U.S. Department of Transportation
Federal Highway Administration

NEBRASKA DIVISION

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

December 29, 2016

Mr. Ryan Joe
Nebraska Game and parks Commission
P.O. Box 30370
Lincoln, NE 68503

Dear Mr. Joe:

On behalf of the Federal Highway Administration (FHWA) and the Nebraska Department of Roads (NDOR), enclosed please find a reevaluation of the biological assessment for the *Nebraska Biological Evaluation Process for the Federal-Aid Transportation Program in Nebraska* for your review and concurrence.

As you know, NDOR, FHWA, the U.S. Fish and Wildlife Service (USFWS) and the Nebraska Game and Parks Commission (NGPC) signed a programmatic agreement in 2012 and have been partnering on the effort to programmatically address species compliance for the Federal-aid transportation program for several years. This Program has proven to decrease delivery timeframes for needed transportation projects and improved consistency in approach. It has proven to decrease signatory agency workloads while allowing the agencies to focus on a more holistic approach to species recovery.

Based on five years of annual Program review, updates to the assessment tools as needed and thorough documentation and reporting of effect determinations, FHWA has determined that the continued implementation of this Program May Affect, but is Not Likely to Adversely Affect, listed species within the state of Nebraska. The FHWA respectfully requests your concurrence with this determination.

Should you have any questions or require additional information, please do not hesitate to contact me at 402-742-8473 or Scott Stapp at 402-742-8465. Thank you, as always, for your continued assistance in efficiently delivering the Federal-aid transportation program in a manner consistent with the Endangered Species Act and the Nebraska Nongame and Endangered Species Conservation Act.

Sincerely yours,

Scott A. Stapp for

Melissa Maiefski
Program Delivery Team Lead

Enclosure