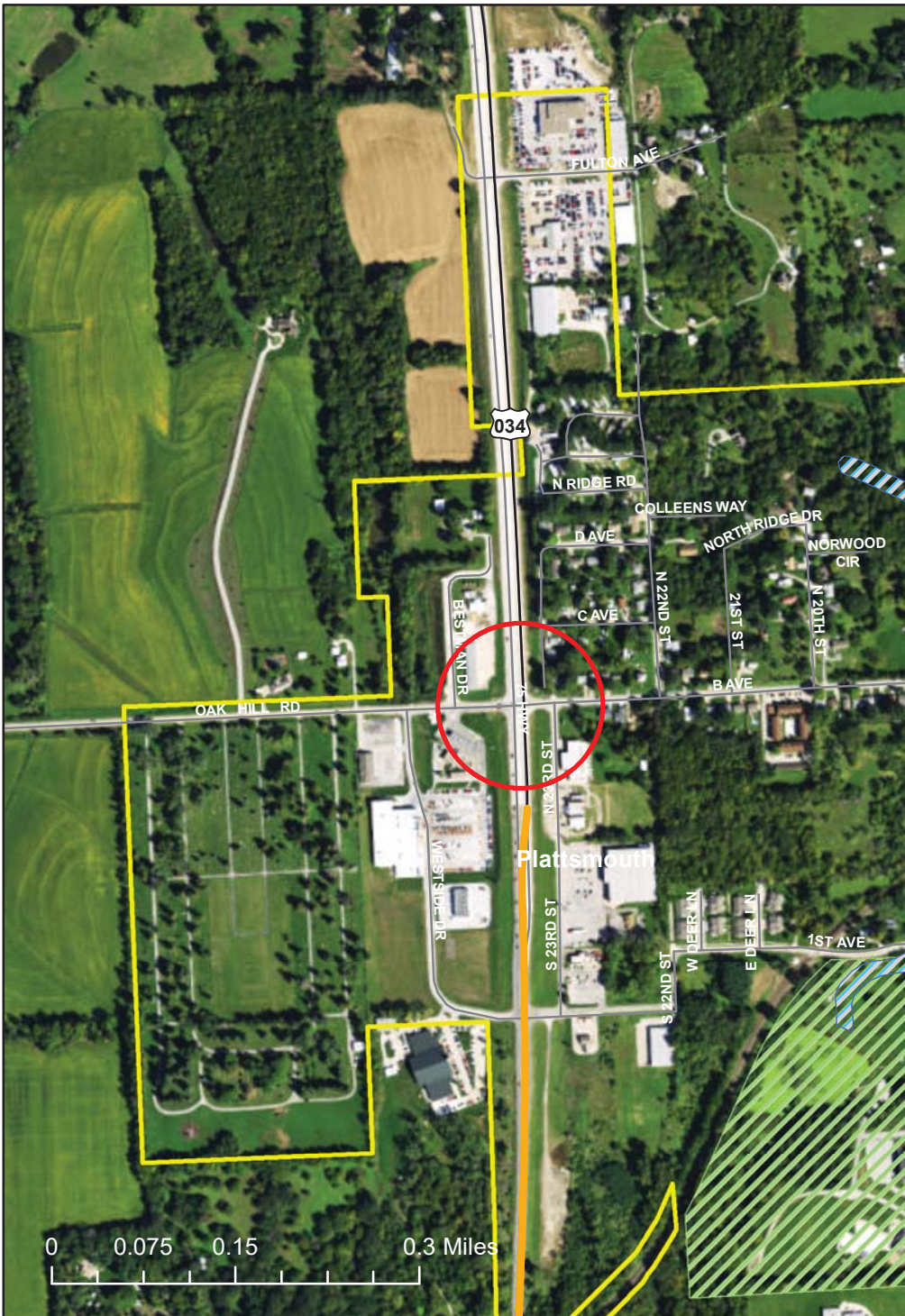
The tie-in shift is located within the red circle.

NOTE: All of the Layers listed above in the Legend are active and would show up on the map if the resource they represent was in the area.

Figure 4

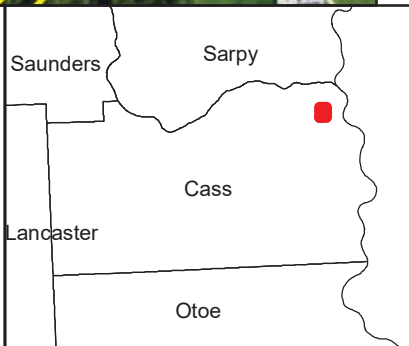
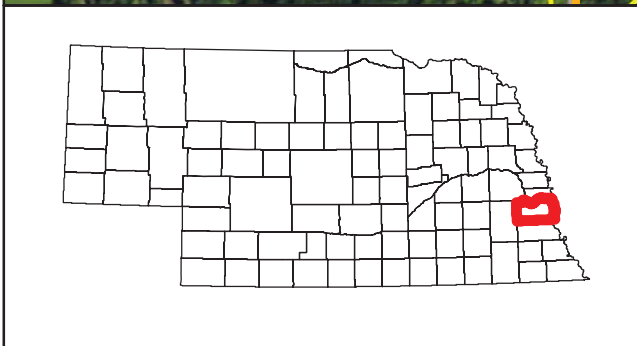
US-75/US-34 Murray to Plattsmouth

Control Number: 21209
 Project Number: S-75-2(1072)
 Median Removal and Crossover Map



Legend

- City Boundaries
- Project Alignment**
- 21209
- 22467A
- Wellhead Protection Areas
- Flood Zone**
- A
- AE
- AH
- AO
- AREA NOT INCLUDED
- Impaired Streams
- Impaired Lakes
- Tribal Lands
- Federal Lands
- State Park Areas
- Public Parks
- Trails
- Golf_Course



The median removal and crossover area is located within the red circle.

NOTE: All of the Layers listed above in the Legend are active and would show up on the map if the resource they represent was in the area.

Figure 5

Project Start Mile Marker Change

Supporting Documentation

From: [Yerdon, Roger](#)
To: [Jezierski, Caroline](#); [Packard, Will](#); [Stupka, Stacy](#); [Marinovich, Melissa](#)
Subject: RE: 21209, Murray - Plattsmouth Updated Starting MM
Date: Tuesday, March 27, 2018 7:33:31 AM
Attachments: [image001.png](#)

Caroline,

The additional area is still within the area originally delineated for this project and there are no additional impacts associated with this change. No further evaluation will be needed.

Thanks.
Roger

Roger Yerdon
Highway Environmental Biologist
Nebraska Department of Transportation
Technical Resources Unit
1500 Highway 2, Lincoln, NE 68509
402-479-4419
roger.yerdon@nebraska.gov



From: Jezierski, Caroline
Sent: Monday, March 26, 2018 3:27 PM
To: Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Marinovich, Melissa <melissa.marinovich@nebraska.gov>
Subject: 21209, Murray - Plattsmouth Updated Starting MM
Importance: High

Hello All,

During PS&E for 21209, Murray - Plattsmouth, it was determined that more distance is needed for the project transition at the southern end/start of the project.

In the re-evaluation approved in 2017, the starting mile marker (MM) was 373.33 with 1400 feet before or after the project limits for pavement transitioning and temporary traffic phasing. The updated MM would be MM 373.01, approximately 1700 feet from the original starting MM and about 300 feet beyond the original transition area.

If you could please review the location and potential impacts to your resource and let me know whether shifting the project start to MM 373.01 would require additional environmental review for your resource, I would greatly appreciate it.

Thanks,
Caroline

Caroline Jezierski

Highway Environmental Biologist/NEPA Specialist
Nebraska Department of Transportation
1500 Highway 2, PO Box 94759
Lincoln, NE 68509
Office: (402) 479-4415 | Fax: (402) 479-3895
caroline.jezierski@nebraska.gov

From: [Marinovich, Melissa](#)
To: [Jeziarski, Caroline](#); [Yerdon, Roger](#); [Packard, Will](#); [Stupka, Stacy](#)
Subject: RE: 21209, Murray - Plattsmouth Updated Starting MM
Date: Monday, March 26, 2018 4:14:36 PM

Caroline,

The additional area discussed below is within the footprint and buffer reviewed for impacts to T&E species and no additional activities are required for this work that have not already been considered for this project. Therefore, no further evaluation is needed for impacts to T&E species and the effect determination remains appropriate.

Melissa Marinovich

Highway Environmental Biologist
Office: 402-479-3546
Cell: (402) 560-0760
melissa.marinovich@nebraska.gov

From: Jeziarski, Caroline
Sent: Monday, March 26, 2018 3:27 PM
To: Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Marinovich, Melissa <melissa.marinovich@nebraska.gov>
Subject: 21209, Murray - Plattsmouth Updated Starting MM
Importance: High

Hello All,

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If you could please review the location and potential impacts to your resource and let me know whether shifting the project start to MM 373.01 would require additional environmental review for your resource, I would greatly appreciate it.

Thanks,
Caroline

Caroline Jeziarski

Highway Environmental Biologist/NEPA Specialist
Nebraska Department of Transportation

From: [Stupka, Stacy](#)
To: [Jeziarski, Caroline](#); [Yerdon, Roger](#); [Packard, Will](#); [Marinovich, Melissa](#)
Subject: RE: 21209, Murray - Plattsmouth Updated Starting MM
Date: Monday, March 26, 2018 3:31:16 PM

Caroline,

The area discussed below is within the APE considered for this undertaking. No further evaluation is required under Section 106.

Thanks,
Stacy

Stacy Stupka

Cultural Resources Manager / Section 106 Specialist

Nebraska Department of Transportation

OFFICE 402-479-3879

stacy.stupka@nebraska.gov

dot.nebraska.gov

From: Jeziarski, Caroline

Sent: Monday, March 26, 2018 3:27 PM

To: Yerdon, Roger <roger.yerdon@nebraska.gov>;

Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>;

Marinovich, Melissa <melissa.marinovich@nebraska.gov>

Subject: 21209, Murray - Plattsmouth Updated Starting MM

Importance: High

Hello All,

During PS&E for 21209, Murray - Plattsmouth, it was determined that more distance is needed for the project transition at the southern end/start of the project.

In the re-evaluation approved in 2017, the starting mile marker (MM) was 373.33 with 1400 feet before or after the project limits for pavement transitioning and temporary traffic phasing. The updated MM would be MM 373.01, approximately 1700 feet from the original starting MM and about 300 feet beyond the original transition area.

If you could please review the location and potential impacts to your resource and let me know whether shifting the project start to MM 373.01 would require additional environmental review for your resource, I would greatly appreciate it.

Thanks,
Caroline

Caroline Jeziarski

Highway Environmental Biologist/NEPA Specialist

Nebraska Department of Transportation

1500 Highway 2, PO Box 94759

Lincoln, NE 68509

Office: (402) 479-4415 | Fax: (402) 479-3895

From: [Packard, Will](#)
To: [Jeziarski, Caroline](#); [Yerdon, Roger](#); [Stupka, Stacy](#); [Marinovich, Melissa](#)
Subject: RE: 21209, Murray - Plattsmouth Updated Starting MM
Date: Monday, March 26, 2018 3:39:56 PM

Caroline,

Shifting the project start to 373.01 will not change the noise, air or hazmat determinations.
Thank you,

Will

From: Jeziarski, Caroline
Sent: Monday, March 26, 2018 3:27 PM
To: Yerdon, Roger <roger.yerdon@nebraska.gov>; Packard, Will <Will.Packard@nebraska.gov>; Stupka, Stacy <stacy.stupka@nebraska.gov>; Marinovich, Melissa <melissa.marinovich@nebraska.gov>
Subject: 21209, Murray - Plattsmouth Updated Starting MM
Importance: High

Hello All,

During PS&E for 21209, Murray - Plattsmouth, it was determined that more distance is needed for the project transition at the southern end/start of the project.

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Thanks,
Caroline

Caroline Jeziarski

Highway Environmental Biologist/NEPA Specialist
Nebraska Department of Transportation
1500 Highway 2, PO Box 94759
Lincoln, NE 68509
Office: (402) 479-4415 | Fax: (402) 479-3895
caroline.jeziarski@nebraska.gov

Water Quality Certification

Supporting Documentation

From: [Yerdon, Roger](#)
To: [Barber, Jon](#)
Subject: 21209 Murray to Plattsmouth
Date: Monday, March 5, 2018 1:00:12 PM
Attachments: [image001.png](#)

Jon,

On the above referenced project, the requirements changed for the 2017 Title 117 Water Quality Certification. NDEQ removed the requirement to notify them if a project impacted greater than 200 linear feet of wetlands. NDEQ has certified the NWP #14 as written from USACE.

An individual water quality certification is not needed.

Please let me know if you need anything else.

Roger

Roger Yerdon
Highway Environmental Biologist
Nebraska Department of Transportation
Technical Resources Unit
1500 Highway 2, Lincoln, NE 68509
402-479-4419
roger.yerdon@nebraska.gov

From: [Yerdon, Roger](#)
To: [Jezierski, Caroline](#)
Subject: RE: 21209 Commitment Update
Date: Wednesday, March 14, 2018 2:15:39 PM
Attachments: [image001.png](#)

The commitment requiring a Title 117 Letter of Opinion is no longer necessary. The previous requirement of notification when a roadway project has an impact of 200 linear feet of wetlands was removed in 2017.

Roger

Roger Yerdon
Highway Environmental Biologist
Nebraska Department of Transportation
Technical Resources Unit
1500 Highway 2, Lincoln, NE 68509
402-479-4419
roger.yerdon@nebraska.gov



From: Jezierski, Caroline
Sent: Wednesday, March 14, 2018 1:45 PM
To: Yerdon, Roger <roger.yerdon@nebraska.gov>
Subject: 21209 Commitment Update
Importance: High

Hello Roger,

In the 2017 re-evaluation of 21209, Murray – Plattsmouth, the following Environmental Commitments are listed for wetlands/waters of the U.S.

Wetlands/Waters of the U.S.

The Contractor shall not stage, store, waste or stockpile materials and equipment in undisturbed locations, or in known/potential wetlands and/or known/potential streams that exhibit a clear “bed and Bank” channel. Potential wetland areas consist of any area that is known to pond water, swampy areas or areas supporting known wetland vegetation or areas where there is a distinct difference in vegetation (at lower elevations) from the surrounding upland areas. (Contractor)

All wetlands/waters within the project area that are not permitted for impacts will be marked on the

2W aerial sheets for the contractor as avoidance areas. (NDOR Environmental)

The project will require a Section 404 Permit for impacts to waters of the U.S. The permit shall be obtained prior to project letting. The contractor shall adhere to all permit conditions, including regional and general conditions, during construction. (NDOR Environmental, Contractor)

The project will require a Title 117 Letter of Opinion for impacts to waters of the State. (NDOR Environmental, Contractor)

Based on the email you sent to Jon Barber on March 5, 2018 (attached), NDEQ has certified the project as a NWP#14 and will no longer require an individual water quality certification.

Can you please provide me with updated mitigation to include in the re-evaluation I am currently writing for this project?

Thanks,
Caroline

Caroline Jezierski

Highway Environmental Biologist/NEPA Specialist
Nebraska Department of Transportation
1500 Highway 2, PO Box 94759
Lincoln, NE 68509
Office: (402) 479-4415 | Fax: (402) 479-3895
caroline.jezierski@nebraska.gov