



Final Environmental Assessment

South River Road

Public Assistance Grant Project

FEMA-DR-4225-NE PW 251

Lincoln County, Nebraska

March 2018

U.S. Department of Homeland Security
Federal Emergency Management Agency Region 7
9221 Ward Parkway, Kansas City, Missouri 64114

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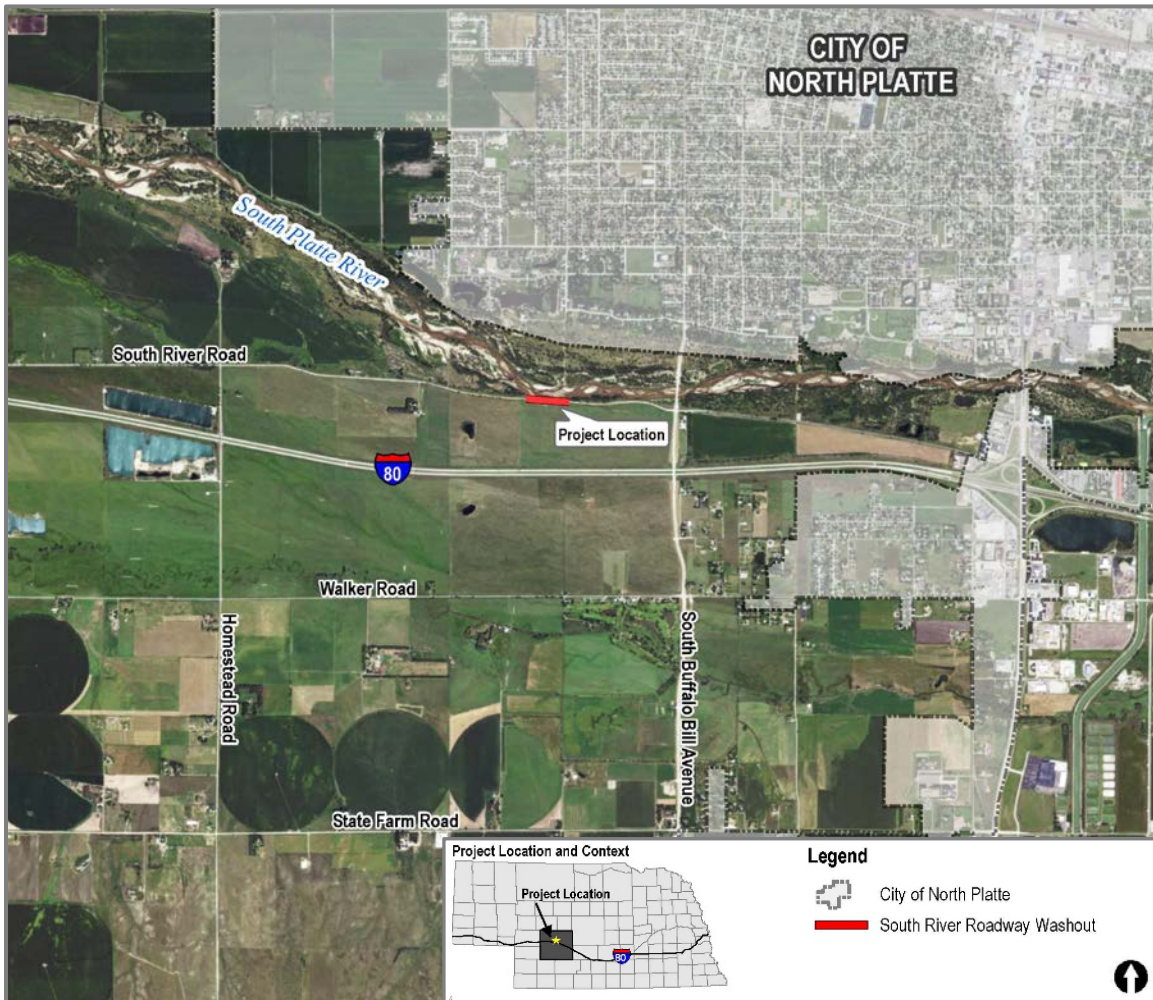
ACRONYMS AND ABBREVIATIONS

APE	area of potential effect
BFE	base flood elevation
CAA	Clean Air Act
CCPRS	CH2M HILL – CDM PA-TAC Recovery Services
CEQ	Council on Environmental Quality
CFR	<i>Code of Federal Regulations</i>
CLOMR	Conditional Letter of Map Revision
CWA	Clean Water Act
EA	Environmental Assessment
EPA	U.S. Environmental Protection Agency
FEMA	Federal Emergency Management Agency
FPPA	Farmland Protection Policy Act
GHG	greenhouse gas
HEC-RAS	Hydraulic Engineering Center-River Analysis System
I-80	Interstate 80
LOMR	Letter of Map Revision
LWCF	Land and Water Conservation Fund
NDEQ	Nebraska Department of Environmental Quality
NDNR	Nebraska Department of Natural Resources
NDOR	Nebraska Department of Roads
NDOT	Nebraska Department of Transportation
NEPA	National Environmental Policy Act of 1969
NGPC	Nebraska Game and Parks Commission
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
PM _{2.5}	particulate matter less than 2.5 microns in aerodynamic diameter
PM ₁₀	particulate matter less than 10 microns in aerodynamic diameter
SWPPP	Stormwater Pollution Prevention Plan
TNW	Traditionally Navigable Water
USACE	U.S. Army Corps of Engineers
U.S. Code	<i>United States Code</i>
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service

1.0 INTRODUCTION

Between May 6 and June 17, 2015, high-velocity winds and torrential rain damaged multiple roads, bridges, and culvert crossings throughout Lincoln County, Nebraska. Approximately 0.5 mile south of North Platte, flooding associated with the storm caused the South Platte River channel to migrate southward, washing away approximately 2.4 acres of streambank, surface rock, and 800 linear feet of South River Road, including the road base (Figure 1-1). South River Road was barricaded and remains closed to traffic.

Figure 1-1
Project Location



On June 25, 2015, President Obama issued a major disaster declaration for the State of Nebraska (FEMA-DR-4225-NE), authorizing the Federal Emergency Management Agency (FEMA) to allocate public assistance grants to affected areas to restore to pre-disaster condition. Lincoln County intends to use these public assistance funds to replace the portion of South River Road that was damaged by the FEMA-DR-4225-NE storm event. FEMA recognizes that during restoration, there is a unique opportunity and has discretionary authority to include hazard mitigation measures in conjunction with the repair of disaster-related damages and recovery efforts to avoid future damages from similar events and promote community resilience. FEMA is

required to analyze, disclose, and consider the potential for impacts to the quality of the environment in the planning and development of proposed actions, in accordance with the following:

- National Environmental Policy Act (NEPA) (Public Law 91-190, as amended)
- Council on Environmental Quality Implementing Regulations (Title 40 *Code of Federal Regulations* [CFR] Section 1500)
- Department of Homeland Security Directive 023-01, Rev 01 “Implementing the National Environmental Policy Act,” dated October 31, 2014
- Department of Homeland Security Instruction Manual 023-01-001-01, Rev 01 “Implementing the National Environmental Policy Act,” dated November 6, 2014
- FEMA Directive 108-1, dated August 22, 2016

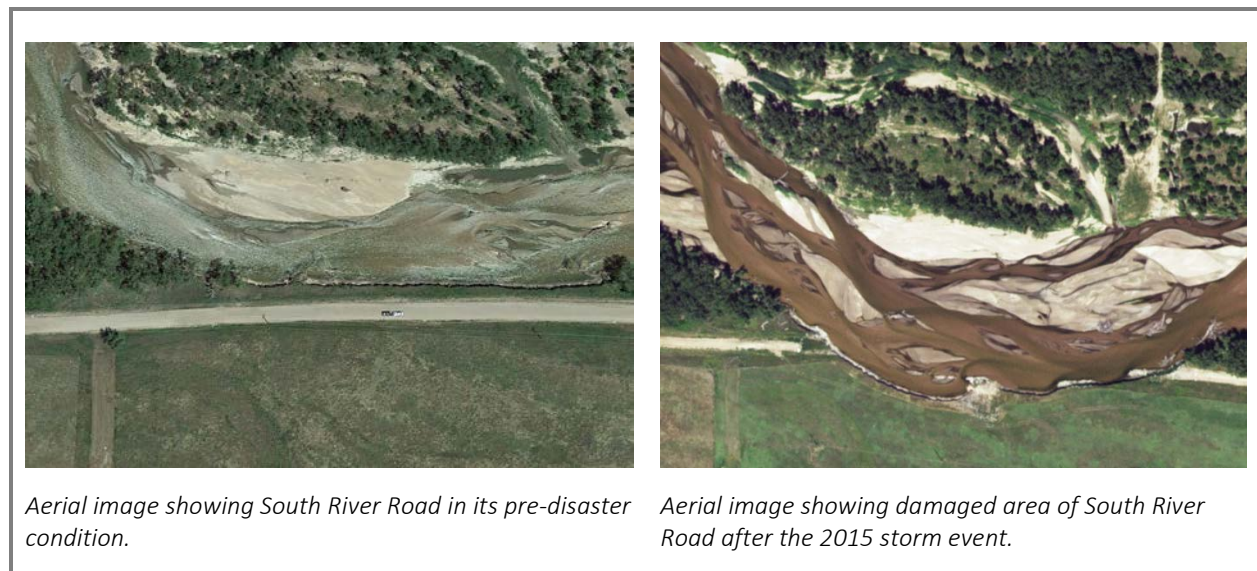
FEMA has prepared this Environmental Assessment (EA) to analyze the potential environmental impacts of the proposed project and its alternatives.

2.0 PURPOSE AND NEED

2.1 Purpose

Public Assistance is FEMA’s largest grant program, providing funds to assist communities responding to and recovering from major disasters or emergencies declared by the president. The purpose of the project is to permanently restore community infrastructure affected by a federally declared event, specifically the South River Road. Figure 2-1 provides a comparison of South River Road before and after the 2015 storm event.

Figure 2-1
South River Road: Pre- and Post-disaster Conditions



2.2 Need

The project is needed to maintain access for both area residents who have been affected by the damage and closure of South River Road and emergency service providers who use South River Road as an alternate route for emergency response. Before damage and closure, South River Road provided an east-west connection between rural residents and North Platte. The roadway was also used by the USPS as a mail route, to transport wide farm equipment for agricultural purposes, and emergency response.

South River Road has remained closed to traffic since the 2015 flooding. Because the South Platte River is a barrier to the north, residents and landowners in the area currently drive around the damaged area using adjacent roadways to the south (Figure 2-2), primarily Homestead Road (north/south route), either Walker Road or State Farm Road (east/west routes), and Buffalo Bill Avenue (north/south route). Because Homestead Road does not provide direct access to Interstate 80 (I-80), the closest east/west connection is Walker Road. Out-of-direction travel using Homestead Road, Walker Road, and Buffalo Bill Avenue is approximately 3.5 miles. Portions of both Walker Road and State Farm Road close during periods of heavy snowfall, further complicating travel patterns and increasing drive times as well as causing delays in emergency response.

3.0 DESCRIPTION OF ALTERNATIVES

3.1 Alternatives Considered

The Council on Environmental Quality (CEQ) regulations (40 CFR § 1500.2, 40 CFR § 1502.14, and 40 CFR § 1505.1) implementing NEPA require the consideration of a range of reasonable alternatives as part of the NEPA process. To be reasonable, an alternative must meet the purpose and need for the project (defined in Section 2.0) and be feasible from a technical and economic standpoint. In Section 4.0, reasonable alternatives are evaluated from an environmental perspective and compared relative to their expected environmental impacts.

Action alternatives were developed based on project goals, community input provided through public involvement meetings, and technical requirements. Cost and degree of environmental impact were also considered. Action alternatives evaluated in this EA are as follows:

- Alternative 1 – Reconstruct South River Road in Its Pre-disaster Alignment and Location
- Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs
- Alternative 3 – Reconstruct South River Road Far South of Its Original Location.

These alternatives are described in Sections 3.1.2 through 3.1.4 and are shown on Figure 3-1. Key elements of the action alternatives are compared in Table 3-1. Consistent with CEQ and NEPA requirements, this EA also considers the consequences of taking no action (the No Action Alternative). Therefore, all three of the action alternatives and the No Action Alternative are carried forward for detailed analysis in this EA.

Figure 2-2
Out-of-direction Travel with South River Road Closure

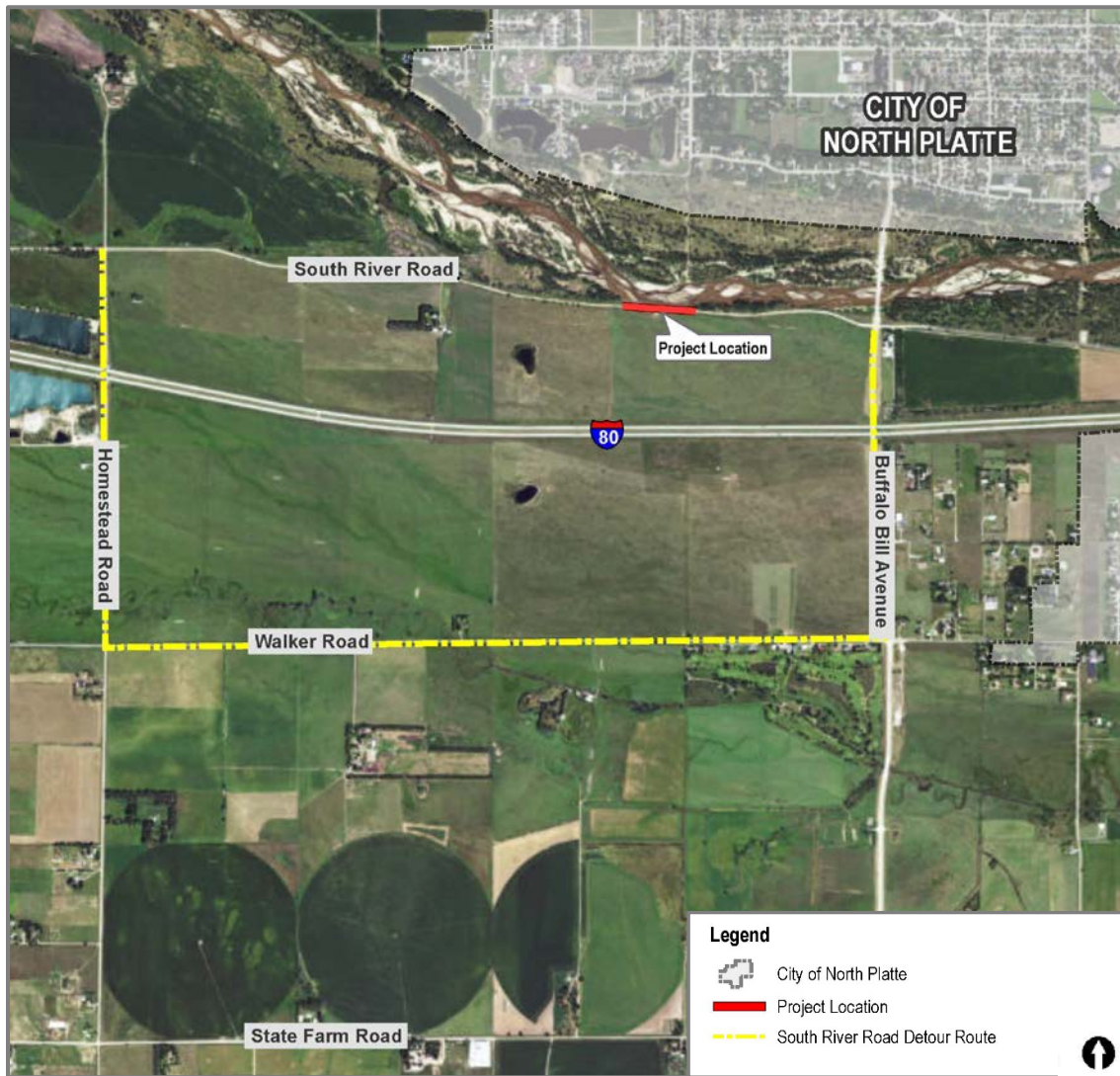
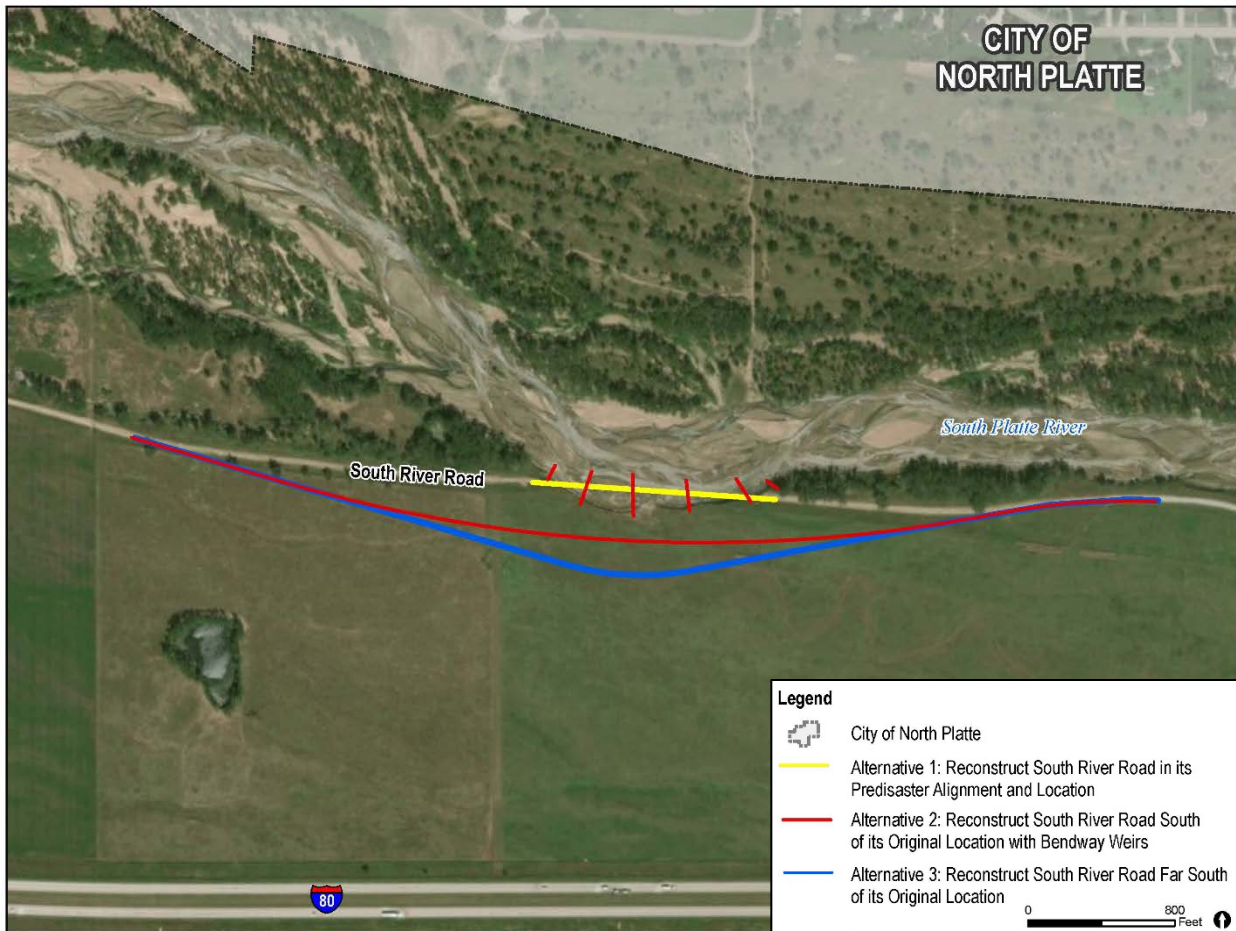


Figure 3-1
South River Road Action Alternatives



3.1.1 Elements Common to All Action Alternatives

The three action alternatives have several project elements in common and differ primarily in where they would be located as well as the associated approach to assure protection from future flood damage. The following project elements are common to all three action alternatives:

- Each alternative proposes a roadway profile that is 28 feet wide and 2 feet above the existing ground.
- Each alternative proposes roadway surfacing with gravel.
- To address Platte River depletions¹ and associated concerns related to habitat for threatened or endangered species, fill material would need to be hauled in from an area outside of the Platte River Valley.

¹ Depletions are caused when changes to local drainage patterns impact the way in which surface water drains into the South Platte River, such as depressions that might be left if borrow material adjacent to the new roadway were to be used. Per the U.S. Fish and Wildlife Service (USFWS), depletions to the South Platte River will jeopardize the continued existence of several species reliant on the Platte River.

- Construction equipment would include excavators, scrapers, dozers, graders, and compactors. Subgrade preparation would not be required.
- Detours would not be required during construction because South River Road has been closed to traffic since 2015.
- Each alternative would restore the connection between North Platte and rural areas to the west.

3.1.2 Alternative 1 – Reconstruct South River Road in Its Pre-disaster Alignment Location

Alternative 1 would reconstruct South River Road in its pre-disaster alignment location. The South Platte River channel would be reshaped by placing significant quantity of fill (an estimated 63,828 cubic yards) within the river. The south bank of the river would be constructed at a 3:1 slope and armored with rock riprap. In addition to restoring the pre-disaster design, function, and location of South River Road, reconfiguring the river channel in this way would also serve to harden adjacent channel banks. Alternative 1 would avoid utility conflicts and would not require additional right-of-way. However, the extensive work that would be required in the river channel would result in substantial impacts to wetlands, aquatic resources, and local hydraulic characteristics of the channel. It would also be the most costly because of the large amount of fill that would be needed to stabilize the channel. Construction of this alternative would take between 9 and 12 months to complete.

3.1.3 Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Alternative 2 would reroute South River Road 220 feet south of the damaged area. To secure the channel, bendway weirs would be placed strategically along the right bank of the South Platte River. Bendway weirs are instream structures designed to redirect flow from the outer bank toward the center of the channel. Bendway weir technology is currently being used 0.5 mile east of the project area near the Buffalo Bill Avenue bridge, an area that did not suffer damages from this flooding event. A buffer of vegetation between the road and the river would be planted to help prevent future erosion of the river bank. No tree removal would be required. Existing roadway east and west of the damaged area that would not be used under this alternative would be restored to open pasture. Constructing the roadway on a new alignment would require the acquisition of approximately 3.0 acres of privately owned land to the south of the damaged section of South River Road. This alternative would intersect with one overhead power line and result in substantial impacts to wetlands and aquatic resources. It would also be costly because of the channel work that would be required to install the bendway weirs. Construction of this alternative would take between 9 and 12 months to complete.

3.1.4 Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Alternative 3 would reconstruct South River Road approximately 350 feet south of the existing damaged area. The roadway would extend approximately 4,500 feet through an area of open pasture, requiring the acquisition of approximately 5.0 acres of privately owned land to the south of the damaged section of South River Road. This alternative would not include modifications to the South Platte River channel or bank stabilization. A buffer of vegetation between the road and

the river would be planted to help prevent future erosion of the river bank. No tree removal would be required. Existing roadway east and west of the damaged area that would not be used under this alternative would be restored to open pasture. Like Alternative 2, this alternative would intersect with one overhead power line. By moving south of the South Platte River, it would protect the new roadway from future damage because this is farther south than the South Platte River would ever be expected to migrate; it would also avoid impacts to wetlands and aquatic resources. This would be the most cost-efficient alternative because it would not require modifications or work within the South Platte River. Construction of this alternative would take between 3 and 6 months to complete.

As shown in Table 3-1, each alternative meets the purpose and need for the project, addresses safety by protecting infrastructure and the travelling public, and restores access for emergency services and rural residents. Alternative 3 would result in the least impact to sensitive environmental resources and would also be the least costly to construct, while fully addressing the purpose and need.

**Table 3-1
South River Road – Action Alternatives Analysis**

Alternative	Does the Alternative Meet the Purpose & Need for the Project?	Degree of Environmental Impact	Does the Alternative Address Safety?	Does the Alternative Restore Access?	Cost Estimate^a (in millions of dollars)
Alternative 1: Reconstruct South River Road in Its Pre-disaster Alignment Location	Yes. Reconstructing the roadway would restore east-west connectivity; reshaping the river channel would likely prevent future flooding and damage.	No new right-of-way or utility conflicts, substantial impacts to the river channel, wetlands, and aquatic resources.	Yes. Roadway, channel, and structures downstream would be protected from future damage.	Yes. Restores direct access for emergency services and rural residents.	\$2,471,651 Most expensive option due to the amount of fill that would be needed to reshape the channel.
Alternative 2: Reconstruct South River Road South of Its Original Location with Bendway Weirs	Yes. Reconstructing the roadway would restore east-west connectivity; installation of bendway weirs would stabilize the river channel, likely preventing future flooding and damage.	Up to 3.0 acres of new right-of-way from one property owner, potential conflict with overhead power line, substantial impact to the river channel, wetlands, and aquatic resources.	Yes. Roadway, channel and structures downstream would be protected from future damage.	Yes. Restores direct access for emergency services and rural residents.	\$1,252,565 Higher costs due to channel work required to install the bendway weirs.

Alternative	Does the Alternative Meet the Purpose & Need for the Project?	Degree of Environmental Impact	Does the Alternative Address Safety?	Does the Alternative Restore Access?	Cost Estimate^a (in millions of dollars)
Alternative 3: Reconstruct South River Road Far South of Its Original Location	Yes. Reconstructing the roadway would restore east-west connectivity; the roadway would be relocated farther to the south, likely avoiding future flooding and damage.	Up to 5.0 acres of new right-of-way from one property owner; potential conflict with overhead power line; avoids modifications to the South Platte River channel, avoiding impacts to wetlands and aquatic resources.	Yes. The roadway would be far enough south to be protected from future damage.	Yes. Restores direct access for emergency services and rural residents.	\$273,034 Least expensive option.

Note:

^aCost estimates were developed by Lincoln County’s Engineer (Mainelli Wagner & Associates, Inc.) in 2016 in support of early scoping and project development.

3.1.5 No Action Alternative

The No Action Alternative is defined as not constructing the project and provides a benchmark against which the action alternatives can be evaluated. With the No Action Alternative, this segment of South River Road would be abandoned. Consistent with FEMA Policy 9525.13, the public assistance funds could be reprogrammed to an alternative project that would serve a greater public interest. Traffic would continue to route around the damaged area, and no new road construction or property acquisition would occur. The No Action Alternative does not meet the purpose and need for the project. Emergency responders and local traffic would continue to use alternative roadways, resulting in out-of-direction travel and increased travel and emergency response times. Without an analysis of where the money might be reprogrammed, FEMA has defined the No Action Alternative simply as no construction. Any proposed reprogramming would result in a project subject to NEPA; therefore, this analysis is appropriate in the context of the EA.

3.2 Alternatives Eliminated from Detailed Analysis

During the initial planning, and in response to public input, FEMA considered other road alignments and solutions to reconstructing South River Road and preventing future flood damage. These alternatives centered around modifications to the South Platte River, upstream of South River Road. One option included the use of jetties to slow and convey the force of the stream away from the bank. This option would install jetties upstream of the project area and would not provide any additional benefits to the bendway weir approach (incorporated into Alternative 2). Both would incorporate structures (permeable or impermeable) to slow water flow and promote sediment accumulation near the outer bank, and both structures would require substantial work within the South Platte River.

Additional alternatives included straightening the South Platte River channel upstream. These options were eliminated based on the potential for excessive impacts to the South Platte River, aquatic resources, wildlife habitat, and the natural riparian setting, and were considered as not technically feasible.

4.0 AFFECTED ENVIRONMENT AND ENVIRONMENTAL CONSEQUENCES

This section describes the Affected Environment (existing conditions) and Environmental Consequences (potential impacts) for each of the action alternatives, as well as the No Action Alternative (defined in Section 3.0). All resources were evaluated for presence within the project area and for impacts. The following resources are either not present or would not be affected by the project and are not evaluated in detail in this EA:

- **Geology, Soils, and Seismic Activity:** None of the alternatives would involve any intrusive activity that would affect subsurface geological formations. Construction would be conducted using standard methods that would not impact geology. Mitigation and best management practices to address soil erosion will be included in the project as discussed in Section 4.2 – Water Resources and Water Quality.

The South Platte River is a braided stream channel that is subject to channel erosion and lateral migration, as is evident in historical aerial photography. Each of the action alternatives includes features to prevent future bank erosion, migration, and possible roadway damage, including the establishment of a vegetative buffer and, for Alternatives 1 and 2, channel stabilization (hard armor or other engineered solutions). Actively monitoring the streambank is also recommended to identify further bank erosion and prevent future roadway damage.

- **Recreation:** Field investigation and review of mapping from the Nebraska Game and Parks Commission (NGPC), USFWS, City of North Platte and Lincoln County websites, and the Land and Water Conservation Fund database indicate no recreational facilities or Section 6(f)² assisted properties within or adjacent to the project area.

² Section 6(f) refers to a section of the Land and Water Conservation Fund (LWCF) Act of 1965 (Public Law 88-578, 78 Stat 897). The LWCF Program provides matching grants to states and local governments for the acquisition and development of public outdoor recreation areas and facilities. Section 6(f)(3) of the LWCF Act prohibits the conversion of property acquired or developed with grants from this fund to a non-recreational purpose without the approval of the National Park Service.

- **Noise:** There are no noise-sensitive land uses in the project area. The closest residence is more than 950 feet from the western project limits. South River Road has been closed to traffic since the 2015 storm event. The short-term effects of noise generated during construction activities and the potential impacts to construction workers are addressed in this EA in Section 4.13 – Public Health and Safety.
- **Traffic Circulation, Volume and Parking Access:** South River Road within the project area has been closed to traffic since 2015. As discussed in Section 4.8 – Environmental Justice and Section 4.13 – Public Health and Safety, the action alternatives would restore access through the project area and eliminate out-of-direction travel, benefitting emergency services and rural populations west of the project area.

The following resources are evaluated in detail in this EA:

- Section 4.1 Air Quality
- Section 4.2 Water Resources and Water Quality
- Section 4.3 Wetlands and Waters of the U.S.
- Section 4.4 Floodplains
- Section 4.5 Threatened and Endangered Species
- Section 4.6 Vegetation, Wildlife and Aquatic Resources
- Section 4.7 Cultural Resources
- Section 4.8 Environmental Justice
- Section 4.9 Land Use and Planning
- Section 4.10 Farmland
- Section 4.11 Hazardous Materials
- Section 4.12 Public Services and Utilities
- Section 4.13 Public Health and Safety
- Section 4.14 Cumulative Impacts

For each resource, the affected environment is first defined and then evaluated for potential impacts, mitigation measures, or best management practices that would be incorporated to avoid or minimize impacts. Impacts common to the action alternatives are discussed together; separate headings are provided when impacts differ between the alternatives.

As defined by CEQ at 40 CFR § 1508.27, a determination of significance requires consideration of context, intensity, and duration. Impacts described in this section are evaluated in terms of type (beneficial or negative), context (setting or location), intensity (none, negligible, minor, moderate, or significant), and duration (short-term/temporary or long-term/permanent). The type, context, and intensity of an impact on a resource are explained under each resource area. Unless otherwise noted, short-term/temporary impacts are those that would result from activities associated with a project's construction/demolition phase. Long-term/permanent impacts are generally those resulting from operation of the proposed facility or activity and would remain post-mitigation. Impact intensities are defined as follows:

- **No impact** indicates that the action would not result in any effect or change to the environment.
- A **negligible impact** is defined as an environmental effect that is so small it would be difficult to observe or measure.
- A **minor impact** is defined as an environmental effect that is observable, yet is unlikely to noticeably affect human health and welfare, cultural resources, or the environment.
- A **moderate impact** is defined as an environmental effect that is observable and may affect human health and welfare, cultural resources, or the environment.
- A **significant impact** is defined as an environmental effect that is observable and could cause a major impact to human health and welfare, cultural resources, or the environment.

Where applicable, supporting documentation and agency coordination are included as appendixes to this EA for reference. The potential impacts and proposed avoidance, minimization, and mitigation measures of Alternative 1, Alternative 2, and Alternative 3 are summarized in Section 4.15.

4.1 Air Quality

4.1.1 Affected Environment

Pursuant to the Clean Air Act (CAA) of 1970, the U.S. Environmental Protection Agency (EPA) has established National Ambient Air Quality Standards for the following pollutants considered harmful to public health and the environment: carbon monoxide, ozone, nitrogen dioxide, sulfur dioxide, respirable particulate matter defined as particulate matter less than 10 microns in aerodynamic diameter (PM₁₀), fine particulate matter defined as particulate matter less than 2.5 microns in aerodynamic diameter (PM_{2.5}), and lead. Areas that meet the air quality standard for the criteria pollutants are designated as being in attainment. Areas that do not meet air quality standards for one of the criteria pollutants are designated as being in nonattainment for that standard. According to the Nebraska Department of Environmental Quality (NDEQ), Lincoln County is in attainment for all National Ambient Air Quality Standards.

Greenhouse gases (GHGs) are emitted by both natural processes and human activities, and their accumulation in the atmosphere regulates temperature. GHGs include water vapor, carbon dioxide, methane, nitrous oxides, and volatile organic compounds, which include a variety of chemicals that are emitted as gases from certain solids or liquids. In general, volatile organic compounds do not directly act as GHGs, but they do act indirectly by helping to produce ozone via photochemical reactions in the atmosphere. According to current (2016) guidance from the CEQ, federal agencies should consider how GHG emissions from their proposed actions would impact future conditions (CEQ, 2016). The EPA has not adopted quantitative GHG emission thresholds to determine the level of GHG impacts from an individual project. Generally, the rule of reason should be applied to determine whether a quantitative or qualitative analysis of the GHG emissions is appropriate. This EA includes a qualitative discussion related to GHGs.

4.1.2 Environmental Consequences

Impacts Common to All Action Alternatives

Each of the action alternatives would generate short-term construction equipment exhaust emissions and short-term fugitive dust emissions. These air emissions would vary daily, depending on the level and type of work conducted, and would be limited to the construction period. The levels of some pollutants, such as carbon monoxide, nitrogen dioxide, ozone, PM₁₀, and volatile organic compounds could be elevated in the area temporarily due to emissions from fuel-burning vehicles onsite (for example, heavy equipment and earthmoving machinery). Construction-related GHG emissions are expected to be negligible in terms of overall quantity and within the range expected for construction of this type and size.

Fugitive dust would be generated by construction vehicle and equipment operation on dirt surfaces and by wind action on stockpiled materials. Generated fugitive dust would consist primarily of non-toxic particulate matter and would be controlled at the sites using best management practices, including watering of exposed surfaces, temporary seeding where possible, and enclosing/covering stockpiled material. Dust emissions would be controlled throughout construction in accordance with NDEQ Air Quality Regulations, Title 129, Chapter 32. With these measures, effects would be minor and short-term.

Based on the review conducted, Alternative 1, Alternative 2, and Alternative 3 would have minor, short-term, negative impacts on air quality. Because Alternative 3 would disturb the most land, it would likely generate the highest levels of fugitive dust; however, with the implementation of mitigation, impacts would still be considered minor. Impacts under any action alternative would not be significant.

No Action Alternative

Under the No Action Alternative, no new road construction or demolition would occur. The No Action Alternative would result in the continued use of the detour route along Walker Road, thereby requiring approximately 180 vehicles daily to travel the additional 3.5-mile detour. Because the proposed project would provide a more direct route, with fewer vehicle miles traveled, vehicle emissions would likely be higher under the No Action Alternative. However, given that traffic volumes are low overall and ground-disturbing construction activities would not occur, impacts to air quality would not be expected. Therefore, the No Action Alternative would have no impact on air quality.

4.2 Water Resources and Water Quality

The federal Clean Water Act (CWA) of 1972, as amended, is the primary law regulating pollution of the nation's waterways. The NDEQ is responsible for implementing the CWA in Nebraska. In accordance with the Nebraska Administration Code Title 117 – Nebraska Surface Water Quality Standards (Title 117), the NDEQ identifies beneficial uses assigned to surface waters. Waters that do not support their assigned beneficial uses as listed in Title 117 are considered "impaired" and included on the CWA 303(d) List of Impaired Waters. The NDEQ is also required to provide a surface water quality report every 2 years, known as the Section 305(b) Water Quality Report, which describes the status and trends of existing water quality for all waters of the state and provides information as to the extent to which designated uses are

supported. Other programs implemented by the NDEQ for the projection of Nebraska's water quality include the Wellhead Protection Program and the Groundwater Management Area program.

4.2.1 Affected Environment

The primary water resource within the project area is the South Platte River, a large perennial river system that flows north of and adjacent to South River Road. The South Platte River Basin has a drainage area of about 24,300 square miles (3,150 square miles in Nebraska) and is in parts of three states: Colorado, Nebraska, and Wyoming. The South Platte River generally flows east across Nebraska to its confluence with the North Platte River to form the Platte River (approximately 6 miles east of the project area). Within the project area, the South Platte River has steep vertical banks along the southern bank. The force of high flows against this bend has resulted in streambank loss and sloughing, causing the river to migrate south, and ultimately washing out the segment of South River Road within the project area during 2015 storm events.

According to the NDEQ 2016 Water Quality Integrated Report (NDEQ, 2016), beneficial uses assigned to the South Platte River include recreation, aquatic life, and agricultural water supply. In 2016 the South Platte River failed to support the aquatic life beneficial uses. A fish consumption advisory has been issued for this water body for pollutants such as mercury.

According to the NDEQ Interactive Mapping System, the project is located within North Platte wellhead protection area (NDEQ, 2017). Review of the Nebraska Department of Natural Resources (NDNR) interactive groundwater map shows that there are no groundwater wells within 0.25 mile of the project area (NDNR, 2017). The Twin Platte Natural Resource District does not identify any ground water quantity or quality concerns within the project area and no management or control areas have been established (Twin Platte Natural Resource District, 2017).

The Platte River Recovery Implementation Program was signed in 2006 by the governors of Colorado, Nebraska, and Wyoming, and the U.S. Department of the Interior with a January 1, 2007, effective date. Because the project is located within the South Platte River drainage basin, it has the potential to impact Platte River flows related to water depletion concerns. Critical wildlife habitat may be affected by water depletions in the Platte River basin resulting from the potential impoundment of surface water runoff in borrow sites or excavation that exposes groundwater that is hydrologically connected to the river, thereby depleting the river through increased evapotranspiration.

4.2.2 Environmental Consequences

Alternative 1 – Reconstruct South River Road in Its Pre-disaster Alignment Location

Alternative 1 would involve substantial work within the South Platte River. Approximately 63,828 cubic yards of fill would be placed within the river to reconfigure the channel. This would result in approximately 5.3 acres of temporary impacts and 2.7 acres of permanent impacts to the South Platte River. This alternative would be designed and constructed as per stipulations of the CWA Section 404 Permit (discussed in Section 4.3). The constructed bank and riprap would also require continuous monitoring and maintenance after storm events to assure that protection remains intact.

Because land disturbance would exceed 1.0 acre, a National Pollutant Discharge Elimination System (NPDES) permit would be obtained from the NDEQ. The permit would define soil erosion minimization techniques and include a Stormwater Pollution Prevention Plan (SWPPP). Given the large amounts of fill, Alternative 1 has the potential to contribute to current impairments for the South Platte River and further degrade water quality. Although impacts would be temporary, additional coordination with the NDEQ would be required.

Based on the review conducted, Alternative 1 would have moderate, short- and long-term, negative impacts on water resources and significant short-term impacts on water quality.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Alternative 2 would also involve substantial work within the South Platte River. Bendway weirs would be installed below the ordinary high water mark of the river to prevent further migration of the channel. This would require equipment and disturbance within the river, resulting in 5.0 acres of temporary impacts and 1.6 acres of permanent impacts to the South Platte River. This alternative would be designed and constructed as per stipulations of the CWA Section 404 Permit (discussed in Section 4.3). The bendway weirs would also require continuous monitoring and maintenance after storm events to assure that protection remains intact.

Because land disturbance would exceed 1.0 acre, an NPDES permit would be obtained from the NDEQ. The permit would define soil erosion minimization techniques and include a SWPPP. With the implementation of the SWPPP, temporary erosion or runoff from the project site would be unlikely to contribute to current impairments for the South Platte River or further degrade water quality.

Based on the review conducted, Alternative 2 would have moderate, short- and long-term, negative impacts on water resources and minor, short-term impacts on water quality.

Alternative 3 – Reconstruct South River Road Far South of Its Original Location

This alternative would not require work within the South Platte River. Impacts to water quality in the South Platte River from the potential for construction-related stormwater contributing to sedimentation within the river would be temporary and minimized through the NPDES permit and SWPPP. With the implementation of the SWPPP, temporary erosion or runoff from the project site would be unlikely to contribute to current impairments for the South Platte River or further degrade water quality. This location was selected (1) to employ distance as the best hazard mitigation technique to protect the road from damages caused by migration of the South Platte River, and (2) to establish a reasonable distance to meet the purpose and need for the project along with resilience and protection from future damages.

Based on the review conducted, Alternative 3 would have no impact on water resources and minor, short-term, negative impacts on water quality. Impacts would not be significant.

As noted in Section 3.1.1, each of the action alternatives would implement measures to avoid depletions of the South Platte River. The contractor would acquire borrow from a location outside of areas of concern for South Platte River depletion. If a depletion to the South Platte River or another river is to occur, coordination with the USFWS would be required. Before construction, the subrecipient would coordinate with the City of North Platte to assure compliance with local wellhead protection ordinances.

No Action Alternative

Under the No Action Alternative, no new road construction or modification to the South Platte River would occur. Therefore, the No Action Alternative would have no impact on water resources or water quality.

4.3 Wetlands and Waters of the U.S.

Executive Order 11990, *Protection of Wetlands*, requires federal agencies to protect wetlands by avoiding construction in wetlands whenever possible. FEMA requirements for compliance with this Executive Order are outlined in 44 CFR Part 9. Wetlands, also called bogs, swamps, and marshes, provide many benefits including water quality improvements, food and habitat for fish and wildlife, flood control and river bank erosion control, and recreation.

Section 404 of the CWA provides protection for wetlands, streams, and other waters by requiring a permit from the U.S. Army Corps of Engineers (USACE) for any action that may discharge dredged or fill material into waters of the U.S., including wetlands. Waters of the U.S. include all Traditionally Navigable Waters (TNWs) and wetlands adjacent to TNWs or their tributaries. Generally, applicants must demonstrate that discharge of dredged or fill material into streams or wetlands under the jurisdiction of the USACE would not significantly degrade the nation's waters *and that no practicable alternatives less damaging to the aquatic environment exist*.

On September 26, 2017, CCPRS completed a wetland and waters of the U.S. delineation for the project area. The survey area consisted of a 100-foot buffer around all three action alternatives. The survey captured features along the southern bank of the South Platte River and features identified on U.S. Geological Survey National Hydrography Dataset maps that were shown draining through the open pasture to the south. Wetlands were identified and delineated using the USACE Wetland Delineation Manual (Environmental Laboratory, 1987), the *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Great Plains Region, Version 2.0* (USACE, 2010), the Draft Guidance on Identifying Waters Protected by the CWA (USACE and EPA, 2011), and the USACE Jurisdictional Determination Form Instructional Guidebook (USACE and EPA, 2007). Wetland indicators as described in the Great Plains Supplement were used to assess the presence of potentially jurisdictional wetlands.

4.3.1 Affected Environment

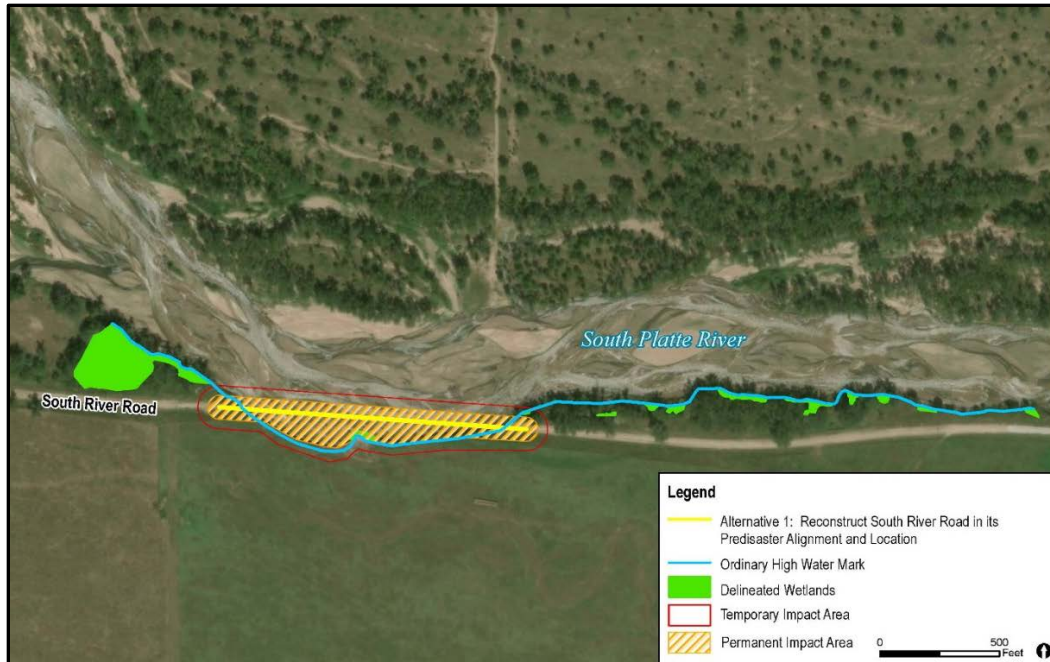
A total of 3,173 linear feet of waters of the U.S. (South Platte River) and 1.12 acres of wetlands were delineated within the project area, including 0.24 acre of palustrine³ emergent wetlands, and 0.88 acre of palustrine forested wetlands (CCPRS, 2017a). As shown on Figure 4-1, wetlands within the project area are located adjacent to the ordinary high water mark of the southern bank of the South Platte River. Most of the southern bank of the South Platte River is highly incised in this area, resulting in patches of emergent wetlands along sloughed terraces, with an upland riparian deciduous overstory along the upper bank (with the exception of the depression forested wetland along the western edge).

Investigation within the unnamed tributary draining east through the pastureland on the south side of the project area revealed that the area is an upland vegetated swale with no defined

³ Palustrine wetlands are non-tidal wetlands that are not within a river channel or lake basin.

channel features. Overall, the feature lacked the hydrophytic vegetation and hydrology to support wetland conditions. It appears that this drainage is likely a relict feature, once associated with the larger braided system of the South Platte River.

Figure 4-1
Impacts to Wetlands and Other Waters of the U.S. under Alternative 1



The South Platte River is considered a TNW by the USACE; therefore, the river, and all adjacent wetlands associated with its banks, would likely be considered jurisdictional wetlands and waters of the U.S. under Section 404 of the CWA.

4.3.2 Environmental Consequences

Alternative 1– Reconstruct South River Road in Its Pre-disaster Alignment Location

Alternative 1 would involve substantial work within waters of the U.S. Approximately 63,828 cubic yards of fill would be placed within the South Platte River to reconfigure the channel and harden the adjacent channel and modify local hydraulic properties. Based on current design, this would result in approximately 5.3 acres (1,062 linear feet) of temporary impacts and 2.7 acres (432 linear feet) of permanent impacts to the South Platte River.

Under this alternative, reconstruction of the roadway and the placement of fill would also result in 0.005 acre of temporary impacts and 0.04 acre of permanent impacts to wetlands (Figure 4-1).

Impacts to waters of the U.S. within the South Platte River are expected to require a CWA Section 404 Individual Permit from the USACE and a CWA Section 401 Water Quality Certification from the NDEQ. As part of the CWA Section 404 permitting process, the subrecipient would be required to show that it has, to the extent practicable, taken steps to avoid impacts to wetlands and waters of the U.S., minimized potential impacts to wetlands and waters of the U.S. once they have avoided impacts, and then provide compensatory mitigation for any

remaining unavoidable impacts. To advance this alternative, no practicable alternatives less damaging to the aquatic environment can exist.

Based on the review conducted, Alternative 1 would have moderate, long-term, negative impacts on wetlands associated with hydraulic character changes associated with the hard bank measures and significant, short- and long-term, negative impacts on waters of the U.S. Considering other alternatives captured in this analysis, it is unlikely that this alternative would be considered the least damaging alternative.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

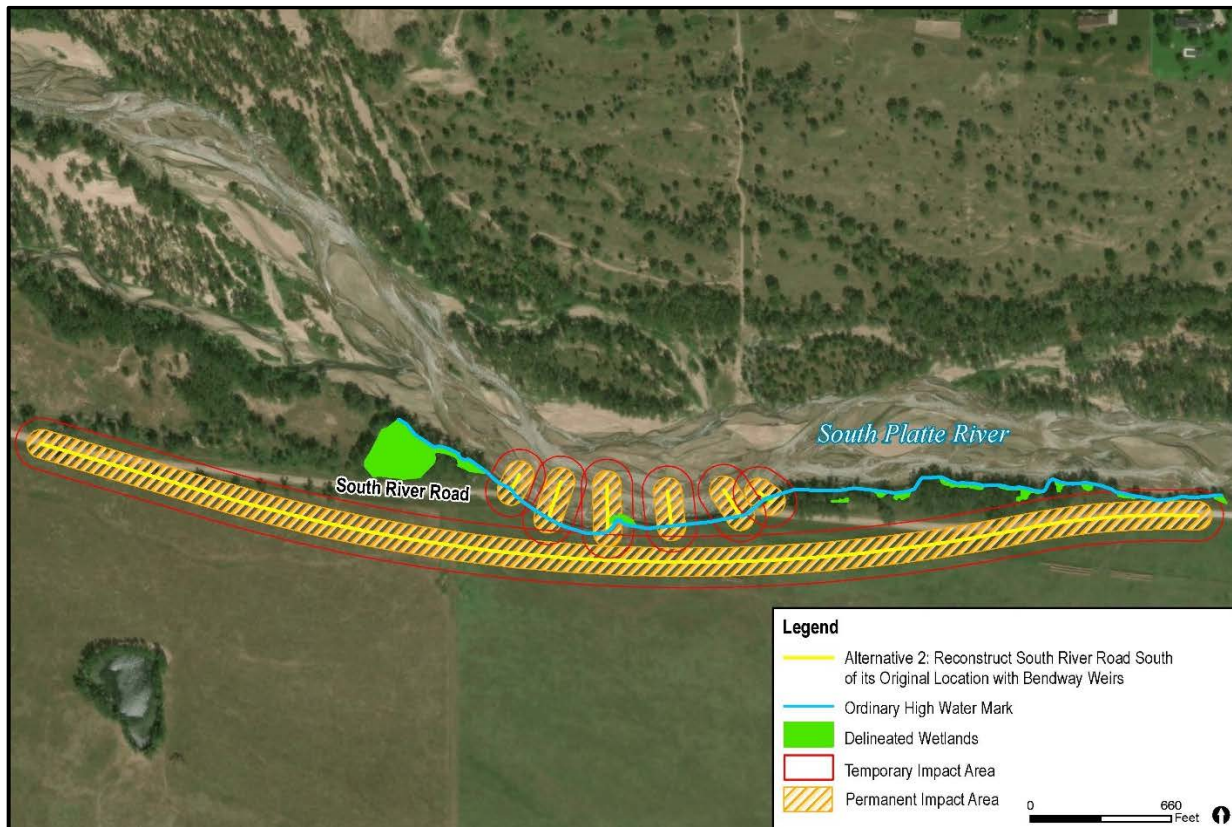
Some activities associated with Alternative 2 (that is, the placement of bendway weirs) would require work within the waters of the U.S. Based on current design, this would result in approximately 5.0 acres (1,217 linear feet) of temporary impacts and 1.6 acres (876 linear feet) of permanent impacts to the South Platte River.

Under this alternative, the placement of bendway weirs would also result in 0.03 acre of temporary impacts and 0.02 acre of permanent impacts to wetlands (Figure 4-2). The roadway would be constructed south of the river channel, avoiding any additional impacts to wetlands or waters of the U.S.

Impacts to waters of the U.S. within the South Platte River are expected to require a CWA Section 404 Individual Permit from the USACE and a CWA Section 401 Water Quality Certification from the NDEQ. FEMA anticipates that this could receive an Individual Permit based on (1) the use of similar bendway weir structures 0.5 mile downstream and (2) that bendway weirs are a proven, effective hazard mitigation measure. As part of the CWA Section 404 permitting process, FEMA would be required to show that it has, to the extent practicable, taken steps to avoid impacts to wetlands and waters of the U.S. and minimized potential impacts to wetlands and waters of the U.S. once they have avoided impacts, and then provide compensatory mitigation for any remaining unavoidable impacts. To advance this alternative, no practicable alternatives less damaging to the aquatic environment can exist.

Based on the review conducted, Alternative 2 would have minor, long-term, negative impacts on wetlands and significant, short- and long-term, negative impacts on waters of the U.S.

Figure 4-2
Impacts to Wetlands and Other Waters of the U.S. under Alternative 2



Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Alternative 3 would reconstruct South River Road 350 feet south of its original location and would not involve work in the South Platte River. Therefore, Alternative 3 would have no impact to wetlands or waters of the U.S.

Based on the review conducted, Alternative 3 would have no impact to wetlands or waters of the U.S.

No Action Alternative

Under the No Action Alternative, no new road construction or modification to the South Platte River would occur. Therefore, the No Action Alternative would have no impact on wetlands or waters of the U.S.

4.4 Floodplains

Executive Order 11988, *Floodplain Management*, amended January 29, 2015, and as implemented in 44 CFR Part 9, requires federal agencies to “avoid to the extent possible the long- and short-term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative.”

The 1 percent annual chance flood, also referred to as the 100-year flood, is a flood that has a 1 percent probability of being equaled or exceeded in any given year. The boundary of this flood (or area that would be covered by water) constitutes the 1 percent annual chance floodplain, also referred to as the 100-year floodplain. The 0.2 percent annual chance flood, also referred to as the 500-year flood, is a flood that has a 0.2 percent chance of being equaled or exceeded in any given year. The boundary of this flood (or area that would be covered by water) constitutes the 0.2 percent annual chance floodplain, also referred to as the 500-year floodplain. The 1 and 0.2 percent annual chance floodplains are mapped on FEMA Flood Insurance Rate Maps.

Base flood elevations (BFEs), shown on Flood Insurance Rate Maps, are the computed elevations to which floodwaters are anticipated to rise during the 1 percent annual chance flood event. The BFE is the regulatory requirement for the elevation or flood-proofing of structures. Any development within a FEMA-identified, regulated floodplain that results in a change to the existing regulatory floodway, the effective BFE, or the lateral extents of the 1 percent annual chance floodplain requires a Conditional Letter of Map Revision (CLOMR) before construction. A Letter of Map Revision (LOMR) is then required once construction is complete. The community with jurisdiction initiates the process; CLOMRs and LOMRs are issued by FEMA.

4.4.1 Affected Environment

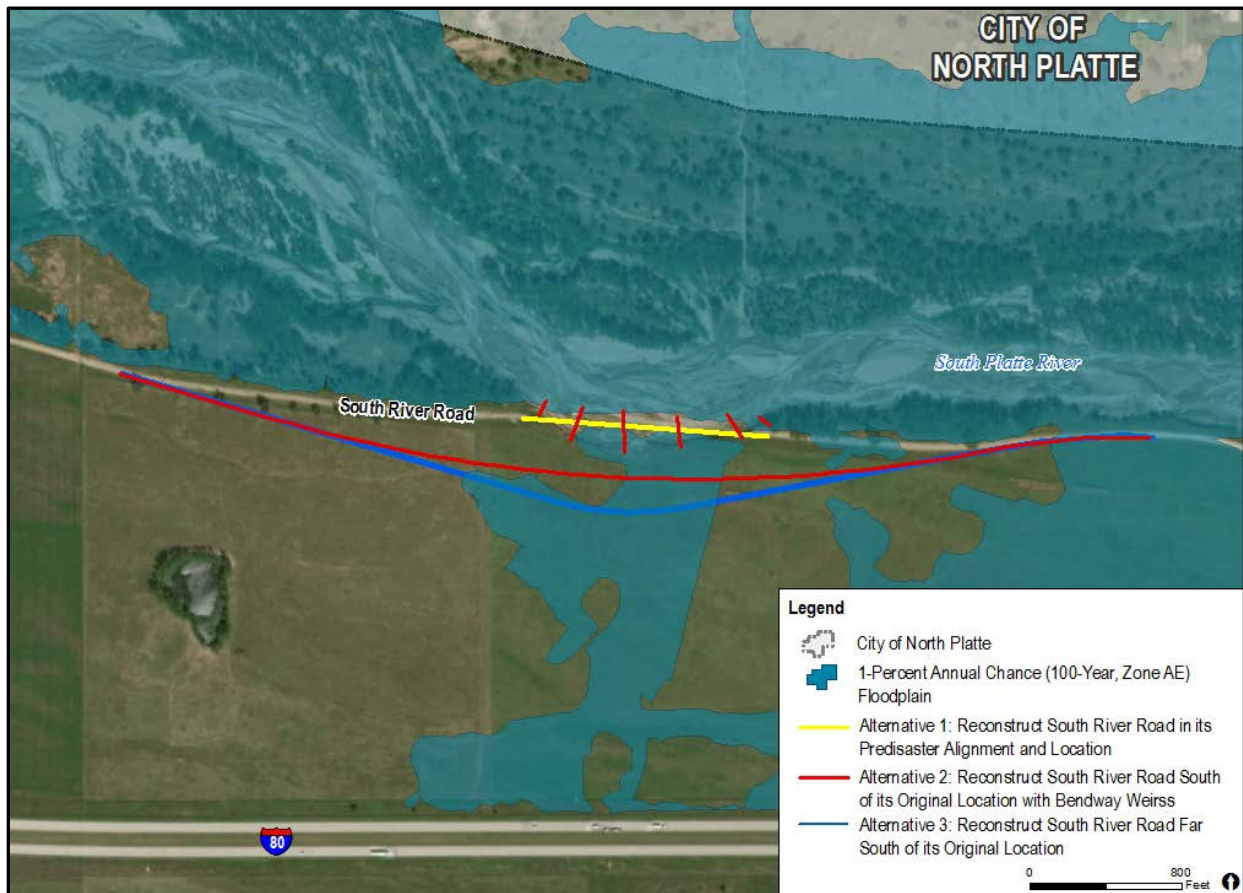
Both Lincoln County and the City of North Platte currently participate in the National Flood Insurance Program that regulates construction within FEMA-designated 1 percent annual chance floodplains. According to the January 2, 2009, FEMA Flood Insurance Rate Map on panel 31111C0860C (Community No. 310452), the project area is located within the 1 percent annual chance floodplain boundaries (Zone AE) for the South Platte River (Figure 4-4). No floodways are designated for the project area. Natural and beneficial values provided by floodplains in the project area include, but are not limited to, support of fish and wildlife populations, riparian areas and wetlands, the natural moderation of floods, water quality maintenance, and groundwater recharge.

In floodplains with no designated floodway, any development or substantial improvement (that is, construction) is not to be permitted unless it is shown that the impacts (proposed improvements when combined with all other existing and reasonably anticipated developments) to the current BFEs are less than a 1-foot net rise at any location. The project area falls under the extraterritorial jurisdiction of the City of North Platte, which has similar requirements⁴ and

⁴ The city of North Platte Municipal Code (153.17 – Standards for Floodplain Development) states that until a floodway has been designated, no development or substantial improvement may be permitted within special flood hazard areas (that is, Zone AE) unless it has demonstrated that a proposed action would not increase the water surface elevation of the base flood more than 1 foot at any location.

requires a permit for development within designated floodplains. The BFE near the project site is approximately 2,818 feet.

Figure 4-4
1 Percent Annual Chance (100-Year) FEMA Floodplain Boundary



4.4.2 Environmental Consequences

Alternative 1– Reconstruct South River Road in Its Pre-disaster Alignment Location

Most of the activities associated with Alternative 1 would require work on the South Platte River channel bank or in areas immediately adjacent to the channel bank that are now within the 1 percent annual chance floodplain. Work within the 1 percent annual chance floodplain would include the placement of approximately 63,828 cubic yards of fill for bank stabilization and road reconstruction. Together, these activities would permanently encroach on approximately 0.03 acre of area designated as 1 percent annual chance floodplain. Infrastructure located within the floodplain would be designed and constructed in compliance with all applicable floodplain regulatory requirements. Alternative 1 would restore the channel to its pre-disaster condition. Beneficial floodplain values would remain intact.

A Hydraulic Engineering Center-River Analysis System (HEC-RAS) model was used to evaluate potential effects to 100-year BFEs. The pre- and post-disaster conditions were then compared to the action alternatives to assess the potential for a rise in BFEs. HEC-RAS modeling indicates that this alternative would not cause an increase in BFE of greater than 1 foot. The maximum

BFE increase for this alternative would be 0.6 foot from post-disaster (existing) conditions. This alternative should be compliant with local floodplain requirements, and a FEMA CLOMR/LOMR would not be required. Before construction, a floodplain development permit would need to be obtained from the City of North Platte.

Based on the review conducted, Alternative 1 would have minor, long-term, negative impacts on floodplains. Less than 1.0 acre of floodplain would be lost, and flooding risk would not increase. Therefore, impacts would not be significant.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Some of the activities associated with Alternative 2 would require work within the South Platte River channel or in areas immediately adjacent to the channel that are within the 1 percent annual chance floodplain. Work within the river channel would include the placement of bendway weirs and bank stabilization. The road reconstruction would occur on the top of the bank. Together, these activities would permanently encroach on approximately 0.36 acre of area designated as 1 percent annual chance floodplain. Infrastructure located within the floodplain would be designed and constructed in compliance with all applicable floodplain regulatory requirements. Like Alternative 1, beneficial floodplain values would remain intact.

HEC-RAS modeling indicates that this alternative would not cause an increase in BFE of greater than 1 foot. The maximum BFE increase for this alternative would be 0.7 foot from post-disaster (existing) conditions. This alternative should be compliant with local floodplain requirements, and a FEMA CLOMR/LOMR would not be required. Before construction, a floodplain development permit would need to be obtained from the City of North Platte.

Based on the review conducted, Alternative 2 would have minor, long-term, negative impacts on floodplains. Less than 1.0 acre of floodplain would be lost, and flooding risk would not increase. Therefore, impacts would not be significant.

Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Alternative 3 does not include any modifications to the South Platte River channel. However, portions of the roadway would be constructed in areas that are within the 1 percent annual chance floodplain for the South Platte River. The total encroachment to areas designated as 1 percent annual chance floodplain under this alternative would be 0.92 acre.

HEC-RAS modeling indicates that this alternative would not cause an increase in BFE when compared to the post-disaster (existing) condition. This alternative should be compliant with local floodplain requirements, and a FEMA CLOMR/LOMR would not be required. Before construction, a floodplain development permit would need to be obtained from the City of North Platte.

Based on the review conducted, Alternative 3 would have minor, long-term, negative impacts on floodplains. Less than 1.0 acre of floodplain would be lost, flooding risk would not increase, and natural and beneficial floodplain values would be maintained. Therefore, impacts would not be significant.

No Action Alternative

The No Action Alternative would not include roadway reconstruction or modification to the South Platte River channel. However, floodplain extents have changed when compared to the pre-disaster condition. HEC-RAS modeling indicates that this alternative would not cause an increase in BFE when compared to the post-disaster (existing) condition.

Based on the review conducted, the No Action Alternative would have no impact on floodplains when compared to the post-disaster (existing) condition.

4.5 Threatened and Endangered Species

4.5.1 Affected Environment

The Endangered Species Act of 1973 as amended (16 U.S. Code § 1531 et seq.) and the Nebraska Nongame and Endangered Species Conservation Act of 1974 (Nebraska Revised Statutes 37-801 to 37-811) are the primary laws that provide protection for threatened and endangered plants and animals (listed species) and the habitats upon which they depend. The Endangered Species Act requires federal agencies to assure that any action it authorizes, funds, or conducts does not adversely impact listed species or “destroy or adversely modify” critical habitat for that species. “Critical habitat” is defined as a specific geographic area that contains features for the conservation of an endangered species and may require special management and protection.

On September 26, 2017, FEMA and CCPRS performed a site visit to assess the project area for suitable habitat for state and federally listed threatened and endangered species. The project area does not fall within USFWS or NGPC habitat for the majority of the species listed by the USFWS and NGPC as potentially being present in Lincoln County (Table 4-1).

Table 4-1
State and Federally Listed Threatened and Endangered Species Potentially Affected by Projects in Lincoln County (USFWS, 2017; NGPC, 2017)

Common Name/ Scientific Name	Status ^a	Habitat	Project Potential to Affect
Birds			
Interior least tern <i>Sterna antillarum</i> <i>athalassos</i>	FE, SE	Sparsely vegetated riverine sandbars; sand and gravel beaches and spoil piles	Possible – potentially suitable habitat along South Platte River.
Piping plover <i>Charadrius melodus</i>	FT, ST	Sparsely vegetated riverine sandbars, reservoir shorelines, and spoil piles	Possible – potentially suitable habitat along South Platte River.
Whooping crane <i>Grus americana</i>	FE, SE	Wide river channels, subirrigated grasslands, meadows, shallow wetlands, and farm ponds	Possible – potentially suitable foraging grassland habitat and roosting habitat along South Platte River.
Rufa red knot <i>Calidris canutus rufa</i>	FT	Mudflats and sand bars	None – casual, rare spring and fall migrant, unlikely to occur in the project area.

Common Name/ Scientific Name	Status ^a	Habitat	Project Potential to Affect
Mammals			
Northern long-eared bat ^b <i>Myotis septentrionalis</i>	FT, ST	Deciduous woodlands with live trees and dead snags, buildings/bridges, caves, or mines	Possible – Project is not located within known or occupied maternity roost or hibernacula, but does include deciduous woodlands.
River otter <i>Lontra canadensis</i>	ST	Streams and rivers within prairie grasslands and sandhills	None – Project is located just outside the known range of the species. Potential habitat is present within the South Platte River, but species is mobile and would move away from project activities.
Swift fox <i>Vulpes velox</i>	SE	Open, semi-arid prairie with low-growing vegetation	Possible – potentially suitable grassland habitat within the project area.
Fish			
Finescale dace <i>Chrosomus neogaeus</i>	ST	Small, slow-moving headwater streams	None – Project area is outside the known range of the species and no suitable habitat is present.
Northern redbelly dace <i>Chrosomus eos</i>	ST	Small, slow-moving headwater streams	None – Project area is outside the known range of the species and no suitable habitat is present.
Pallid sturgeon <i>Scaphirhynchus albus</i>	FE, SE	Large, turbid, free-flowing rivers with a strong current and gravel or sandy substrate	None – Project is outside the known range of the species and there will be no depletions to the South Platte River.
Insects			
American burying beetle <i>Nicrophorus americanus</i>	FE, SE	Undeveloped and minimally disturbed areas in perennial vegetated plant communities	None – Project area is disturbed and developed. Surveys conducted in 2006 near project area did not detect species
Flowering Plants			
Blowout penstemon <i>haydenii</i>	FE, SE	Sparsely vegetated shifting sand dunes and blowout depressions created by wind	None – Project area is outside the known range of the species and no suitable habitat is present.
Western prairie fringed orchid <i>Platanthera praeclara</i>	FT, ST	Sandy soils of moist to wet meadows and prairie swales	None – Project area is outside the known range of the species and no suitable habitat is present.

Notes:

a FE = federally endangered; FT = federally threatened; SE = state endangered; ST = state threatened

b Although the northern long-eared bat is not currently listed within Lincoln County, it is listed within adjacent counties and could potentially be listed within Lincoln County soon due to the spread of white-nose syndrome; therefore, it is included in this evaluation.

4.5.2 Environmental Consequences

The potential impacts of the project on state and federally listed species have been analyzed in a Biological Assessment prepared for this project as part of the Endangered Species Act Section 7 consultation with USFWS. This section summarizes the findings of the Biological Assessment. The USFWS and NGPC concurred with the findings in correspondence dated December 20, 2017, and December 14, 2017, respectively (Appendix A).

Impacts Common to All Action Alternatives

Reconstructing South River Road along its pre-disaster alignment, south of its original location, or far south of its original location, would have no impact on the rufa red knot, river otter, finescale dace, northern redbelly dace, pallid sturgeon, American burying beetle, blowout penstemon, or western prairie fringed orchid because the project area is outside of the known ranges of these species and there is no suitable habitat for these species, the portions of the project area in which they would be located are disturbed, and/or there would be no water depletions to the South Platte River.

The least tern, piping plover, whooping crane, and northern long-eared bat could be impacted by noise and dust during construction. Impacts would be temporary in nature and would end once construction is complete. Alternative 1 and Alternative 2 would impact habitat for the least tern, piping plover, whooping crane, northern long-eared bat, and swift fox, either roosting, nesting, denning, or foraging. Impacts would be negligible because the presence of these species is unlikely and if they are present, they are likely to be migrants. Alternative 3 would impact whooping crane, northern long-eared bat, and swift fox; although, again, impacts would be negligible because the presence of these species is unlikely and if they are present, they are likely to be migrants.

In consultation with the USFWS, each action alternative includes avoidance, minimization, and mitigation measures that would be incorporated into the project to minimize effects (Table 4-2). With the implementation of these measures, FEMA has determined that Alternatives 1, 2, and 3 “may affect, but is not likely to adversely affect” the state and federally listed interior least tern, piping plover, whooping crane, and northern long-eared bat and would have “no effect” on all other state and federally listed species for Lincoln County.

In consultation with the NGPC, FEMA has also determined that the project “may affect, but is not likely to adversely affect,” the State-listed swift fox.

Based on the review conducted and coordination with the USFWS, Alternative 1, Alternative 2, and Alternative 3 would have a negligible short- and long-term impacts on threatened or endangered species.

**Table 4-2
Avoidance, Minimization, and Mitigation Measures for the Action Alternatives**

Species	Alternative 1	Alternative 2	Alternative 3
Interior least tern	<ul style="list-style-type: none"> • No night-time work with lights will occur as part of the project activities. • For all construction activities occurring within the breeding season (April 15 to August 15), protocol-level pre-construction surveys for the species will be conducted by a qualified biologist and will continue through the end of construction or August 15, whichever comes first. If species are present, the USFWS will be notified, and all work will be stopped within 0.25 mile of nesting activities until protocol and agency guidance determine when work can resume. • Herbaceous species used for re-seeding within the project area will be native grass or forb species. Native shrub or woody species used in restoration should reach no more than 4 feet in height at maturity. 	<ul style="list-style-type: none"> • Same as Alternative 1 	<ul style="list-style-type: none"> • All measures included in Alternative 1. • Limits of disturbance will be clearly marked before construction so that encroachment into the Platte River banks and channel would not occur.
Piping plover	<ul style="list-style-type: none"> • No night-time work with lights will occur as part of the project activities. • For all construction activities occurring within the breeding season (April 15 to August 15), protocol-level pre-construction surveys for the species will be conducted by a qualified biologist and will continue through the end of construction or August 15, whichever comes first. If species are present, the USFWS will be notified, and all work will be stopped within 0.25 mile of nesting activities until protocol and agency guidance determine when work can resume. • Herbaceous species used for re-seeding within the project area will be native grass or forb species. Native shrub or woody species used in restoration should reach no more than 4 feet in height at maturity. 	<ul style="list-style-type: none"> • Same as Alternative 1 	<ul style="list-style-type: none"> • All measures included in Alternative 1. • Limits of disturbance will be clearly marked before construction so that encroachment into the Platte River banks and channel would not occur.

Species	Alternative 1	Alternative 2	Alternative 3
Whooping crane	<ul style="list-style-type: none"> • No night-time work with lights will occur as part of the project activities. • For all construction activities occurring within the migration period (spring migration is March 10 to May 10 and fall migration is September 16 to November 16), USFWS protocol-level pre-construction surveys for the species will be conducted daily by a qualified biologist and will continue through the end of the migration period. If species are present, USFWS will be notified, and all work will be stopped within 0.50 mile of the whooping crane until protocol and agency guidance determine when work can resume. • Options for resuming work may include, but are not limited to, the following: <ul style="list-style-type: none"> – Construction activities are limited to the hours from 10:00 a.m. to 4:00 p.m. (Central Standard Time) during the migration period, unless a morning survey indicates whooping cranes are not present. – If a whooping crane is observed during the survey within 0.50 mile of the project, but departs the area (farther than 0.50 mile from the project), then work can resume. This departure will be documented according to protocol. • Herbaceous species used for re-seeding within the project area will be native grass or forb species. Native shrub or woody species used in restoration should reach no more than 4 feet in height at maturity. 	<ul style="list-style-type: none"> • Same as Alternative 1 	<ul style="list-style-type: none"> • Same as Alternative 1

Species	Alternative 1	Alternative 2	Alternative 3
Northern long-eared bat	<ul style="list-style-type: none"> • Tree clearing activities will not occur between June 1 and July 31 to avoid impacts to the northern long-eared bat maternity roosting period. • If tree clearing occurs during the northern long-eared bat maternity roosting period (June 1 to July 31), protocol-level surveys will be performed before the start of these activities within all wooded areas within the project area. If the species is absent, work may proceed. If the species is found, consultation with the USFWS will occur before the start of construction. • Construction activities will not be conducted after sunset to avoid harassment of foraging northern long-eared bats near summer roosting locations. 	<ul style="list-style-type: none"> • Same as Alternative 1 	<ul style="list-style-type: none"> • Construction activities will not be conducted after sunset to avoid harassment of foraging northern long-eared bats near summer roosting locations.

Species	Alternative 1	Alternative 2	Alternative 3
Swift fox	<ul style="list-style-type: none"> Up to a year before construction, a survey for potential swift fox den sites within the project’s environmental study area will be conducted by a qualified biologist per NGPC protocol (NGPC, 2011). Any potential den sites that are not in use by any species may be covered with 2-inch by 4-inch weld-wire fencing and adequately secured to the ground. Two weeks before the start of construction, a qualified biologist will survey the environmental study area according to protocol to determine whether 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 will be established around the den, and all construction activities will 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, immediate coordination with NGPC will occur to determine how to proceed. A buffer zone will be established around the den, and all construction activities will avoid the buffer until NGPC gives approval to enter the buffer area. Between April 1 and August 31, the buffer zone will be 250 yards around the active den site; other times of the year, the buffer will be 100 yards around the active den site. 	<ul style="list-style-type: none"> Same as Alternative 1 	<ul style="list-style-type: none"> Same as Alternative 1

No Action Alternative

Under the No Action Alternative, new road construction or South Platte River channel modifications would not occur. Therefore, the No Action Alternative would have no impact on threatened or endangered species or critical habitat.

4.6 Vegetation, Wildlife, and Aquatic Resources

The project was assessed for compliance with provisions of the Migratory Bird Treaty Act of 1918 and the Bald and Golden Eagle Protection Act of 1940. The Migratory Bird Treaty Act (16 U.S. Code § 703-712) states that it is “unlawful to pursue, hunt, take, capture, kill, possess, sell, purchase, barter, import, export, or transport any migratory bird, or any part, nest, or egg of any such bird.”

The Bald and Golden Eagle Protection Act (16 U.S. Code § 668(a)) states that it is unlawful to “take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.”

4.6.1 Affected Environment

Wildlife habitat present within the project area includes riverine, palustrine emergent marsh wetlands, riparian deciduous woodland, and open grassland and mixed-grass prairie rangeland. The habitats within the project area support a variety of aquatic and terrestrial wildlife including fish, amphibians, insects, small- and medium-sized mammals, and many aquatic and terrestrial birds.

Bald eagles (*Haliaeetus leucocephalus*) use the mature, forested areas along the major river systems in Nebraska. Because the project area lies adjacent to the South Platte River, suitable habitat for bald eagle does exist within 0.5 mile of the project area. During the September 26, 2017, site visit, three bald eagles were observed flying across the South Platte River just north of the project area. The South Platte River provides both suitable nesting and wintering habitat for the bald eagle.

The project area lies outside the current breeding range of golden eagles (*Aquila chrysaetos*) (NGPC, 2017); therefore, the project is not anticipated to have any effects to the species.

4.6.2 Environmental Consequences

Compliance with the Migratory Bird Treaty Act

Compliance with the Migratory Bird Treaty Act would be required under each of the action alternatives. All efforts will be made to conduct construction activities outside of the primary nesting season (between September 2 and March 31). If construction activities must take place within the primary nesting season (April 1 to September 1), a nesting survey would be performed by a qualified biologist(s) before starting work that might impact potential nesting habitat. Surveys would be conducted using the protocol outlined in the Nebraska Department of Transportation (NDOT) Avian Protection Plan (Nebraska Department of Roads [NDOR], 2016) as a guide.

Nesting surveys would be conducted through September 1 for any work that may require general clearing or grubbing, large tree removal (not included as part of the project activities), or work that may impact or disturb eagles or threatened or endangered species. Trees, brush, and surrounding vegetation that are surveyed during the primary nesting season and found to be devoid of active nests would be removed within 3 days. If vegetation is not removed within 3 days, an additional survey would be conducted before the start of work.

If an active nest is found, a buffer of up to 30 feet or more, depending on the species of bird and their sensitivity to disturbance, surrounding the nest would be required until fledging. Buffers of differing widths for a number of bird species, particularly raptors, have been recommended and are outlined in the Raptor Buffer Guidelines for Nebraska, provided in Appendix E of the NDOT Avian Protection Plan (NDOR, 2016).

Compliance with the Bald and Golden Eagle Protection Act

Compliance with the Bald and Golden Eagle Protection Act would be required under each of the action alternatives. To avoid potential impacts to nesting bald eagles, for any construction activities planned between February 1 and April 15, a nest survey would be completed at least 1 but not more than 14 days before construction. If construction begins between April 15 and October 1, a nest survey would be completed before construction (no survey date requirements are necessary for this timeframe because nests will already be established). Surveys would be conducted based on the protocol outlined in the Bald Eagle Survey Protocol created by the NGPC (NGPC, 2014) to determine whether nests are within 0.5 mile of the project limits. If any suspected or active eagle nests are found within 0.5 mile, NGPC and USFWS will be notified to determine whether a buffer is recommended for construction activities, as well as the recommended buffer width. No construction would be allowed to begin before agency approval. As recommended in the National Bald Eagle Management Guidelines (USFWS, 2007), a buffer of up to 660 feet could be required for active bald eagle nests.

For any construction occurring between October 1 and January 31, a winter roost survey would be conducted at least 1 day before the start of construction to determine the presence or absence of any transitory or communal eagle roosts. Surveys would be conducted by a qualified biologist based on the protocol outlined in the Bald Eagle Survey Protocol (NGPC, 2014). If any evidence of an eagle roost is observed within the project area, NGPC and USFWS would be notified to determine appropriate avoidance and minimization measures.

Alternative 1– Reconstruct South River Road in Its Pre-disaster Alignment Location

Alternative 1 would involve substantial work within the South Platte River. Approximately 63,828 cubic yards of fill would be placed within the river to reconfigure the post-disaster channel. This would result in 5.3 acres of temporary impacts and 2.7 acres of permanent impacts to river habitat.

Construction-related impacts include noise and the potential loss of smaller terrestrial wildlife that are unable to leave the area and are accidentally impacted, including death of individuals of the species killed during construction. These impacts would be short-term in nature because the populations of each species would not be affected and would be expected to return to normal levels after construction. Larger animals and birds would likely leave the area once the noise of construction begins. After construction, most wildlife would return to the general area. Areas disturbed during construction would be revegetated using native seed mixtures to avoid the spread of noxious weeds.

Based on the review conducted, Alternative 1 would have minor, short-term, negative impacts on terrestrial and aquatic wildlife, and moderate, long-term, negative impacts on aquatic wildlife. Impacts would not be significant.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Alternative 2 would also involve substantial work within the South Platte River. Bendway weirs would be installed within and below the ordinary high water mark of the river to prevent further migration of the channel. This would require equipment and dredging within the river, resulting in 5.0 acres of temporary impacts and 1.6 acres of permanent impacts to river habitat.

Because South River Road would be reconstructed on a new alignment, Alternative 2 would also require the conversion of 3.0 acres of mixed-grass prairie rangeland to gravel roadway. This would not be a significant impact because the land is used for grazing and has little wildlife value.

Construction-related impacts include noise and the potential loss of smaller terrestrial wildlife that are unable to leave the area and are accidentally killed during construction. These impacts would be short-term in nature because the populations of each species would not be affected and would be expected to return to normal levels after construction. Larger animals and birds would likely leave the area once the noise of construction begins. After construction, most wildlife would return to the general area. Areas disturbed during construction would be revegetated using native seed mixtures to avoid the spread of noxious weeds.

Based on the review conducted, Alternative 2 would have a minor, short-term, negative impacts on terrestrial and aquatic wildlife, minor long-term, negative impacts on terrestrial wildlife, and moderate, long-term, negative impacts on aquatic wildlife. Impacts would not be significant.

Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Alternative 3 would have no direct impact on aquatic wildlife because aquatic habitats would not be disturbed. Impacts to aquatic wildlife during construction (primarily noise) would negligible.

Because South River Road would be constructed on a new alignment, Alternative 3 would require the conversion of 5.0 acres of mixed-grass prairie rangeland to gravel roadway. This would not be a significant impact because the land is used for grazing and has little wildlife value.

Construction-related impacts include noise and the potential loss of smaller terrestrial wildlife that are unable to leave the area and are accidentally killed during construction. These impacts would be short-term in nature because the populations of each species would not be affected and would be expected to return to normal levels after construction. Larger animals and birds would likely leave the area once the noise of construction begins. After construction, most wildlife would return to the general area. Areas disturbed during construction would be revegetated using approved seed mixtures to avoid the spread of noxious weeds.

Based on the review conducted, Alternative 3 would have no long-term and negligible short-term impacts to aquatic wildlife, and negligible short-term and long-term impacts on terrestrial wildlife. Impacts would not be significant.

No Action Alternative

Under the No Action Alternative, new road construction or South Platte River channel modifications would not occur. Therefore, the No Action Alternative would have no impact on vegetation, wildlife, or aquatic resources.

4.7 Cultural Resources

4.7.1 Affected Environment

Federal laws that pertain to cultural resources are the National Historic Preservation Act of 1966 and the Archaeological Resources Protection Act of 1979. The implementing regulation for the National Historic Preservation Act is the Protection of Historic Properties (36 CFR § 800), which defines historic properties as any prehistoric or historic district, site, building, structure, or object that is included in, or eligible for inclusion in, the National Register of Historic Places (NRHP) (36 CFR § 800.16). The NRHP is a federally maintained list of historic properties significant in American history, prehistory, architecture, archeology, engineering, or culture.

The area of potential effect (APE) for cultural resources was limited to areas within which construction and ground-disturbing activities would occur when reconstructing South River Road under any of the action alternatives. This comprised a 28-acre area represented by a 100-foot buffer around the three action alternatives. No potential for indirect effects outside of the viewshed of the proposed project existed.

A review of the NRHP online database showed that no listed eligible structures are located within a 1-mile radius of the project area. The 1993 *Nebraska Historic Buildings Survey Reconnaissance Survey Final Report of Lincoln County, Nebraska*, (Kay et al. 1993) contained the same information. Historic mapping was also reviewed and showed no structures or other features noted on any of the maps within the project area.

Between September 26 and 28, 2017, a qualified cultural resources specialist with CCPRS performed a Phase I Intensive Archeological Survey of the APE. A background records/site file search had identified two previously recorded archaeological sites within a 1-mile radius of the project. These sites were not found within the APE for the project. No other archaeological or historic sites were observed during the survey.

4.7.2 Environmental Consequences

Impacts Common to All Action Alternatives

No NRHP-eligible historic or archaeological sites are located within the APE for the project. The cultural resources report prepared by CCPRS determined that no cultural resources would be affected by the project, and CCPRS recommended clearance without further investigation (CCPRS, 2017b). On November 17, 2017, the Nebraska State Historical Society concurred with the determination that the project would have “no adverse effect on historic properties.” A copy of the concurrence letter is included in Appendix A.

Based on the review conducted, the action alternatives would have no impact on cultural resources.

No Action Alternative

Under the No Action Alternative, no new road construction, property acquisition, or demolition would occur. Therefore, the No Action Alternative would not constitute an undertaking under 36 CFR § 800.16(y) and would have no impact on cultural resources.

4.8 Environmental Justice

Title VI of the Civil Rights Act of 1964, as amended, is a non-discrimination statute. Specifically, 42 U.S. Code § 2000d states that:

“No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

Environmental justice is a component of Title VI. Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, placed further emphasis on the Title VI protections of race and national origin by requiring federal agencies to identify and address disproportionately high and adverse effects of their actions on minority populations. Executive Order 12898 expanded upon Title VI to include low-income populations and assure greater public participation in the decision-making process.

As defined by Executive Order 12898, minority classifications include Black, Hispanic, Asian, American Indian/Alaska Native, and Native Hawaiian or Pacific Islander. Low-income is defined as a person whose median household income is at or below the Department of Health and Human Services poverty guidelines. Demographic variables from the U.S. Census Bureau for census blocks and block groups adjacent to the project area were evaluated for this study.

4.8.1 Affected Environment

South River Road is in Census Tract 9605 between two census blocks (3050 and 3060) that extend north to the northern banks of the South Platte River, west to Homestead Road, south to I-80, and more than 1.5 miles east of the Buffalo Bill Avenue. In 2010 (the most recent data available at the census block level), the total population within these two blocks was 13. None of this population were located within the immediate project area and none were minority. Data from the 2011 to 2015 American Community Survey, available for geographies larger than the census block, indicate that population in the area has not changed substantially since 2010. Between 2010 and 2015, population in North Platte has decreased by 1.3 percent (313 people). As shown in Table 4-3, in 2015, block group 3 had a population of 2,025, of which 148 (or 7.3 percent) are minority. This is compared to a minority population of 12.4 percent in North Platte and 11.1 percent in Lincoln County. The immediate project area remains unpopulated, and minority populations within block group 3 are likely concentrated north of the South Platte River in North Platte or near the I-80/US 83 interchange.

**Table 4-3
Minority Populations**

	Study Area (Census Tract 9605, Block Group 3, Census Blocks 3050 and 3060)	Census Tract 9605, Block Group 3	City of North Platte	Lincoln County
Total Population	13	2,025	24,420	35,896
White Alone	13	1,877	21,392	31,904
Black Alone	0	27	280	287
American Indian/Alaska Native Alone	0	22	57	78
Asian Alone	0	18	99	183
Native Hawaiian and Other Pacific Islander Alone		0	11	14
Some Other Race Alone	0	0	0	16
Two or more Races	0	3	215	552
Hispanic or Latino	0	78	2,366	2,862
Minority	0	148	3,028	3,992
Percent Minority	0.0%	7.3%	12.4%	11.1%

Sources: U.S. Census Bureau, 2010 – Table P9, Hispanic or Latino and Not Hispanic or Latino by Race; U.S. Census Bureau, 2016a – 2011-2015 American Community Survey 5-Year Estimates, Table B03002, Hispanic or Latino by Race

With regard to income, the block group that contains the project area has income levels well above the U.S. Census Bureau poverty threshold. The average family size in North Platte and Lincoln County is 2.71 and 2.92, respectively. In 2016, the U.S. Census Bureau reported that families of three with incomes of less than \$19,105 would be considered in poverty. Median household incomes within the study area (\$56,205), North Platte (\$44,367), and Lincoln County (\$50,194) are well above these thresholds (U.S. Census Bureau, 2016b). Therefore, low-income populations are not present in the study area.

4.8.2 Environmental Consequences

Impacts Common to All Action Alternatives

Protected populations are not located in the immediate project area where impacts would be concentrated. All segments of the population would benefit from the safety and mobility improvements that would result from the reconstruction of South River Road. Therefore, the action alternatives would not result in disproportionately high or adverse human health or environmental effects on minority or low-income populations.

Based on the review conducted, the action alternatives would have no impact on minority or low-income populations.

No Action Alternative

Under the No Action Alternative, no new road construction, property acquisition, or demolition would occur. Although safety and mobility improvements associated with the reconstruction of South River Road would not be realized, the No Action Alternative would not result in

disproportionately high or adverse human health or environmental effects on minority or low-income populations.

Based on the review conducted, the No Action Alternative would have no impact on minority or low-income populations.

4.9 Land Use and Planning

4.9.1 Affected Environment

The project crosses through one privately owned, 281.31-acre parcel of land, approximately 0.5 mile south of North Platte in Lincoln County, Nebraska. The land is currently used as open pasture for cattle. Lincoln County has classified the land as zoning district A-1, Agricultural Preservation District. The goal of the A-1 district is defined as the preservation of lands best suited to agricultural uses and the protection of open space, wooded areas, streams, and other natural resources (Lincoln County Planning Commission, 2012a). Other land uses within this parcel include transportation (South River Road) and water (South Platte River). There is also a livestock pond in the westernmost portion of the parcel.

The Lincoln County Comprehensive Development Plan Update, 2012-2030 (Lincoln County Planning Commission, 2012b) guides growth and development in Lincoln County. Relevant to the project area, the plan addresses the importance of fire and police protection services, preservation of agricultural lands, and protection for life, property, and infrastructure from flooding.

4.9.2 Environmental Consequences

Alternative 1 – Reconstruct South River Road in Its Pre-disaster Alignment Location

Reconstructing South River Road in its pre-disaster alignment location would not require the conversion of any existing land uses for the purposes of transportation. No additional right-of-way would be required to construct the project. Securing the South Platte River channel and restoring east-west connectivity would be consistent with County land use planning goals identified in the County's comprehensive plan (Lincoln County Planning Commission, 2012b).

Based on the review conducted, Alternative 1 would have no impact on land use.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Reconstructing South River Road south of its original location would require the acquisition of approximately 3.0 acres of open pasture. This land would be permanently converted to transportation use. Land between the roadway and the river would be open space that would be vegetated as additional protection from future flooding events. Land south of the roadway would remain as open pasture. Right-of-way acquisition would be handled in accordance with the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (42 U.S. Code § 4601 et seq.). Securing the South Platte River channel and restoring east-west connectivity would be consistent with County land use planning goals identified in the County's comprehensive plan (Lincoln County Planning Commission, 2012b).

Based on the review conducted, Alternative 2 would have minor, long-term, negative impacts on land use. The impact would not be significant.

Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Reconstructing South River Road far south of its original location would require the acquisition of approximately 5.0 acres of open pasture. This land would be permanently converted to transportation use. Land between the roadway and the river would be open space that would be vegetated as additional protection from future flooding events. Land south of the roadway would remain as open pasture. Right-of-way acquisition would be handled in accordance with the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (42 U.S. Code § 4601 et seq.). Protecting the roadway from future damage and restoring east-west connectivity would be consistent with County land use planning goals identified in the County's comprehensive plan (Lincoln County Planning Commission, 2012b).

Based on the review conducted, Alternative 3 would have minor, long-term, negative impacts on land use. The impact would not be significant.

No Action Alternative

Under the No Action Alternative, South River Road would not be reconstructed. Land use or right-of-way would not change. Therefore, the No Action Alternative would have no impact on land use.

4.10 Prime Farmland

4.10.1 Affected Environment

The Farmland Protection Policy Act (FPPA) of 1981 (Public Law 97-98) (7 U.S. Code § 4201 et seq; 7 CFR Part 658) is intended to minimize the impact federal programs have on the unnecessary and irreversible conversion of farmland to nonagricultural uses. Farmland as defined by soil types classified by the U.S. Department of Agriculture, Natural Resources Conservation Service (USDA-NRCS) include prime farmland, unique farmland, and farmland of statewide or local importance.⁵

The land south of the South Platte River is currently open pasture for cattle and is not used for crop production. Review of the USDA-NRCS websoil survey mapping tool indicates that there is a small area in the eastern project limits with soils that are classified as prime farmland (USDA-NRCS, 2017).

When a project has the potential to convert soils classified as important farmland to non-farm use, coordination with the local office of the USDA-NRCS is initiated. The USDA-NRCS uses a land evaluation and site assessment system to establish a farmland conversion impact rating

⁵ The USDA-NRCS defines *Prime Farmland* as land that has the best combination of physical and chemical characteristics for producing food, feed, forage, fiber, and oilseed crops. It can economically produce sustained high yields of these crops when treated and managed according to acceptable farming practices. *Unique Farmland* is defined as land other than prime farmland that is used to produce specific high-valued food and fiber crops. It can economically produce sustained high yields of these specialized crops when treated and managed according to acceptable practices. *Farmlands of Statewide or Local Importance* consist of land that has been designated as "important" by either a state government (State Secretary of Agriculture or higher office) or by county commissioners or an equivalent elected body.

score on proposed sites of federally funded and assisted projects, such as the South River Road project. This score is used as an indicator for the project sponsor to consider alternative sites if the potential adverse impacts to the farmland exceed the recommended allowable level. Impact severity increases as the total score approaches 260 points. Scores below 160 do not require further analysis. Scores between 161 and 200 may have the potential to adversely affect important farmlands and require considering alternatives or additional measures to minimize impacts. The assessment is completed on the USDA-NRCS AD-1006 Farmland Conversion Impact Rating Form. Form AD-1006 was completed by the USDA-NRCS in December 2017 and is included in Appendix A.

4.10.2 Environmental Consequences

Impacts Common to All Action Alternatives

The impact rating score for Alternatives 1, 2, and 3, as defined in Form AD-1006 (Appendix A) is 70. Impact rating scores are calculated by the USDA-NRCS using factors such as level of development onsite, access to agricultural markets, distance to urban areas, and other elements that are similar between all three of the action alternatives. In addition, the acres of soils classified as prime farmland that would be converted do not vary enough between the alternatives to provide differentiation in the overall impact rating score. For this reason, the numerical score (70) is the same for each alternative. Because the score is below 160, additional consultation with the USDA-NRCS, alternatives analysis, and mitigation for impacts to farmland are not required under the FPPA.

Alternative 1 – Reconstruct South River Road in Its Original Location

Under Alternative 1, approximately 0.14 acre of soils classified as prime farmland would be converted to transportation uses. This represents the land needed to reconstruct and reconnect to the existing roadway. Land south of the river would not be affected and would continue to provide open pasture for cattle.

Based on the review conducted and coordination with the USDA-NRCS, Alternative 1 would have a minor, long-term, negative impact on farmland soils. The impact would not be significant.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Under Alternative 2, approximately 1.35 acres of soils classified as prime farmland would be converted to transportation uses. This represents the land needed to reconstruct the roadway, install the bendway weirs, and tie into the existing roadway. The pasture between the river and the new roadway (approximately 6.47 acres) would be vegetated to prevent future flooding, and cattle would likely be restricted from this area. Approximately 0.77 acre of this land is classified as prime farmland.

Based on the review conducted and coordination with the USDA-NRCS, Alternative 2 would have a minor, long-term, negative impact on farmland soils. The impact would not be significant.

Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Under Alternative 3, approximately 0.74 acre of soils classified as prime farmland would be converted to transportation uses. This represents the land needed to reconstruct the roadway and

tie into the existing roadway. Like Alternative 2, the pasture between the river and the new roadway (approximately 9.54 acres) would be vegetated to prevent future flooding, and cattle would likely be restricted from this area. Approximately 0.89 acre of this land is classified as prime farmland.

Based on the review conducted and coordination with the USDA-NRCS, Alternative 3 would have a minor, long-term, negative impact on farmland soils. The impact would not be significant.

No Action Alternative

Under the No Action Alternative, South River Road would not be reconstructed. Land would not be converted to transportation uses. Therefore, the No Action Alternative would have no impact on farmland soils.

4.11 Hazardous Materials

Hazardous materials have been declared hazardous through various regulations including 40 CFR § 302.4 and § 355 and 29 CFR § 1910.1200. Hazardous waste is any solid, liquid, or contained gas waste that is dangerous or potentially harmful to human health or the environment. Environmental risk sites are those facilities and locations where hazardous substances and petroleum products are currently or were historically stored, used, or transported, and as such, may currently be or could have been released into the environment.

The presence of environmental risk sites within 0.5 mile of the project area was evaluated using the NDEQ Interactive Mapping System and the EPA EnviroMapper. Additional databases, including the State Fire Marshall storage tank database and the EPA Facility Registration System, were queried for spills, leaks, and hazardous waste generation, storage, or transport.

4.11.1 Affected Environment

Database review identified one environmental risk site within 0.5 mile of the project area. This site, categorized by the NDEQ as a closed landfill, is located south of the South Platte River in the area that is now open pasture. For clarification, the NDEQ was contacted for additional files not available on the public databases. The records provided indicate that the site was used for illegal dumping of trash and miscellaneous refuse. Depth to groundwater in this location is 0 to 3 feet and soils are poorly drained, alluvial sand and gravel. Based on the proximity to the South Platte River and 1 percent annual chance floodplain, the NDEQ recommended this site be cleaned up and permanently closed. In 1987, Lincoln County restored the area and posted “no dumping” signs. Subsequently, the NDEQ changed the status of the site to closed. Site visits indicate the land in this area is open pasture with no signs of historical contamination.

A Livestock Waste Control site is located approximately 0.6 mile west of the project area. The site, categorized by the NDEQ as a closed dairy operation, is located in the parcel to the west of the project area. For clarification, the NDEQ was contacted for additional files not available on the public databases. The records provided indicate that the site was permitted for the construction of a dairy operation, but the landowner never completed the system and abandoned the area. In 2010, the NDEQ confirmed that the site was inactive and closed the facility.

No other environmental risk sites are located within 0.5 mile of the project area.

4.11.2 Environmental Consequences

Impacts Common to All Action Alternatives

Each alternative would involve the use of typical construction-related hazardous materials. Handling, storage, and disposal of hazardous materials and wastes during construction activities, including measures to prevent releases, would be conducted in accordance with NDEQ requirements. Non-hazardous solid waste generated during construction would be disposed of at an offsite landfill or recycled/reused as appropriate.

Because Alternative 1 and Alternative 2 involve work directly in the South Platte River, construction activities would carry a higher risk of release into the water.

None of the alternatives would require the demolition of any bridges or structures. Therefore, asbestos and lead-based paint would not be a concern for any of the action alternatives.

Although research and site conditions have not identified any concerns regarding releases of hazardous materials in the project area, there is the potential for hazardous materials to be encountered unexpectedly during construction. If a previously unidentified hazardous waste site is located, construction would cease and the NDEQ would be notified for further instructions.

Based on the review conducted, Alternative 1, Alternative 2, and Alternative 3 would have a negligible short-term impact on hazardous materials. The impact would not be significant.

No Action Alternative

Under the No Action Alternative, new road construction or work within the South Platte River would occur. Therefore, the No Action Alternative would have no impact on hazardous materials.

4.12 Public Services and Utilities

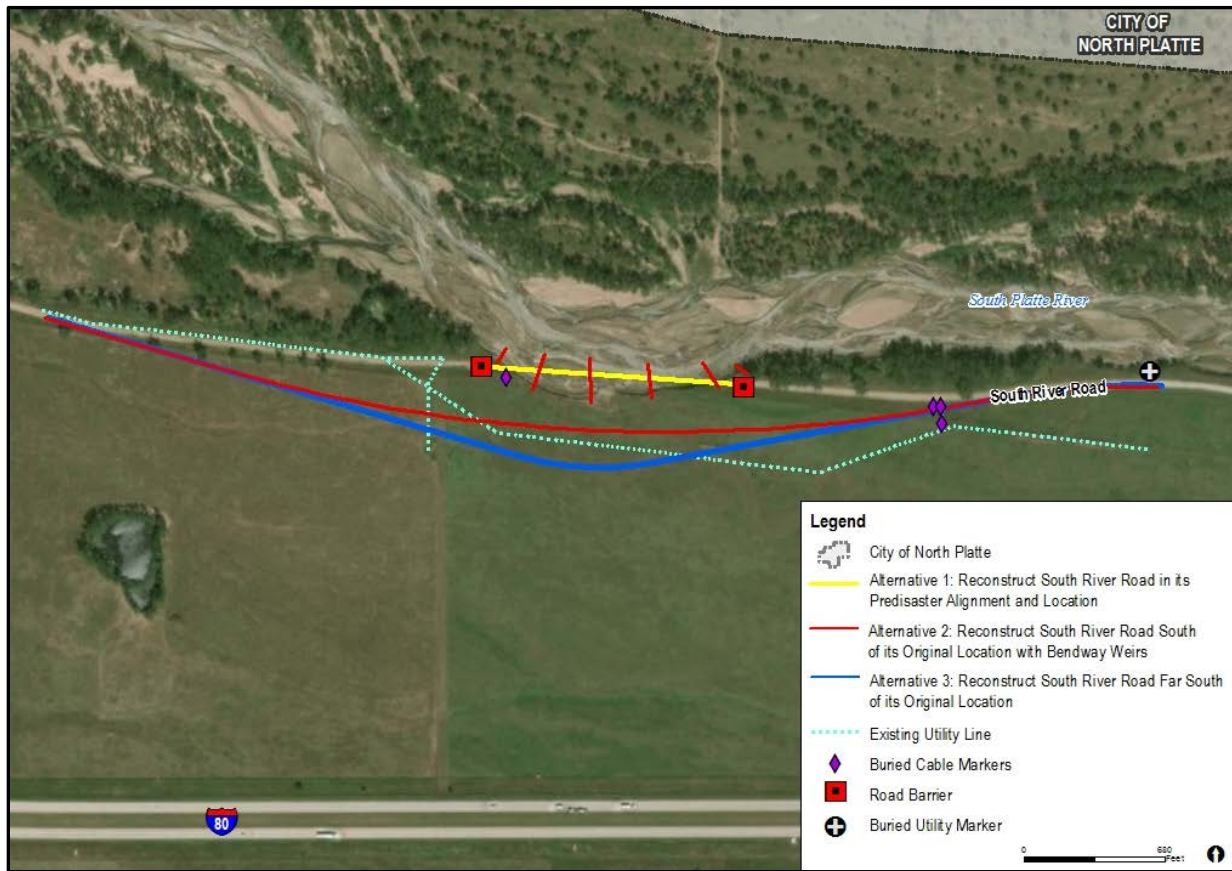
4.12.1 Affected Environment

The project area is located within a large parcel of land that is dedicated to open pasture for cattle. There are no public services such as schools, police or fire departments, hospitals, community centers, or park or recreational facilities within 0.5 mile of the project area. The project area is located within the North Platte 1 School District. Fire and emergency response is provided by the North Platte Fire Department. Fire Station No. 1 (which is the closest fire station) is approximately 3 miles from the project area on 715 Jeffers Street in North Platte. The private Indian Meadows Golf Course is located just over 1 mile from the study area at the southwest intersection of Walker Road and South Buffalo Bill Avenue. The Lake Maloney State Recreation Area is located more than 5 miles south of the project area.

There are no railroads in the study area. I-80 is located 0.3 mile south of the project area between South River Road and Walker Road.

As shown on Figure 4-5, several utilities are present near the project area, including an aboveground utility line and buried telecommunications cable. Electrical transmission is provided by the Nebraska Public Power District.

Figure 4-5
Utilities



4.12.2 Environmental Consequences

Impacts Common to All Action Alternatives

All of the action alternatives would reconstruct South River Road, restoring an important emergency response route for emergency service providers.

Alternative 1 – Reconstruct South River Road in Its Pre-disaster Alignment Location

Because the road would be reconstructed in its pre-disaster alignment location, Alternative 1 would not be expected to result in any new utility conflicts.

Based on the review conducted, Alternative 1 would have a significant, long-term, beneficial impact on public services, and no impact on utilities.

Alternative 2 – Reconstruct South River Road South of Its Original Location with Bendway Weirs

Preliminary mapping shows that Alternative 2 intersects with the existing overhead power line and portions of buried cable. Utility conflicts would be determined during final design. Utility service disruptions could potentially occur during road construction. Planned outages would be avoided to the extent possible; if planned outages are necessary, utility customers would be given

advance notice. To avoid accidental outages, utilities in the area would be located before construction, and FEMA would coordinate construction activities with utility companies.

Based on the review conducted, Alternative 2 would have a significant, long-term, beneficial impact on public services, and minor, short-term, negative impacts on utilities.

Alternative 3 – Reconstruct South River Road Far South of Its Original Location

Impacts associated with Alternative 3 would be the same as Alternative 2. Therefore, Alternative 3 would also have a significant, long-term, beneficial impact on public services and minor, short-term, negative impacts on utilities.

No Action Alternative

Under the No Action Alternative, South River Road would not be reconstructed and utilities would not be disturbed. Because access would not be restored, South River Road could not be reinstated as an alternative route for emergency responders. Section 4.13 evaluates how this would affect public safety.

The No Action Alternative would have a significant, long-term, negative impact on public services and no impact on utilities.

4.13 Public Health and Safety

Health and safety has been broken into three categories for this analysis: public safety, occupational health, and the protection of children.

4.13.1 Affected Environment

Public Safety

The project is located within the floodplain of the South Platte River. Although lands adjacent to the river are largely unpopulated, flooding can lead to numerous health and safety risks for travelers, such as exposure to contaminated water, vehicle hazards (such as water on roads and debris), and fast-moving water, which increases the risk for falls, serious injuries, and drowning. Floods may also damage or otherwise close off access routes to hospitals and other emergency resources, causing public safety issues.

Before the 2015 storm event, South River Road provided an important east-west connection between rural residents and North Platte. The roadway was also used by the USPS as a mail route, to transport wide farm equipment for agricultural purposes, and emergency response. During the 2015 storm event, South River Road experienced significant damage as a result of flooding from the South Platte River. The portion of the road within the project area was washed away, and two people drowned after driving around road barriers and being swept away in the river. Since 2015, the damaged portion of South River Road has been closed, and emergency response and local traffic have relied on alternative roadways to the south, resulting in out-of-direction travel and increased travel and emergency response times.

Occupational Health

Occupational health risks are defined as risks arising from physical, chemical, and other workplace hazards that interfere with establishing and maintaining a safe and healthy working

environment. Hazards could include chemical agents, physical agents (such as loud noise or vibration), physical hazards (such as slip, trip, and fall hazards), electricity, or dangerous machinery, and natural hazards, such as flooding, botanical hazards (poison ivy and thorned plants), or wildlife hazards (stinging insects, poisonous spiders, venomous snakes, and ticks and tickborne pathogens).

Safety and occupational health issues include exposure to natural hazards, exposure to asbestos, lead, radiation, chemicals, and other hazardous materials, and injuries or deaths resulting from a one-time accident. Safety and occupational health concerns could affect personnel working on the project and in the surrounding area.

Protection of Children

Guidelines for the protection of children are specified in Executive Order 13045, *Protection of Children from Environmental Health Risks and Safety Risk*. This Executive Order requires that federal agencies make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children and assure that policies, programs, and standards address disproportionate risks to children that result from environmental health or safety risks. There are no residences, residential neighborhoods, schools, or other community resources that serve youth or children within 0.5 mile of the project area.

4.13.2 Environmental Consequences

Impacts Common to All Action Alternatives

The action alternatives would have a long-term beneficial impact on public health and safety. South River Road would be reconstructed, restoring connectivity and access for emergency service providers. The roadway would be reconstructed to prevent future damage and protect the traveling public either by securing the channel or relocating the roadway.

Construction activities would have inherent occupational health and safety hazards that would be mitigated through standard worker protection measures. Construction workers and equipment operators would be required to wear appropriate personal protective equipment and be properly trained for the work being performed. All solid or hazardous wastes that might be generated during construction would be removed and disposed of at a permitted facility or designated collection point. Throughout construction, the road would remain closed to residents and the travelling public.

The construction contractor would be required to develop and implement a Health and Safety Plan to assure worker safety during construction activities. The contractor would also be required to schedule construction during reasonable weather to avoid risk of flooding. All construction areas would be clearly marked with appropriate signage. Construction workers would be required to comply with applicable Occupational Safety and Health Administration regulations, as well as other applicable regulations.

The project area is unpopulated, and it is unlikely that children would be present during construction. Construction areas would be well-marked, and fencing, signage, or barriers would be used to the extent possible to prevent unauthorized access. Because there are no residential neighborhoods, schools, or other community resources within 0.5 mile of the project area,

children would not be susceptible to impacts from health-related resources (air quality, water quality, hazardous materials, and noise).

The action alternatives would have a moderate, long-term, beneficial impact to public safety and minor, short-term, negative occupational health impacts. The project would have no impact on environmental health or safety risks to children.

No Action Alternative

Under the No Action Alternative, access for rural residents and emergency service providers would not be restored. Therefore, the No Action Alternative would have a significant, long-term, negative impact on public health and safety.

4.14 Cumulative Impacts

Cumulative impacts are defined in the CEQ regulations implementing provisions of NEPA (CEQ 1508.7) as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes such other actions. Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.”

Past, Present, and Reasonably Foreseeable Future Actions

The flow of the South Platte River has been altered in different ways by past and present actions. The channel has been modified to accommodate growth in North Platte through the installation of spur dikes and other features to limit the river’s meanders. Several bridges have also been built near the city. The increased demand for surface and groundwater upstream of North Platte has caused depletions in river flow. The lowered storm flows have led to a narrowing of the river in places and decreases in scouring of sand bars. The depleted flows combined with other land use activities appear to have led to changes in the vegetative communities in the riparian corridor. Over time, there has been a decrease in wetlands and grasslands and an increase in mature woody vegetation in the riparian corridor adjacent to the river.

Aside from changes to the South Platte River and riparian area, land uses in the project area have remained constant in recent history. The NDOT has constructed several improvements east of the project area in North Platte, including the extension of Buffalo Bill Avenue (which included a bridge and the installation of bendway weirs). Additional roadway improvements programmed by NDOT for the next 5 years include resurfacing I-80 south of South River Road, resurfacing US 30 north of the project, replacing a bridge on US 30 in North Platte, and resurfacing US 83 near Lake Maloney.

Based on the analysis performed in Sections 4.1 through 4.13, the action alternatives would have no impact, a negligible impact, minor impacts that would be addressed through the implementation of best management practices or other mitigation measures, or beneficial impacts on the following resources: air quality (Section 4.1), floodplains (Section 4.4), threatened and endangered species (Section 4.5), cultural resources (Section 4.7), environmental justice (Section 4.8), land use and planning (Section 4.9), farmland (Section 4.10), hazardous materials (Section 4.11), public services and utilities (Section 4.12), and public health and safety (Section 4.13). Therefore, when added to past, present, and reasonably foreseeable actions, the

action alternatives would not be expected to contribute to cumulative impacts on any of these resources.

The action alternatives would contribute incrementally to impacts on water resources and water quality (Section 4.2), wetlands (Section 4.3), and aquatic resources (Section 4.6). Therefore, these resources are evaluated for cumulative effects.

Water Resources and Water Quality

Programmed roadway improvements would likely result in some additional impacts to the South Platte River as a result of construction activities (for example, sedimentation and surface runoff). These State-funded projects (described under Past, Present, and Reasonably Foreseeable Future Actions) would be cleared through NDOT's environmental processes and would include best management practices to minimize effects. Because of the extensive work in the South Platte River channel, both Alternative 1 and Alternative 2 would have significant, short- and long-term, negative impacts on water resources. Because of the large amounts of fill that would be placed within the South Platte River, Alternative 1 would also have significant short-term impacts on water quality. Although an NPDES permit would be obtained from the NDEQ, and a SWPPP would be implemented for the project, some impacts could remain. Given regional concerns related to depletions of the South Platte River and existing water quality impairments, when added to past, present, and reasonably foreseeable actions, both Alternative 1 and Alternative 2 would contribute to cumulative impacts on water resources and water quality.

Alternative 3 does not involve work in the river channel and would have no impact on water resources and minor, short-term impacts on water quality. These impacts would be mitigated with the implementation of a SWPPP. Therefore, Alternative 3 would not be expected to have a cumulative impact on water resources or water quality.

Wetlands

Because of the extensive work within the South Platte River channel, both Alternative 1 and Alternative 2 would impact wetlands and result in significant, short- and long-term, negative impacts on waters of the U.S. Although applicable federal and state permits would be obtained, any required compensatory mitigation would be provided, and impacts to wetlands and waters of the U.S. would be unavoidable under these alternatives. Therefore, when added to past, present, and reasonably foreseeable actions, both Alternative 1 and Alternative 2 would contribute to cumulative impacts on wetlands and waters of the U.S.

Alternative 3 does not involve work in the river channel and would have no impact to wetlands and waters of the U.S. Therefore Alternative 3 would not be expected to contribute to cumulative impacts on wetlands and waters of the U.S.

Aquatic Resources

Although the extensive work within the river channel included in Alternative 1 and Alternative 2 would impact aquatic resources, all natural habitats disturbed by the project under any action alternative and by other projects in the vicinity of the project area would be restored per city, state, and federal regulations. The action alternatives and all other proposed projects would also implement best management practices to prevent and minimize indirect impacts on aquatic resources. Impacts associated with Alternative 3 would be negligible. Therefore, when added to

past, present, and reasonably foreseeable actions, none of the action alternatives would contribute to cumulative impacts on aquatic resources.

4.15 Summary of Impacts and Avoidance, Minimization, and Mitigation Measures

The potential environmental consequences and proposed avoidance, minimization, and mitigation measures for Alternative 1, Alternative 2, Alternative 3 and the No Action Alternative are summarized in Table 4-4.

**Table 4-4
Summary of Environmental Consequences and Proposed Avoidance, Minimization, and Mitigation Measures**

Resource	Impacts	Proposed Mitigation
Air Quality (EA Section 4.1)	<p>Alternative 1: Minor, short-term, negative impact. No change to current air quality conditions or GHG emissions.</p> <p>Alternative 2: Minor, short-term, negative impact. No change to current air quality conditions or GHG emissions.</p> <p>Alternative 3: Minor, short-term, negative impact. No change to current air quality conditions or GHG emissions.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • If objectionable dust levels occur, dust will be controlled by timely applications of water and/or temporary seeding, where possible. • Nebraska Title 129, Chapter 32 fugitive dust regulations shall apply to all excavation, construction, and grading activities.
Water Resources and Water Quality (EA Section 4.2)	<p>Alternative 1: Moderate, short- and long-term, negative impacts on water resources and significant short-term impacts on water quality.</p> <p>Alternative 2: Moderate, short- and long-term, negative impacts on water resources and minor, short-term impacts on water quality.</p> <p>Alternative 3: No impact to water resources and minor, short-term impacts on water quality.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • The contractor will acquire borrow from a location outside of areas of concern for South Platte River depletion. If a depletion is to occur, coordination with the NDNR will be required. • Before construction, the subgrantee will coordinate with the city of North Platte to assure compliance with local wellhead protection ordinances; FEMA will require compliance documentation. • Because land disturbance would exceed 1.0 acre, an NPDES permit will need to be obtained from the NDEQ. The permit will define soil erosion minimization techniques and include a SWPPP.

Resource	Impacts	Proposed Mitigation
Wetlands and Waters of the U.S. (EA Section 4.3)	<p>Alternative 1: Moderate, long-term, negative impacts on wetlands and significant, short- and long-term, negative impacts on waters of the U.S.</p> <p>Alternative 2: Minor, long-term, negative impacts on wetlands and significant, short- and long-term, negative impacts on waters of the U.S.</p> <p>Alternative 3: No impact on wetlands or waters of the U.S.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • The subgrantee will coordinate with the USACE regarding wetland impacts during final design; FEMA will require compliance documentation • Before starting construction, the subgrantee will obtain a CWA Section 404 Permit from the USACE for impacts to wetlands and waters of the U.S.; FEMA will require compliance documentation. • All provisions of the Section 404 Permit will be followed. • The subgrantee will coordinate with the NDEQ to obtain a Section 401 Water Quality Certification, typically included with the Section 404 Permit; FEMA will require compliance documentation
Floodplains (EA Section 4.4)	<p>Alternative 1: Minor, long-term, negative impacts.</p> <p>Alternative 2: Minor, long-term, negative impacts.</p> <p>Alternative 3: Minor, long-term, negative impacts.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • Before construction, the subgrantee will obtain a floodplain development permit from the city of North Platte; FEMA will require compliance documentation
Threatened and Endangered Species (EA Section 4.5)	<p>Alternative 1: Negligible, short-term impacts.</p> <p>Alternative 2: Negligible, short-term impacts.</p> <p>Alternative 3: Negligible, short-term impacts.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • The subgrantee will implement the avoidance, minimization, and mitigation conditions developed in consultation with the USFWS and NGPC and specified in the Biological Assessment prepared for the project. These measures are also listed in Table 4-2 of the EA; FEMA will require compliance documentation
Vegetation, Wildlife, and Aquatic Species (EA Section 4.6)	<p>Alternative 1: Minor, short-term, negative impacts on terrestrial and aquatic wildlife, and moderate, long-term, negative impacts on aquatic wildlife.</p> <p>Alternative 2: Minor, short-term, negative impacts on terrestrial and aquatic wildlife, minor long-term, negative impacts on terrestrial wildlife, and moderate, long-term, negative impacts on aquatic wildlife.</p> <p>Alternative 3: No long-term and negligible short-term, impacts to aquatic wildlife, and negligible long-term and short-term impacts on terrestrial wildlife.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • Areas disturbed during construction would be revegetated using approved seed mixtures to avoid the spread of noxious weeds. • In compliance with the Migratory Bird Treaty Act, any planned construction activities within the primary nesting season (April 1 to September 1), and/or any unforeseen work within bird habitat would require the completion of a nesting survey by a qualified biologist(s) before starting work. Surveys will be conducted using the protocol outlined in the NDOT Avian Protection Plan (NDOR, 2016) as a guide. • All efforts will be made to conduct construction activities outside of the primary nesting season (between September 2 and March 31). If construction activities must take place within the primary nesting season (April 1 to September 1), nesting surveys will be conducted for any work that may require general clearing or grubbing, large tree removal (not included as part of the project activities), or work that may impact or disturb

Resource	Impacts	Proposed Mitigation
Wetlands and Waters of the U.S. (EA Section 4.3)	<p>Alternative 1: Moderate, long-term, negative impacts on wetlands and significant, short- and long-term, negative impacts on waters of the U.S.</p> <p>Alternative 2: Minor, long-term, negative impacts on wetlands and significant, short- and long-term, negative impacts on waters of the U.S.</p> <p>Alternative 3: No impact on wetlands or waters of the U.S.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • FEMA will coordinate with the USACE regarding wetland impacts during final design. • Before starting construction, FEMA will obtain a CWA Section 404 Permit from the USACE for impacts to wetlands and waters of the U.S. • All provisions of the Section 404 Permit will be followed. • FEMA will coordinate with the NDEQ to obtain a Section 401 Water Quality Certification, typically included with the Section 404 Permit.
Floodplains (EA Section 4.4)	<p>Alternative 1: Minor, long-term, negative impacts.</p> <p>Alternative 2: Minor, long-term, negative impacts.</p> <p>Alternative 3: Minor, long-term, negative impacts.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • Before construction, FEMA will obtain a floodplain development permit from the city of North Platte.
Threatened and Endangered Species (EA Section 4.5)	<p>Alternative 1: Negligible, short-term impacts.</p> <p>Alternative 2: Negligible, short-term impacts.</p> <p>Alternative 3: Negligible, short-term impacts.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • FEMA will implement the avoidance, minimization, and mitigation conditions developed in consultation with the USFWS and NGPC and specified in the Biological Assessment prepared for the project. These measures are also listed in Table 4-2 of the EA.
Vegetation, Wildlife, and Aquatic Species (EA Section 4.6)	<p>Alternative 1: Minor, short-term, negative impacts on terrestrial and aquatic wildlife, and moderate, long-term, negative impacts on aquatic wildlife.</p> <p>Alternative 2: Minor, short-term, negative impacts on terrestrial and aquatic wildlife, minor long-term, negative impacts on terrestrial wildlife, and moderate, long-term, negative impacts on aquatic wildlife.</p> <p>Alternative 3: No long-term and negligible short-term, impacts to aquatic wildlife, and negligible long-term and short-term impacts on terrestrial wildlife.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • Areas disturbed during construction would be revegetated using approved seed mixtures to avoid the spread of noxious weeds. • In compliance with the Migratory Bird Treaty Act, any planned construction activities within the primary nesting season (April 1 to September 1), and/or any unforeseen work within bird habitat would require the completion of a nesting survey by a qualified biologist(s) before starting work. Surveys will be conducted using the protocol outlined in the NDOT Avian Protection Plan (NDOR, 2016) as a guide. • All efforts will be made to conduct construction activities outside of the primary nesting season (between September 2 and March 31). If construction activities must take place within the primary nesting season (April 1 to September 1), nesting surveys will be conducted for any work that may require general clearing or grubbing, large tree removal (not included as part of the project activities), or work that may impact or disturb

Resource	Impacts	Proposed Mitigation
		<p>eagles or threatened or endangered species. Trees, brush, and surrounding vegetation that are surveyed during the primary nesting season and found to be devoid of active nests will be removed within 3 days. If vegetation is not removed within 3 days, an additional survey will be conducted before the start of work.</p> <ul style="list-style-type: none"> • If an active nest is found, a buffer of up to 30 feet or more, depending on the species of bird and their sensitivity to disturbance, surrounding the nest will be required until fledging. Buffers of differing widths for a number of bird species, particularly raptors, have been recommended and are outlined in the Raptor Buffer Guidelines for Nebraska, provided in Appendix E of the NDOT Avian Protection Plan (NDOR, 2016). • To avoid potential impacts to nesting bald eagles, for any construction activities planned between February 1 and April 15, a nest survey will be completed at least 1 but not more than 14 days before construction. If construction begins between April 15 and October 1, a nest survey will be completed before construction (no survey date requirements are necessary for this timeframe because nests will already be established). Surveys will be conducted based on the protocol outlined in the Bald Eagle Survey Protocol created by the NGPC (NGPC, 2014) to determine whether nests are within 0.5 mile of the project limits. If any suspected or active eagle nests are found within 0.5 mile, NGPC and USFWS will be notified to determine whether a buffer is recommended for construction activities, as well as the recommended buffer width. No construction will be allowed to begin before agency approval. As recommended in the “National Bald Eagle Management Guidelines” (USFWS, 2007), a buffer of up to 660 feet could be required for active bald eagle nests. • For any construction occurring between October 1 and January 31, a winter roost survey will be conducted at least 1 day before the start of construction to determine the presence or absence of any transitory or communal eagle roosts. Surveys will be conducted by a qualified biologist based on the protocol outlined in the NGPC Bald Eagle Survey Protocol (NGPC, 2014). If any evidence of an eagle roost is observed within the project area, NGPC and USFWS will be notified to determine appropriate avoidance and minimization measures.

Resource	Impacts	Proposed Mitigation
Cultural Resources	<p>Alternative 1: No impact.</p> <p>Alternative 2: No impact.</p> <p>Alternative 3: No impact.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • None required.
Environmental Justice (EA Section 4.8)	<p>Alternative 1: No impact.</p> <p>Alternative 2: No impact.</p> <p>Alternative 3: No impact.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • None required.
Land Use and Planning (EA Section 4.9)	<p>Alternative 1: No impact.</p> <p>Alternative 2: Minor, long-term, negative impact.</p> <p>Alternative 3: Minor, long-term, negative impact.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • Right-of-way acquisition will be handled in accordance with the Federal Uniform Relocation and Real Property Acquisition Policies Act of 1970, as amended (42 <i>United States Code</i> 4601 et seq.).
Farmland (EA Section 4.10)	<p>Alternative 1: Minor, long-term, negative impact.</p> <p>Alternative 2: Minor, long-term, negative impact.</p> <p>Alternative 3: Minor, long-term, negative impact.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • None required.
Hazardous Materials (EA Section 4.11)	<p>Alternative 1: Negligible, short-term impacts.</p> <p>Alternative 2: Negligible, short-term impacts.</p> <p>Alternative 3: Negligible, short-term impacts.</p> <p>No Action Alternative: No impact.</p>	<ul style="list-style-type: none"> • Handling, storage, and disposal of hazardous materials and wastes during construction activities, including measures to prevent releases, will be conducted in accordance with NDEQ requirements. Non-hazardous solid waste generated during construction will be disposed of at an offsite landfill or recycled/reused as appropriate. • There is the potential for hazardous materials to be encountered unexpectedly during construction. If a previously unidentified hazardous waste site is located, construction will cease and the NDEQ will be notified for further instructions.
Public Service and Utilities (EA Section 4.12)	<p>Alternative 1: Significant, long-term, beneficial impact on public services, and no impact on utilities.</p> <p>Alternative 2: Significant, long-term, beneficial impact on public services, and minor, short-term, negative impacts on utilities.</p> <p>Alternative 3: Significant, long-term, beneficial impact on public services and minor, short-term, negative impacts on utilities.</p>	<ul style="list-style-type: none"> • Utility conflicts will be determined during final design. • Planned outages will be avoided to the extent possible; if planned outages are necessary, utility customers will be given advance notice. To avoid accidental outages, utilities in the area will be located before construction, and the subgrantee will coordinate construction activities with utility companies; FEMA will require compliance documentation.

Resource	Impacts	Proposed Mitigation
	<p>No Action Alternative: Significant, long-term, negative impact on public services and no impact on utilities.</p>	
<p>Public Health and Safety (EA Section 4.13)</p>	<p>Alternative 1: Moderate, long-term, beneficial impact to public safety and minor, short-term, negative occupational health impacts. No impact on environmental health or safety risks to children.</p> <p>Alternative 2: Moderate, long-term, beneficial impact to public safety and minor, short-term, negative occupational health impacts. No impact on environmental health or safety risks to children.</p> <p>Alternative 3: Moderate, long-term, beneficial impact to public safety and minor, short-term, negative occupational health impacts. No impact on environmental health or safety risks to children.</p> <p>No Action Alternative: Significant, long-term, negative impact on public health and safety.</p>	<ul style="list-style-type: none"> • Construction workers and equipment operators will be required to wear appropriate personal protective equipment and be properly trained for the work being performed. • All solid or hazardous wastes generated during construction will be removed and disposed of at a permitted facility or designated collection point. • Throughout construction, South River Road will remain closed to residents and the travelling public. • The construction contractor will be required to develop and implement a Health and Safety Plan to assure worker safety during construction activities. • The contractor will schedule construction during reasonable weather to avoid risk of flooding. • Construction workers will be required to comply with applicable Occupational Safety and Health Administration regulations, as well as other applicable regulations. • Construction areas will be well-marked and fencing, signage, or barriers will be used to the extent possible to prevent unauthorized access.

- Notes:
- CWA Clean Water Act
 - GHG greenhouse gas
 - NDEQ Nebraska Department of Environmental Quality
 - NDNR Nebraska Department of Natural Resources
 - NDOR Nebraska Department of Roads
 - NDOT Nebraska Department of Transportation
 - NGPC Nebraska Game and Parks Commission
 - NPDES National Pollutant Discharge Elimination System
 - SWPPP Stormwater Pollution Prevention Plan
 - USFWS U.S. Fish and Wildlife Service

4.16 Required Permits

Table 4-5 lists the anticipated permits required for construction under each of the action alternatives.

**Table 4-5
 Required Permits**

Permit	Issuing Agency	Alternative
<ul style="list-style-type: none"> NPDES Required for projects that result in land disturbance of greater than 1.0 acre. 	<ul style="list-style-type: none"> NDEQ 	<ul style="list-style-type: none"> Alternative 1 Alternative 2 Alternative 3
<ul style="list-style-type: none"> CWA Section 404 Permit Required for projects that require placement of fill material into waters of the U.S. 	<ul style="list-style-type: none"> USACE 	<ul style="list-style-type: none"> Alternative 1 Alternative 2
<ul style="list-style-type: none"> CWA Section 401 Water Quality Certification Accompanies the Section 404 Permit and regulates the materials that can be used as fill in waters of the U.S. 	<ul style="list-style-type: none"> NDEQ 	<ul style="list-style-type: none"> Alternative 1 Alternative 2
<ul style="list-style-type: none"> Floodplain Development Permit Required for impacts to delineated floodplain boundaries. 	<ul style="list-style-type: none"> City of North Platte 	<ul style="list-style-type: none"> Alternative 1 Alternative 2 Alternative 3

5.0 CONSULTATION AND COORDINATION

Lincoln County Commissioners hosted a public information meeting on Monday, April 4, 2016, to provide the public with the opportunity to share their thoughts and concerns about South River Road. Comments received during this meeting were considered during the development of this EA and are included in Appendix B.

In September 2017, interested parties were identified and were mailed scoping letters for this EA. Interested parties included:

- Lincoln County Commissioners
- City of North Platte Planning Administrator
- City of North Platte Fire Department
- USACE
- NGPC
- USFWS
- Adjacent property owner

One comment was received from the North Platte Fire Department. The Fire Chief expressed concern regarding the closure of South River Road and indicated that roadway provided an alternate route of importance for emergency response.

Throughout the development of this EA, coordination was also conducted with the Nebraska State Historical Society regarding cultural resources, the NRCS regarding farmlands, the NDEQ regarding environmental risk sites, and the USFWS and NGPC regarding threatened and endangered species and wildlife. Coordination with these agencies is included in Appendix A.

The draft EA was made available to interested parties through publication on FEMA's website and by distribution to the following locations: Lincoln County Courthouse, 301 N. Jeffers Street, Room 101, North Platte, NE 69101; City of North Platte, 211 W. 3rd Street, North Platte, NE 69101; and Lincoln County Highway Superintendent, 2010 Rodeo Road, North Platte, NE 69101. Notification of the availability of the draft EA was published in *The North Platte Telegraph* on Saturday, February 10, and Tuesday February 27, 2018. The public comment period for the draft EA was from Saturday, February 10, through Sunday March 11, 2018.

6.0 LIST OF PREPARERS

The individuals shown in Table 6-1 contributed to the preparation of this EA.

Table 6-1
List of Preparers

Name	Organization	Role	Education	Years of Experience
Kenneth Sessa	FEMA	Regional Environmental Officer	B.S. Civil Engineering	30
Tim Baker	FEMA	FEMA PA Project Manager	A.A.S. Individual Studies	12
Elise Ibendahl	CCPRS	Project Manager	B.S. Civil Engineering Professional Engineer Certified Floodplain Manager Envision Sustainability Professional	20
Brett Weiland	CCPRS	NEPA Task Manager/ Senior Review	B.S. Environmental Science	18
Shonna Sam	CCPRS	Lead Author/GIS	Masters of Urban & Regional Planning B.A. Environmental Studies B.A. Geography Certificate in GIS Certified Planner	14
Amy Sherman	CCPRS	Technical Lead	Masters of Environmental Management B.A. Environmental Studies B.A. Biology	11
Laura Haught	CCPRS	Technical Lead/Author	B.S. Biology	19
Kathryn Warner	CCPRS	Cultural Resources/ Section 106 Coordination	M.A. Anthropology B.A. Psychology	18
Nick Sutko	CCPRS	Technical Lead	B.S. Civil Engineering M.S. Environmental Engineering Professional Engineer Certified Floodplain Manager Envision Sustainability Professional	11
Sally White	CCPRS	Technical Editing/Support	CSR, Court Reporting	35

7.0 REFERENCES

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Appendix A

Agency Coordination



Brett Weiland
CCPRS
Tech Center II
5555 Tech Center Drive, Suite 212
Colorado Springs, Colorado 80919

November 17, 2017

RE: HP# 1711-104-01, **Survey Report# 17-0112**; Phase I Intensive Archeological Survey for FEMA DR 4225 NE PW 251, South River Road, Lincoln County, Nebraska. Sect 7, T13N, R30W

Dear Mr. Weiland:

Thank you for submitting the cultural resource survey report regarding the above referenced project for Nebraska State Historic Preservation Office review and comment under Section 106 of the National Historic Preservation Act of 1966, as amended in 2014 (Title 54 U.S.C. § 306108 [formerly 16 U.S.C. § 470f]), and its implementing regulations at 36 CFR § 800.

This report, submitted by CCPRS on behalf of the Federal Emergency Management Agency, documents the results of a cultural resources survey in conjunction with an Environmental Assessment for a road repair project along South River Road south of the City of North Platte in Lincoln County, Nebraska.

The report thoroughly documents that no historic properties were identified in the area of potential effect. Based on the information provided, the proposed undertaking is unlikely to impact any cultural resources listed on the National Register or eligible for such a listing. Thus, the Nebraska State Historic Preservation Office concurs with the determination that "*No Adverse Effect on Historic Properties*" is appropriate for this undertaking and the project should proceed as planned.

Be advised that this opinion does not necessarily reflect that of any Native American Tribes that might have an interest in the area, nor does it pertain to Traditional Cultural Properties, if they exist in the area. Also, there is always the possibility that buried or otherwise obscured cultural or human remains might be discovered during construction. If such a discovery occurs, please contact this office immediately.

Please submit this letter to the project's lead federal agency to fulfill the statutory obligation of Section 106 consultation with the Nebraska State Historic Preservation Office. Should you have any questions regarding this determination, please contact this office by phone at 402-471-2609 or by email at john.rissetto@nebraska.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "John Risetto", is written over a light blue horizontal line.

John Risetto, Ph.D., Preservation Archeologist

1500 R Street
PO Box 82554
Lincoln, NE 68501-2554
p: (800) 833-6747
(402) 471-3270
f: (402) 471-3100
www.nebraskahistory.org

From: Vanek, Wayne - NRCS, Lincoln, NE
To: [Sam, Shonna/DEN](#)
Subject: City of North Platte, South River Road Reconstruction Project, Lincoln County, Nebraska [EXTERNAL]
Date: Tuesday, December 05, 2017 7:14:30 AM
Attachments: [South River Road, Lincoln County, NE FormAD-1006.pdf](#)



Subject: FPPA response for: City of North Platte, South River Road Reconstruction Project, Lincoln County, Nebraska

Date: 12/05/2017

ATTENTION: Shonna D. Sam, AICP – Associate Planner – CH2M HILL

I have reviewed the project information regarding the **City of North Platte, South River Road Reconstruction Project, Lincoln County, Nebraska** for which you requested review of impacts to prime and important farmlands as per the Farmland Protection Policy Act (FPPA). This review only covers FPPA concerns and does not include any other environmental concerns such as wetlands or endangered species. For general conservation concerns or questions relating to wetlands under the jurisdiction of the Food Security Act, contact your county Natural Resources Conservation Service office.

The AD-1006 which you submitted to our office shows that your Part VI section assessment point total is **38**. The AD-1006 Farmland Conversion Impact Rating form is based on a point system that has **160** points set as the minimum number of "Total Points" that triggers additional in-depth site reviews. The NRCS evaluation portion Part V is on a scale of 0 to 100 points. In the case with this project, the "Total Points" equate to **70**. **Thus, NRCS has determined that your project was found to be cleared of FPPA significant concerns.** We encourage you to continue to be aware of prime and important farmlands in general and the role they play in current and future projects.

I am returning the **AD-1006 form** to you for your records.

Wayne Vanek
USDA-NRCS
Fed. Bldg. Rm. 152
100 Centennial Mall North
Lincoln, NE. 68508-3866
402.437.4125
wayne.vanek@ne.usda.gov

This electronic message contains information generated by the USDA solely for the intended recipients. Any unauthorized interception of this message or the use or disclosure of the information it contains may violate the law and subject the violator to civil or criminal penalties. If you believe you have received this message in error, please notify the sender and delete the email immediately.

FARMLAND CONVERSION IMPACT RATING

PART I (To be completed by Federal Agency)		Date Of Land Evaluation Request 12/5/2017				
Name of Project South River Road		Federal Agency Involved FEMA				
Proposed Land Use Transportation		County and State Lincoln, Nebraska				
PART II (To be completed by NRCS)		Date Request Received By NRCS		Person Completing Form:		
Does the site contain Prime, Unique, Statewide or Local Important Farmland? <i>(If no, the FPPA does not apply - do not complete additional parts of this form)</i>		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Acres Irrigated	Average Farm Size	
Major Crop(s)	Farmable Land In Govt. Jurisdiction Acres: %	Amount of Farmland As Defined in FPPA Acres: %				
Name of Land Evaluation System Used	Name of State or Local Site Assessment System	Date Land Evaluation Returned by NRCS				
PART III (To be completed by Federal Agency)		Alternative Site Rating				
		Site A	Site B	Site C	Site D	
A. Total Acres To Be Converted Directly		0.14	1.35	0.74		
B. Total Acres To Be Converted Indirectly		0.00	0.77	0.89		
C. Total Acres In Site		28	28	28		
PART IV (To be completed by NRCS) Land Evaluation Information						
A. Total Acres Prime And Unique Farmland						
B. Total Acres Statewide Important or Local Important Farmland						
C. Percentage Of Farmland in County Or Local Govt. Unit To Be Converted						
D. Percentage Of Farmland in Govt. Jurisdiction With Same Or Higher Relative Value						
PART V (To be completed by NRCS) Land Evaluation Criterion Relative Value of Farmland To Be Converted (Scale of 0 to 100 Points)						
PART VI (To be completed by Federal Agency) Site Assessment Criteria <i>(Criteria are explained in 7 CFR 658.5 b. For Corridor project use form NRCS-CPA-106)</i>		Maximum Points	Site A	Site B	Site C	Site D
1. Area In Non-urban Use		(15)	15	15	15	
2. Perimeter In Non-urban Use		(10)	10	10	10	
3. Percent Of Site Being Farmed		(20)	0	0	0	
4. Protection Provided By State and Local Government		(20)	0	0	0	
5. Distance From Urban Built-up Area		(15)	5	5	5	
6. Distance To Urban Support Services		(15)	0	0	0	
7. Size Of Present Farm Unit Compared To Average		(10)	0	0	0	
8. Creation Of Non-farmable Farmland		(10)	0	0	0	
9. Availability Of Farm Support Services		(5)	3	3	3	
10. On-Farm Investments		(20)	5	5	5	
11. Effects Of Conversion On Farm Support Services		(10)	0	0	0	
12. Compatibility With Existing Agricultural Use		(10)	0	0	0	
TOTAL SITE ASSESSMENT POINTS		160	38	38	38	0
PART VII (To be completed by Federal Agency)						
Relative Value Of Farmland (From Part V)		100	0	0	0	0
Total Site Assessment (From Part VI above or local site assessment)		160	38	38	38	0
TOTAL POINTS (Total of above 2 lines)		260	38	38	38	0
Site Selected:	Date Of Selection	Was A Local Site Assessment Used? YES <input type="checkbox"/> NO <input type="checkbox"/>				
Reason For Selection:						
Name of Federal agency representative completing this form: Shonna Sam, AICP					Date: 12/5/2017	

Legend



City of North Platte



Alternative 1: Reconstruct in Original Location



Alternative 2: Reconstruct South of Original Location with Bendway Weirs

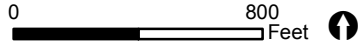


Alternative 3: Reconstruct Far South of Original Location

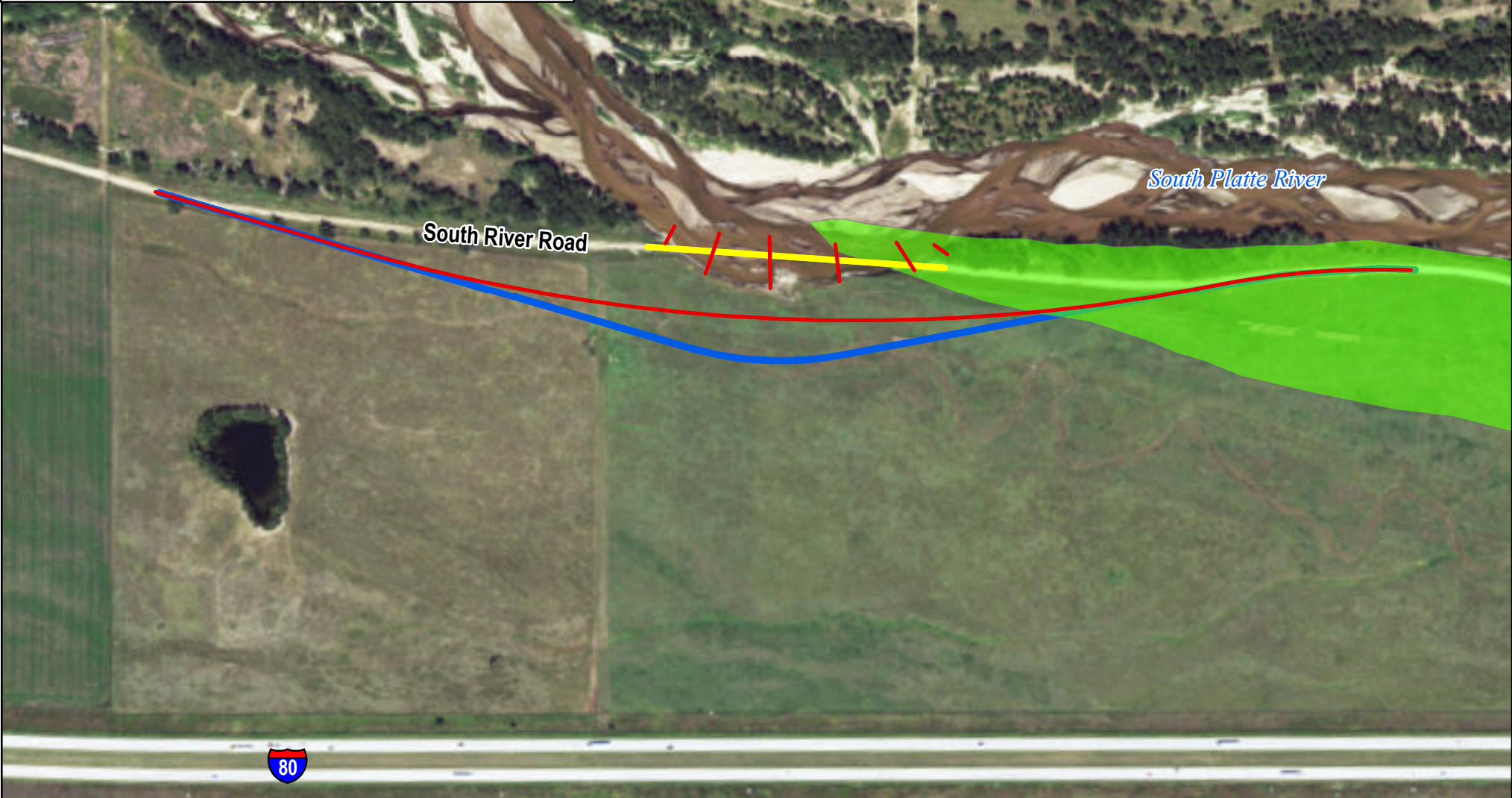


Prime Farmland

Source: USDA-NRCS, 2017.



**CITY OF
NORTH PLATTE**



South River Road

South Platte River





United States Department of the Interior



FISH AND WILDLIFE SERVICE

Nebraska Ecological Services Field Office
9325 South Alda Road
Wood River, Nebraska 68883

December 20, 2017

FWS NE: 2018-50

Mr. Brett Weiland
Federal Emergency Management Agency
Tech Center II
5555 Tech Center Drive, Suite 212
Colorado Springs, CO 80919

RE: Biological Assessment for FEMA Project DR 4225 – South River Road and Request for Informal Consultation, Lincoln County, Nebraska

Dear Mr. Weiland:

This responds to your December 13, 2017, request for comments and concurrence from the U.S. Fish and Wildlife Service (Service) regarding a Biological Assessment (BA) prepared for the South River Road project in Lincoln, County, Nebraska. The Service has responsibility for the conservation and management of fish and wildlife resources for the benefit of the American public under the following authorities: 1) Endangered Species Act of 1973; 2) Fish and Wildlife Coordination Act; 3) Bald and Golden Eagle Protection Act; and 4) Migratory Bird Treaty Act. The National Environmental Policy Act requires compliance with these statutes, and the project proponent and lead federal agency are responsible for compliance with these federal laws.

The Service has special concerns for endangered and threatened species, migratory birds, and other fish and wildlife and their habitats. Habitats frequently used by fish and wildlife species are wetlands, streams, riparian (streamside) woodlands, and grasslands. Special attention is given to proposed developments that include the modification of wetlands, stream alterations, loss of riparian habitat, or contamination of habitats. When this occurs, the Service recommends ways to avoid, minimize, or compensate for adverse effects to fish and wildlife and their habitats.

ENDANGERED SPECIES ACT

Pursuant to section 7(a)(2) of the Endangered Species Act (ESA), every federal agency, shall in consultation with the Service, ensure that any action they authorize, fund, or carry out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. If a proposed project may affect federally listed species or designated critical habitat, section 7 consultation is required.

The Service has reviewed the BA, including the effect determinations made on behalf of the Federal Emergency Management Agency for several federally listed threatened and endangered species. Based on the information provided, we concur that the proposed project may affect, but is not likely to adversely affect the following species given the commitment to implement several conservation measures as identified in the BA:

Interior least tern (*Sternula antillarum*)
Piping plover (*Charadrius melodus*)
Whooping crane (*Grus americana*)
Northern long-eared bat (*Myotis septentrionalis*)

We acknowledge the determination that the proposed project would have no effect on the following species because they are unlikely to occur in the proposed project area:

Red knot (*Calidris canutus rufa*)
Pallid sturgeon (*Scaphirhynchus albus*)
American burying beetle (*Nicrophorus americanus*)
Western prairie fringed orchid (*Platanthera praeclara*)
Blowout penstemon (*Penstemon haydenii*)

Please note that should the project design change, or during the term of this action, additional information on listed or proposed species or their critical habitat become available, or if new information reveals effects of the action that were not previously considered, consultation with the Service should be initiated to assess any potential impacts on listed species.

All federally listed species under ESA are also State-listed under the Nebraska Nongame and Endangered Species Conservation Act. However, there are also State-listed species that are not federally listed. To determine if the proposed project may affect State-listed species, the Service recommends that the project proponent contact Ryan Joe, Nebraska Game and Parks Commission (Commission), 2200 N. 33rd Street, Lincoln, NE 68503-0370.

REVIEW, COMMENTS, AND RECOMMENDATIONS ON THE PROPOSED PROJECT ACTION UNDER OTHER FISH AND WILDLIFE STATUTES

Fish and Wildlife Coordination Act

1. Water Resources

The Fish and Wildlife Coordination Act (FWCA) requires that the project proponent and lead federal agency consult with the Service and State fish and wildlife agency for the purpose of giving equal consideration to fish and wildlife resources in the planning, implementation, and operation of federal and federally funded, permitted, or licensed water resource development projects. FWCA requires that federal agencies take into consideration the effect that water related projects may have on fish and wildlife resources, to take action to avoid impact to these resources, and to provide for the enhancement of these resources.

2. Wetlands, Streams, and Riparian Habitats

If wetlands or streams will be impacted by the proposed project, a Department of the Army permit from the U.S. Army Corps of Engineers may be needed. The Service will provide FWCA comments pursuant to a permit application. The Service recommends that impacts to wetlands, streams, and riparian areas be avoided or minimized, in accordance with the Section 404(B)(1) Guidelines of the Clean Water Act. For projects that do not require access or proximity to, or location within aquatic environments (i.e., non-water dependent project) to fulfill its basic project purpose, it is assumed that practicable alternatives exist that would cause less damage to aquatic resources than projects that are located in aquatic ecosystems. In addition to determining the least environmentally damaging practicable alternative, 40 CFR Part 230.10(a) of the Guidelines also states, “no discharge of dredged or fill material shall be permitted if there is a practicable alternative to the proposed discharge which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences.”

If after an alternatives analysis has been completed in accordance with the Guidelines, and unavoidable impacts are to occur to aquatic habitats, the Service recommends that compensation (i.e., restoration of a degraded wetland or creation) occur.

3. Animal Passage and Aquatic Biota

Culverts should be constructed at elevations so as to not impede animal/fish movement (e.g., either new culvert installation or culverts used in a temporary crossing). The Service further recommends that the project proponent not alter or install culverts in any way that would result in reductions in current channel width. We have also enclosed recommended best management practices to minimize potential impacts to native fish and other aquatic resources, including spawning timeframes for Nebraska fish species.

To determine if the proposed project may affect fish and wildlife resources of the State of Nebraska under FWCA, the Service recommends that the project proponent contact Carey Grell, Nebraska Game and Parks Commission, 2200 N. 33rd Street, Lincoln, NE 68503-0370.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act (Eagle Act) provides for the protection of the bald eagle (*Haliaeetus leucocephalus*) and golden eagle (*Aquila chrysaetos*). The golden eagle is found in arid, open country with grassland for foraging in western Nebraska and usually near buttes or canyons which serve as nesting sites. Golden eagles are often a permanent resident in the Pine Ridge area of Nebraska. Bald eagles utilize mature, forested riparian areas near rivers, streams, lakes, and wetlands and occur along all the major river systems in Nebraska. The bald eagle southward migration begins as early as October and the wintering period extends from December through March. Additionally, many eagles nest in Nebraska from mid-February through mid-July. Disturbances within 0.5-mile of an active nest or within line-of-sight of the nest could cause adult eagles to discontinue nest building or to abandon eggs. Both bald and golden eagles frequent river systems in Nebraska during the winter where open water and forested corridors provide feeding, perching, and roosting habitats, respectively. The frequency

and duration of eagle use of these habitats in the winter depends upon ice and weather conditions. Human disturbances and loss of wintering habitat can cause undue stress leading to cessation of feeding and failure to meet winter thermoregulatory requirements. These effects can reduce the carrying capacity of preferred wintering habitat and reproductive success for the species. To comply with the Eagle Act, it is recommended that the project proponent determine whether the proposed project would impact bald or golden eagles. If it is determined that either species could be affected by the proposed project, the Service recommends that the project proponent notify this office as well as the Commission for recommendations to avoid adverse impacts to bald and golden eagles.

Migratory Bird Treaty Act

Under the Migratory Bird Treaty Act (16 U.S.C. 703-712: Ch. 128 *as amended*) (MBTA) construction activities in grassland, roadsides, wetland, riparian (stream), shrubland and woodland habitats, and those that occur on bridges or culverts (e.g., which may affect swallow nests on bridge girders) that would otherwise result in the taking of migratory birds, eggs, young, and/or active nests should be **avoided**. Although the provisions of MBTA are applicable year-round, most migratory bird nesting activity in Nebraska occurs during the period of April 1 to July 15. However, some migratory birds are known to nest outside of the aforementioned primary nesting season period. For example, raptors can be expected to nest in woodland habitats during February 1 through July 15, whereas sedge wrens, which occur in some wetland habitats, normally nest from July 15 to September 10.

The Service recommends that the project proponent avoid removal or impacts to vegetation during primary nesting season of breeding birds. In the event that construction work cannot be avoided during peak breeding season, the Service recommends that the project manager (or construction contractor) arrange to have a qualified biologist conduct an avian pre-construction risk assessment of the affected habitats (grassed drainages, streamside vegetation) to determine the absence or presence of breeding birds and their nests. Surveys must be conducted during the nesting season. Breeding bird and nesting surveys should use *appropriate* and *defensible* sampling designs and survey methods to assist the proponent in avoiding the unnecessary take of migratory birds. The Service 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.

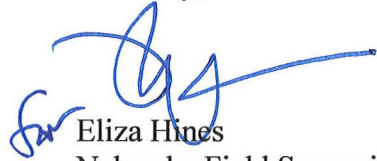
The Service requests that the following be provided to this office prior to the initiation of the proposed project if the above conditions occur.

- a) A copy of any survey(s) for migratory birds done in conjunction with this proposed project, if any. The survey should provide details of the survey methods, date and time of survey, species observed/heard, and location of species observed relative to the proposed project site.

- b) Written description of specific work activities that will take place in all proposed project areas.
- c) Written description of any avoidance measures that can be implemented at the proposed project site to avoid the take of migratory birds.

The Service appreciates the opportunity to review and comment on the subject project. Should you have questions regarding these comments, please contact Mr. Robert Harms within our office at Robert_Harms@fws.gov or (308) 382-6468, extension 208.

Sincerely,



Eliza Hines
Nebraska Field Supervisor

Enclosure

cc: NGPC; Lincoln, NE (Attn: Ryan Joe)
NGPC; Lincoln, NE (Attn: Carey Grell)

ENCLOSURE

Recommended Best Management Practices for Proposed Construction Activities Associated with Streams/Rivers

- Avoid earth moving activities or fill/bank armoring during native fish spawning periods from May 15 – July 31, construct stream crossings or other associated temporary embankments during low flow periods (usually August – October).
- Minimize work area at stream locations. The majority of the work (including heavy equipment and storage sites) should occur above the high bank line. Avoid driving equipment through the streambed.
- Implement comprehensive and effective erosion and sediment controls. These methods should be implemented and maintained for the duration of the project and considered at all stages of the project planning and design. Close attention is warranted for the placement and maintenance of temporary erosion control measures at the construction site to minimize sediment loading. These erosion/sediment control techniques should keep sediments from entering the stream and remain in place until work areas become re-vegetated and stable. Such erosion control measures may include properly placed sediment/silt screens or curtains and hay bales. Proper techniques are important to the placement of these types of structures and include trenching, staking and backfilling as well as using the appropriate number of bales. These techniques are best used in combination with each other rather than separately.
- Erosion and sediment controls should be monitored daily during construction to ensure effectiveness, particularly after storm events, and only the most effective techniques should be utilized. Clean, repair and replace structures as necessary.
- Exposed stream banks must be stabilized immediately after construction activity. Eroded surfaces should not be left exposed for greater than one day. If rain is predicted, no construction should commence unless eroded surfaces are immediately treated with geotextile fabric, mulch, seeding or some techniques that would stabilize the bank or exposed areas from eroding.
- Erosion repair and stream bank restoration should use appropriate bioengineering solutions.
- Develop and implement a hazardous materials safety protocol. This would include that all temporary storage facilities for petroleum products, other fuels and chemicals must be located and protected to prevent accidental spills from entering streams within the project area.

FISRWG. 1998. Stream Corridor Restoration: Principles, Processes, and Practices. By the Federal Interagency Stream Restoration Working Group (FISRWG) (15 Federal agencies of the U. S. Government). GPO item No. 0120-A; SuDocs No. A 57.6/2:EN 3/PT.653. ISBN-0-934213-59-3.



2200 N. 33rd St. • P.O. Box 30370 • Lincoln, NE 68503-0370 • Phone: 402-471-0641

12/14/2017

Brett Weiland
CCPRS
5555 Tech Center Drive, Suite 212
Colorado Springs, CO 80919

Re: South River Road Replacement Project, FEMA Project DR 4225, Lincoln County, Nebraska

Dear Mr. Weiland:

Please make reference to your letter dated December 13, 2017. This letter is in response to your request for a review of this project's potential impacts to endangered and threatened species in Lincoln County, Nebraska. As we understand it, the project involves replacing the portion of South River Road that was damaged by 2015 flooding events. We have completed our review of the proposed project under Neb. Rev. Stat. § 37-807 (3) of the Nongame and Endangered Species Conservation Act and we offer the following comments.

The proposed project is within the range of the federally and state-listed endangered American burying beetle (*Nicrophorus americanus*), interior least tern (*Sternula antillarum athalassos*), and whooping crane (*Grus americana*); the federally and state-listed threatened piping plover (*Charadrius melodus*); the state-listed endangered swift fox (*Vulpes velox*); and the state-listed threatened river otter (*Lontra canadensis*). There appears to be habitat for interior least tern, northern long-eared bat, piping plover, swift fox, and whooping crane within the project area, and project activities could affect the ability of these species to use this habitat. Habitat for all other listed species will not be impacted.

FEMA has agreed to implement conservation conditions in order to avoid impacts to interior least tern, northern long-eared bat, piping plover, swift fox, and whooping crane. Based on the information provided, we concur the proposed project "May Affect but is Not Likely to Adversely Affect" interior least tern, northern long-eared bat, piping plover, swift fox, and whooping crane and will have "No Effect" on all other state-listed endangered or threatened species. We made this determination based on a review of the material you sent, aerial photographs, and our Nebraska Natural Heritage Database.

If the proposed project is changed or new information regarding endangered or threatened species becomes available, then this determination is no longer valid and further consultation with the Nebraska Game and Parks Commission will be necessary.

All federally listed endangered or threatened species are also state-listed. For an assessment of potential impacts to habitats and species protected under federal wildlife laws, including federally listed, candidate or proposed endangered or threatened species, please contact Eliza Hines (eliza_hines@fws.gov), Nebraska Field Office, U.S. Fish and Wildlife Service, 9325 South Alda Road, Wood River, Nebraska 68883.

Thank you for the opportunity to comment. If you have any questions or need additional information, please feel free to contact me at (402) 471-5554 or ryan.joe@nebraska.gov.

Sincerely,

A handwritten signature in black ink that reads "Ryan Joe".

Ryan Joe
Environmental Analyst
Planning and Programming Division

ec: CH2M (Amy Sherman)
USFWS (Eliza Hines)

TIME OUTDOORS IS TIME WELL SPENT

OutdoorNebraska.org

Appendix B

Public Involvement



CH2M HILL - CDM PA TAC Recovery Services
2411 Dulles Corner Park
Suite 500
Herndon, VA 20171
Tel 703.376.5000

September 22, 2017

RE: FEMA Scoping Notification - FEMA Project DR 4225 NE PW 251; Lincoln County, Nebraska

Dear Interested Party:

The Federal Emergency Management Agency (FEMA) is preparing an Environmental Assessment (EA) for a Public Assistance project to repair and mitigate approximately 800 linear feet of South River Road in Lincoln County, Nebraska, that was destroyed during flooding associated with a high velocity wind and torrential rain storm in 2015 (**Figure 1**). The EA is being prepared in accordance with the National Environmental Policy Act (NEPA) of 1969 and will document compliance with other relevant environmental regulations, including Section 7 of the Endangered Species Act and Section 106 of the National Historic Preservation Act. FEMA is coordinating with local, state, and federal agencies and has identified interested parties as part of the NEPA scoping process.

FEMA has hired a contractor, CCPRS, to assist with the environmental analysis and documentation. During preparation of the EA, detailed investigations will be undertaken to identify potential social, economic, and environmental impacts related to the proposed action. These impacts will be documented in the EA, which will be made available for a 30-day public review period. The EA will evaluate three build alternatives, including reconstructing South River Road in its original location, reconstructing South River Road south of the damaged area with hazard mitigation to protect against future storm damage (installation of bendway weirs), and reconstructing South River Road farther south of the of the damaged area (**Figure 2**). A No Action Alternative will also be considered.

As part of the NEPA early scoping process, key issues are being identified to be addressed in the EA. FEMA requests that you provide any comments that should be considered during preparation of the EA for the proposed project. Please send an e-mail to Brett Weiland with your response within 30 days of receipt of this letter so we may sufficiently address key project issues and maintain the project schedule. You may also send me a hard copy of your response at the address below. Should you need to discuss this project in greater detail, you may contact Brett Weiland, CCPRS Lead Planner, at Brett.Weiland@CH2M.com or by phone at (719) 477-4926.

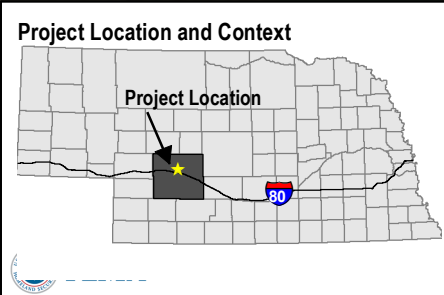
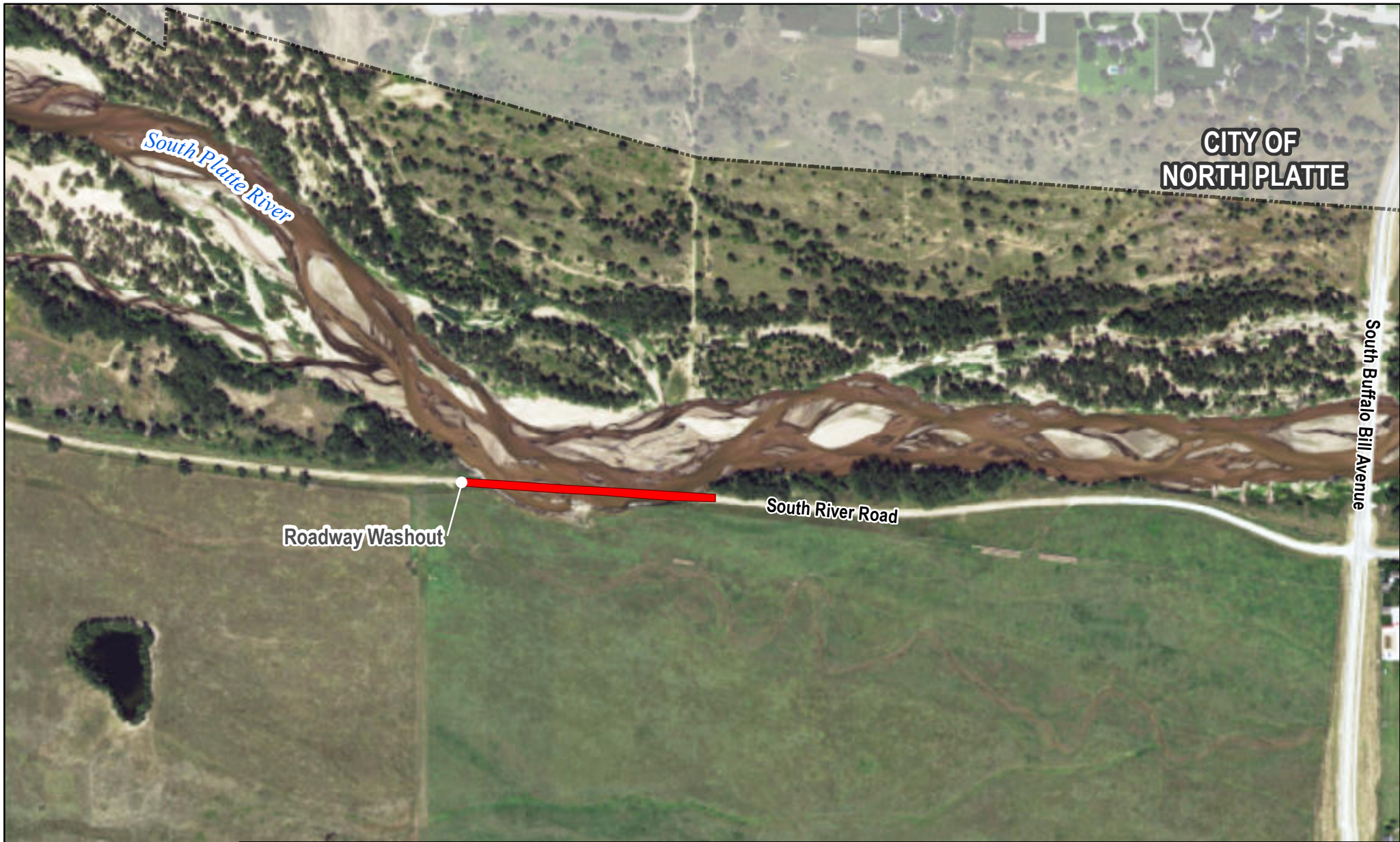
Thank you for your assistance with this request. We look forward to your response.

Sincerely,

Shonna Sam on behalf of
Brett Weiland
Tech Center II
5555 Tech Center Drive, Suite 212
Colorado Springs, CO 80919

Enclosure:
Attachment 1 – Figures

Attachment 1
Figures





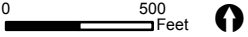
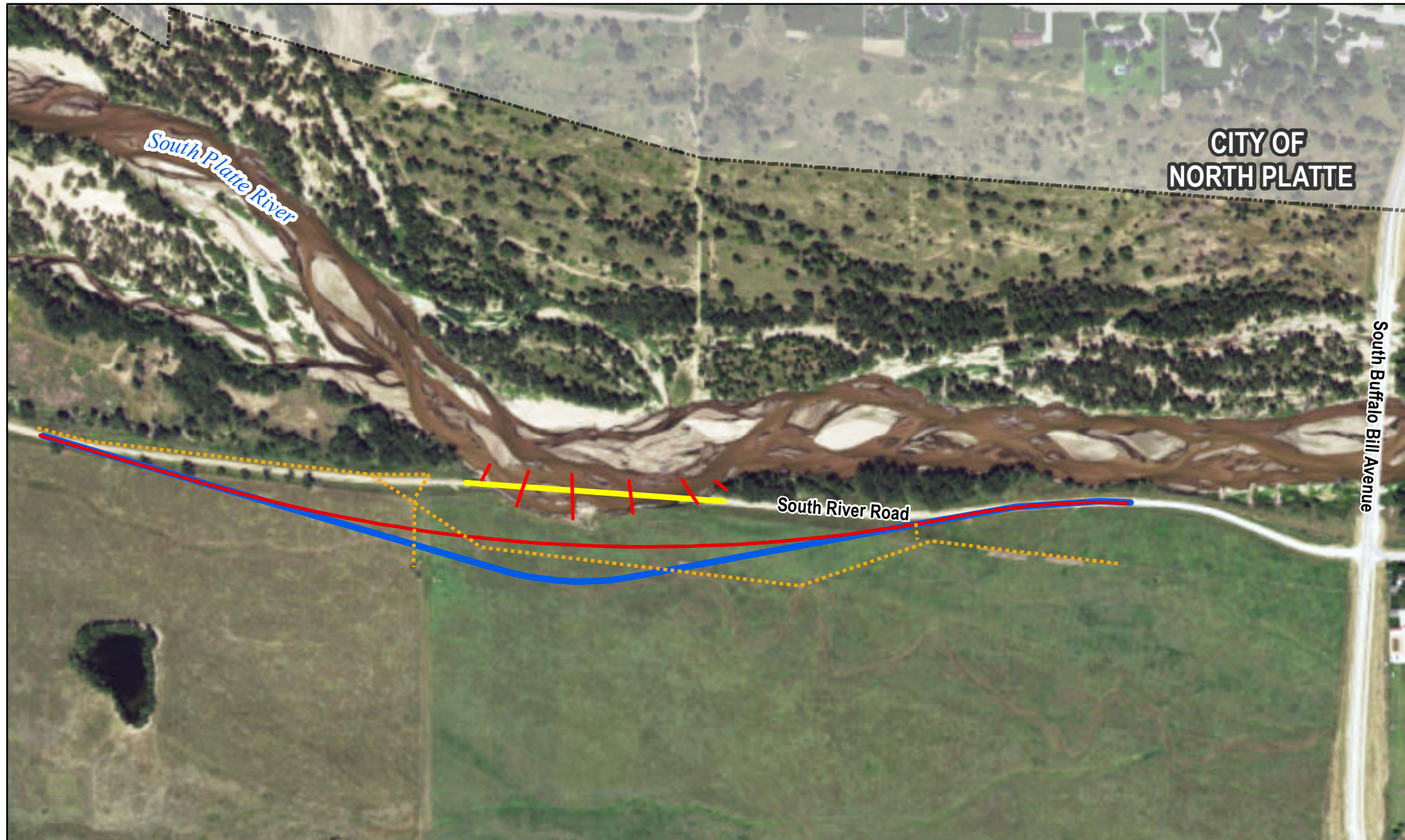
- Legend**
-  City of North Platte
 -  South River Roadway Washout

Figure 1: Project Location
DR 4225 NE PW 251
South River Road
Lincoln County, Nebraska





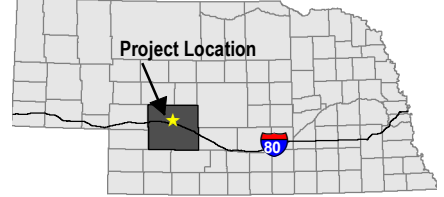
**CITY OF
NORTH PLATTE**

South Platte River

South Buffalo Bill Avenue

South River Road

Project Location and Context



Project Location

Legend






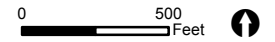
-  City of North Platte
-  Existing Utility
-  Alternative 1: Reconstruct in Original Location
-  Alternative 2: Reconstruct South of Damaged Area with Bendway Weirs
-  Alternative 3: Reconstruct Far South of Damaged Area

Figure 2: Build Alternatives

DR 4225 NE PW 251

South River Road

Lincoln County, Nebraska





CH2M HILL - CDM PA TAC Recovery Services

2411 Dulles Corner Park
Suite 500
Herndon, VA 20171
Tel 703.376.5000

September 22, 2017

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As part of the NEPA early scoping process, key issues are being identified to be addressed in the EA. FEMA requests that you provide any comments that should be considered during preparation of the EA for the proposed project. Please send an e-mail to Brett Weiland with your response within 30 days of receipt of this letter so we may sufficiently address key project issues and maintain the project schedule. You may also send me a hard copy of your response at the address below. Should you need to discuss this project in greater detail, you may contact Brett Weiland, CCPRS Lead Planner, at Brett.Weiland@CH2M.com or by phone at (719) 477-4926.

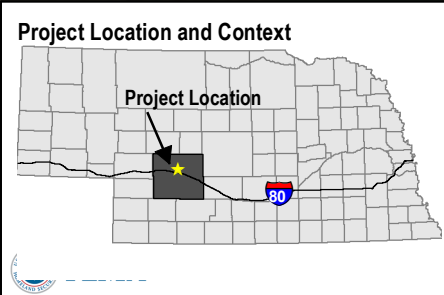
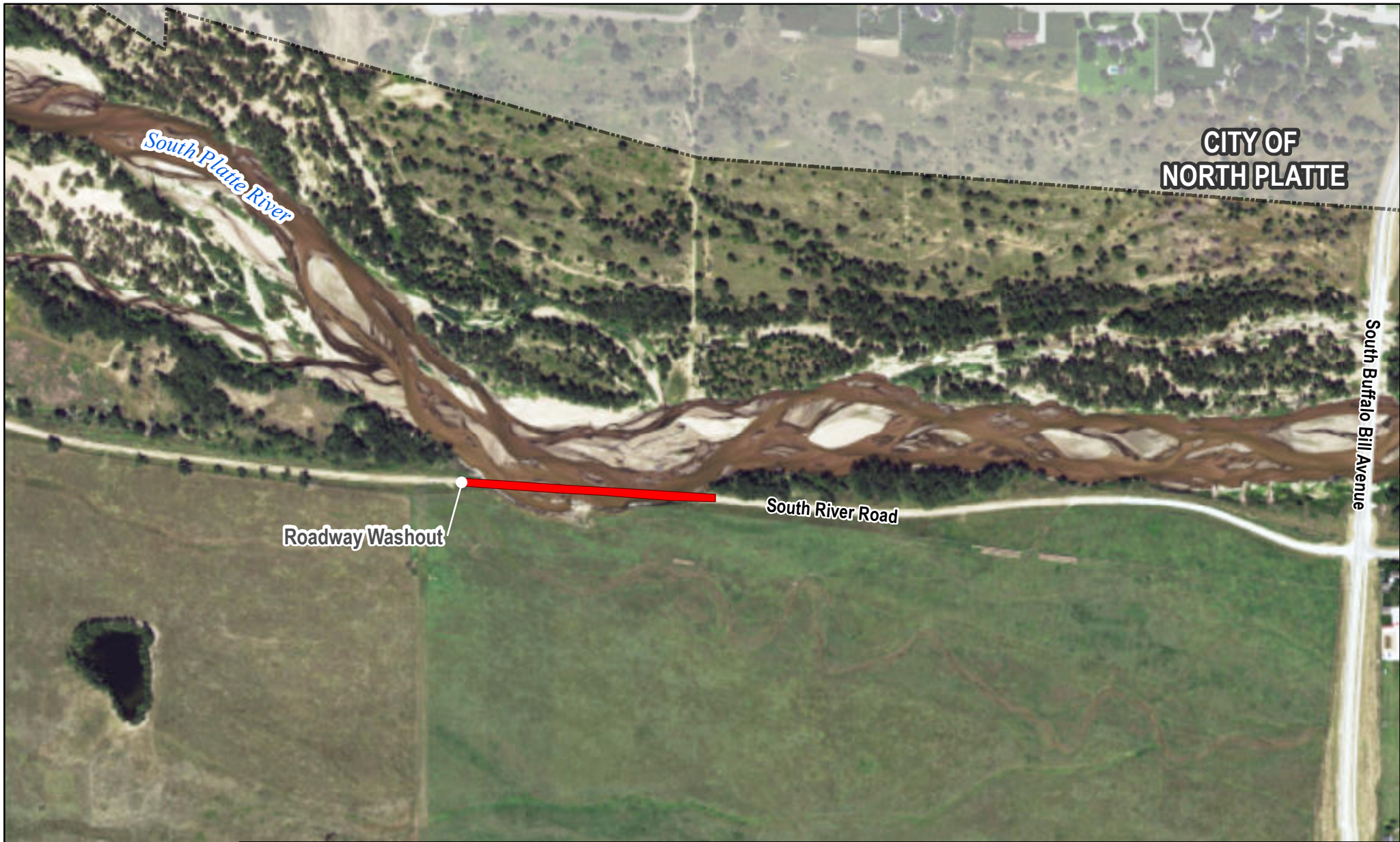
Thank you for your assistance with this request. We look forward to your response.

Sincerely,

Shonna Sam on behalf of
Brett Weiland
Tech Center II
5555 Tech Center Drive, Suite 212
Colorado Springs, CO 80919

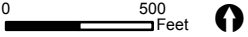
Enclosure: Figure 1

Attachment 1
Figures



- Legend**
- City of North Platte
 - South River Roadway Washout

Figure 1: Project Location
DR 4225 NE PW 251
South River Road
Lincoln County, Nebraska





LINCOLN COUNTY

NEBRASKA

01-04-2016 Minutes

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January 4, 2016

North Platte, Nebraska

Meeting of the Lincoln County Board of Commissioners. Present were Commissioners Duane Deterding, Bill Henry, Joe Hewgley and County Clerk, Rebecca Rossell. Hewgley offered prayer. Chairman Hewgley called the meeting to order at 9:00 A.M.

Chairman Hewgley announced the Open Meeting Act with amendments is posted for public review and the county board will comply with the open meeting requirements.

Motion by Deterding, seconded by Henry to approve the minutes regarding the Lincoln County Board of Commissioners meeting held on December 21, 2015. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Henry, seconded by Deterding to receive and order filed the treasurer's receipts. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Henry, seconded by Deterding to approve changing the mileage reimbursement rate to 54 cents per mile effective January 1, 2016 per the Nebraska Department of Administrative Services. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Henry, seconded by Deterding to place on file the fee report submitted by the County Sheriff. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Deterding, seconded by Henry to receive and order filed in the office of the Lincoln County Clerk the audit report of Lincoln County, Nebraska for the fiscal year ending June 30, 2015. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

The Lincoln County Board of Commissioners recessed at 9:15 A.M. and the Lincoln County Board of Equalization convened.

Chairman Hewgley announced the Open Meeting Act with amendments is posted for public review and the county board will comply with the open meeting requirements.

County Assessor, Julie Stenger appeared as well as County Treasurer, Sue Fleck.

Motion by Henry, seconded by Deterding to approve the minutes regarding the Lincoln County Board of Equalization meeting held on December 21, 2015. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Deterding, seconded by Henry to approve and authorize the Chairman to sign the certificates of correction or refund submitted by the County Assessor. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Deterding, seconded by Henry to approve the motor vehicle tax exemption applications as recommended for approval by the County Treasurer for Great Plains Health and Maranatha Bible Camp. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Henry, seconded by Deterding to approve the motor vehicle tax exemption applications as recommended for approval by the County Treasurer for Goodwill of Greater Nebraska and Riverside Baptist Church. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

The Lincoln County Board of Equalization adjourned at 9:22 A.M. and the Lincoln County Board of Commissioners reconvened.

Motion by Deterding, seconded by Henry to approve and authorize the Chairman to sign the VOCA (Victim Witness Unit) Grant 15-VA-0207 documents. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

A public hearing was opened at 10:01 A.M. on the South River Road Reconstruction Project FEMA Disaster #4225. This hearing will be for public comment on the 4 options and associated cost implications available for this road. The options are as follows:

1. Return the site to the pre-existing condition. 2. Realign road and placement

of weirs. 3. Realign road with no weirs. 4. Abandon that portion of road turning the right of way back to the landowner and securing the site (barricading, etc.) This portion of South River Road is located in the North ½ of Section 7, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska.

Chairman Hewgley reported that the county has been working with FEMA, NEMA and the Army Corp of Engineers on this project. The county is trying to use as many Federal and State dollars as possible.

The cost estimates for the preceding proposals are as follows:

Option 1	\$1,994,307
Option 2	\$198,459 plus additional items
Option 3	\$71,162.85
Option 4	No cost – The county would receive approximately \$1,687,500

back to use on other projects.

Luellen Fisher expressed concerns about emergency response time and the extra miles it adds having to go around and wants the road to open back up again.

George Clough was legal counsel representing Char Long Mar Ltd. His client owns the land both north and south of the washout. They feel that future flooding events will lead to further washouts as there is a significant bend in the river in that area. His client has looked at the four options proposed. Option 1 was not realistic. They were not in favor of Option 4. Option 3 was not a good idea. They will cooperate and negotiate with the county on Option 2 to stabilize and maintain the bank in the future.

Michael Cook commented he was in favor of abandonment but decided to look at the area on the way to the meeting and decided the cost is just too great to leave it alone.

North Platte Fire Chief, Dennis Thompson, stated from a public safety stand point they do not want to see this road abandoned.

Janice Schadt was concerned about emergency response time and does have to go 2 ½ miles out of her way to get to town. She would have liked to have seen actual pictures of the damaged area at this public hearing. She is not in favor of Option 4 to abandon that part of the road.

Jim Tierney reported the Newberry Access area is also having this same issue and it is a safety concern.

William Songster indicated that it is a mail route also. There is a tree that needs to be taken out and that would solve a lot of the problem in that area and he also added it would be an additional 10-15 minutes for EMS personnel to respond for them.

Gene Rookstool was not in favor of closing the road. Walker Road and State Farm Road get closed due to snow but if he could get to River Road he could get to town.

Mary Jo Brown did not want the road closed and asked how much it would cost to improve Homestead Road and get a viaduct over the Interstate.

Jeff Taylor was not in favor of abandoning the road. He also stated that if you could get to Homestead and River Road you could get to town.

Judy Clark just commented that this is in the City of North Platte Zoning Jurisdiction and there would be some necessary paperwork depending on the option chosen.

Christal Zogg told them that this is her main access to North Platte and she has to use the round about now. She would like to see the sand bar dug out and re-route it back.

Commissioner Hewgley replied that with Federal Waterways is not easy with so many regulations.

Les O'Donnell agreed with Mr. Cook's assessment. The river takes the path of least resistance and so do the highways and railroads when constructed. From his past experience he knows that environmental statements can take forever. He urged the Commissioners to react to it now and take care of public needs as it is not going to get any cheaper. He suggested another public hearing with more data that people can see.

Tim Willard wants to see the road kept open. He uses it for large farm equipment and to drive cattle.

Rick McCain asked of the 1.9 million dollar cost of Option 1 what would be the cost to the county.

Matt Manning of Mainelli Wagner responded that FEMA pays 75%, NEMA pays 12 ½% and the county would pay 12 ½ %. However, Option 1 is subject to environmental permitting which would probably not be approved.

Mr. McCain commented on the added distance and emergency response time.

Janice Schad asked for more information, pictures and another public hearing.

Terry Zogg stated the abandoning the road is not a good option. Response time in an emergency is very important. She questioned if this couldn't be voted on by the people of the county. She then asked why the traffic counter was put on a dead end road.

Dale Hill explained that a lot of wide equipment uses the South River Road. If it would be abandoned the landowner would probably take the county to court.

Commissioner Hewgley told those in the audience that FEMA has had individuals in North Platte working this area. They are going to be closing the office in Lincoln, NE and they will be moving to another location so the county wanted to see if we could get something done so we didn't have to start over with new people.

Rick Willerton asked why this issue was not addressed prior to this.

Commissioner Hewgley responded that the county thought the problem was 1/8 of a mile downstream and the county was taking steps to repair the road and keep it open.

The public hearing was closed at 11:40 A.M.

No action was taken following the public hearing.

Motion by Deterding, seconded by Henry to approve going into closed session at 11:41 A.M. concerning strategy session regarding litigation and to protect attorney client privilege, which is clearly necessary to protect the public interest. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Chairman Hewgley restated the reason for the closed session.

Motion by Deterding, seconded by Henry to approve going into open session at 11:44 A.M. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

No action was taken following the closed session.

Approved the following claims as presented for payment:

The meeting was adjourned at 11:45 A.M.

Advance notice and the agenda for the January 4, 2016 board meetings were sent to the county board and all others requesting the same. Advance public notice (includes agenda) of the Lincoln County Board of Commissioners meeting and the Lincoln County Board of Equalization meeting was posted at the Lincoln County Courthouse, City Hall and the Lincoln County website on December 31, 2015; and was also emailed to the media on December 31, 2015.

The agenda for the meetings to be held on January 11, 2016 will be kept continually current and open for inspection at the office of the Lincoln County Clerk. The regular meeting of the Lincoln County Board of Commissioners will be at the Lincoln County Courthouse in the Commissioners Room at 9:00 A.M. The regular meeting of the Lincoln County Board of Equalization will be at the Lincoln County Courthouse in the Commissioners Room at 9:15 A.M.

Rebecca J. Rossell
Lincoln County Clerk

Related Posts

July 2, 2012 Minutes

July 2, 2012 North Platte, Nebraska Meeting of the Lincoln County Board of Commissioners....

March 15, 2010 Minutes

March 15, 2010 North Platte, Nebraska Meeting of the Lincoln County Board of Commissioners....

November 17, 2014 Minutes

November 17, 2014 North Platte, Nebraska Meeting of the Lincoln County Board of Commissioners....

Leave a Reply

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Comment

Name *

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April 4, 2016
North Platte, Nebraska

Meeting of the Lincoln County Board of Commissioners. Present were Commissioners Duane Deterding, Bill Henry, Joe Hewgley and County Clerk, Rebecca Rossell. Deterding offered prayer. Chairman Hewgley called the meeting to order at 9:00 A.M.

Chairman Hewgley announced the Open Meeting Act with amendments is posted for public review and the county board will comply with the open meeting requirements.

Motion by Henry, seconded by Deterding to approve the minutes regarding the Lincoln County Board of Commissioners meeting held on March 28, 2016. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Deterding, seconded by Henry to receive and order filed the treasurer's receipts. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Henry, seconded by Deterding to receive and order filed the fee reports submitted by the County Sheriff and County Clerk. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Deterding, seconded by Henry to approve and authorize the Chairman to sign the polling place rental agreements with First United Methodist Church, North Platte Public Schools and the American Legion in Wallace. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

The Lincoln County Board of Commissioners recessed at 9:15 A.M. and the Lincoln County Board of Equalization convened.

Chairman Hewgley announced the Open Meeting Act with amendments is posted for public review and the county board will comply with the open meeting requirements.

Deputy County Assessor, Pat Collins appeared along with County Treasurer, Sue Fleck.

Motion by Deterding, seconded by Henry to approve the minutes regarding the Lincoln County Board of Equalization meeting held on March 28, 2016. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

No certificates of correction or refund submitted by the County Assessor.

Motion by Deterding, seconded by Henry to approve the motor vehicle tax exemption applications submitted by North Platte Baptist Church, North Platte Catholic Schools and West Central District Health Department as recommended for approval by the County Treasurer. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Motion by Henry, seconded by Deterding to approve the motor vehicle tax exemption applications submitted by Community Action Partnership of Mid Nebraska and the Diocese of Grand Island as recommended for approval by the County Treasurer. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

The Lincoln County Board of Equalization adjourned at 9:20 A.M. and the Lincoln County Board of Commissioners reconvened.

Motion by Deterding, seconded by Henry to accept the bid of Janssen Chrysler Jeep Dodge (opened on 12-21-2015) for two 2016 Dodge pickup trucks for the Lincoln County Sheriff's Office in the amount of \$56,412 less trade in of \$38,000 for a total of \$18,412 for two pickup trucks. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

Megan Meuser-Baker and Jada Venezie from the Department of Health & Human Services were present concerning the general assistance appeal filed by Bonifacia Barnhill. Ms. Barnhill was not present.

Motion by Deterding, seconded by Henry to continue the general assistance appeal filed by Bonifacia Barnhill to April 11, 2016 at 10:30 A.M. in the Commissioners Room at the Lincoln County Courthouse. Notice will be sent by both regular and registered mail. Upon roll call vote Deterding, Henry and Hewgley voted "aye". Nays, none.

A public hearing was opened at 10:00 A.M. to receive comment on the South River Road Reconstruction Project FEMA Disaster #4225. This portion of South River Road is located in the N ½ of Section 7: Township 13 North; Range 30 West of the 6th P.M., Lincoln County, Nebraska.

Highway Superintendent, Carla O'Dell and Matt Manning & Jeff Wagner of Mainelli Wagner Engineering were present to give information on the proposed project. The proposed option is to shift this portion of road approximately 150 ft. south of the current road although there will be permitting issues.

Attorney, George Clough, who represents the land owner directly to the south of the road spoke. His client would be the most directly affected by what is decided with the road. The land owner is in favor of a new road and would be in favor of granting the county an easement. He also asked what would happen with the old road and where the measurements were taken from.

Matt reported that the measurement is between the power poles and the nearest top of the bank. Abandonment of the old road is a process that could happen.

Woody Falkena asked if the Corp had been notified yet of the plan to build jetty's.

Jeff responded that they have been working with Corp and realize that the chance of them permitting the jetties is slim.

Mr. Falkena expressed concern about future flooding before any action can be taken.

Mike Koch had concerns about shifting the problem to the east with the proposed option and only curtailing the problem for five years. He encouraged them to do some channel mitigation further upstream.

Commissioner Hewgley asked if he understood that we can't just go in and change the river.

Mr. Koch replied that he did understand there would have to be permitting by the Corp.

Commissioner Hewgley stated he wanted the audience to understand it is not as simple as it sounds.

Mr. Koch said he just did not want to see the county spend the money and then have to do it again.

Janice Schaad wants to the road to remain open and wants to know that the County Board is making progress to keep it open.

Les O'Donnell encouraged them to look at the long term picture as well as the immediate needs. He knows from his former occupation that permitting takes a lot of time and when you stabilize one area you need to look at how it affects another area.

Matt responded that the biggest obstacle is money. Although permitting can be difficult the county needs the FEMA money to help facilitate this process.

Gerald Christenson is a land owner to the west. He is adding 2000 extra miles per year to his personal vehicle without this road. He encourages the county to repair the road. He also expressed concern about emergency vehicle response time without this road.

Bill Songster owns land west. He asked if the riff raff could go all the way around the corner as it is already washing out other areas.

Sal Torres suggested rocking the south bank of the river and to buy land and move the road south.

The public hearing was closed at 10:37 A.M.

No action was taken following the public hearing.

Commissioner Hewgley stated that the County Board cannot undo the wrongs in the river that were done in the past. The most immediate priority is to have the board make a decision.

Approved the following claims as presented for payment:

The meeting was adjourned at 11:18 A.M.

Advance notice and the agenda for the April 4, 2016 board meetings were sent to the county board and all others requesting the same. Advance public notice (includes agenda) of the Lincoln County Board of Commissioners meeting and the Lincoln County Board of Equalization meeting was posted at the Lincoln County Courthouse, City Hall and the Lincoln County website on April 1, 2016; and was also emailed to the media on April 1, 2016.

The agenda for the meetings to be held on April 11, 2016 will be kept continually current and open for inspection at the office of the Lincoln County Clerk. The regular meeting of the Lincoln County Board of Commissioners will be at the Lincoln County Courthouse in the Commissioners Room at 9:00 A.M. The regular meeting of the Lincoln County Board of Equalization will be at the Lincoln County Courthouse in the Commissioners Room at 9:15 A.M.

Rebecca J. Rossell
Lincoln County Clerk



North Platte Fire Department

"Serving with honor and integrity"

Dennis Thompson
Fire Chief

November 15, 2016

Lincoln County Board of Commissioners
301 N Jeffers
North Platte NE 69101

To Whom It May Concern:

In May of 2015 tragedy became a reality for two North Platte Families as their teenage children lost their lives when their vehicle drove into the South Platte River, in part due to damage to South Platte River Road as a result of flooding.

As a result of this damage South River Road was closed. This closure would allow local, state, and federal agencies the opportunity to evaluate and address numerous concerns regarding the future of this roadway to include; environmental issues, economic issues, public interests, etc.

I certainly appreciate all entities moving forward in prudent fashion to ensure all things are considered, however 18 months later and South River Road remains closed.

While this is perhaps more an issue of inconvenience for area residents that own property and have used this stretch of road to commute for many years it also serves as an alternate route for emergency services, as Fire Chief for the City of North Platte, I speak specifically to Fire and Ambulance response in that area. In fairness, call volume to that area is not such that it has caused any adverse delays to date, nor do I want to gamble with such delays in the future but it does in fact provide that alternate route, in the emergency services world we do value said routes.

I have every confidence that local officials are doing their best to move forward with this project, I am less confident in the urgency at the federal level!

It is my hope that there will be a concerted effort to see resolution to this project.

Respectfully,

Dennis Thompson
Fire Chief

715 South Jeffers St.

North Platte, NE 69101

(308) 535-6762



North Platte Fire Department

"Serving with honor and integrity"

Dennis Thompson
Fire Chief

September 25, 2017

Brett Weiland
Tech Center II
5555 Tech Center Drive, Suite 212
Colorado Springs, CO 80919

RE: FEMA Project 4225 NE PW 251; Lincoln County, Nebraska

Dear Mr. Weiland:

Thank you for the opportunity to comment on the above mentioned project.

I sent a letter to The Lincoln County Board of Commissioners on November 15, 2016 with my concerns regarding the closure of the section of South River Road in Lincoln County, Nebraska that was impacted by flooding in 2015. I respectfully submit those same comments to you; while this closure is perhaps more an issue of inconvenience for area residents that own property and have used this stretch of road to commute for many years it also serves as an alternate route for emergency services, as Fire Chief for the City of North Platte, I speak specifically to Fire and Ambulance response in that area. In fairness, call volume to that area is not such that it has caused adverse delays to date, nor do I want to gamble with such delays in the future but it does in fact provide an alternate route, in the emergency services world we do value said routes!

Again I offer my thanks for the opportunity to comment.

Dennis Thompson

U.S. Department of Homeland Security
9221 Ward Parkway, Suite 300
Kansas City, Missouri, 64114-3372

DRAFT

**PUBLIC NOTICE OF AVAILABILITY
SOUTH RIVER ROAD
DRAFT ENVIRONMENTAL ASSESSMENT
LINCOLN COUNTY, NEBRASKA
FEMA-DR-4225-NE PW 251**

Interested parties are hereby notified that the Federal Emergency Management Agency (FEMA) has adopted a Draft Environmental Assessment (DEA) for the reconstruction of a segment of South River Road, approximately 0.5 mile southwest of the City of North Platte in Lincoln County, Nebraska. This segment of South River Road has been closed to traffic since 2015, when flooding washed away 800 feet of the roadway. The project would restore the connection between the City of North Platte and rural areas to the west through one of three action alternatives considered in the DEA: Alternative 1 - Reconstruct South River Road in its Pre-disaster Alignment Location, Alternative 2 - Reconstruct South River Road South of its Original Location with Bendway Weirs, and Alternative 3 - Reconstruct South River Road Far South of its Original Location. FEMA will fund the proposed project under the Public Assistance Grant Program.

Per the National Environmental Policy Act (42 U.S.C. 4371 et seq.), and associated environmental statutes, a DEA was written to evaluate the project's potential impacts on the human and natural environment. The DEA summarizes the purpose and need, alternatives considered, affected environment, and potential environmental consequences associated with the alternatives. The public comment period will be from February 10, 2018 to March 11, 2018. Written comments on the DEA can be faxed to FEMA's Regional Office in Kansas City, Missouri at (816) 283-7018 to the attention of the Regional Environmental Officer.

The DEA can be viewed locally at the Lincoln County Courthouse at 301 North Jeffers Street Room 101, City of North Platte at 211 West 3rd Street, and at the offices of the Lincoln County Highway Superintendent at 2010 Rodeo Road. The DEA can also be downloaded from FEMA's website at: <<insert link>>. If no substantive comments are received, the DEA will become final and this initial Public Notice will also serve as the final Public Notice.