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BNSF, Bridgeport

Morrill County, Nebraska

DRAFT ENVIRONMENTAL ASSESSMENT

Submitted Pursuant to 42 USC 4332 and 23 Code of Federal Regulations (CFR) 771, 772, & 774 to the U.S. Department of Transportation, Federal Highway Administration (FHWA) by Nebraska Department of Transportation

Project Sponsor signatures indicate verification that the content of this document and the scope of the Project are accurate. FHWA signature gives approval to distribute this information for public and agency review and comment. Such approval does not commit to approve any future grant requests to fund the Preferred Alternative.

For the Nebraska Division Administrator
Federal Highway Administration

U.S. Department of Transportation
Federal Highway Administration

04/08/2025
Date

For Nebraska Department of Transportation
Project Sponsor

NEBRASKA
DEPT. OF TRANSPORTATION

4/4/2025
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ACRONYMS AND ABBREVIATIONS

AADT	Annual Average Daily Traffic
ADA	Americans with Disabilities Act
ADT	Average Daily Traffic
APE	Area of Potential Effect
APP	Avian Protection Plan
BGEPA	Bald and Golden Eagle Protection Act
BMP	Best Management Practice
BNSF	BNSF Railway
CCAA	Candidate Conservation Agreement with Assurances
CFR	Code of Federal Regulations
CSW	Construction Storm Water
CWA	Clean Water Act
dB	Decibel
dBA	A-Weighted Decibel
DHHS	Department of Health and Human Services
DOT	Department of Transportation
EA	Environmental Assessment
EF	Exposure Factor
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FPPA	Farmland Protection Policy Act
FWCA	Fish and Wildlife Coordination Act
HMR	Hazardous Materials Review
LEP	Limited English Proficiency
MBTA	Migratory Bird Treaty Act
MM	Mile Marker
MSAT	Mobile Source Air Toxics
N-88	Nebraska Highway 88
N-92	Nebraska Highway 92
NAC	Nebraska Administrative Code
NHD	National Hydrography Dataset
NDEE	Nebraska Department of Environment and Energy
NDNR	Nebraska Department of Natural Resources
NDOT	Nebraska Department of Transportation
NEPA	National Environmental Policy Act
NESCA	Nongame and Endangered Species Conservation Act
NGPC	Nebraska Game and Parks Commission
NPDES	National Pollutant Discharge Elimination System

NPS	National Park Service
NRCS	Natural Resources Conservation Service
NRHP	National Register of Historic Places
NWI	National Wetlands Inventory
OWT	On-site Wastewater Treatment
PCBs	Polychlorinated Biphenyls
PRRIP	Platte River Recovery Implementation Program
PQS	Professionally Qualified Staff
RCRA	Resource Conservation and Recovery Act
ROW	Right-of-Way
SARA	Superfund Amendments and Reauthorization Act
SHPO	State Historic Preservation Office
SRA	State Recreation Area
STIP	State Transportation Improvement Program
SWPPP	Stormwater Pollution Prevention Plan
TMDLs	Total Maximum Daily Loads
U.S.	United States
US-26	U.S. Highway 26
US-385	U.S. Highway 385
USACE	U.S. Army Corps of Engineers
USC	United States Code
USCB	U.S. Census Bureau
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UST	Underground Storage Tank
Vpd	Vehicles Per Day
VMT	Vehicle Miles Traveled
WAPA	Western Area Power Administration
WOUS	Waters of the United States
WPA	Wellhead Protection Area

1. INTRODUCTION

The Nebraska Department of Transportation (NDOT) is proposing to construct a viaduct where U.S. Highway 26 (US-26) / Nebraska Highway 92 (N-92) crosses the BNSF Railway's (BNSF) railroad tracks in Bridgeport, Morrill County, Nebraska, referred to as the Bridgeport Viaduct Project (the Project), shown in **Figure 1.1**. The proposed viaduct would replace the existing at-grade crossing west of the intersection of Recreation Road and 5th Street, enhancing safety and improving transportation efficiency. This federal-aid project is led by the Federal Highway Administration (FHWA) as the lead federal agency, with NDOT serving as the Project sponsor and Western Area Power Administration (WAPA) as a cooperating agency (See **Appendix L**).

As a federal action, the Project must satisfy the requirements of the National Environmental Policy Act of 1969 (NEPA) (42 United States Code [USC] 4321 et seq.). To fulfill NEPA requirements, this Draft Environmental Assessment (EA) has been prepared in accordance with the following regulations and guidelines:

- 23 Code of Federal Regulations (CFR) 771
- 23 CFR 772
- 23 CFR 774
- FHWA's Technical Advisory T-6640.8A

The purpose of this EA is to evaluate the potential environmental impacts, both adverse and beneficial, that the Project could have on the surrounding environment and to involve the public and resource agencies in the decision-making process. The FHWA will assess both the context (the Project's relationship with the local environment) and the intensity of potential impacts to determine their significance.

If, based on this EA, FHWA determines that no significant impacts have been identified or that impacts can be minimized or mitigated, FHWA will issue a Finding of No Significant Impact. If significant environmental impacts are identified that cannot be minimized or mitigated, an Environmental Impact Statement will be required under NEPA.

This section defines the Project location and study area. Subsequent sections discuss the Project's Purpose and Need (Section 2) alternatives considered (Section 3), the affected environment and potential environmental impacts (Section 4), and agency coordination and public involvement efforts (Section 5).

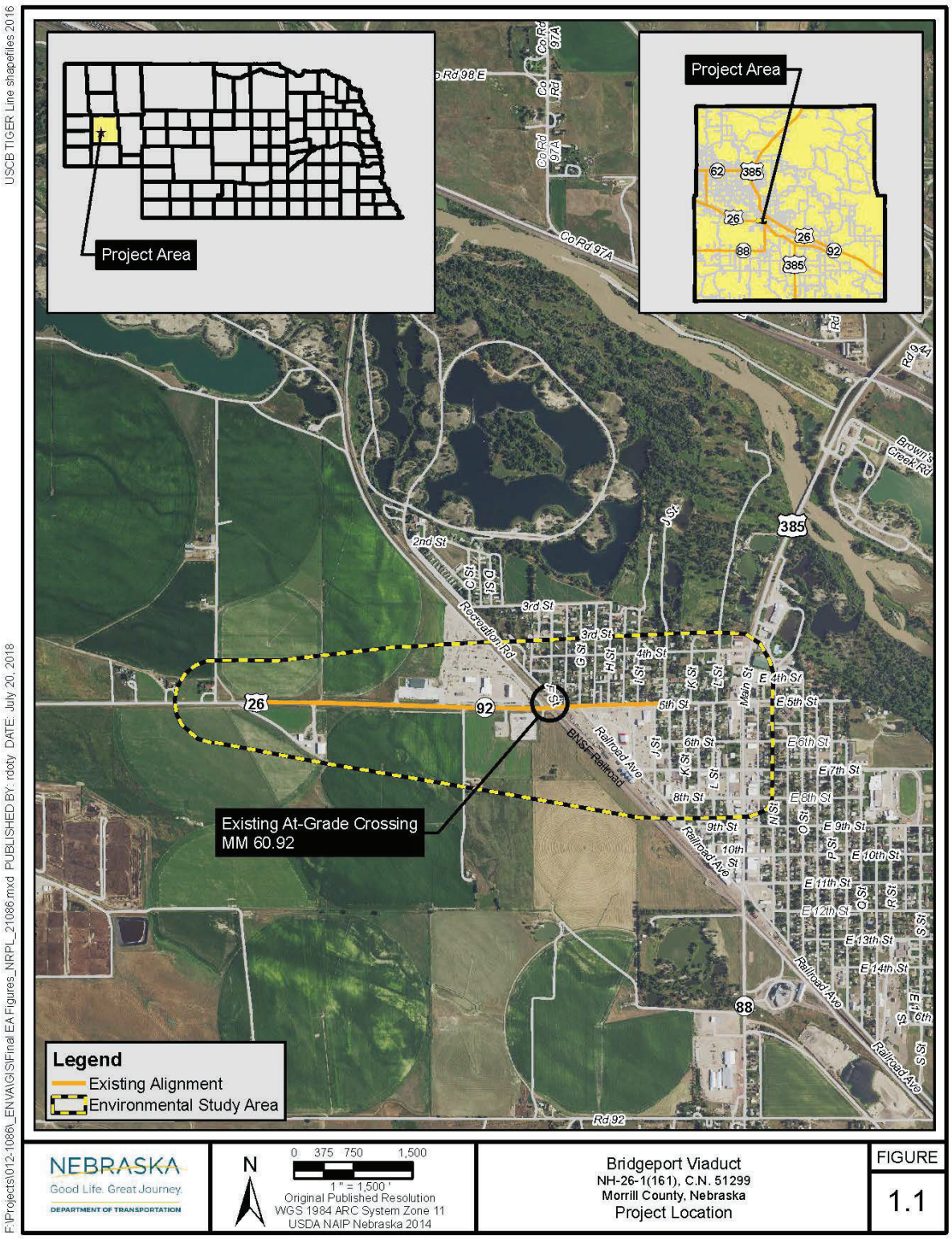
1.1 Location

The existing at-grade crossing is located west of the intersection of Recreation Road and US-26/N-92 (5th Street) in Bridgeport (population 1,454 from the 2020 census), at Highway US-26/N-92-mile marker (MM) 60.92 (MM of US-26) **(Figure 1.1)**. Logical termini are defined as rational end points for a transportation improvement project and rational end points for a review of the environmental impacts associated with the Project. The Project's logical termini were determined by the distance potentially needed to reconnect any alternative to the existing alignment of US-26/N-92 on the west end, and the major intersection of US-26/N-92 with Main Street (US-385) on the east end. The logical termini for this proposed Project were defined as:

- West Terminus: On US-26/N-92 approximately one mile west of the existing at-grade crossing.
- East Terminus: The intersection with U.S. Highway 385 (US-385, also called Main Street).

Environmental Study Area. To encompass all potentially affected parcels, the environmental study area for this analysis is approximately one mile west of the existing at-grade crossing to past the intersection with Main Street (US-385), and it extends north and south of the existing alignment. Because the alternatives extend further to the north and south, the environmental study area varied in width from approximately 0.1-mile-wide on the western terminus of the proposed Project to approximately 0.5-mile-wide on the eastern terminus of the proposed Project.

Figure 1.1 - Project Location.



2. PURPOSE AND NEED

2.1 Project Purpose

The purpose of the proposed Project is to:

- Eliminate conflicts between trains and vehicles at the existing at-grade BNSF railroad crossing
- Reduce vehicular delays at the US-26/N-92 crossing of the BNSF railroad tracks
- Reduce crash costs associated with US-62/N-92 crossing of the BNSF railroad tracks

US-26/N-92 is the most direct route from Bridgeport to Gering and Scottsbluff; as such, it is an important link in the Nebraska highway system.

2.2 Project Need

NDOT identifies potential locations for railroad grade separation structures by considering the "Exposure Factor" (EF), vehicle delays, and crash costs.

2.3 Exposure Factor

The EF is a tool used to quantify the potential for train-vehicle conflicts at at-grade crossings. NDOT has identified a minimum EF value of 50,000 at a single at-grade crossing to generally warrant a potential grade separation such as a viaduct (NDOT 2019). The EF is the product of the most recent counts of the annual average daily traffic (AADT) and the average daily train traffic at a crossing. Many trains and vehicles use the US-26/N-92 grade crossing every day, which leads to a large potential for train-vehicle conflicts. According to NDOT, AADT volume that crosses the tracks is approximately 4,440 vehicles (based on 2022 AADT), and according to the Federal Railroad Administration, the most recent (2019) average daily train number at this crossing is 16. Thus, the current EF at this crossing is:

(4,440 vehicles/day) times (16 trains/day) = 71,040 EF

This EF exceeds the 50,000 minimum to consider a grade separation at this location.

Vehicular Delay – Delays can be substantial because of the number of trains. Given that the average number of trains per day at this crossing is 16, and each train closes the crossing for approximately 3.4 minutes (**Appendix J**), the at-grade crossing is blocked for approximately 55 minutes per day. The blocked crossing also impedes the response time and restricts the movement of emergency vehicles. If it is known how long the at-grade crossing is blocked, the probability of a vehicle getting stopped at the crossing can be calculated by dividing the total duration of closures throughout the day (55 minutes) by the total minutes in a day (1,440) and multiplying that ratio by the average number of vehicles crossing the tracks per day (4,440 vehicles per day [vpd]). This results in approximately 168 vehicles that would each have to wait for trains to pass each day. To calculate the average duration of delay per delayed vehicle, National Cooperative Highway Research Program Report (NCHRP) 288 recommends assuming that delayed vehicles arrive to the blocked crossing uniformly, meaning that some vehicles arrive at the blocked crossing as the train is approaching and wait the entire 3.4 minutes, while an equal number of vehicles approach the crossing as the train departs from the crossing. As such, a value of 1.7 minutes is used instead of 3.4 to calculate the daily total average delay at the crossing, which is approximately 286 minutes, or approximately 4 hours, 46 minutes each day.

This delay has a cost as well, in terms of time spent and fuel wasted. Statewide, NDOT calculates that each minute of delay can cost a passenger vehicle and truck $0.371[1] and $0.61, respectively. Based on the traffic and train data at this crossing, over the course of a year, this adds up to a delay cost of approximately $42,197. These calculations can be found in **Appendix J.**

Crash Costs – Crash costs are derived by using the *Crash Prediction Model for Highway-Rail Grade Crossings in Nebraska.* This model takes into consideration train speed, type of crossing (passive, flashing lights, gates), number of daily vehicles and trains at the crossing, and accident history to develop a predicted crash rate. Crash costs are a product of multiplying the predictive crash rate by societal crash costs with a train. The average annual cost associated with this at-grade crossing is estimated to be $10,153. These calculations can be found in **Appendix J**.

Added to the cost of delays, the existing at-grade crossing results in a total average annual cost to the traveling public approximately $52,350.

1 Costs associated with delay are based upon a 1970 NCHRP Report 133, *Procedures for Estimating Highway User Costs, Air Pollution and Noise Effects* that established costs of $3.00 per hour and $5.00 per hour for cars and trucks, respectively. Annually, NDOT uses the Consumer Price Index to adjust these values.

3. ALTERNATIVES

3.1 Summary

This section describes the process used to identify the range of alternatives considered and provides a detailed description of the alternatives carried forward in the document for further analysis including the No Build Alternative.

Alignment Alternatives. The proposed Project would close the existing at-grade BNSF railroad crossing, 089-081-B, at US-26/N-92 MM 60.92 and would construct a new viaduct. The environmental study area for development of the alternatives starts west of the western corporate limits of Bridgeport in Morrill County, approximately one mile west of the at-grade crossing and extends east to Main Street (US-385).

The National Functional Classification is a federal grouping system used by FHWA to classify all public roads. The National Functional Classification of US-26/N-92 is a rural principal arterial on flat terrain. This segment of highway is on the National Highway System and the Priority Commercial System (NDOT 2012). AADT is a measured traffic volume averaged over 365 days. The 2023 AADT volumes estimated by NDOT are 2,980 vpd west of the at-grade crossing, and 4,235 vpd between the tracks and Main Street (US-385). NDOT has completed a traffic forecast for Highway 26 and estimates the future traffic volumes (2045) west and east of the at-grade crossing to be 3,685 vpd and 4,405 vpd, respectively, with 14 percent of the volume west of the at-grade crossing and 10 percent of the volume east of the at-grade crossing consisting of truck traffic. (Butler 2017).

The improvements in this proposed Project consist of work to address the needs as described in the proposed Project's purpose and need (**Section 2**). The Project study team identified and compared a range of reasonable alternatives for crossing the BNSF railroad tracks. These alternatives are shown on **Figure 3.1** and are discussed below.

- No Build Alternative. This alternative would leave the existing at-grade crossing in its current location.
- Alternative 1 – Existing Alignment. This alternative would include constructing a viaduct on approximately the same alignment as the existing highway, from about J Street on the east, to approximately 0.4 mile west of the existing US-26/N-92 at-grade crossing. This is the only alternative that would require a temporary crossing of the BNSF tracks during construction. Substantial lead time and coordination with BNSF would be required to design and construct the temporary crossing.
- Alternative 2 – South Alignment. This alternative would diverge from the existing highway alignment at about J Street on the east, pass to the south of the two electrical substations west of the railroad tracks, and reconnect to the existing US-26/N-92, approximately 0.4 mile west of the existing US-26/N-92 at-grade crossing.
- Alternative 3 – North Alignment. This alternative would run north of the existing highway alignment along 4th Street from Main Street (US-385) through a densely populated residential area east of the BNSF railroad tracks. It would then run past commercial properties west of the BNSF railroad tracks and reconnect with existing US-26/N-92 west of the commercial properties.

- Alternative 4 – 8th Street Alignment. This alternative would run several blocks south of the existing highway alignment along 8th Street from Main Street (US-385), pass through commercial and residential areas, and reconnect to US-26/N-92 west of the electrical substations.

Each of the four build alternatives would involve constructing a new, two-lane grade-separated viaduct to carry US-26/N-92 over the existing BNSF single mainline track plus future mainline tracks. The existing at-grade crossing of the railroad tracks would be removed. The proposed viaduct is anticipated to consist of a pier and abutment configuration. Proposed viaduct sections would generally be 54 feet wide and would likely include two 12-foot-wide through lanes with 10-foot-wide shoulders, a 7-foot-wide sidewalk on the north side of the viaduct, a 1-foot-4-inch concrete barrier on the south side, and a 1-foot-wide bridge rail between the westbound traffic lane and the sidewalk. A typical viaduct section is shown on **Figure 3.2**.

All build alternatives would maintain traffic on US-26/N-92 during construction. They would all require the construction of temporary pavement at the points where the alignment ties back into existing roadways which is achievable through temporary easements. A detour would not be feasible because the length of the only possible detour route would exceed 38 miles and would substantially affect the businesses located to the west of the railroad tracks.

All four build alternatives would maintain access to the Bridgeport State Recreation Area (SRA) and adjacent businesses at all times and would accommodate ingress and egress to and from a public street throughout construction. This may require the phased construction of new driveways and connections to existing streets to allow access from the public street during construction.

Note that although current NDOT policy regarding new viaduct construction generally requires the closure of two at-grade crossings (one at or near the location of the structure and one other as selected and approved by NDOT and the political subdivision), exceptions to this policy can be granted by the NDOT Director if closing two crossings is not practicable. Only two at-grade crossings are near Bridgeport. One is on US-26/N-92, which provides access to the city from the west, and one is on Nebraska Highway 88 (N-88), which provides access to the city from the south. Closing both crossings with the construction of only one viaduct would greatly disrupt the state and federal transportation network from either the west or south. Therefore, on September 3, 2014, the NDOT Director approved the request to grant an exception for the proposed Project from the policy (see **Appendix K**). Thus, the proposed Project requires only one at-grade closing, at the location of the proposed viaduct.

Figure 3.1 - Alternative Build Alignments.

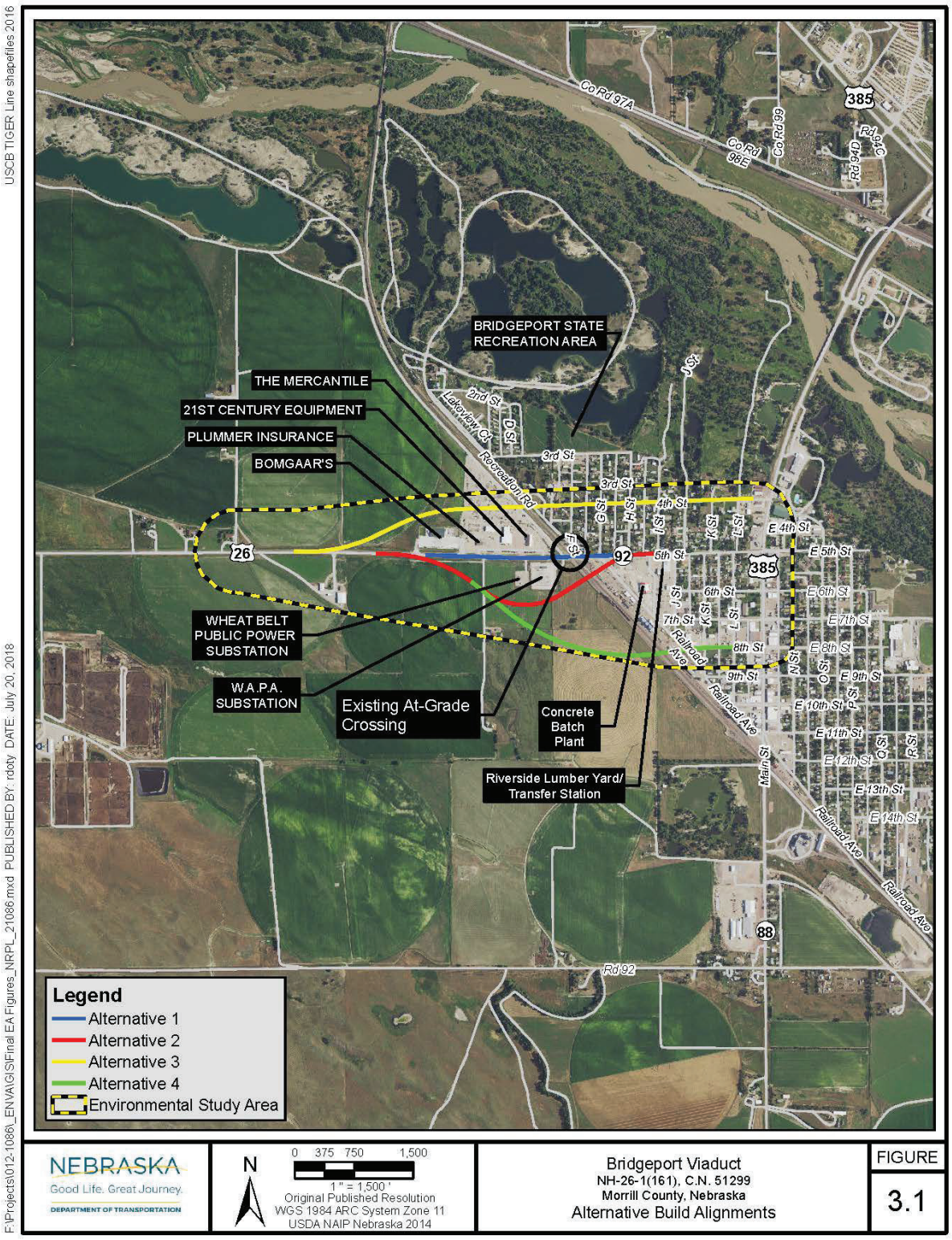
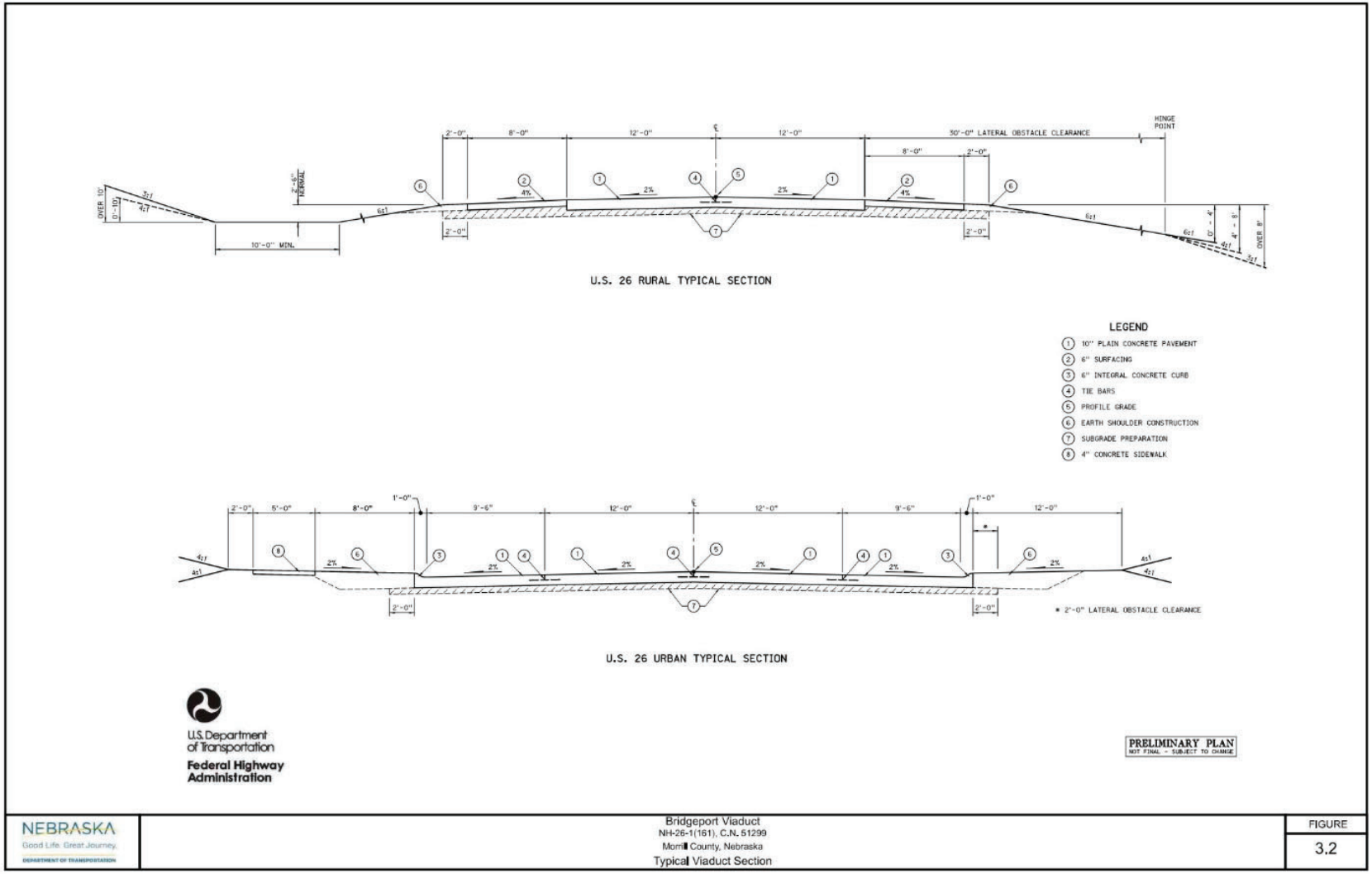


Figure 3.2 - Typical Viaduct Section.



3.2 Initial Screening

An initial screening evaluation eliminated Alternatives 3 and 4 due to potentially substantial impacts as described below.

Alternative 3 – North Alignment

Alternative 3 would meet the project purpose and need of (1) eliminating conflicts between trains and vehicles at the existing at-grade BNSF railroad crossing and (2) reducing vehicular delays at the US-26/N-92 crossing of the BNSF railroad tracks. However, Alternative 3 would potentially require the relocation of approximately 30 residences and four businesses located along 4th Street. Alternative 3 also would change the existing travel patterns in such a manner that through traffic would bypass many blocks that currently contain mostly retail, commercial, or industrial businesses by shifting traffic further north, directly onto US-385. Thus, existing businesses located along 5th Street and Main Street (US-385) could be adversely affected by greatly reduced traffic volume on their blocks. Shifting traffic patterns further north would also result in greater noise impacts to residential areas, as the through traffic would route directly through a residential neighborhood off the existing alignment. Additionally, comments received during the July 10, 2014, public meeting indicated the public was not in favor of Alternative 3. As a result of these reasons, Alternative 3 was eliminated from further consideration during initial screening.

Alternative 4 – Eight Street Alignment

Alternative 4 would meet the project purpose and need of (1) eliminating conflicts between trains and vehicles at the existing at-grade BNSF railroad crossing and (2) reducing vehicular delays at the US-26/N-92 crossing of the BNSF railroad tracks. However, Alternative 4 would require the relocation of the Panhandle Co-op Association Fertilizer / Bulk Facility's fuel tanks and service building, Morrill County Highway Department building, an old, abandoned building across the street from the Highway Department, and potentially a few residences. In addition, Alternative 4 may also affect the Irrigation Headquarters Building located on the northwest corner of 8th Street and Main Street (US-385) due to the need to widen turn radius returns to accommodate truck traffic. This structure is recommended eligible for listing in the National Register of Historic Places (NRHP).

Alternative 4 would change the existing travel patterns in such a manner that through traffic would be routed further south, along 8th Street, bypassing several blocks that currently contain mostly retail, commercial, or industrial businesses, adversely impacting these businesses by greatly reduced traffic volume on their blocks. Alternative 4 would also have the largest impacts to farmland located to the west of the BNSF railroad tracks (Olsson Associates 2014). Additionally, comments received during the July 10, 2014, public meeting indicated the public was not in favor of Alternative 4. As a result of these reasons, Alternative 4 was eliminated from further consideration during initial screening.

3.3 Final Screening of Alternatives

A final screening evaluation was completed to compare the alternatives retained from the initial screening. The remaining alternatives, Alternative 1 and 2, were compared against projected performance and implementation criteria. The No Build Alternative is carried forward to provide baseline information of potential environmental and economic impacts. The final screening matrix is shown in **Table 3-1**.

Table 3-1 - Final Screening of Alternatives.

Screening Criteria/ Environmental Considerations	No Build Alternative	Alternative 1 – Existing Alignment	Alternative 2 – South Alignment
Right-of-Way and Property Impacts	No right-of-way or property impacts would occur.	Acquisition of approximately 8 acres of agricultural land, approximately 3.5 acres of commercial land, and 0 of residential properties within Bridgeport, and the relocation of one commercial shed. No residences would be relocated. Temporary easement of approximately 1.2 acres.	Acquisition of approximately 13 acres of agricultural land, approximately 1.75 acres of commercial land, and 0 residential properties within Bridgeport and the relocation of one commercial shed. No residences would be relocated. Temporary easement of approximately 0.7 acre.
Access	No change. Delay at crossing would continue.	Access to adjacent properties would be maintained at all times. Temporary restrictions to specific properties may occur, but access would be maintained using construction phasing or temporary surfacing. Phased construction and connections to existing streets would allow for access to be maintained. Alternative 1 would change the existing westbound travel patterns in such a manner that traffic would bypass at least four blocks that currently contain mostly retail, commercial, or industrial businesses. This alteration of existing westbound travel patterns would disrupt the current community cohesion as patrons of the businesses located along 5th Street would have to drive past the businesses and turn around, effectively backtracking, in order to patronize these locations. Thus, existing businesses located along 5th Street could be adversely affected by greatly reduced traffic volume on their blocks. Alternative 1 would require construction of a temporary paved road along the north side of US-26/N-92, which would require a temporary at-grade railroad crossing.	Access to adjacent properties would be maintained at all times. Temporary restrictions to specific properties may occur, but access would be maintained using construction phasing or temporary surfacing. Phased construction and connections to existing streets would allow for maintained access. (See **Figure 4.11A** through **Figure 4.11C**) The construction phasing for Alternative 2 would allow for existing traffic patterns to continue with minimal interruption. The construction phasing would require minimal temporary paved roadways and would not require construction of a temporary at-grade railroad crossing.
Hazardous Materials and Wastes	No impact.	Low potential to impact the groundwater contamination located at the Panhandle Co-op/Conoco Bulk Plant.	Low potential to impact the groundwater contamination located at the Panhandle Co-op/Conoco Bulk Plant.
Wetlands/Waters of the U.S.	No impacts. No wetlands or Waters of the U.S. identified in the environmental study area.	No impacts. No wetlands or Waters of the U.S. identified in the environmental study area.	No impacts. No wetlands or Waters of the U.S. identified in the environmental study area.
Cultural Resources	No impacts to cultural resources.	No known archaeological sites within the direct APE. No standing structures eligible for listing on the National Register of Historic Places are located within the direct APE. Two buildings, the Morrill County Courthouse and Irrigation Headquarters, are located within the indirect APE. The project would likely have “No Effect” on these structures.	No known archaeological sites within the direct APE. No standing structures eligible for listing on the National Register of Historic Places are located within the direct APE. Two buildings, the Morrill County Courthouse and Irrigation Headquarters, are located within the indirect APE. The project would likely have “No Effect” on these structures.

Screening Criteria/ Environmental Considerations	No Build Alternative	Alternative 1 – Existing Alignment	Alternative 2 – South Alignment
Section 4(f) and 6(f)	No impacts to Section 4(f) or Section 6(f) properties.	Access to the Bridgeport SRA would remain open during construction; however, a portion of Recreation Road at the junction of US-26/N-92 would be closed during construction. Alternate routes to Bridgeport SRA would be available through the area of Bridgeport located northeast of the proposed viaduct during construction. A reconstructed road using J Street and Railroad Avenue would be constructed to provide permanent access to Bridgeport SRA. No Section 4(f) Use or Section 6(f) conversion would occur.	Access to the Bridgeport SRA would remain open during construction; Access to Bridgeport SRA would remain open during construction of Alternative 2; Recreation Road off US-26/N-92 would be maintained during construction, with periods of one lane traffic using temporary signals. A reconstructed road using J Street and Railroad Avenue would be constructed to provide permanent access to Bridgeport SRA. No Section 4(f) Use or Section 6(f) conversion would occur.
Noise Impacts	No direct impacts to noise receptors.	Constructing a new viaduct on the existing alignment would elevate traffic along the residential neighborhood north of US-26/N-92, which would likely increase noise levels to nearby residential receptors.	Constructing a new viaduct on south of the existing alignment would elevate traffic in an area predominantly used for commercial or industrial purposes, which is not likely to increase noise levels to residential receptors north of US-26/N-92.
Utility Impacts	No direct impacts to utilities.	Multiple utilities would be impacted. Moderate impacts to the WAPA substation facility related to transmission line raises. Alternative 1 would require WAPA to raise two structures. Would impact Wheat Belt Public Power district, Chimney Rock Public Power district above ground power line, a Source Gas distribution line, a below ground copper communication line, and greater impacts to City of Bridgeport power, water, and sanitary sewer lines. Would require approximately $555,000 (2016 dollars) in non-WAPA (non-participating) related costs to the project.	Multiple utilities would be impacted. Moderate impacts to the WAPA substation facility related to transmission line raises. Alternative 2 would require WAPA to raise two structures as well as splice fiber on two transmission lines and place splice points on two structures. No impacts to the Chimney Rock Public Power district above ground power line or Source Gas distribution line, fewer impacts to the below ground copper communication line and to the City of Bridgeport power, water, and sanitary sewer lines and Wheat Belt Public Power district. Would require approximately $85,000 (2016 dollars) in non-WAPA (non-participating) related costs to the project.
Cost	$0	$14,000,000	$10,294,000
Community Support	Public comments received have been in favor of constructing a viaduct to separate traffic.	Comments received at the 2015 public open house split support between Alternatives 1 and 2.	Comments received at the 2015 public open house split support between Alternatives 1 and 2.

Alternative 1 would require the relocation of one 1,000-square-foot commercial shed and would likely affect a domestic water well. Alternative 1 would change the existing westbound travel patterns in such a manner that traffic would bypass at least four blocks that currently contain mostly retail, commercial, or industrial businesses. This alteration of existing westbound travel patterns would disrupt the current community cohesion as patrons of the businesses located along 5th Street would have to drive past the businesses and turn around, effectively backtracking, in order to patronize these locations. Thus, existing businesses located along 5th Street could be adversely affected by greatly reduced traffic volume on their blocks. For Alternative 1, noise levels at receptors along the Highway 26 are anticipated to slightly increase due to the small growth in future traffic volumes (**Appendix C**). These impacts are greater than those impacts associated with Alternative 2. The HMR concluded that both Alternatives 1 and 2 have low potential for construction to encounter contamination that may affect construction because of the proximity of the Panhandle Co-op Association / Conoco Bulk Plant (**Appendix H**). Additional discussion of hazardous materials is provided in **Section 4.18**.

Many of the comments from the July 10, 2014, public meeting preferred Alternative 1. Based on the comments, this preference primarily related to access to individual businesses. Alternative 1 would have higher construction costs (approximately 40%) than Alternative 2. Additionally, utility relocation costs of alternative 1 are considerably higher than Alternative 2 (over 500%). Alternative 1 would require construction of a new temporary road which would continue to act as a frontage road after construction is complete which contributes to the higher cost of this alternative as compared to Alternative 2 which utilizes the existing highway as the frontage road. Alternative 1 would also require the construction of a temporary at-grade crossing over the BNSF railroad tracks, which in turn would require additional time and expense to account for the associated coordination and construction effort. Thus, Alternative 1 was dismissed during the second-tier screening.

3.4 Summary of Eliminated Alternatives

Alternatives carried forward for further evaluation in the EA must meet or exceed new and reconstruction standards as set forth in the Nebraska minimum design standards (NDOT 2016) and the NDOT *Roadway Design Manual* (NDOT 2023).

All four build alternatives, through the introduction of a new viaduct, meet the purpose and need for reducing delays and eliminating conflicts between vehicles and trains. Alternative 1 would require the construction of a new frontage road to maintain access to adjacent businesses and residences during and after construction activities. Alternatives 3 and 4 also have larger impacts to environmental resources such as farmland and conversion of land use. Alternatives 1, 3, and 4 also result in moderate to high noise impacts to receptors closest to the improvements.

During the public meeting held on July 10, 2014, the public comments show greater support for Alternatives 1 and 2 than Alternatives 3 and 4; primary reasons cited against Alternatives 3 and 4 were due to access issues or impacts to businesses along those routes (see **Appendix I**). Specific comments received are detailed in **Section 5.2**. During the public meeting held on in 2015, the public comments showed no strong preference between Alternatives 1 and 2 (See **Appendix I**).

Therefore, based on the preliminary screening analysis of impacts presented in **Table 3-1** and public comments received during the public outreach activities, Alternatives 1, 3, and 4 were eliminated from further consideration and are therefore not carried forward for detailed evaluation in this Draft EA. Alternative 2 was chosen to be the Preferred Alternative because of fewer impacts to neighborhoods during construction, less time required for traffic to run on temporary roads during construction, better access to neighborhood businesses after construction is complete, and a lower project cost.

3.5 Alternatives Carried Forward for Detailed Evaluation

The No Build Alternative and Alternative 2 are carried forward for detailed evaluation in this Draft EA.

3.5.1 No Build Alternative

The No Build Alternative would perpetuate the existing US-26/N-92 roadway alignment and existing at-grade crossing. As calculated in the need section (**Section 2.2**), the US-26/N-92 railroad at-grade crossing has an EF of 71,040. The existing at-grade crossing has the potential for a continued high level of conflict between vehicles, trains, and pedestrians as well as vehicular delays caused by frequently passing trains.

Further, this alternative would not meet the Project purpose and need of reducing the EF, vehicle delays, or crash costs. However, it is being carried forward for analysis and is discussed in subsequent sections as required by NEPA, to establish a baseline for comparison of the build alternative.

3.5.2 Alternative 2 – South Alignment (Preferred Alternative)

The Preferred Alternative would begin west of Bridgeport at MM 60.50, trending southeast of the existing US-26/N-92 alignment, passing south of the two electrical substations located west of the BNSF railroad tracks. It would then reconnect to the existing US-26/N-92 alignment near J Street at MM 61.17 **(Figure 3.3)**.

The Preferred Alternative would be constructed mostly on new alignment and would be built under traffic with minimal temporary construction impacts. Additionally, the existing at-grade crossing of the BNSF railroad tracks on US-26/N-92 would be removed.

The proposed viaduct is anticipated to consist of a pier and abutment configuration and will be approximately 54 feet wide. It will include two 12-foot-wide through lanes, 10-foot-wide shoulders, a 7-foot-wide sidewalk on the north side, a 1-foot-4-inch bridge rail on the south side, and a 1-foot-wide bridge rail separating the westbound traffic lane and the sidewalk. The viaduct would conform to BNSF design standards and would provide adequate vertical clearance of 23 feet 4 inches for continued use of the BNSF mainline and siding tracks. The bridge length would accommodate the existing single mainline track plus an additional two future mainline tracks. Viaduct approach grades of three to five percent are expected. As a result, multiple access points to adjacent properties would be eliminated from US-26/N-92, reducing cross-traffic conflicts and allowing traffic to flow more smoothly **(Figure 3.4)**.

During construction, two separate and temporary hard-surfaced roads would be constructed, which would run along the north side of the existing road at the points where the realigned US-26/N-92 would tie back into the existing highway. Between the tie-in points, the existing US-26/N-92 pavement and the existing railroad crossing would be utilized to handle traffic during

construction. The viaduct and a majority of the new roadway could be constructed without affecting traffic on existing US-26/N-92, thus minimizing the time traffic would need to run on the temporary roads. A detour route would not be required. The construction of the preferred Alternative requires relocation of two WAPA transmission line poles, 282 and 284A and related above ground utility work at poles 280 and 284B.

Access to the residential neighborhood located north of US-26/N-92 would be maintained via I Street and 4th Street. For homes which abut US-26/N-92, the contractor would work with residents prior to construction activities to maintain access via temporary roads or phased paving. Access to Recreation Road would be maintained for vehicular traffic and recreational vehicles via temporary roads or phased paving, thus no detour route for Recreation Road would be required.

Once construction is complete, the old US-26/N-92 pavement would be left in place to provide access to the businesses and electrical substations on the west side of the railroad tracks and would be connected to the new US-26/N-92 alignment via a new drive. On the east side, Railroad Avenue would be improved with concrete pavement and would provide access to Recreation Road as well as connect to G Street and H Street. Both I Street and J Street would connect to the newly constructed US-26/N-92. Locations with new connections to US-26/N-92 are shown on **Figure 3.4**.

Three stormwater detention basins are planned for conveying stormwater runoff from the roadway of the Preferred Alternative. The basins would be excavated to a depth of approximately one foot above the highest groundwater levels as measured by static water levels in wells within the environmental study area. These detention basins would provide for better local stormwater drainage as there is no existing stormwater system adjacent to the proposed Project to tie into. The detention basins would also help improve drainage on existing streets adjacent to the Project. It is anticipated that the detention basins would detain water for no more than 72 hours. The basins would vary in size from approximately 0.25 acre to 0.5 acre, with final dimensions to be determined during the final design process. The locations of these basins are shown on **Figure 3.3**.

Figure 3.3 - Alignment the Preferred Alternative.

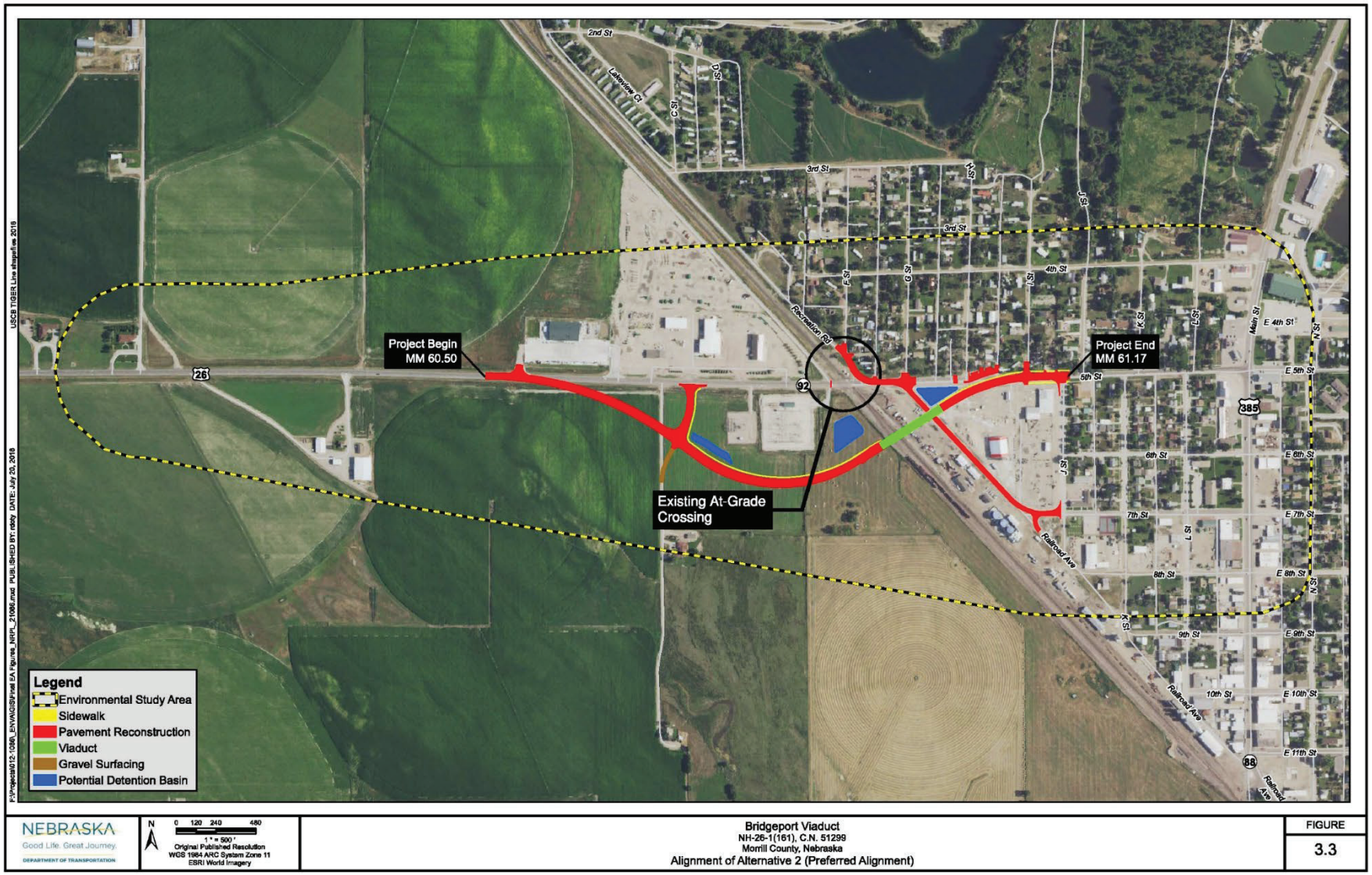
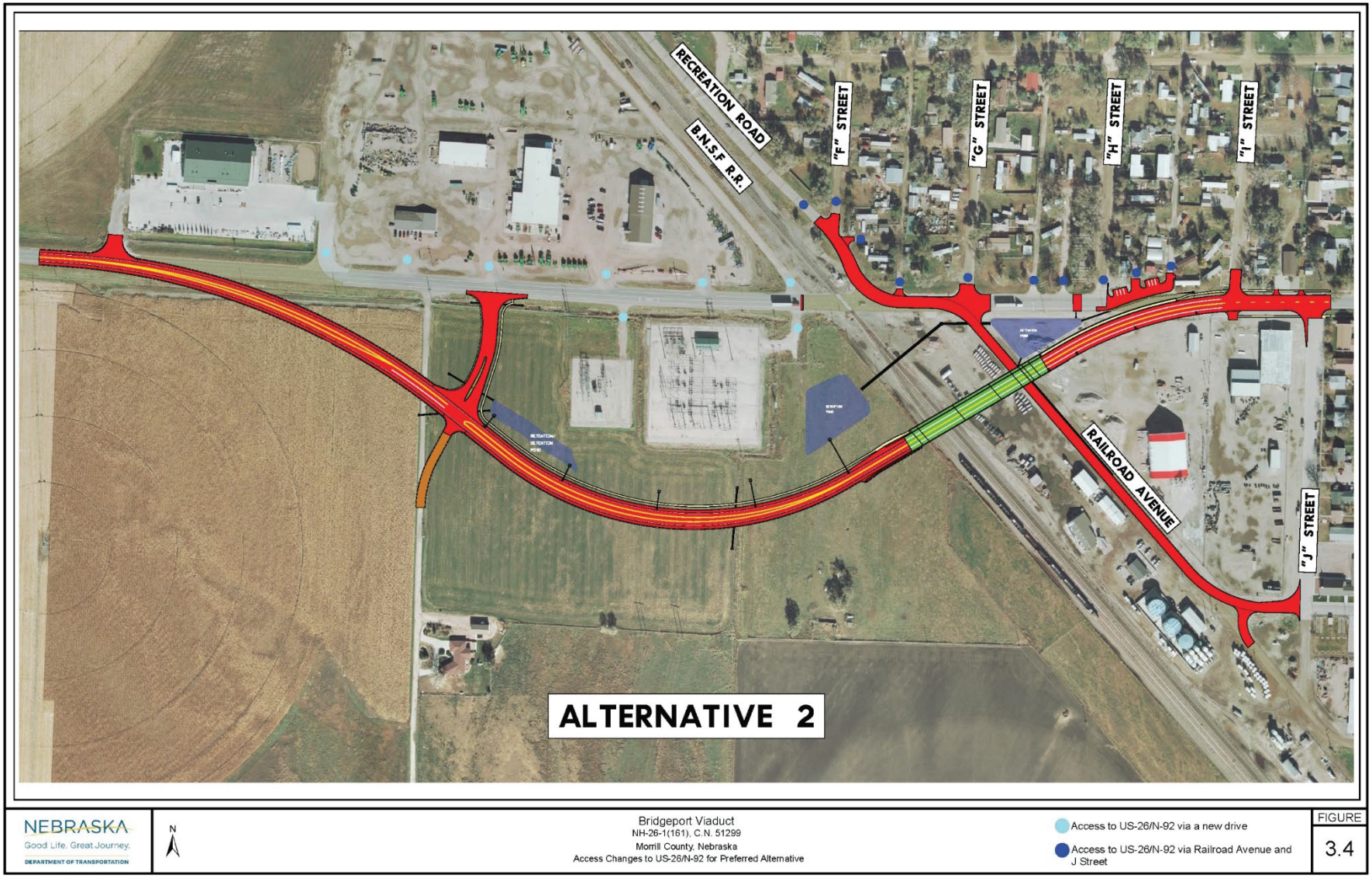


Figure 3.4 - Access Changes to US-26/N-92 for Preferred Alternative.



4. AFFECTED ENVIRONMENT AND ENVIRONMENTAL IMPACTS

This section discusses environmental considerations for the proposed Project by first establishing the setting of the affected environment as related to each resource, assessing potential impacts of the No Build Alternative and the Preferred Alternative to each resource, and then identifying proposed mitigation, to avoid or minimize impacts to each resource. The names of the responsible individual(s) for implementing mitigation measures are enclosed in parentheses following a description of the measure. Issues considered and eliminated from detailed study are also briefly discussed in this section.

4.1 Environmental Resources Eliminated from Further Detailed Study

The following resources were eliminated from further discussion because they do not occur within the environmental study area.

Airports

Airports within four miles of a project site could be affected by structures that intrude on airspace, such as bridges or construction cranes. However, there are no airports near Bridgeport, with the closest being over 30 miles away located near Scottsbluff, Alliance, Sidney, Oshkosh, and Harrison. Therefore, airports were excluded from further analysis in this Draft EA.

Air Quality

Air quality was eliminated from further study because (1) the proposed Project is located in an Attainment Area as defined by the National Ambient Air Quality Standards set by the U.S. Environmental Protection Agency (EPA); and (2) a Memorandum of Understanding among the FHWA, Nebraska Department of Environmental Quality (NDEE), and NDOT (dated August 2021) applies to this proposed Project, exempting it from evaluation of air quality because the projected AADT is below 100,000. The highest AADT counts provided by NDOT are 4,755 in 2014 and projected at 3,700 in 2040 (Butler 2017).

Wetlands, Waters of the U.S., and Waters of the State

Wetlands, Waters of the U.S., and Waters of the State were eliminated from further study based on the findings of two wetland delineations. The initial wetland delineation was completed on July 10, 2014, and a re-evaluation was conducted in September 2019. Both evaluations confirmed that no wetlands, Waters of the U.S. (WOUS), or Waters of the State were present in the environmental study area (see **Appendix E**).

Wild and Scenic Rivers

Wild and scenic rivers was eliminated from further study because there are no rivers that are designated as wild or scenic, or that are on the Nationwide Rivers Inventory as potentially wild or scenic, in or near the environmental study area.

4.2 Land Acquisitions, Relocations, and Land Use

Land ownership and use were determined as to public versus private ownership and existing and anticipated land uses. Based on this information, proposed Project alternatives were evaluated for their potential to bring about changes in land use.

4.2.1 Affected Environment

Current land ownership and land use were determined through review of aerial photography, proposed Project plans, the *City of Bridgeport 2012 Comprehensive Plan* (City of Bridgeport 2012), zoning maps from Bridgeport and Morrill County, and conversations with planning personnel from the City of Bridgeport and Morrill County. The *City of Bridgeport 2012 Comprehensive Plan* and interviews were also used to consider future land use.

Most of land ownership adjacent to US-26/N-92 is privately held, consisting of single-family residences and commercial businesses within the corporate limits of Bridgeport. Church properties are also situated adjacent to the roadway. Properties outside of the city limits west of the BNSF railroad tracks include agricultural lands on both sides of the roadway with commercial properties including a farm equipment dealership situated to the north. One parcel situated on the south side of the roadway is owned by WAPA and contains an electrical substation with power lines extending southeasterly and northeasterly. The parcel to WAPA's immediate west is owned by the Wheat Belt Public Power District and contains an electrical substation with associated power lines serving the area.

The proposed Project is located southwest of the North Platte River, in a relatively flat area. The eastern portion of the proposed Project is situated in an urban area; however, the western portion of the proposed Project is located in a commercial/industrial area surrounded by farmlands. Irrigated cropland is dominated by wheat, corn, and soybean crops. Non-irrigated areas include grassland pastures. Notable features along or near the proposed Project alignment include the BNSF Railway property and tracks, which crosses the proposed Project in a northwesterly/southwesterly direction; the Bridgeport SRA, which is located just over 0.5 mile north of the proposed Project; and a concentrated animal feeding operation (commonly referred to as a feed lot) located approximately one mile west of Bridgeport.

Land use in the environmental study area east of the BNSF railroad tracks is mainly residential on the north side of the highway, with commercial businesses including the BNSF railroad tracks (mainline and siding), lumber yard which is now owned by the City of Bridgeport, concrete plant, transfer yard, and agricultural supply services.

Land uses on the west side of the BNSF railroad tracks are dominated by irrigated cultivated fields with scattered farmsteads as well as commercial operations along US-26/N-92 that include retail businesses such as farm suppliers. **Figure 4.1** shows land use in the environmental study area and vicinity according to the National Land Cover Database (USGS 2011).

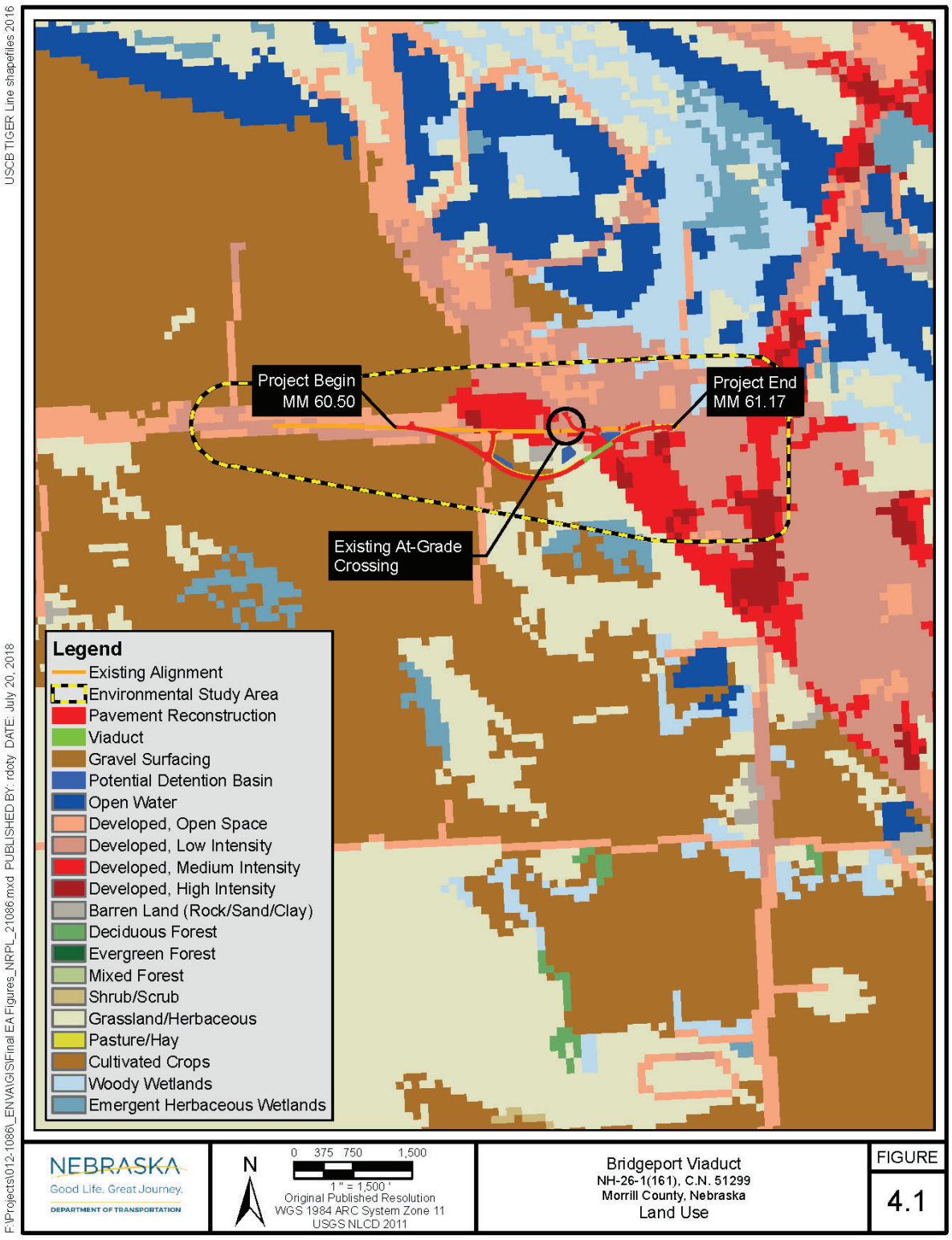
The eastern extent of the environmental study area is located within the western city limits of Bridgeport. The eastern portion of the environmental study area is zoned for industrial and residential use, while the western portion of the environmental study area is zoned for industrial, commercial, and agricultural purposes.

The City of Bridgeport produced The Bridgeport Comprehensive Plan in 2012 (City of Bridgeport 2012), which covered a number of topics, including transportation. Although no transportation projects were specifically called out in the plan, Appendix 6, Transportation, mentions the need for a viaduct. Reporting on the results of a citizen survey, the plan states, "There were many comments related to the noise of trains and the frequent blockage of Railroad Crossings by

trains…many residents expressed a desire for a viaduct" (City of Bridgeport 2012). In addition, the plan recommends that new businesses locate in existing commercial areas and along the designated US-26/N-92 corridor, if possible, rather than having to rezone non-commercial areas.

While this proposed Project is not specifically included in The Bridgeport Comprehensive Plan (City of Bridgeport 2012), the proposed Project is in compliance with the plan, as well as potential future land use strategies described in the plan. The Bridgeport Comprehensive Plan states that park areas should be preserved and future land use should direct growth to areas which "have or are adjacent to existing infrastructure and prevents leapfrog development."

Figure 4.1 - Land Use.



4.2.2 Impacts of the No Build Alternative

Under the No Build Alternative, the continued state of interrupted and inconvenient access could inhibit the development of additional commercial facilities within the western part of the environmental study area, which would be inconsistent with the goals of the City of Bridgeport's plan to have additional commercial development occur adjacent to existing developments and along the designated US-26/N-92 corridor (City of Bridgeport 2012).

The No Build Alternative would not require acquisition of additional ROW or relocation of any property and thus would not affect existing land use. All highway access points would remain as they are currently. Although there would be no impacts to existing properties, the delays and conflicts between vehicles and trains would continue and are anticipated to worsen in the future.

There would be no construction activities associated with the No Build Alternative. Therefore, there would be no change to existing or future land use or zoning within the environmental study area.

4.2.3 Impacts of the Preferred Alternative

Construction of the Preferred Alternative is consistent with the goals of the City of Bridgeport's plan to have additional commercial development occur adjacent to existing neighborhoods and commercial properties along the designated US-26/N-92 corridor (City of Bridgeport 2012). The Preferred Alternative is in conformance with existing and future land use plans.

The Preferred Alternative would require permanent acquisition of approximately 14.75 acres of land, including:

- Approximately 13 acres of agricultural land
- Approximately 1.75 acres within Bridgeport
- Temporary easement of approximately 0.7 acre

The exact amount of ROW needed for the Preferred Alternative would be determined during final design. ROW acquisition would include payment of fair market value for property rights and damages that may occur because of the project. ROW acquisition would be completed in conformance with the Uniform Relocation Assistance and Real Property Acquisition Act (Uniform Act), as amended (42 USC 4601 et seq.), and in conformance with the Nebraska Relocation Assistance Act (Neb. Rev. Stat. 76-1214 et seq.).

One metal storage shed, approximately 30 feet by 50 feet, located on the eastern portion of the proposed Project would be relocated on the existing property, with the new location to be determined. The shed is currently located on the south side of US-26/N-92, just west of I Street. The owner of the shed has been contacted and agrees with the relocation (**Appendix A**). **Figure 4.2** shows the current location of the shed.

Figure 4.2 - Current Shed Location.

Construction of the Preferred Alternative would preserve existing land use after construction activities are complete. The land east of the BNSF tracks would remain residential and the commercial businesses, concrete plant, transfer yard, and agricultural supply services would remain in place. Railroad Avenue would remain in its current alignment but would be improved with concrete pavement and would provide access to Recreation Road, G Street, and H Street. The intersection of Recreation Road, Railroad Avenue, and US-26/N-92 would be modified to improve the curve and angle of the intersection to facilitate better access for recreational vehicles and vehicles hauling campers or boats. Areas of agricultural land in the environmental study area would be converted into detention basins and ROW areas for the viaduct. A portion of commercial land, approximately 0.35 acre, located east of the BNSF tracks would be converted into a detention basin for the project.

These changes in land use required for construction and maintenance of the viaduct are in compliance with potential future land uses described in the Bridgeport Comprehensive Plan (City of Bridgeport 2012). Construction of The Preferred Alternative would preserve park areas and future development would be adjacent to areas of existing infrastructure.

Construction of the Preferred Alternative would preserve existing zoning and will not result in rezoning of non-commercial areas in Bridgeport.

4.2.4 Mitigation Measures

- Access to individual businesses, residences, and other facilities in the area shall be maintained during construction. The contractor shall coordinate any potential access limitations, with individual landowners and the City of Bridgeport prior to construction activity to maintain access to drives and entrances via temporary roads or phased paving. (NDOT ROW Division, Contractor)
- Regarding the relocation of the shed and acquisitions of agricultural land, ROW, and temporary easements, the following shall be complied with as per the Uniform Act (NDOT ROW Division):
    - Provide relocation advisory services
    - Provide a minimum 90 days' written notice to vacate prior to possession
    - Reimburse for moving and reestablishment expenses
    - Relocate the shed to the 200-foot by 200-foot lot owned by the shed owner. The relocated shed shall be oriented in the direction preferred by the shed owner.
- ROW acquisition shall be conducted by paying fair market value for the property rights and damages that may occur as a result of the taking. ROW acquisition shall be completed in conformance with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), as amended (42 USC 4601 et seq.), and the Nebraska Relocation Assistance Act (Nebraska Revised Statute Section 76-1214 et seq. 1989).

4.3 Socioeconomic, Community Continuity, Cohesion, and Pedestrian Considerations

Socioeconomic issues related to the construction and operation of the proposed project include such items as permanent or temporary changes or impacts on travel patterns; school districts or their operations (busing); recreational facilities; police and fire services; highway safety; and impacts on businesses. Impact evaluations described below consider both construction and long-term effects of the proposed Project.

4.3.1 Affected Environment

Bridgeport provides a diverse economic base with major employers in the areas of agribusiness, industrial manufacturing, and railroad transportation. Bridgeport had a population of 1,545 persons in 2010 according to the U.S. Census Bureau (USCB 2010). Larger communities such as Scottsbluff, Alliance, and Sidney are within 40 miles of Bridgeport and provide alternative employment opportunities to citizens in the Project area.

US-385 serves as the main access route to Bridgeport from the north and southeast, US-26/N-92 serves as the main access route from the west, and N-88 serves as the main access route from the south. Emergency responders, such as the Morrill County Sheriff and Bridgeport Volunteer Fire Department, are located within Bridgeport on or near Main Street (US-385). Bridgeport has several other facilities important to the region located east of the US-26/N-92 at-grade crossing, including a public library; public/private schools; a post office; and the Morrill County Community Hospital.

According to the 2015 American Community Survey (ACS), educational services, health care, and social assistance provide the most jobs of any sector in Morrill County (18.7 percent), while agriculture jobs rank second in the county with 18.2 percent (USCB 2015). Retail trade, construction, and transportation, warehousing, and utilities make up most of industry in Morrill County. The remaining industries—manufacturing; wholesale trade; information; finance and insurance, real estate and rental and leasing; professional, scientific, management and administrative, and waste management services; arts, entertainment, recreation, accommodation and food services; other services; and public administration—account for the remaining portion of the county's jobs.

4.3.2 Impacts of the No Build Alternative

The No Build Alternative would not address issues concerning conflicts with vehicles, vehicular delays, and costs at the US-26/N-92 crossing of the BNSF railroad tracks. The No Build Alternative would not resolve issues regarding the existing delays and interactions between pedestrians, vehicles, and trains. The sheriff's department, fire department, and community hospital are all located to the east of the proposed Project location, and the US-26/N-92 route is the only access to and from properties west of the BNSF railroad tracks. Thus, the No Build Alternative would result in continued delayed access for emergency vehicle response to properties on the west side of the BNSF railroad tracks and for emergency vehicles heading toward the hospital from properties on the west side. There is no reasonable alternative route for emergency vehicles on US-26/N-92 when the at-grade crossing is closed. The only other route is to take N-88 south and then west to Wright's Gap Road (County Road 57), continue north to N-92,

and then back east to properties along N-92 and US-26. This detour would be almost 40 miles long, and the delays caused by this detour could have potentially catastrophic results for the protection of life and property.

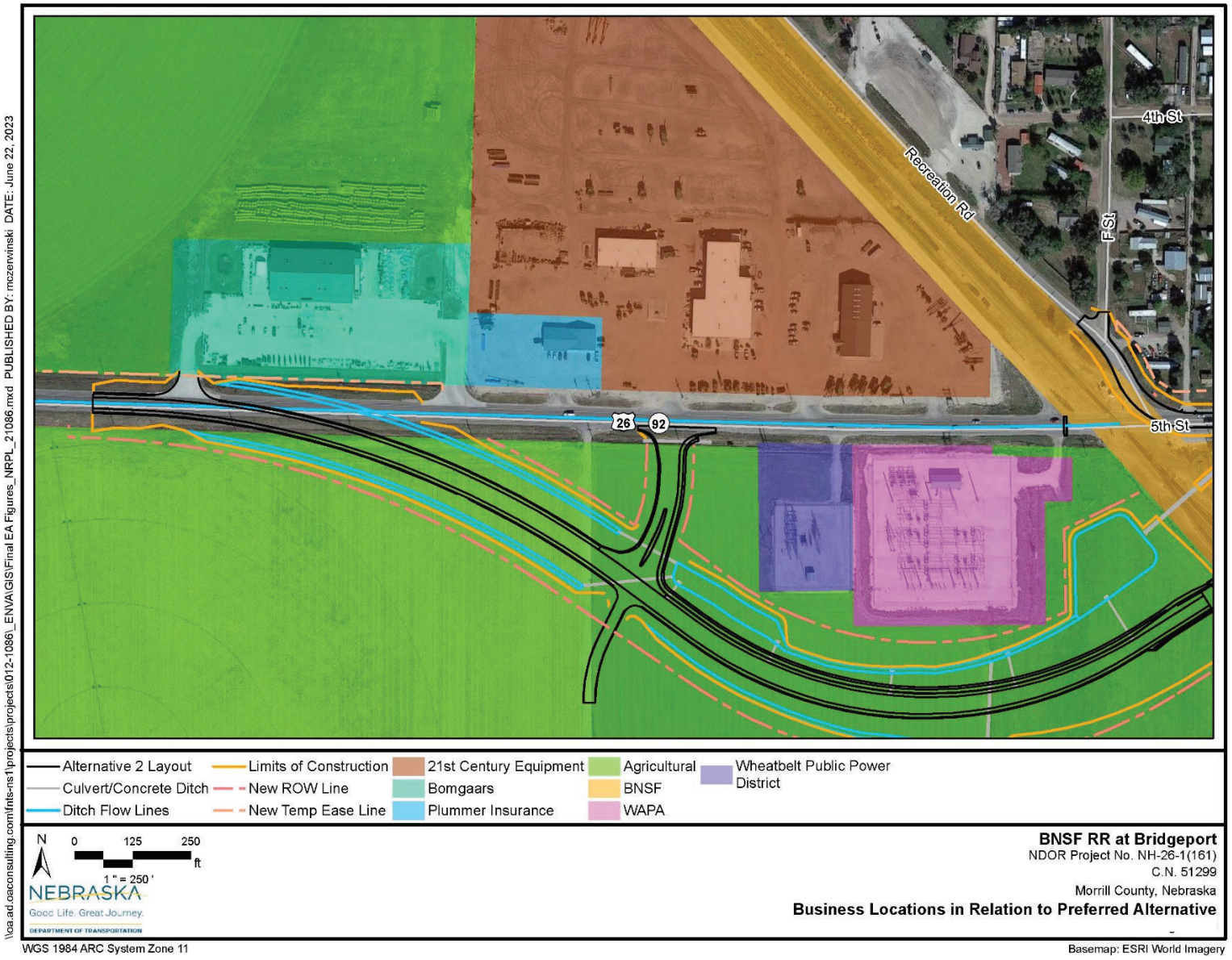
4.3.3 Impacts of the Preferred Alternative

Closure of the US-26/N-92 at-grade crossing is not expected to impact community cohesion and accessibility. East-west travel through the area would generally remain unchanged.

Once construction is complete, the old US-26/N-92 pavement would be left in place to provide access to the businesses and electrical substations on the west side of the railroad tracks and would be connected to the new US-26/N-92 alignment via a new drive. On the east side, Railroad Avenue would be improved with concrete pavement and would provide access to Recreation Road as well as connect to G Street and H Street. Both I Street and J Street would connect to the newly constructed US-26/N-92. This alternative would eliminate delays and conflicts between trains, pedestrians, and vehicles due to the construction of the viaduct and sidewalk located on the viaduct.

Businesses located along US-26/N-92 that would be by-passed include agricultural supply stores, such as Bomgaars and 21st Century Equipment, an insurance provider, a concrete plant, Panhandle Co-op which operates a gas station/convenience store, bulk fuels and propane storage, and an agronomy center. **Figure 4.3** shows the location of these services in relation to the Preferred Alternative. During construction, access to these properties would be provided via the existing crossing and temporary hard surfaced roads that would be constructed along the north side of the existing roadway. After construction is complete, access to businesses located west of the existing BNSF tracks would be provided at two improved access points, including the construction of a viaduct access point located east of C Street on the southside of US-26/N-92.

Figure 4.3 - Business Locations in Relation to Preferred Alternative.



Access to facilities located east of the tracks such as the Panhandle Co-op and concrete plant from US-26/N-92 would be provided via J Street to Railroad Avenue to the south. Railroad Avenue would be improved with concrete pavement and the width of these roadways would be at least 24 feet to provide adequate access for large vehicles entering and exiting these facilities. There would be no interruption in access, during or after construction, to the Panhandle Co-op gas station/convenience store which is located outside of the project limits at the corner of 5th Street and Main Street. Representatives from these businesses and facilities have been invited to public meetings previously held for this project, as well as provided comment on the project. These comments are detailed in **Section 5**. Additional information regarding temporary construction impacts is included in **Section 4.20**.

Residents who live adjacent to the existing BNSF railroad crossing would experience some changes in access during and after construction of the Preferred Alternative. Closing the crossing would result in minimal out-of-distance travel or circuitous routes for property owners and residents located east of the railroad tracks. After construction, property owners and residents who live along 5th Street traveling from the west over the viaduct would need to access their property via one of the local roads such as I or J Streets. The distance from the east end of the Preferred Alternative construction limits, along the existing highway to the property just east of the tracks on 5th Street is 1,169 feet. The distance on the Preferred Alternative via J Street south to Railroad Ave between the same two points is 2,325 feet. The difference between the pre- and post-construction condition travel distances for this example is 1,156 feet (0.219 mile).

Closing the crossing would result in minimal out-of-distance travel or circuitous routes for businesses located on the west side of the railroad tracks. For those travelling east to west to businesses located on the west side of the railroad tracks, travelling over the viaduct would add approximately 0.1 to 0.25 mile to the route, depending upon their destination. For example, the distance from the east end of the project construction limits, along the existing highway to Bomgaars's driveway is 2,724 feet. The distance along the Preferred Alternative alignment between the same two points is 3,385 feet. The difference between the pre- and post-construction condition travel distance for this example is 661 feet (0.125 mile).

Although there is some additional travel distance required to some destinations, eliminating the potential delay due to trains provides for more consistent and reliable travel times and eliminates unexpected delays. Coupled with the added safety due to eliminating the potential for car/train conflicts, the Preferred Alternative meets the purpose and need for the project and provides a benefit to roadway users in Bridgeport.

Railroad Avenue, via J Street south of US-26/N-92, would be improved to a concrete surface and provide continuous paved access to Recreation Road. Local streets located north of US-26/N-92 (such as I Street and J Street) are gravel surfaced and not suitable for recreational vehicles or vehicles towing trailers or boats and would not provide adequate access to Recreation Road. Future traffic volumes along J Street, between US-26/N-92 and 7th Street are anticipated to increase from 125 average daily traffic (ADT) to 850 ADT, with an increase from five percent heavy commercial vehicles to 15 percent heavy commercial vehicles (NDOT 2018). Noise impacts due to this increased traffic volume is discussed in **Section 4.7**.

Construction of the Preferred Alternative would provide direct, uninterrupted access from Bridgeport to commercial, residential, and industrial developments along US-26/N-92. East-west travel through the area would generally remain unchanged as traffic would travel over the railroad tracks with a curve to the south, instead of directly over the railroad tracks. The US-26/N-92 viaduct would remain the primary corridor for travel east and west along US-26/N-92, connecting Bridgeport to businesses and other western destinations.

The ease of north-south travel through the area is also generally expected to remain unchanged or unaffected by the closure of the railroad crossing. North-south travel within Bridgeport would be possible via Recreation Road located north of US-26/N-92 and Railroad Avenue located south of US-26/N-92. North-south travel within the vicinity of the railroad crossing is expected to improve as delays resulting from train blockages would be eliminated with the construction of the Preferred Alternative.

Construction of the Preferred Alternative would eliminate delays due to trains closing the at-grade crossing for emergency service and school transportation (i.e., buses) providers. Emergency service providers would be able to bypass potentially life-threatening delays and access the Morrill County Community Hospital regardless of train traffic. The Preferred Alternative would also eliminate train-related delays to persons who commute out of Bridgeport to surrounding communities for work. During construction, emergency services and bus routes would be unimpacted as access across the tracks would be maintained via the existing crossing and temporary hard surfaced roads that would be constructed along the north side of the existing roadway. The Preferred Alternative would provide a sidewalk along the viaduct, allowing for a safer condition for pedestrian users than the existing US-26/N-92 at-grade crossing.

The ease of north-south travel through the area is also generally expected to remain unchanged or unaffected by the closure of the US-26/N-92 at-grade crossing. Main Street (US-385) would remain unchanged during and after construction.

There are no permanent negative socioeconomic impacts identified from the project, with a long-term positive benefit from viaduct construction for unimpeded access across the railroad tracks and highway and eliminating the potential for train-vehicle collisions. Short-term construction related impacts are anticipated and are further discussed in **Section 4.20** of this document.

4.3.4 Mitigation Measures

- Per standard practice, NDOT shall notify the public at the start of construction by placing notices in the newspaper 14 calendar days before construction, and electronic message boards may be used before beginning construction activities. NDOT shall also notify emergency services such as police and fire departments before construction activities begin, as well as maintain continued coordination throughout construction. Emergency services providers shall be invited to the preconstruction meeting for this proposed Project. (NDOT Communication, NDOT District 5)
- The contractor shall at all times, to the extent practicable, provide private dwellings, commercial properties, businesses, and public facilities access to and from the nearest intersecting public road or street (NDOT 2017). Accommodations shall be made to ensure local traffic passing within the limits of the Project has access to all private dwellings, commercial properties, businesses, and public facilities. During those periods when a road is closed, even for a short duration, limited access must be maintained for authorized local

traffic. If access is to be closed longer than one day, the contractor shall coordinate with the affected property owners. (Contractor, NDOT District 5)

- During final design, NDOT will coordinate with the Nebraska Game and Parks commission on a permanent signage plan to the Bridgeport State Recreation Area. (NDOT Traffic)
- During construction, NDOT shall provide temporary signage to the Bridgeport State Recreation Area. (NDOT District, Contractor)

4.4 Limited English Proficiency

Compliance with Limited English Proficiency (LEP) requirements is mandated under Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq.). U.S. Department of Transportation (DOT) Order 1050.2A and FHWA's Title VI Program require state DOTs to assess LEP needs and incorporate language access measures in public engagement and project communications.

4.4.1 Affected Environment

The area in which the preferred alternative is located is mostly English-speaking. In the past, ACS data has indicated a Spanish-speaking LEP population in Bridgeport that reached the NDOT outreach triggers of 5 percent or 1,000 persons. At present none of the data indicates the presence of an LEP population that reaches the NDOT LEP outreach triggers of 5 percent, or 1,000 persons as described in the NDOT LEP Plan. **Table 4.1** provides the LEP data for this project.

Table 4.1 - Languages Spoken for Bridgeport Viaduct.

Census Geography	Total Population	% Population Speaks English Only	Languages other than English Spoken by 1,000 Persons or more than 5% of the Total Population	Project / Detour
Block Group 3: Census Tract 9525; Morrill County; Nebraska	1,333	88.1%	Spanish – 3.4% (45) Indo-European – 1.1% (15)	Project Only
Block Group 4: Census Tract 9525; Morrill County; Nebraska	709	98.9%	Spanish – 0.4% (3)	Project Only
Affected Area	2,042	91.9%	Spanish – 2.4% (48) Indo-European – 0.7% (15)	

All data from American Community Survey 2019-2023 5-Year Estimates, Table B16004

4.4.2 Impacts of the No Build Alternative

The No Build Alternative would not result in impacts on LEP populations as the existing condition would continue. However, the No Build Alternative would not address conflicts between pedestrians, vehicles, and trains and would not address issues regarding delays due to the at-grade crossing.

4.4.3 Impacts of the Preferred Alternative

Since the population of LEP in the affected area does not meet or exceed NDOT LEP outreach triggers of 5 percent or 1,000 persons, no impact to LEP populations is anticipated.

At a public information meeting held in Bridgeport on July 10, 2014, meeting materials were presented in English and Spanish, and a Spanish-language interpreter was available at the meeting. Proposed Project information sheets and mail-in comment forms, in both English and Spanish, were distributed to every residence in the environmental study area. Copies of materials distributed during the public information meeting are provided in **Appendix J**. A summary of this meeting and comments received is presented in **Section 5.2**.

Spanish translation was required at the time of this 2014 public meeting based on the best available ACS data at that time. No translations or specialized LEP outreach are required for this project at this time because, in the areas examined, only some of the block groups indicate the presence of an LEP population and the languages other than English vary. The populations of languages other than English considered in aggregate are small compared to the total population in the block groups within the project area.

4.4.4 Mitigation Measures

Based on the type of project and anticipated construction activities, no specific mitigation measures are proposed for this project at this time.

4.5 Cultural Resources

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

- Identify consulting parties.
- Identify and evaluate historic properties located within the Area of Potential Effect (APE) established for an undertaking.
- Assess adverse effects on properties that are listed, or are eligible for listing, in the NRHP.
- Consult with the State Historic Preservation Office (SHPO) and, as appropriate, the Advisory Council on Historic Preservation and other interested parties to resolve adverse effects.

Four main criteria determine whether a property is eligible for inclusion in the NRHP. A property is considered eligible if it meets one or more of the criteria listed below:

- **Criterion A:** Associated with events that have made a significant contribution to the broad pattern of our history.
- **Criterion B:** Associated with the lives of persons significant in our past.
- **Criterion C:** Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or that possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- **Criterion D:** Has yielded, or may be likely to yield, information important in history or pre-history.

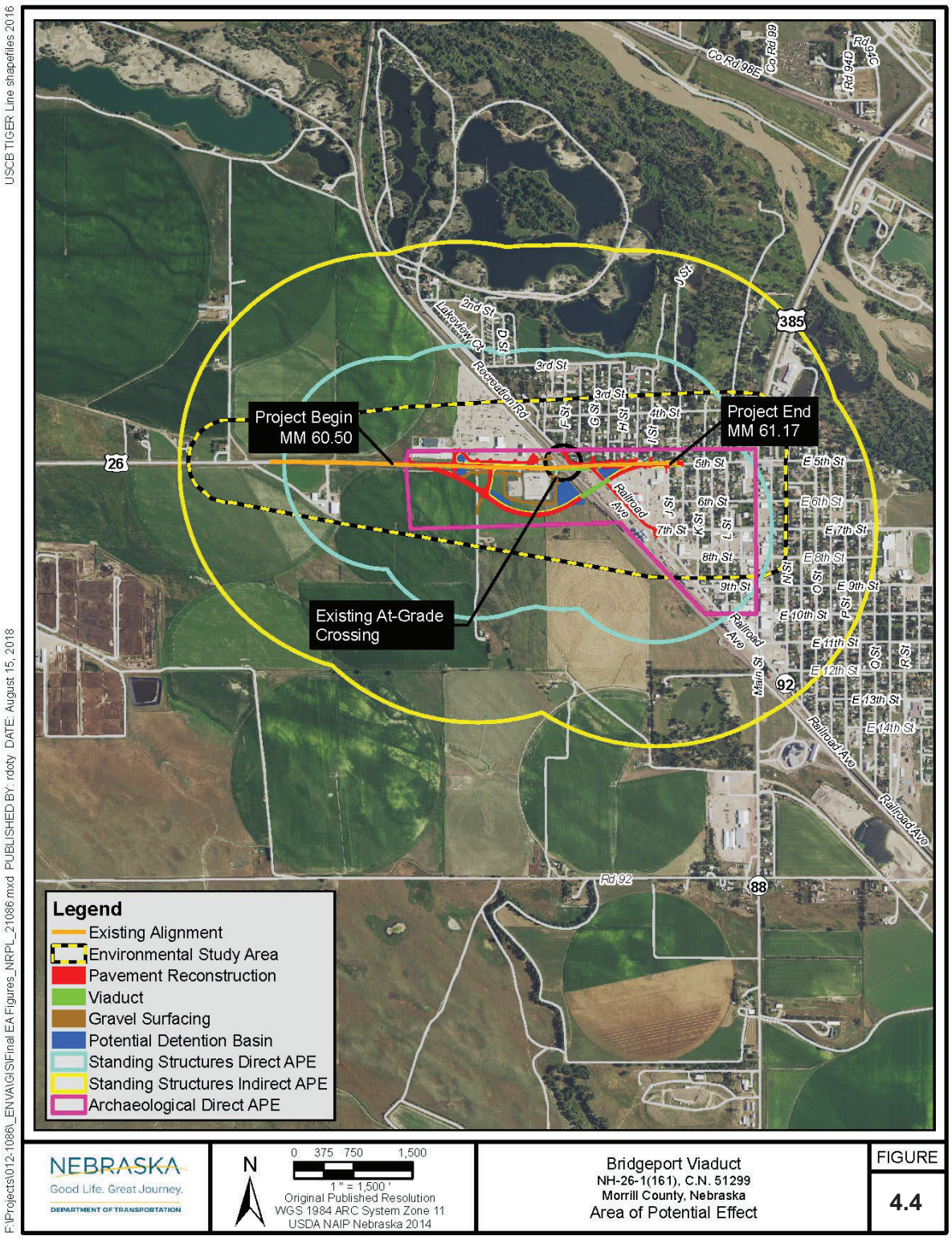
Congress passed the American Indian Religious Freedom Act of 1978 (Public Law [P.L.] 95-341) to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise their traditional religions including, but not limited to, access to sites, use of and possession of sacred objects, and the freedom to worship through ceremonial and traditional sites. Therefore, the law requires that the effects of a federal undertaking on Native American sites or places (prehistoric or historic) that have religious, ceremonial, or sacred aspects be evaluated within the context of this law.

4.5.1 Affected Environment

In 2015, Study Alternatives 1 and 2 were then under review and the APE for considering archaeological resources included areas described as Alternatives 1 and 2 and the roadway to be improved at the location where US-26 and N-92 cross the BNSF tracks. The 2015 APE for architectural/structural resources was defined to include all study alternatives and included areas extending approximately 0.25 mile from Alternatives 1 and 2. An indirect architectural APE was defined to extend approximately 0.5 mile from Alternatives 1 and 2. The APE remains as defined in 2015, except for the archaeological APE which was expanded in 2023.

In 2023, the archaeological APE was expanded to include portions of a WAPA held easement to accommodate the proposed relocation of two transmission line poles, 282 and 284A and related above ground utility work at poles 280 and 284B (**Figure 4.5**). The architectural APE for direct effects encompasses this area and was not expanded.

Figure 4.4 - Area of Potential Effect.



Resources such as archaeological, paleontological, and standing structures that are NRHP-eligible are considered historic properties and Section 106 Resources.

Archaeology and Paleontology

An archaeological survey of the proposed direct Area of Potential Effects (APE) was initially completed by History Nebraska archaeologist Amy Koch in June 2007. This direct APE consisted of the proposed roadway alignment for each respective alternative and the roadway to be improved (**Figure 4.4**). Survey of an indirect APE for indirect or cumulative impacts was not required in this instance. Results were negative for any archaeological sites, and the area was considered unlikely to contain paleontological resources due to its location within the North Platte River floodplain and the lack of rock outcrops (FHWA 2015).

In response to design changes required to relocate WAPA transmission lines, a supplemental archaeological evaluation was completed, summarized in Enclosure 1, Appendix 2, by Highway Archaeologist Trent Carney. This evaluation synthesizes previous investigations and provides new findings. The expanded APE was surveyed, and a review of the Nebraska State Historical Society Cultural Resources Geographic Information System (NCRGIS) indicated one previously identified archaeological site within the APE, Site 25MO42. Initially recorded in 1933, this site was broadly mapped to cover Sections 31 and 32 (T20N, R50W) due to incomplete site information.

Koch's 2007 survey focused on areas not previously disturbed by US-26 and the community of Bridgeport, using 10-meter pedestrian transects. No new archaeological sites were found, and no evidence of Site 25MO42 was observed. This evaluation was reviewed in 2015 by NDOT Professionally Qualified Staff (PQS) Stacy Stupka, who confirmed that no new sites had been identified and that the previous level of effort remained adequate. SHPO concurred with this determination on July 15, 2015.

In 2021, Highway Archaeologist Courtney Ziska reaffirmed that no further archaeological investigations were required. However, in 2023, the archaeological APE was expanded to accommodate the relocation of two WAPA transmission line poles (282 and 284A) and related above-ground utility work. Intensive archaeological fieldwork of the expanded archaeological APE was conducted, and no new archaeological sites were identified within the 2024 archaeological APE. Additionally, no evidence of Site 25MO42 was found. Carney's 2024 report, based on historical research and recent investigations, adjusted the mapped boundaries of Site 25MO42 to reflect its likely smaller size. The site remains unevaluated relative to National Register of Historic Places (NRHP) eligibility, and there are no NRHP-significant archaeological sites located within the expanded archaeological APE.

The area remains unlikely to contain paleontological resources due to its floodplain location and the absence of rock outcrops.

Architectural Resources

The direct APE and survey area for architectural resources consisted of the proposed roadway alignment for each respective alternative and the roadway to be improved, as well as areas extending outward for approximately one-quarter mile from the Preferred Alternative, which would encompass the construction footprint associated with the project. The indirect APE extends approximately one-half mile from the Preferred Alternative. **Figure 4.4** illustrates the extent of each APE.

This project was re-investigated by Nebraska State Historical Society (NSHS) Preservation Associate Diane Laffin in 2021, utilizing the Nebraska State Historic Preservation Office (NESHPO) inventory and site files, the Reconnaissance Final Survey Report of Morrill County, Nebraska (1990), the Morrill County tax assessor records, and other primary and secondary sources. The background research identified two previously recognized architectural historic properties within the APE: the Morrill County Courthouse and the Irrigation Headquarters Building.

Laffin's 2021 update to the 2013 investigations (Akerstrom and Laffin 2013, Appendix 3) evaluated all properties within the architectural APE, both direct and indirect, using SHPO Historic Resources Survey Manual criteria and guidelines from the National Park Service Bulletin 15: How to Apply the National Register Criteria for Evaluation (NPS Bulletin 15). Properties were considered if they were 50 years or older, retained their original location, and possessed sufficient physical integrity to convey NRHP significance. In 2021, the NDOT expanded the methodology to include properties 45 years or older (constructed in 1976 or earlier). All identified properties were evaluated for NRHP eligibility based on these criteria.

In 2013, Akerstrom and Laffin evaluated 179 properties within the APE. Of these, 127 did not meet SHPO survey requirements and were not recommended for NRHP eligibility. Fifty-two properties were surveyed, but only two were identified as historically significant: the Morrill County Courthouse (NRHP listed) and the Irrigation Headquarters Building (recommended eligible for NRHP listing). SHPO provided concurrence on these findings in 2015.

Laffin's 2021 reconnaissance re-evaluated the 179 properties from 2013 and concluded that SHPO's 2015 NRHP eligibility determinations remained appropriate. No new NRHP-eligible properties were identified within the direct architectural APE. The two historic properties—the Morrill County Courthouse and the Irrigation Headquarters Building—remain within the indirect architectural APE.

Additionally, Laffin corrected the 2013 survey by evaluating two properties (FN 98 and FN 199) that met minimum survey requirements but were not fully documented. These properties, constructed around 1910 and 1915, were evaluated but not recommended for NRHP eligibility due to a lack of physical integrity and NRHP significance. Furthermore, five properties from the 2013 survey were no longer extant. Laffin also identified 39 new properties (constructed between 1963-1976) that met SHPO survey guidelines. Of these, 38 were determined not eligible for the NRHP due to a lack of NRHP significance or integrity, while the WAPA Substation (FN 172) was evaluated but not recommended for NRHP eligibility.

In 2015, NDOT PQS Stacy Stupka evaluated properties identified as potential acquisitions. None of these properties were recommended for NRHP eligibility.

In summary, investigations completed in support of this project evaluated 218 properties (Akerstrom and Laffin 2013; Laffin 2021). Of these, 216 properties were recommended as not eligible for NRHP listing due to a lack of integrity or NRHP significance. There are no historic properties within the direct architectural APE. Two historic properties remain within the indirect architectural APE: the NRHP-listed Morrill County Courthouse and the NRHP-eligible Irrigation Headquarters Building.

Morrill County Courthouse (MO04-002)
The Morrill County Courthouse is a Classical Revival-style building constructed in 1909, designed by J.P. Eisentraut. Located at 606 Main Street, it features a rectangular plan, a central entrance flanked by two-story columns, and a triangular pediment. Listed in the NRHP in 1990 under Criterion A for its association with Politics and Local Government, and under Criterion C for its architectural significance, the building is in excellent condition and retains all aspects of integrity.

Irrigation Headquarters Building (MO04-077)
Constructed circa 1937, this Egyptian Revival-style building was designed by Cecil Calvert Coursey. It features a one-story rectangular plan, light brick veneer, decorative leaf patterns, and a clay tile pent roof. The main entrance is an arched entryway with Corinthian-crowned pilasters and round-arch windows. The building is eligible for NRHP listing under Criterion A for its association with Irrigation and Agriculture and under Criterion C for its architectural significance. It retains all aspects of integrity, although the materials show slight signs of diminished integrity.

There are no historic architectural properties within the direct APE, and only the Morrill County Courthouse and the Irrigation Headquarters Building are located within the indirect APE.

Western Trails Scenic and Historic Byway
US-26 and N-92 from Ogallala, Nebraska, to the Wyoming border are identified as the Western Trails Scenic and Historic Byway. However, FHWA has not designated this Byway as a National Scenic Byway. According to visitnebraska.com, the byway is a 144-mile route that “mirrors the vast solitude surely felt by the pioneers nearly 200 years ago” and is characterized by “towering geological formations, pine-shaded bluffs, wagon wheel ruts, Old West storefronts, and the state’s premier recreation lake.” While most of this byway extends through rural western Nebraska into Wyoming, the route does include the developed area around the proposed Project location. There is no contributory historic or scenic feature within the environmental study area associated with the byway.

4.5.2 Impacts of the No Build Alternative

No construction activities would be completed with the No Build Alternative and, therefore, it would have no direct effect on historic properties.

4.5.3 Impacts of the Preferred Alternative

The cultural resources coordination report (**Appendix B**) concluded that there are no archaeological sites within the direct APE. Based on the results of the archaeological survey, it is recommended that the Preferred Alternative would have *no effect* on archaeological sites.

A survey of standing structures was also completed and discussed in the report. This survey found that the Morrill County Courthouse, a building listed in the NRHP, and the Irrigation Headquarters Building, a building eligible for the NRHP, are both within the indirect APE. Because of distance, intervening vegetation, and residential neighborhoods that already obstruct the view of the railroad, FHWA determined that Alternative 2 would have *no effect* on the characteristics that qualify the above properties for inclusion in the NRHP (**Appendix B**).

Additional evaluations conducted in 2021 reconfirmed there are no historic properties within the direct APE for archaeology or architecture. The Morrill County Courthouse and the Irrigation Headquarters Building are located on Main Street (US-385), approximately 0.5 mile southeast of

the proposed viaduct location. Both properties retain good physical integrity, with some minor changes in materials, design, and workmanship, but still retain all seven aspects of integrity as defined by NRHP standards. Their NRHP boundaries are limited to the parcels historically associated with each property.

The Morrill County Courthouse and the Irrigation Headquarters Building face east, away from the Project location. Between these historic properties and the proposed project site, there are buildings, trees, and power lines that would obscure any potential views of the viaduct from the rear of the properties. If visible at all, the viaduct would not affect the characteristics that make these properties eligible for listing in the NRHP. Additionally, the reconstruction of local streets approximately 0.25 mile from these historic properties would not affect their integrity. No auditory or vibratory effects are anticipated due to the distance between the properties and the project, and no long-term or cumulative effects are expected.

On May 27, 2015, FHWA requested Section 106 concurrence regarding the evaluation of historical resources for this proposed project and their finding of “no historic properties affected.” Concurrence was received from SHPO on July 6, 2015. Cultural resources coordination and SHPO concurrence documents can be found in Appendix B – Section 106 / Cultural Resources Coordination.

In 2021, NDOT completed supplemental evaluations of both the archaeological and architectural APEs and recommended that no new historic properties had been identified. The two previously identified historic properties within the indirect APE, the Morrill County Courthouse and the Irrigation Headquarters Building, remain good candidates for NRHP listing, but the project will not affect the characteristics that contribute to their eligibility. The landscape features that existed in 2015, including intervening vegetation and residential areas, still provide visual barriers, ensuring that the proposed viaduct will not impact the historic integrity of these properties.

FHWA reaffirmed the project effects determination of "no historic properties affected" for the project as proposed.

4.5.4 Mitigation Measures

There would be no historic properties affected; therefore, no mitigation measures are necessary.

4.6 Section 4(f) and Section 6(f) Properties

Section 4(f) of the U.S. Department of Transportation Act of 1966, as amended, states that the FHWA “…may approve a transportation program or project…requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of National, State, or local significance, or land of an historic site of National, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if…there is no prudent and feasible alternative to using that land; and…the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use” (49 USC 303[c]).

A “use” of a Section 4(f) property, as defined in 23 CFR 774.17, occurs (1) when land is permanently incorporated into a transportation facility; (2) when there is a temporary occupancy of land that is adverse in terms of the statute’s preservation purpose; or (3) when there is a constructive use of a Section 4(f) property. A constructive use occurs when the transportation project does not incorporate land from a Section 4(f) property, but the project’s proximity impacts

are so severe that the protected activities, features, or attributes that qualify the property for protection under Section 4(f) are substantially impaired.

Also evaluated are recreational properties acquired or improved with funding assistance under the Land and Water Conservation Fund Act (16 USC 4601-4 et seq.). If such properties are identified, additional steps are required to comply with the requirements of 16 USC 4601-8(f)(3), or Section 6(f), and associated implementing regulations at 36 CFR 59, "Land and Water Conservation Fund Program of Assistance to States; Post-Completion Compliance Responsibilities" (NPS 2008). Section 6(f)(3) of the act requires that all fund-assisted property be used and retained for public outdoor recreation uses in perpetuity. Project sponsors are required to replace a fund-assisted property that is converted to other than public park uses, either during or after Project completion.

4.6.1 Affected Environment

The environmental study area for 4(f) and 6(f) properties included areas that could result in constructive use of the property, for example, by restricting access.

Bridgeport State Recreation Area (SRA)

The Bridgeport SRA is situated along the North Platte River northwest of Bridgeport and is considered both a Section 4(f) and a Section 6(f) property. The Bridgeport SRA can be reached by taking Recreation Road just off US-26/N-92 and traveling approximately 1.25 miles northwest to its entrance. The Bridgeport SRA totals 197 acres, consisting of 119 acres of land and 78 acres of water in several sand pit lakes. The area originated as a sand and gravel pumping operation during the 1930s and was obtained by the Nebraska Game and Parks Commission (NGPC) in 1952 for development as a recreation area. The Bridgeport SRA is open year-round and provides opportunities for a variety of activities including camping, picnicking, fishing, and swimming (in designated locations). **Figure 4.5** is an aerial image displaying the proximity of the Bridgeport SRA to the proposed Project.

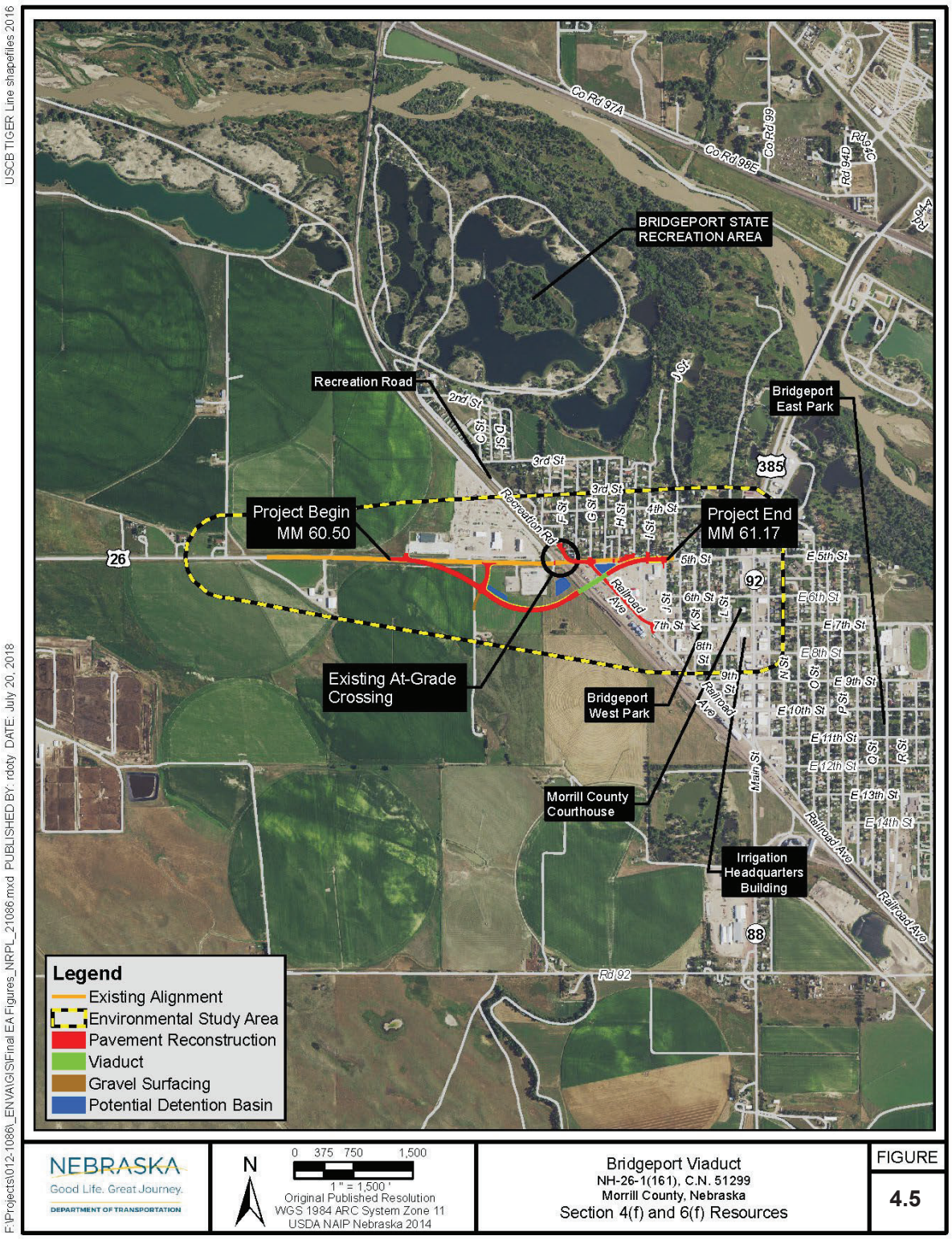
Parks

The City of Bridgeport maintains two city parks, East Park and West Park, both of which qualify as Section 4(f) properties. East Park is located at the intersection of 10th and Q streets (outside the environmental study area), and occupies one city block that includes playground equipment, restrooms, and shelter house. West Park is located within the environmental study area at the intersection of 7th and K Streets and provides playground equipment, a tennis court, basketball hoops, and restrooms. **Figure 4.5** is an aerial image displaying the proximity of these parks to the Project.

Historic Properties

The Morrill County Courthouse is located on Main Street (US-385) on the block between 6th and 7th Streets. The Courthouse is listed in the NRHP and as such it is considered a Section 4(f) property. The Irrigation Headquarters Building, a structure that meets the 50-year age guideline for NRHP consideration, is located on the northwest corner of 8th Street and Main Street (US-385) and has been recommended eligible for listing in the NRHP and therefore considered a Section 4(f) property. See **Section 4.5** for more information on historic properties.

Figure 4.5 - Section 4(f) and 6(f) Resources.



4.6.2 Impacts of the No Build Alternative

The No Build Alternative would continue the existing travel patterns and would not lead to a change in access to Section 4(f) or Section 6(f) properties; therefore, the No Build Alternative would result in no use of any Section 4(f) properties and no impacts or conversion of Section 6(f) properties.

4.6.3 Impacts of the Preferred Alternative

Access to the Bridgeport SRA would remain open during construction for the Preferred Alternative; Recreation Road off US-26/N-92 would be maintained during construction, with periods of one lane traffic using temporary signals. Once constructed, the Preferred Alternative would result in a change of access because vehicles would not be able to turn onto Recreation Road directly from the viaduct. Instead, vehicles would use J Street or Railroad Avenue, pass under the viaduct, and continue onto Recreation Road. This minor change in access to Recreation Road would not impair access to the Bridgeport SRA and would not result in a Section 4(f) use. Because there is no conversion of Bridgeport SRA to non-recreational use, there is no Section 6(f) conversion and no requirement to coordinate with the NPS.

East Park and West Park, the Morrill County Courthouse and Irrigation Headquarters Building would not be directly impacted by the Preferred Alternative and would not be adversely affected by construction activities. Any changes in access or travel patterns to these properties would not impair or diminish their characteristics and no Section 4(f) use would result.

4.6.4 Mitigation Measures

Access shall be provided to Section 4(f) and Section 6(f) properties (Bridgeport SRA, Morrill County Courthouse, Bridgeport West Park, Irrigation Headquarters Building, Bridgeport East Park, and Bridgeport West Park) at all times during and after construction. (NDOT District Construction, Contractor)

4.7 Noise

NDOT conducted a noise analysis for the proposed Project in June 2016. A second noise analysis was conducted in August 2016 to include the J Street corridor. A third noise analysis was conducted in October 2018 to comply with revisions to the NDOT Noise Analysis and Abatement Policy. Because the October 2018 analysis includes the J Street corridor and is in compliance with NDOT policy, this is the analysis referenced in the following discussion. All three noise analyses are provided in **Appendix C**.

The analysis defined noise as “unwanted sound” and further defined sound as “the sensation produced when the movement of an object creates vibrations, or waves, that pass through the ears.” The unit of measure for sound pressure is the decibel (dB). The range of sound pressure levels most frequently encountered in evaluating traffic-generated noise on highways is 50 to 95 dBs.

Highway traffic noise analyses are conducted using an “A”-weighted frequency response characteristic. Measurements using A-weighted dBs (dBA) incorporate a human’s reduced sensitivity to both low-frequency noises and very high-frequency noises to better correlate with our subjective impression of loudness. Noise levels of 40 dBA to 50 dBA are typical of a quiet

neighborhood or typical conversation, while 70 to 80 dBA might be heard adjacent to a busy urban street or highway. An increase or decrease in noise by 3 dBA is readily noticeable by most people. The human ear perceives an increase or decrease in noise by 10 dBA as a doubling or halving of the noise level. A noise-sensitive receiver, also referred to as a receptor, is defined as "any property where frequent exterior human use occurs and where a lowered noise level would be of benefit. In those situations where there are no exterior activities affected by the traffic noise; the interior of the building shall be used to identify a noise sensitive receiver" (FHWA 2016a).

The primary tasks for the study were to identify receivers that approached or exceeded the noise abatement criteria determined for different types of receivers and to determine the relative change in traffic noise levels anticipated from the proposed Project. Noise levels were predicted for existing 2015 conditions, 2040 no build conditions, and 2040 build conditions. The “FHWA Highway Noise Prediction Model” was the method used to predict noise levels. The model permits an analysis of variations in traffic noise in terms of traffic parameters. Parameters considered for the analysis included:

- Traffic levels and vehicle composition
- Current speed limits
- Speed limits of the proposed design
- Plan and profile information for roadways, including the new roadway elevated over the railroad tracks
- Location and elevation of sensitive noise receivers
- Location of features that act to shield traffic noise
- Ground cover type

Noise abatement would be considered if the noise levels exceeded either of these criteria:

- Noise level approaches or exceeds 67 dBA for residential and 72 dBA for commercial facilities. NDOT considers “approaching” to be 1 dB less than these criteria.
- Predicted future noise levels are 15 dBA or more above existing levels. For purposes of interpreting the FHWA noise standards, this would be considered “substantially exceeding” existing levels.

The noise criteria can be better understood by comparing to normal speech at 3 feet, which is measured at 65 dBA, to a gas lawn mower at 100 feet, which is measured at 70 dBA.

4.7.1 Affected Environment

On the east side of the US-26/N-92 at-grade BNSF railroad track crossing and north of the highway, land use is mostly residential; south of the highway, it is mostly commercial and industrial. To the west of the crossing and north of the highway, land use is primarily commercial; south of the highway, it is primarily agricultural fields and electrical substations. Most of the commercial businesses in the area are retail or industrial facilities that are not noise sensitive and therefore do not warrant traffic noise analysis. The exceptions are a nail salon and an insurance office, both of which were analyzed for noise impacts. Currently, trains are required to sound their horns in advance of the crossing which is at least 16 times per day.

Noise levels at receptors adjacent to J Street were predicted to increase to a greater extent than other areas of the project. Due to the construction of the proposed viaduct, there would no longer be direct access from Highway 26 onto Recreation Road or Railroad Avenue from the west. Traffic would therefore travel south on J Street and north on Railroad Avenue to connect back to Recreation Road. This increase in traffic volume is expected to increase noise levels 4 dBA to 8 dBA on J Street. However, this increase is less than the 15 dBA increase needed to constitute a traffic noise impact defined by the NDOT Noise Analysis and Abatement Policy.

Figure 4.6 shows the identified noise receivers for the noise analysis. See **Appendix C** for more information.

Figure 4.6 - Noise Receiver Location Map.

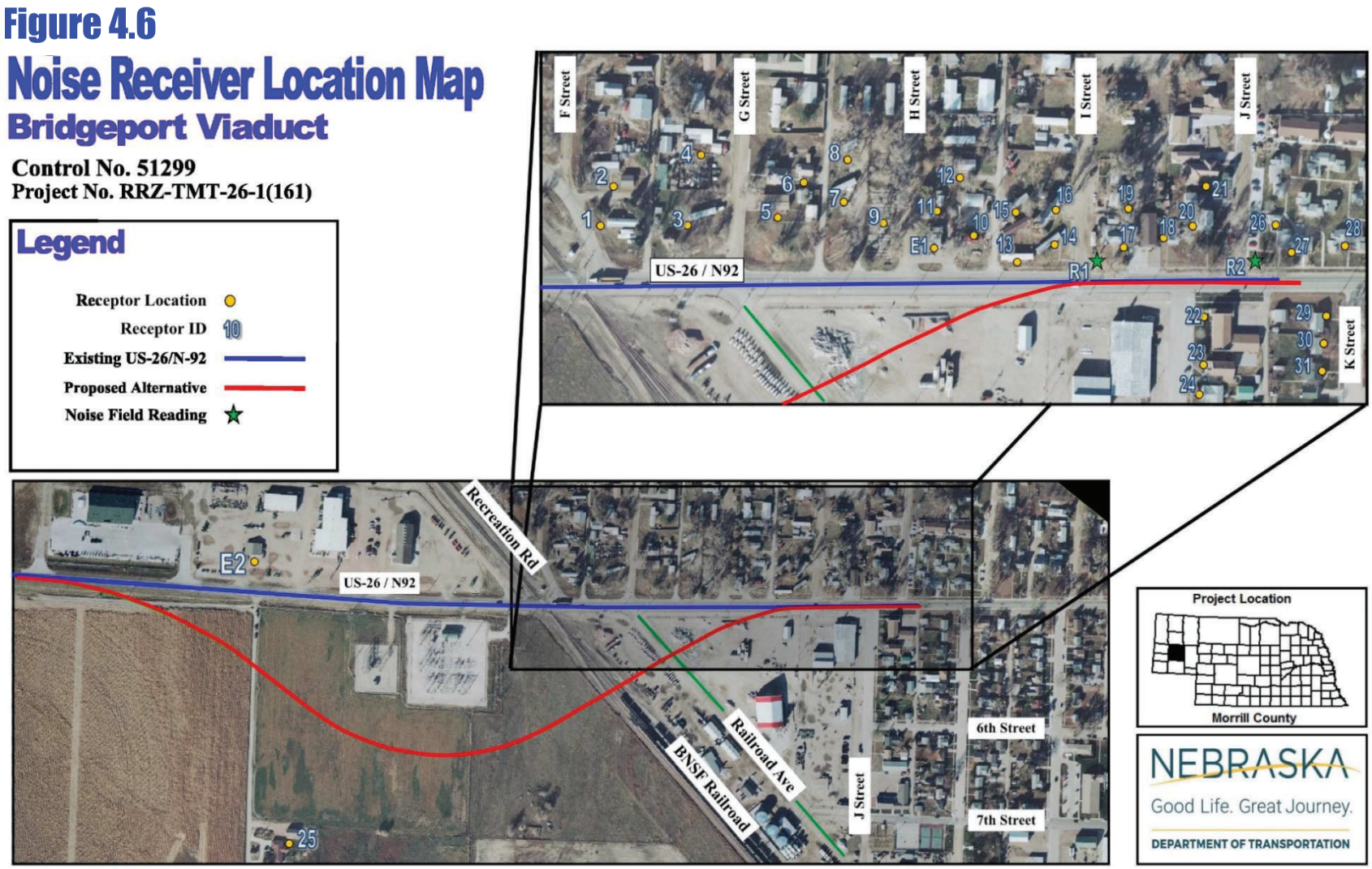


Figure 4.6 - Noise Receiver Location Map Continued.

4.7.2 Impacts of the No Build Alternative

The analysis indicated that existing noise levels do not approach or exceed the noise abatement criteria of 67 dBA for any residential receivers or 72 dBA for commercial receivers.

No construction activities would occur as a result of the No Build Alternative. Further, the No Build Alternative would not result in an increase in vehicular traffic beyond the existing predicted volumes. Therefore, there would be no temporary or additional permanent traffic noise impacts associated with this alternative.

However, this alternative would not eliminate the need for train horns to be blown when approaching the crossing, which would continue to affect residents of the neighborhood to the northeast of the crossing.

4.7.3 Impacts of the Preferred Alternative

The noise model applied information on proposed roadway, traffic, and sensitive receiver information to predict the noise levels for the Preferred Alternative. The results of the predicted noise levels are summarized as follows:

- There were no instances of noise levels approaching or exceeding impact levels (67 dBA for residential and 72 dBA for commercial facilities).
- There were no instances of noise levels substantially exceeding no build condition noise levels in the environmental study area (increase of 15 dBA over the existing levels).

Therefore, there would be no noise impacts from the Preferred Alternative.

Providing a viaduct at the US-26/N-92 crossing of BNSF railroad tracks also eliminates the need for trains to sound their horns in advance of the crossing. Eliminating train horn noise at this crossing would provide relief and improving the quality of life for noise sensitive receptors in the area currently impacted by train horns sounding at least 16 times per day. This would improve the quality of life for people in the area currently affected by train horns, especially in the residential community located to the northeast of the crossing.

4.7.4 Mitigation Measures

No receivers in the proposed Project would be impacted by traffic noise for the Preferred Alternative. Therefore, no noise abatement actions were evaluated or recommended.

4.8 Utilities

NDOT has the authority and responsibility to regulate utility occupancy on all state highways. In exercising this responsibility, NDOT may enter into agreements with political subdivisions regarding state highways located within their geographical boundaries. All other public roads and streets not designated as state highways are under the jurisdiction of the local political subdivisions, in accordance with state statutes and local ordinances.

4.8.1 Affected Environment

The following known providers have utilities in the proposed Project environmental study area:

- WAPA Substation and Aboveground Power Line

- Allo Communications LLC Communication Line
- Source Gas Distribution Line
- Wheat Belt Public Power District Substation and Aboveground Power Line
- Chimney Rock Public Power District Aboveground Power Line
- Rural Nebraska Healthcare / Zayo Group LLC Communication Line
- CenturyLink Below Ground Copper Communication Line
- Charter Communications Inc. Fiber and Coaxial Cable (below and above ground)
- Bridgeport Power, Water, and Sanitary Sewer Lines

Coordination with WAPA occurred throughout the proposed Project planning process, as WAPA's property is federally owned and WAPA has been a cooperating agency since 2023 (see **Appendix L**). Therefore, for incorporation into this document, WAPA completed an engineering analysis of the Preferred Alternative to determine acceptability by developing an estimated cost of equipment, schedule, engineering, procurement, and construction work that would be required to implement either alternative. The full engineering analysis is provided in **Appendix D.** Further discussion of the analysis of specific alternatives can be found in **Section 4.6.2 and Section 4.6.3**.

WAPA would enter into a construction and license agreement with NDOT to authorize the planned road improvements across WAPA's existing easements. NDOT would be responsible for acquiring any necessary ROW for the modified substation access.

NDOT would be responsible for signing an agreement and providing funding for the environmental review and system modifications required. NDOT would also coordinate with WAPA to discuss environmental requirements, agreements, schedules, and other activities.

No concurrent line outages would be allowed during construction.

4.8.2 Impacts of the No Build Alternative

With the No Build Alternative, there would be no change to the existing utilities within the environmental study area, and thus, no impacts.

4.8.3 Impacts of the Preferred Alternative

The Preferred Alternative would require construction or relocation of the utilities listed below. No disruptions of service are anticipated from construction activities or utility relocations.

- WAPA Substation
- Wheat Belt Public Power District Power Line
- CenturyLink Below Ground Copper Communication Line
- Charter Communications Inc. Fiber and Coaxial Cable
- Bridgeport Power, Water, and Sanitary Sewer Lines

Utility companies are responsible for relocation costs associated with their facilities within the public ROW. Utilities outside the public ROW and within their own easement are considered a project cost; utility relocations that are a project cost would be paid for with state funds.

With the Preferred Alternative, NDOT may offer to convey to WAPA any remnant parcels it may acquire to the west of the railroad ROW and north of the new alignment of the planned ROW. NDOT would also transfer any necessary titles. WAPA would raise two transmission line structures, 282 on the SD-BPT 115-kilovolt transmission line and 284A on the BPT-GS 115-kilovolt transmission line as needed to maintain proper line clearance over the proposed viaduct. WAPA would also splice the fiber on the two transmission lines and locate splice points on transmission line structure 280 on the SD-BPT transmission line, and transmission line structure 284 on the BPT-GS transmission line. WAPA would work with NDOT to ensure that access to the transmission line structures is maintained.

4.8.4 Mitigation Measures

- The length and height of power line adjustments shall be determined in the final design phase of the proposed Project. (NDOT, Utility Provider)
- The contractor shall follow the guidelines of NDOT's Policy for Accommodating Utilities on State Highway ROW (NDOT 2001). It is NDOT's responsibility to notify utility companies of the need for relocation during the design stage of the proposed Project. NDOT Utility Section shall coordinate utility agreements with the utility companies before construction. It is the contractor's responsibility to notify utility companies of relocation needs during the construction phase of the proposed Project for utilities that were not relocated before construction. If utility relocations using federal funds are located outside the environmental study area, those locations shall be evaluated before construction. Any necessary mitigation requirements through WAPA shall be implemented. (NDOT Communications, NDOT District 5, Utility Provider[s])
- If utility relocation or replacement is required in a later phase of the project, a re-evaluation shall be required if: (1) federal funds will be used for the utility work or (2) the project construction contractor will be responsible for the work. If this utility work is identified during final design, the project sponsor shall initiate the re-evaluation prior to project letting. If the work is identified during construction, the project sponsor shall initiate the re-evaluation prior to commencing utility work (NDOT Environmental, NDOT District).

  If either one of the two conditions does not apply, later relocation or replacement of utilities shall be coordinated through NDOT and the Contractor.

4.9 Land Resources and Vegetation

The environmental study area was historically covered by a variety of prairie grasslands. This area has been greatly modified because of development and agricultural uses, and native prairie vegetation is not present in the environmental study area.

4.9.1 Affected Environment

Historically, the environmental study area was once covered with natural grasses with highly specialized plant and animal communities. Shortgrass prairies occurred in the western United States, and mixed-grass prairies occurred in the central Great Plains of the United States. This vegetation no longer dominates the landscape in the environmental study area which is now characterized primarily by agriculture and impervious urban areas. Vegetation observed in the environmental study area includes species commonly found in disturbed areas of western

Nebraska. Species such as smooth brome (*Bromus inermis*), wheatgrass species (*Pascopyrum smithii, Agropyron cristatum, Thinopyrum ponticum*), and kochia (*Bassia scoparia)* were all observed during the wetland delineation activities in 2014 and 2019.

4.9.2 Impacts of the No Build Alternative

The No Build Alternative would have no impact on native vegetation communities as none are present in the environmental study area.

4.9.3 Impacts of the Preferred Alternative

The environmental study area includes developed land, barren land, grassland pastures, and agricultural land. While some of this land would be converted to roadway pavement, much of the area within the footprint would be maintained as grassed ROW and vegetated roadside ditches and detention basins.

4.9.4 Mitigation Measures

Those areas disturbed during construction shall require revegetation to prevent future erosion, sedimentation, or blowout conditions. To reduce impacts on vegetation within the limits of construction and permanent ROW and to ensure successful revegetation, some or all the following measures shall be implemented (Contractor):

- Mulch, seed mixtures, seeding rates, seeding dates, and sodding will be specified in the project plans and/or specifications.
- Appropriate mulching materials will be applied and will not include brome hay. If sod is required to be applied, then it will be free from all weeds, including noxious weeds.
- Apply mulch on all slopes with concurrent seeding, where necessary, to prevent wind and water erosion and to ensure that mulch is adequately anchored.
- Develop specific procedures to prevent introducing or spreading noxious weeds. Conduct follow-up inspections of all disturbed areas after the first and second growing seasons to determine vegetation success.
- Revegetate as necessary until vegetation is successful.

4.10 Streams, Drainages, and Floodplain Considerations

In 1990, under Section 402 of the Clean Water Act (CWA) (33 CFR 1251 et seq. Federal Pollution Control Act), the EPA published final regulations in 40 CFR 122 that identified construction as an industrial activity requiring a National Pollutant Discharge Elimination System (NPDES) permit These regulations were incorporated by NDEE in Nebraska Administrative Code (NAC) Title 119, Rules and Regulations Pertaining to the Issuance of Permits Under the National Pollutant Discharge Elimination System (40 CFR 122).

The goals of NPDES and stormwater controls are to minimize water quality impacts of projects to the maximum extent practicable; to conform to the requirements of the CWA; and to achieve NAC Title 117 Water Quality Standards (NDEE 2019).

Neither the City of Bridgeport nor Morrill County are regulated under the Municipal Separate Storm Sewer System (MS4) Permit regulations. However, work within the study area would need to comply with the NPDES General Permit for Construction Stormwater, which applies to

construction activities that disturb more than one acre of land and requires that a Storm Water Pollution Prevention Plan (SWPPP) be prepared prior to submission of the Construction Storm Water (CSW) Notice of Intent. NDEE is ultimately responsible for ensuring compliance with the NPDES regulations regarding the construction general permit.

Streams are mapped on the U.S. Geological Survey 7.5-Minute Topographic Maps (USGS various dates) and the National Hydrography Dataset (NHD) maps (undated). These databases were reviewed prior to site visits to determine likely locations of streams and other drainage features.

EO 11988, Floodplain Management Guidelines, May 24, 1977, outlines the responsibilities of federal agencies in the role of floodplain management (42 FR 26951). Each agency is required to evaluate potential effects of actions on floodplains and avoid undertaking actions that directly or indirectly support floodplain development. Among other directives, federal agencies are required to reduce the risk of flood loss; to minimize the impact of floods on human safety, health and welfare; and to restore and preserve the natural and beneficial values served by floodplains. FHWA has also adopted regulations for compliance with EO 11988, including policies and procedures for the location and hydraulic design of highway encroachments on floodplains (23 CFR 650A).

The Federal Emergency Management Agency (FEMA) is the primary agency responsible for evaluating impacts to the floodway and the 100-year floodplain; however, FEMA has given the Nebraska Department of Natural Resources (NDNR) authority to administer their program. The 100-year floodplain is the land area covered by the floodwaters of the 100-year flood. On FEMA Flood Insurance Rate Maps, this area is referred to as a Special Flood Hazard Area.

4.10.1 Affected Environment

Streams

There are no streams or rivers within the environmental study area; however, the North Platte River (a perennial stream) and associated gravel pit lakes are located less than a mile north of the proposed Project (see **Figure 4.7**). Perennial streams are characterized by flowing water for most of the year.

Drainage and Floodplains

The proposed Project is located within the city limits and areas outside the city, but within the city's jurisdiction. Work within the environmental study area would have to comply with federal and state regulations regarding property management practices and materials disposal on construction sites including procedures for site plan review, inspections during construction, and reporting protocols to evaluate compliance. Construction site operators would be required to implement erosion and sediment control best management practices (BMPs) and to control other waste such as discarded building materials.

The drainage area within the proposed Project vicinity consists of mostly urban (residential and commercial) lands in the eastern portion of the proposed Project with center-pivot irrigated, cultivated agricultural cropland and commercial development in the western part of the proposed Project. The drainage area is upland, characterized by somewhat sandy soils. The area is somewhat flat in topography and rarely experiences flooding. There is no existing stormwater

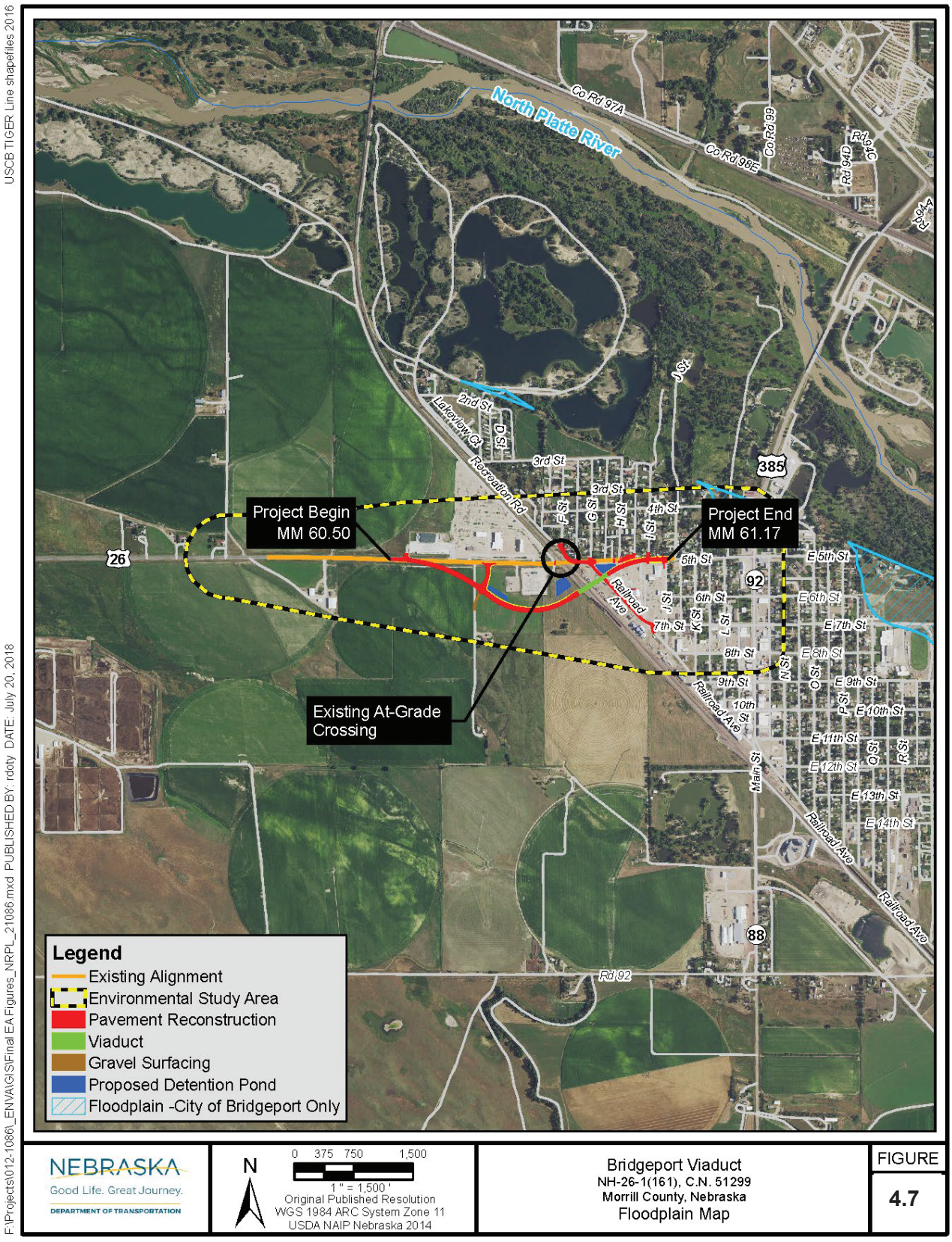
system adjacent to the proposed Project. Drainage ditches have been constructed along the roadway and surrounding the two electrical power substations adjacent to the highway, west of the BNSF railroad tracks. These ditches serve as flood control for the substation properties and carry runoff into farm fields situated to the south. None of the ditches are connected to any streams or other water bodies.

Floodplain mapping is available for the corporate limits of Bridgeport; however, the remainder of the environmental study area outside of the city limits is not mapped. Areas along the northwest and northeast boundaries of the town are mapped by FEMA as being within a Zone A (100-year) floodplain. **Figure 4.7** shows the Floodplain Map for Bridgeport.

According to information presented on both FEMA and the Nebraska Department of Natural Resources (NDNR) websites, as of September 2019, floodplain maps are not available for the western portion of the proposed Project that is outside the corporate limits of Bridgeport. Furthermore, the proposed Project is not within a flood awareness area; therefore, a hydraulic study is not required.

Despite the lack of floodplain maps for a portion of the proposed Project, evidence from recent flood events indicates that the proposed Project area is not likely to be affected by flooding. According to the Morrill County and Bridgeport sections of the Draft North Platte Natural Resources District Multi-Jurisdictional Hazard Mitigation Plan Update (JEO 2016), specific areas of Morrill County are more flood prone than others, such as Main Street (US-385) in Bridgeport, the Bridgeport Water Treatment Plant, and areas along the North Platte River. The draft plan states that in Bridgeport, substantial flooding events occurred in late May / early June of 2010 and in late May / early June of 2015. In 2010, the flooding was primarily along Main Street (US-385), whereas in 2015, the sanitary sewer system failed and overflowed. The draft plan indicates that Main Street and the intersection of S Street and 13th Street are particularly susceptible to flooding, with flash flooding mostly affecting Main Street (US-385) and properties bordering Dugout Creek. Although this information is somewhat anecdotal, there was no report of flooding within the proposed Project environmental study area, and none of the mentioned locations are situated within the proposed Project vicinity (JEO 2016).

Figure 4.7 - Floodplain Map.



4.10.2 Impacts of the No Build Alternative

No construction activities would occur with the No Build Alternative, therefore, there would be no change in drainage patterns within the environmental study area. The No Build Alternative would not result in construction activities affecting local stormwater drainage. The No Build Alternative would have no impacts on streams or floodplains.

4.10.3 Impacts of the Preferred Alternative

Stormwater detention basins are planned for conveying stormwater runoff from the roadway of the Preferred Alternative. The basins would be excavated to a depth of approximately one foot above the highest groundwater levels as measured by static water levels in wells within the environmental study area. These detention basins would provide for better local stormwater drainage as there is no existing stormwater system adjacent to the proposed Project to tie into. The detention basins would also help improve drainage on existing streets adjacent to the Project. In addition, it is anticipated that the detention basins would be designed to draw down within 72 hours. There are no streams or floodplains located in the environmental study area; therefore, the Preferred Alternative would not affect streams or floodplains.

There is no major encroachment into a base floodplain. This project does not result in a base flood causing significant potential interruption or termination of this transportation facility, which is needed for emergency vehicles or a community's only evacuation route. It also does not result in a significant risk or potential for loss of life or property due to the base flood. This project also does not result in a substantial adverse impact on natural and beneficial floodplain values. An alternatives analysis related to the significance of encroachment into a base floodplain is not warranted.

This highway improvement project will maintain existing local and regional access to municipal, rural, and agricultural areas, and does not support incompatible floodplain development. An alternatives analysis related to the incompatible floodplain development is not warranted. A floodplain memo prepared by NDOT is provided in **Appendix E**.

4.10.4 Mitigation Measures

- Detention basins shall be constructed at various locations throughout the environmental study area and designed to draw down within 72 hours. (NDOT Environmental)
- NDOT shall obtain a CSW permit from NDEE and shall produce an associated Project-specific SWPPP. NDOT shall incorporate soil erosion and sediment control practices into the construction plans as detailed in the CSW permit and SWPPP. Permanent drainage and water quality facilities (BMPs) may be included with the final design to mitigate adverse impacts caused by stormwater runoff. These BMPs shall protect water quality and provide a discharge velocity that is equal to or better than current conditions. The Project shall comply with construction storm water permit requirements. (NDOT Environmental)
- The Project-specific SWPPP shall outline mitigation measures for the duration of construction and maintenance requirements for all permanent BMPs. The SWPPP shall include a detailed erosion and sediment control plan as part of the roadway design set. These plans shall show temporary measures, such as silt fences, soil retention blankets,

inlet protection, and stabilized construction entrances. The design of measures to be taken shall be determined during final design. (NDOT Environmental)

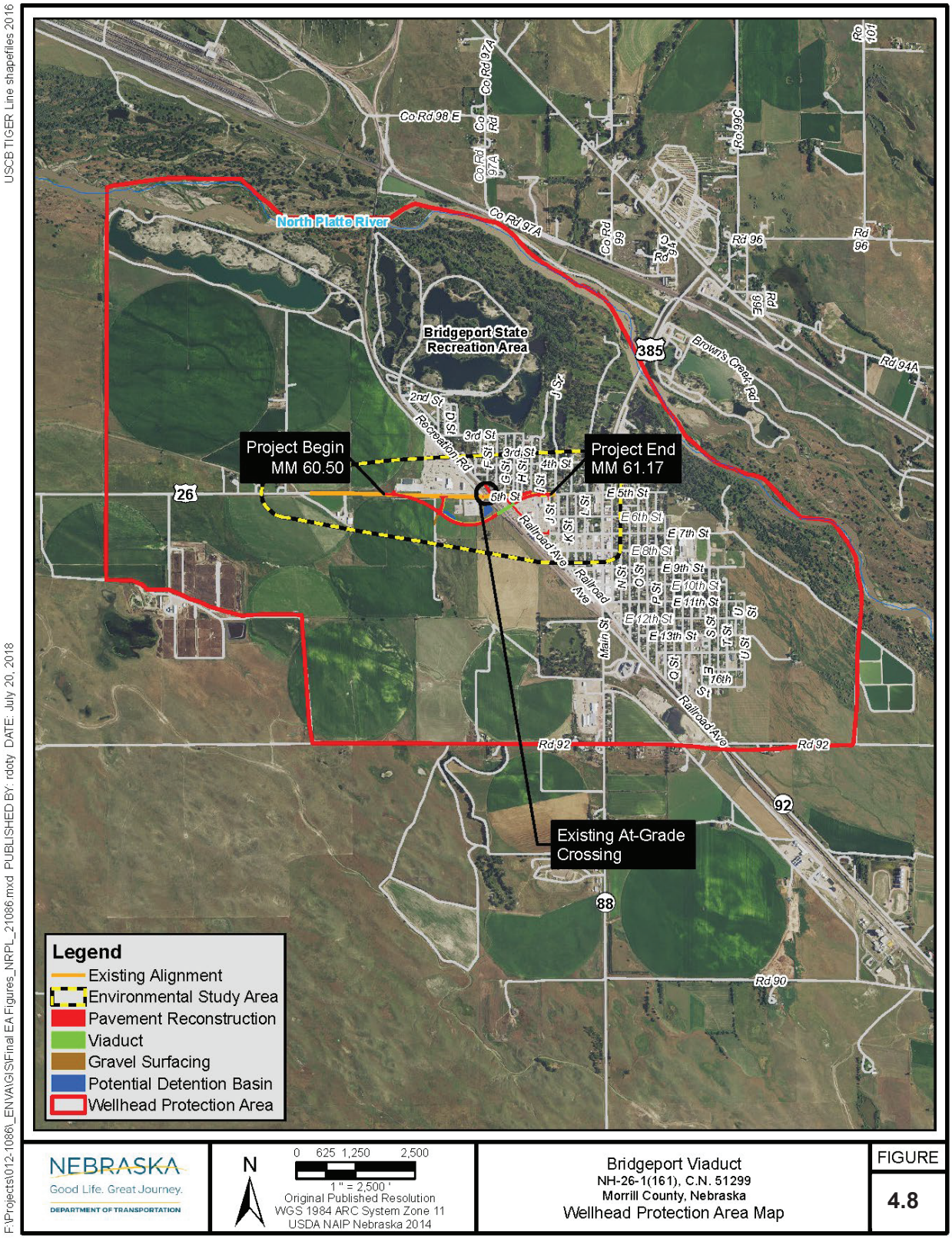
4.11 Groundwater and Wellhead Protection Areas

NAC Title 118, Groundwater Quality Standards and Use Classification, defines groundwater as "water occurring beneath the surface of the ground that fills available openings in rock or soil materials such that they may be considered saturated" (NDEE 2023). Title 118 and related regulations administered by NDEE and NDNR govern the use of groundwater in Nebraska and set standards for protection of groundwater quality to prevent contamination in designated areas. Title 118 provides numerical standards for many parameters and requires that any substance introduced to groundwater, directly or indirectly, should not cause the groundwater to exceed those standards (NDEE 2023) The Wellhead Protection Area Act (Neb. Rev. Stat. 46-1501 et seq.) provides for wellhead protection areas (WPAs) to regulate potential sources of contamination near municipal and other public wells used to provide drinking water.

4.11.1 Affected Environment

The proposed Project and the environmental study area are located within the City of Bridgeport WPA (shown in red on **Figure 4.8**) The City of Bridgeport WPA also includes the Bridgeport SRA and portions of the North Platte River, approximately 0.5 mile north of town. No other WPAs are located near the environmental study area.

Figure 4.8 - Wellhead Protection Area Map.



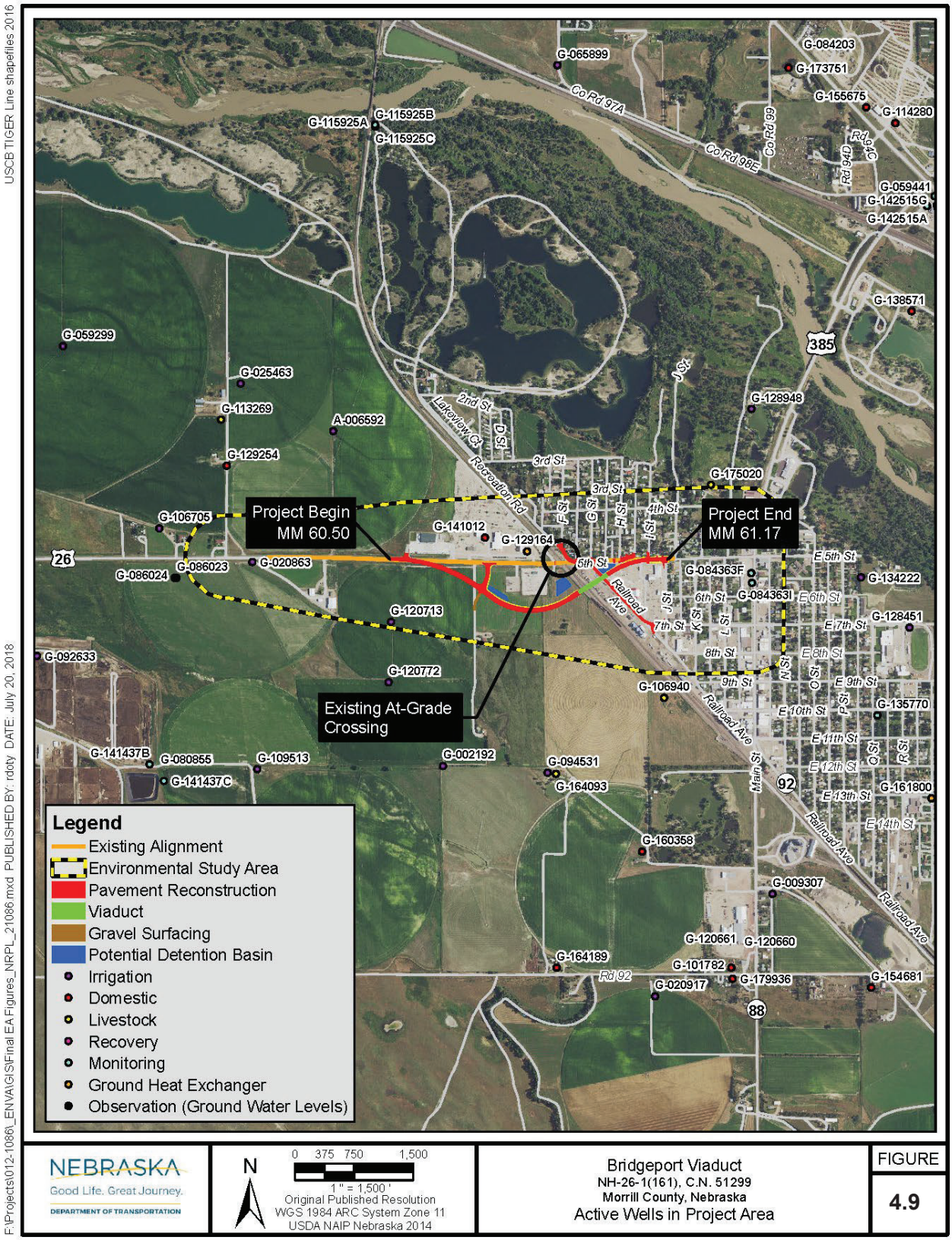
Groundwater flow may be independently influenced by water table elevations (topography) and may flow from areas with high water-table elevations to areas with lower water-table elevations, which may not be consistent with the direction of flow for surface water. Areas west of the environmental study area are assumed to be potentially up gradient relative to the environmental study area. Confirmation of the direction of groundwater flow beneath the subject Property was beyond the scope of this study.

Several registered groundwater wells are located within the environmental study area. Because wells in place before 1993 are not required by law to be registered with NDNR, an unknown number of unregistered wells may be located along or within the environmental study area.

There are 12 registered, active groundwater wells within or immediately adjacent to the environmental study area: two irrigation wells, one domestic drinking water well, one livestock drinking water well, one recovery well, six groundwater quality monitoring wells, and one ground heat exchanger well. The depth to groundwater recorded for the wells range from 5 to 15 feet below ground surface, with the median depth being 6 feet below ground surface. **Figure 4.9** depicts existing registered wells within the environmental study area and surrounding vicinity.

The monitoring wells are located at several spill/release sites situated within the environmental study area. Most of these sites are located downgradient from the environmental study area or were determined by NDEE to have low levels of contamination. Based on information included in the HMR, it was determined that any site with low levels of contamination did not warrant cleanup or additional investigation and would be addressed with contractor commitments. Refer to **Section 4.18** for further discussion of the HMR.

Figure 4.9 - Active Wells in Project Area.



4.11.2 Impacts of the No Build Alternative

Groundwater and WPA impacts would not occur as a result of the No Build Alternative because a viaduct and related construction would not be part of this alternative. Road maintenance activities would be unchanged from current conditions.

4.11.3 Impacts of the Preferred Alternative

The Preferred Alternative is located within the City of Bridgeport WPA. Construction of the Preferred Alternative would have a minor impact on the WPA. The roadway itself would represent a minor increase in an impermeable surface and, therefore, would result in a minor decrease in groundwater recharge. Although nearby registered groundwater wells were identified during the HMR, only one domestic well occurs within the environmental study area, and it is located outside the limits of construction (**Figure 4.9**). Based on preliminary design, construction of the Preferred Alternative is not expected to impact this well, either directly (physical) or indirectly (water quality). This is due to the location of the well outside the limits of construction and implementation of the Project SWPPP BMPs.

Any registered or unregistered wells within ROW to be acquired would be properly decommissioned. A licensed water well contractor would decommission the groundwater well(s) as specified in the Nebraska Department of Health and Human Services (DHHS) regulations under NAC Title 178, Water Well Standards, Chapter 12, Water Well Construction, Pump Installation, and Water Well Decommissioning Standards (DHHS 2014). Proper decommissioning of affected wells would not have a significant impact on groundwater quality.

4.11.4 Mitigation Measures

- NDOT shall coordinate ROW acquisition with the owners of wells that are directly affected by the proposed Project. If the well is actively used, NDOT shall get estimates to have the property owner hire their own contractor to replace the well. NDOT shall then have an independent contractor decommission the well after ROW negotiations and acquisitions are complete. If the well is not in use, the contractor shall decommission the well after negotiations with the owner. (NDOT Environmental, NDOT ROW)
- Any registered or unregistered wells within ROW to be acquired shall be properly decommissioned. A licensed water well contractor shall decommission any wells in accordance with the Nebraska DHHS regulations under NAC Title 178, Water Well Standards, Chapter 12, Water Well Construction, Pump Installation, and Water Well Decommissioning Standards (DHHS 2014). Proper decommissioning of affected wells would not have a significant impact on groundwater quality. (NDOT Environmental, NDOT ROW)

4.12 Impaired Waters

Section 303(d) of the federal CWA of 1972 requires states, territories, and authorized tribes to identify and establish a priority ranking for all water bodies where technology-based effluent limitations required by Section 301 of the CWA are not stringent enough to attain and maintain applicable water quality standards. Once identified, states are to establish total maximum daily loads (TMDLs) for the pollutants causing impairment in those water bodies and are to submit, biannually, the (revised) list of impaired water bodies and TMDLs to the EPA. The requirements

to identify and establish TMDLs apply to all water bodies regardless of whether a waterbody is impaired by point sources, nonpoint sources, or a combination of both.

The 303(d) List of Waters identifies streams and lakes that do not meet water quality standards due to impairment by one or more pollutants for a designated use. These impaired waters are identified through assessment and monitoring programs conducted by NDEE personnel, as well as other federal, state, and local agencies. This list of impaired waters is published in the biannual Water Quality Integrated Report. (NDEE 2023).

4.12.1 Affected Environment

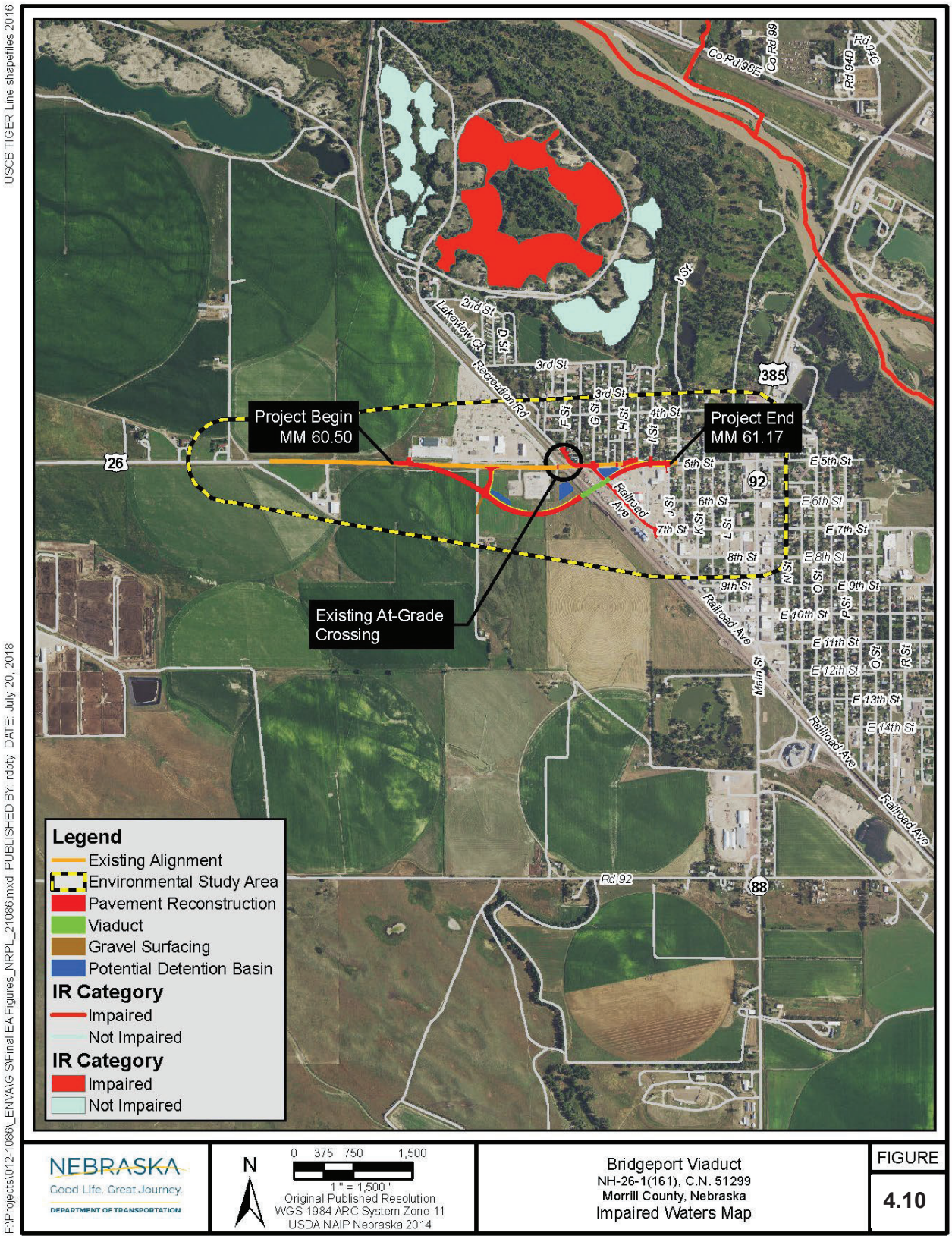
Based on NDEE's 2022 Water Quality Integrated Report, impaired waters are within the 0.5-mile vicinity of the proposed Project and all build alternatives, but none are located within the environmental study area (NDEE 2023). A copy of the water quality memorandum prepared by NDOT is provided in **Appendix E**.

Although no bodies of water are located within the environmental study area, the proposed Project is within the watershed of the North Platte River (waterbody ID: NP3-10000). The reach of the North Platte River at Bridgeport is an impaired water according to the 2022 Integrated Report. The river is impaired for the beneficial use of aquatic life, and there is a fish consumption advisory due to mercury and hazard index compounds concentrations.

The Bridgeport Middle Lake (waterbody ID: NP3-L0030) on the Bridgeport SRA is considered an impaired water. The beneficial use of Aquatic Life-Fish Consumption Advisory is impaired as a result of mercury concentrations (NDEE 2023).

Mercury may be present in certain building materials utilized for this project; however, proper usage of materials and appropriate disposal of wastes will not result in adverse impacts to the impaired beneficial use of Aquatic Life for Bridgeport Middle Lake. Hazard Index Compounds are not likely to be encountered during construction of this project. It is not anticipated that this project will result in discharges which will negatively impact the impaired beneficial use of Aquatic Life for North Platte River. No impacts are anticipated. **Figure 4.10** depicts the locations of impaired waters near the proposed Project.

Figure 4.10 - Impaired Waters Map.



4.12.2 Impacts of the No Build Alternative

The No Build Alternative would have no impacts to impaired waters as there would be no change from existing conditions and no construction soil disturbance.

4.12.3 Impacts of the Preferred Alternative

Based on the types of impairments reported in the NDEE 2023 Water Quality Integrated Report for the North Platte River and Bridgeport Middle Lake (NDEE 2023), the Preferred Alternative would not have any impacts on impaired. The viaduct itself would not contribute any of the contaminants that impair these waters, and it would not result in land changes that could increase contaminants. Soil disturbance during construction would require an NPDES permit and BMPs and thus would not contribute to water quality degradation.

4.12.4 Mitigation Measures

There are no impaired waterways in the environmental study area. Therefore, no mitigation measures are necessary.

4.13 Platte River Depletions

The Governors of Colorado, Nebraska, and Wyoming, along with Secretary of Interior signed the Platte River Recovery Implementation Program (PRRIP) in 2006, with an effective date of January 2, 2007, with the goal of protecting and restoring habitat of the interior least tern, piping plover, and pallid sturgeon. This habitat may be affected by water depletions in the Platte River drainage basin resulting from the potential impoundment of surface water runoff in borrow sites or from excavation that exposes groundwater that is hydrologically connected to the river, thereby depleting the river through increased evapotranspiration (PRRIP 2006). To implement the goals of the PRRIP, the U.S. Fish and Wildlife Service (USFWS) has established the following *de minimis* threshold to establish when consultation regarding potential water depletion effects to these species is necessary:

> "The U.S. Fish and Wildlife Service has adopted a policy that water-related activities in the Platte River basin resulting in less than 0.1 acre-foot/year of depletions in flow to the nearest surface water tributary to the Platte River system do not affect the Platte River target species and thus do not require consultation with the Service for potential effects on those species."
>
> "Similarly, detention basins designed to detain runoff for less than 72 hours, and temporary withdrawals of water (*e.g.*, for hydrostatic pipeline testing) that return all the water to the same drainage basin within 30 days' time are considered to have no effect, and do not require consultation" (USFWS 2009)."

4.13.1 Affected Environment

The proposed Project is in Morrill County, which is within the Platte River drainage basin. Therefore, the proposed Project has the potential to have an impact on Platte River flows related to water depletion concerns.

4.13.2 Impacts of the No Build Alternative

Platte River depletion concerns are not applicable to the No Build Alternative because no construction activities would occur.

4.13.3 Impacts of the Preferred Alternative

Stormwater detention basins are planned for conveying stormwater runoff from the Preferred Alternative. The basins would be constructed approximately one foot above the highest groundwater level for wells in the environmental study area and would be designed to drain within 72 hours. With the proposed mitigation measures, operational or maintenance activities would not expose groundwater, and borrow sites would not cause water depletions. Therefore, construction of the Preferred Alternative would not result in groundwater evaporation or flow depletions to the Platte River. According to the USFWS website concerning the Endangered Species Act (ESA) coverage under the program, if the Project activities are below the above-listed *de minimis* threshold, consultation with the USFWS is not required.

4.13.4 Mitigation Measures

- The contractor shall be required to provide the needed borrow material and shall identify a source of material that does not include dredging Platte River sediment. The contractor shall try to obtain borrow material from an upland site to prevent depletion issues and shall be required to submit a Materials Source Site Identification and Evaluation form to NDOT and the USACE. After receiving the form, NDOT shall forward it to the USFWS, NGPC, NDNR, and Highway Archaeological Program of History Nebraska. (NDOT Environmental, District Construction, Contractor)
- If the borrow site is located within a depletion area of concern and if it is identified that it would pond water after excavation, NDOT shall determine Project-related impacts by using the Natural Resources Conservation Service (NRCS) – United States Department of Agriculture (USDA) Consumptive Use Calculator to calculate the evaporated loss of water at the borrow site. For borrow sites / detention basins that result in the exposure of groundwater in the North Platte River basin, NDOT shall submit the borrow site request information to the NGPC and USFWS. This shall be done to determine ways to avoid depletions or provide offsets if depletions are to occur. Request for borrow sites that occur outside the Platte River basin shall be submitted to the NDNR for tracking of surface water depletions. (NDOT Environmental, District Construction, Contractor)
- Borrow sites that expose groundwater and are obtained outside of the PRRIP areas would be offset according to the biological opinion prepared by NGPC in accordance with the Nebraska Nongame and Endangered Species Conservation Act (NESCA). Borrow sites that pond water and that occur outside the PRRIP area, and the Platte River watershed shall be calculated using the NRCS-USDA Consumptive Use Calculator and submitted to the NDNR to be included in the report to the governance committee. (NDOT Environmental, District Construction, Contractor)

4.14 Noxious Weeds

Noxious weeds are non-native, invasive species that are monitored because of their tendency to degrade natural ecosystems and native plant communities. The state of Nebraska regulates noxious weeds. Several regulations and guidelines pertain to noxious weeds and invasive species, including EO 13112, Invasive Species (64 FR 6183); the Nebraska Noxious Weed Control Act; and the Nebraska Noxious Weeds Regulations (Nebraska Department of Agriculture 2008).

EO 13112 states that all projects would be "…subject to the availability of appropriations, and within Administration budgetary limits, use relevant programs and authorities to: i) prevent the introduction of invasive species; ii) detect and respond rapidly to, and control, population of such species in a cost-effective and environmentally sound manner; iii) monitor invasive species population accurately and reliably…[and] iv) provide for restoration of native species and habitat conditions in ecosystems that have been invaded…" (64 FR 6183). The Nebraska Noxious Weed Control Act states that all landowners must manage noxious weeds that may be damaging to adjacent landowners (Nebraska Department of Agriculture 2008).

The Nebraska Noxious Weed Advisory Committee has developed Nebraska's Watch List for Invasive Species in each ecoregion of Nebraska. The watch list names invasive plants to be monitored for their spread and impacts on surrounding areas (Nebraska Weed Control Association 2007). The list of species is available at http://www.neweed.org/Weeds.aspx.

4.14.1 Affected Environment

The environmental study area consists primarily of roadways, railroad tracks, developed urban areas, and agricultural production areas. As such, the vegetation in the environmental study area may include lawn grasses and roadside grasses/forbs as well as agricultural weeds and native and exotic species adapted to the drier conditions of the western Great Plains and disturbed areas typically found along roadways.

4.14.2 Impacts of the No Build Alternative

No construction activities are associated with the No Build Alternative and, therefore, would not involve disturbance or improvement to the site's vegetation composition within the environmental study area.

4.14.3 Impacts of the Preferred Alternative

The Preferred Alternative would require the conversion of pasture and agricultural areas, removal of trees, and clearing and grubbing. Reestablishment of vegetation within the ROW to reduce soil erosion would be completed according to NDOT roadside vegetation establishment and management standards. Following construction, disturbed areas would be reseeded with a weed-free native seed mix appropriate to the region and location within the Project to avoid introduction of weed species.

4.14.4 Mitigation Measures

No mitigation is required.

4.15 Endangered and Threatened Species, Bald and Golden Eagle Protection Act, Migratory Bird Treaty Act, and Fish and Wildlife Coordination Act

Endangered and Threatened Species

Federally listed endangered and threatened species are protected under the ESA of 1973 as amended (16 USC 1531 et seq.). Adverse effects on a federally listed species or its habitat would require consultation with the USFWS under Section 7 of the ESA. Section 7 requires federal agencies to ensure that actions that they authorize, fund, or carry out are not likely to jeopardize the continued existence of proposed, endangered, or threatened species or to result in the destruction or adverse modification of their critical habitats. Under section 7(a)(4) of the ESA each federal agency shall confer with the Secretary of the Interior on any agency action which is likely

to jeopardize the continued existence of any species proposed to be listed under section 4 or result in the destruction or adverse modification of critical habitat proposed to be designated for such species. State-listed endangered and threatened species are protected under the NESCA. The NGPC administers the NESCA.

Bald and Golden Eagle Protection Act (BGEPA)

Bald and golden eagles have specific protection under the BGEPA (16 USC 668-668c.), which is administered by the USFWS. Protections under this act prohibit take of bald and golden eagles. The proposed Project was reviewed for potential impacts to bald and golden eagles. Bald eagles use tall trees for roosting or nesting and nearby open water for foraging; golden eagles use shortgrass and mixed-grass prairies for foraging and rock cliffs, tall trees, and other high places for nesting.

Migratory Bird Treaty Act (MBTA)

Under the MBTA (16 USC 703-712: Ch. 128 *as amended*), construction activities in grassland, wetland, stream, and woodland habitats, and those that occur on bridges or other structures (for example, which may affect swallow nests on bridges) 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.

NDOT has developed an Avian Protection Plan (NDOT 2018) where an active nest is defined as "a nest with an adult and eggs or young present. Nests are active primarily during the primary breeding season (April 1 – September 1). Raptors may nest earlier, and swallows may nest later than some of the other migratory bird species that move into Nebraska during the breeding season."

4.15.1 Affected Environment

Endangered and Threatened Species

There is no critical habitat present in or adjacent to the Project environmental study area.

A Threatened and Endangered Species Biological Assessment (**Appendix F**) was completed according to the Programmatic Biological Assessment for the Nebraska Biological Evaluation Process (FHWA et al., 2023). The Project environmental study area is located in the Western High Plains North and South Platte Valley and Terraces ecoregion of Nebraska, which supports dry mixed-grass prairie in addition to areas of shortgrass prairie, sand sage prairie, sand prairie, pine woodlands, badlands, and other vegetation types. The environmental study area is comprised of urban lands, including residential, commercial, and industrial properties as well as agricultural lands.

Table 4-1 identifies federal and state-listed threatened, endangered and proposed species that may occur within the Project environmental study area.

Table 4-1 - Federal and State-Listed Species that May Occur in the Environmental Study Area.

Common Name	Scientific Name	Status*	Effect Determination
Black Footed Ferret	Mustela nigripes	FE, SE	No Effect
Blowout Penstemon	Penstemon haydenii	FE, SE	No Effect
Eastern Black Rail	Laterallus jamicensis	FT, ST	NLAA**
Eskimo Curlew	Numenius borealis	FE, SE	No Effect
Grey Wolf	Canis lupus	FE, SE	No Effect
Northern Long-eared Bat	Myotis septentrionalis	FE	No Effect
Pallid Sturgeon	Scaphirhynchus albus	FE	No Effect
Piping Plover	Charadrius melodus	FT	No Effect
Rufa Red Knot	Calidris canutus rufa	ST, FT	No Effect
Swift Fox	Vulpes velox	SE	NLAA
Western Prairie Fringed Orchid	Platanthera praeclara	FT	No Effect
Whooping Crane	Grus americana	FE, SE	No Effect
Suckley's Cuckoo Bumble Bee	Bombus suckleyi	FPE	NJCE
Monarch Butterfly	Danaus Plexippus	FPT	NJCE

*Key: FE = Federal Endangered; SE = State Endangered; FT = Federal Threatened; ST = State Threatened; FPE = Federal Proposed Endangered; FPT – Federal Proposed Threatened
** NLAA – May Affect Not Likely to Adversely Affect
***NJCE – Would Not Jeopardize the Continued Existence

Bald and Golden Eagles

The Project environmental study area includes potentially suitable nesting and/or roosting habitat for both bald and golden eagles within 0.5 miles. For bald eagles, this includes trees suitable for nesting or roosting near open water sources for foraging. Golden eagles, which use shortgrass and mixed-grass prairies for hunting and prefer rocky cliffs, tall trees, and other elevated areas for nesting, may also find suitable habitat within the Project environmental study area.

Migratory Birds

Outside the existing roadway, the environmental study area consists primarily of agricultural fields, residential neighborhoods, and commercial and industrial areas, as well as the BNSF railroad tracks. Suitable nesting habitat for migratory birds is sparse; however, trees and brush thickets associated with residences may provide nesting habitat for nesting migratory bird species.

4.15.2 Impacts of the No Build Alternative

The No Build Alternative would have no impact on endangered and threatened species or migratory birds because there would be no new disturbances in the environmental study area other than general maintenance and repair of the existing roadways. This type of activity generally

occurs within the existing footprint of the roadway. Therefore, endangered and threatened species and migratory bird resources would not be expected to be adversely affected by the No Build Alternative.

4.15.3 Impacts of the Preferred Alternative

Construction would take place within the corporate limits of Bridgeport and would extend approximately 0.5 mile west out of town. According to the NDOT Biological Assessment prepared for the project (see **Appendix F**), there are no anticipated impacts to whooping crane or blowout penstemon since suitable habitats for these species are not present within the environmental study area.

A biological assessment was completed on July 17, 2024, and determined the proposed Project "May Affect, Not Likely to Adversely Affect" the swift fox. A memo completed March 13, 2025, evaluating the impacts of the project to the proposed endangered Suckley's cuckoo bumble bee and the proposed threatened monarch butterfly determined the project would not jeopardize the continued existence of either species. NDOT/FHWA will re-evaluate the project for impacts to the Suckley's cuckoo bumble bee once it is listed as endangered under the ESA. NDOT has submitted an application to the monarch butterfly national candidate conservation agreement with assurances (CCAA) and is awaiting approval. Once NDOT is fully enrolled within the monarch butterfly CCAA, NDOT/FHWA will re-evaluate the impacts of this project on Monarch butterflies. The proposed Project would have "no effect" to all other listed species and their habitats. The biological assessment and the subsequent memo addressing the proposed species can be found in **Appendix G**.

Bald and Golden Eagles

The environmental study area includes potentially suitable habitat for bald and golden eagles within 0.5 miles of the proposed Project. While the Project may not directly impact these habitats, the presence of suitable nesting or roosting areas nearby suggests that the occurrence of these species in the vicinity is not discountable. site.

NDOT will follow the Bald Eagle Survey Protocol to determine if surveys for nests or roosts are required. If active nests are identified within 0.5 miles of the project area, NDOT will coordinate with the Nebraska Game and Parks Commission and the U.S. Fish and Wildlife Service, and construction will not proceed until their approval is obtained.

Migratory Birds

The migratory bird communities that are mostly likely to be present within the environmental study area correspond to urban woodlands and generalist species adapted to agricultural and industrial areas. The Preferred Alternative includes construction activities along the current alignment, but suitable nesting habitat for grassland birds is sparse and of low quality in the environmental study area.

4.15.4 Mitigation Measures

The concurrence package from USFWS and NGPC for the Project includes the following conservation conditions and survey protocol that shall be required for the Project based on the Programmatic Agreement for Endangered and Threatened Species (and covering the BGEPA and the MBTA) (**Appendix F**). The responsible party for the measure is found in parentheses:

- **Changes in Project Scope**. If there is a change in the project scope, the project limits, or environmental commitments, the Highway Project Manager shall coordinate with the NDOT Environmental Section to evaluate potential impacts prior to implementation. Environmental commitments are not subject to change without prior written approval from the NDOT Environmental Section. (District Construction)
- **Conservation Conditions**. Conservation conditions are to be fully implemented within the project limits as shown on the plans. (District Construction, Contractor)
- **Early Construction Starts**. Contractor requests for early construction starts must be coordinated by the Project Construction Engineer with the NDOT Environmental Section for approval to ensure avoidance of listed species sensitive lifecycle timeframes. Early start requests may require consultation with the USFWS and NGPC. Agency coordination time will vary depending on species and project location. *(District Construction, Contractor)*
- **Threatened and Endangered Species**. If federal or state listed species are observed during construction, the Highway Project Manager will contact NDOT Environmental Section to determine if additional species conservation conditions would be required prior to continuing project construction activities. Contact NDOT Environmental for a reference of federal and state listed species. Coordination with the USFWS and NGPC may be required depending on the species identified and construction activities. *(NDOT Environmental, District Construction, Contractor)*
- **Refueling**. Refueling will be conducted outside of those sensitive areas identified on the plans, in the contract, and/or marked in the field. *(Contractor)*
- **Restricted Activities**. The following project activities shall, to the extent possible, be restricted to between the beginning and ending points (stationing, reference posts, mile markers, and/or section-township-range references) of the project, within the right-of-way designated on the project plans: borrow sites, burn sites, construction debris waste disposal areas, concrete and asphalt plants, haul roads, stockpiling areas, staging areas, and material storage sites.

  For activities outside the project limits, the contractor should refer to the Nebraska Game and Park Commission website to determine which species ranges occur within the off-site area. The contractor should plan accordingly for any species surveys that may be required to approve the use of a borrow site, or other off-site activities. The contractor should review the T&E Matrix agreement (on NDOT's website), where species survey protocols can be found, to estimate the level of effort and timing requirements for surveys.

  Any project related activities that occur outside of the project limits must be environmentally cleared/permitted with the Nebraska Game and Parks Commission as well as any other appropriate agencies by the contractor and those clearances/permits submitted to the District Construction Project Manager prior to the start of the above listed project activities. The contractor shall submit information such as an aerial photo showing the proposed activity site, a soil survey map with the location of the site, a plan-sheet or drawing showing the location and dimensions of the activity site, a minimum of 4 different ground photos showing the existing conditions at the proposed activity site, depth to ground water and depth of pit, and the "Platte River depletion status" of the site. The

contractor must receive notice of acceptance from NDOT environmental, prior to starting the above listed project activities. These project activities cannot adversely affect state and/or federally listed species or designated critical habitat. *(NDOT Environmental, District Construction, Contractor).*

- **Waste/Debris**. Construction waste/debris will be disposed of in areas or a manner that will not adversely affect state and/or federally listed species and/or designated critical habitat. *(Contractor)*
- **Post Construction Erosion Control.** Erosion control activities carried out by NDOT Maintenance or others after construction is complete, but prior to project close-out, shall adhere to any standard conservation conditions for species designated for the project limits during construction. *(NDOT Maintenance, District Construction, Contractor)*
- **Fencing**. When project-related fence construction/relocation work is required to be done prior to the start of construction, and if the fence work occurs outside urban or cropland areas that are not within swift fox or mountain plover range, then fencing can be installed/relocated at any time using the following criteria:
    - the fencing is temporary in nature and/or consists of only hand-driven posts
    - the work does not compact the soils (ex. through the use of heavy equipment) or cause soil disturbance beyond the driving of posts
    - within the **whooping crane** migration corridor, work occurring within a half of a mile of wetlands or perennial waters will occur between the hours of 10:00 am to 4:00pm when the work is between March 6 – April 29 or October 9 – November 15

  If the fencing work cannot meet these criteria, then NDOT Right-of-Way Division shall coordinate with NDOT Environmental Section prior to the completion of Right-of-way negotiations.
- **Platte River Depletions**. To the maximum extent practical, efforts will be made to design the project and select borrow sites to prevent depletions to the Platte River. If there is any potential to create a depletion, NDOT (during design) and the Contractor (for borrow sites) shall follow the current Platte River depletion protocols for coordination, minimization, and mitigation. In general, the following are considered de minimis depletions but may still require agency coordination; a project which: a) creates an annual depletion less than 0.1-acre feet, b) creates a detention basin that detains water for less than 72 hours, c) diverted water that will be returned to its natural basin within 30 days, or d) creates a one-time depletion of less than 10-acre feet. (*NDOT Roadway Design, Contractor*)
- **Revegetation**. All permanent seeding and plantings (excluding managed landscaped areas) shall use species and composition native to the project vicinity as shown in the Plan for the Roadside Environment. However, within the first 16 feet of the road shoulder or within high erosion prone locations, tall fescue or perennial ryegrass may be used at minimal rates to provide quick groundcover to prevent erosion, unless state or federally listed threatened or endangered plants were identified in the project area during surveys. If listed **plants** were identified, any seed mix requirements identified during resource agency consultations shall be used for the project. (*NDOT Environmental*)

- **Sensitive Areas**. Environmentally Sensitive Areas will be marked on the plans, in the field, or in the contract by NDOT Environmental for avoidance. (*NDOT Environmental, NDOT Roadway Design, District Construction*)
- **Species Surveys**. If species surveys are required during the construction phase of the project (including pre-construction surveys), results will be sent by NDOT Environmental Section to the USFWS, NGPC, and if applicable the USACE. (*NDOT Environmental, District Construction*)
- **Permanent LED Lighting (NDOT Design Commitment)**. Only LED roadway luminaries listed on the NDOT "Nebraska Qualified Material Vendors List" will be considered for use on Nebraska highway lighting projects. Proposed changes to the following LED lighting requirements would require resource agency (USFWS and/or NGPC) coordination and approval prior to installation:
    - Nominal CCT – 3000 +/- 300 K
    - BUG Ratings – Maximum nominal Backlight (N/A), Uplight (0), Glare (N/A)
    - Lumen Output – N/A

  Any proposed changes to the listed requirement(s) must be presented to the NDOT Environmental Section for Agency Coordination and approval.

Swift Fox Mitigation

- Two weeks prior to the start of construction, a qualified biologist shall survey the environmental study area according to protocol to determine if active swift fox den sites are present. If an active den with young is located and it is outside the project limits, then a buffer zone shall be established around the den and all construction activities shall avoid the buffer until the den is abandoned. If an occupied den with or without young is identified within the project limits or staging areas, NDOT shall immediately coordinate with the NGPC to determine how to proceed. A buffer zone shall be established around the den and all construction activities shall avoid the buffer until NDOT gives approval to enter the buffer area. Between April 1 and August 31, the buffer zone shall be 250 yards around the active den site; other times of the year, the buffer shall be 100 yards around the active den site. (*NDOT Environmental*)
- Fencing shall be designed for wildlife safety and wildlife friendly passage with a bottom wire at least 16" from the ground. If different fencing design is required for safety or access control, additional coordination with resource agencies shall be required. *(NDOT Design, NDOT Environmental)*
- Fence posts shall not be placed within potential den sites that appear to have animal activity. If fence posts cannot avoid potential den sites that appear to have animal activity, NDOT Environmental will be notified and will re-initiate consultation with resource agencies. Work will not commence until agency concurrence is received. *(Contractor)*

Bald and Golden Eagle Protection Act

- Suitable bald eagle nesting and/or roosting habitat exists within 0.5 miles of the environmental study area. If construction will begin between February 1 and April 15, a nest survey must be completed at least 1 but not more than 14 days prior to construction. If construction will begin between April 15 and October 1, a nest survey completed in

March is sufficient, as nests will likely already be constructed if nesting will occur that year. However, a nest survey may be completed anytime during this timeframe, as long as it is completed prior to construction. If bald eagles are nesting in the area, consultation with NGPC and USFWS will be required prior to beginning construction activities. Eagle roosting surveys will be conducted if construction occurs between October 1 and January 31. *(NDOT Environmental, Contractor)*

- Suitable golden eagle nesting and/or roosting habitat exists within 0.5 miles of the environmental study area. If construction will begin between February 1 and April 15, a nest survey must be completed at least 1 but not more than 14 days prior to construction. If construction will begin between April 15 and October 1, a nest survey completed in March is sufficient, as nests will likely already be constructed if nesting will occur that year. However, a nest survey may be completed anytime during this timeframe, as long as it is completed prior to construction. If golden eagles are nesting in the area, consultation with NGPC and USFWS will be required prior to beginning construction activities. *(NDOT Environmental, Contractor)*

Migratory Bird Treaty Act (MBTA)

- NDOT has developed an APP to reduce conflicts between construction of NDOT projects and the laws governing migratory birds. This procedure is designed to protect and conserve avian populations and to reduce avian conflicts through changes in project scheduling (i.e., tree clearing outside of primary nesting period), increased migratory bird surveys, and changes in project construction timelines. NDOT shall utilize its APP to reduce conflicts with migratory birds on this project. *(NDOT Environmental)*

4.16 Farmland

Under the Farmland Protection Policy Act (FPPA), federal agencies must identify and consider the adverse effects of federal programs on the preservation of prime or unique farmland. The purpose of the FPPA is to minimize the extent to which federal programs contribute to the unnecessary and irreversible conversion of farmland to nonagricultural uses and to assure that federal programs are compatible with state and local policies to protect farmland (7 CFR 658).

The USDA FPPA guidelines require coordination with the NRCS if the land needed for development is purchased after August 6, 1984. Form CPA-106 (Farmland Conversion Impact Rating) is used to score the relative value of the site. For FPPA-regulated farmland, a threshold limit of 160 points determines whether further action is necessary. Scores between 160 and 200 require further consideration of alternatives that would avoid this loss.

4.16.1 Affected Environment

According to the 2012 Census of Agriculture (USDA 2012), Morrill County has 512 farms, each averaging approximately 1,561 acres and totaling 799,003 acres of farmland. Of the total acreage, 240,500 acres (30.1 percent) are characterized as cropland; 543,322 acres (68.0 percent) are pasture; and 15,181 acres (1.9 percent) are characterized as other uses.

NRCS identifies three soil types in Morrill County as being farmland of statewide importance, totaling 6,461 acres (0.7 percent) of the total land cover within the county. None of these soil types occur within the environmental study area. The NRCS identifies 33 soil types within Morrill County as being prime farmland if irrigated, totaling 156,179 acres (1.9 percent) of the total land cover

within the county. None of these 33 soil types occur within the environmental study area (NRCS 2012).

4.16.2 Impacts of the No Build Alternative

The No Build Alternative would not require an acquisition or change to farmland and therefore would not have an impact on farmland resources.

4.16.3 Impacts the Preferred Alternative

The Preferred Alternative requires the acquisition of approximately 13 acres of agricultural land for ROW and construction purposes. This represents less than 0.001 percent of the total farmland within the county. No prime farmland or soils of statewide importance occur within the environmental study area. Acquisition of ROW would primarily take place adjacent to existing ROW and to the south of existing ROW where a new alignment is proposed, partially through existing agricultural land.

Consultation was completed with NRCS personnel who indicated that, because of the absence of prime or important farmlands on the proposed Project site, a Farmland Conversion Impact Rating form (**Appendix H**) was not warranted for further evaluation.

4.16.4 Mitigation Measures

Prime farmland or farmland of statewide importance is not present within the environmental study area. Therefore, no mitigation measures are necessary.

4.17 Hazardous Materials

For the HMR, the study area consisted of 0.10 mile beyond the centerline from the western corporate limits of Bridgeport at MM 60.35 and east to MM 61.20, 0.20 mile west of the junction of US-385 and US-26/N-92 and approximately 0.2 mile north and 0.25 miles south of the intersection of US-385 and US-26/N-92.

Hazardous materials are defined as substances that, because of their quantity, concentration, or physical, chemical, or infectious characteristics, may present an imminent threat to public health or the environment if released. Solid wastes are designated as hazardous if they are corrosive, ignitable, explosive, chemically reactive, or toxic, as defined in 40 CFR 261 Subpart C. The EPA and other federal and state agencies regulate hazardous materials under the Toxic Substances Control Act (TSCA); Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Comprehensive Environmental Response, Compensation, and Liability Information System (CERCLIS); Resource Conservation and Recovery Act (RCRA); Superfund Amendments and Reauthorization Act (SARA); and Emergency Planning and Community Right-to-Know Act (EPCRA). RCRA gives EPA the authority to control hazardous waste from the “cradle to grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also set forth a framework for the management of non-hazardous solid wastes. The 1986 amendments to RCRA enabled EPA to address environmental problems that could result from underground storage tanks (UST) containing petroleum and other hazardous substances. Hazardous wastes are regulated under NAC Title 128, Nebraska Hazardous Waste Regulations (NDEE 2016).

NAC Title 178, Environmental Health, Chapter 23, Lead-Based Paint Activities, governs the removal of lead-based paint from structures (DHHS 2005). NAC Title 178, Chapter 22, Asbestos Projects, governs the removal of asbestos from structures (DHHS 2009).

Soil excavation would be required to construct the roadbed and for development of stormwater drainage and post-construction BMPs; however, no soil is planned to leave the project site. Approximately 110,000 cubic yards of borrow material would be required as fill for Project construction.

4.17.1 Affected Environment

A HMR was prepared for the Project (Olsson 2024) to identify and characterize sites and areas that may represent a risk from exposure to hazardous materials (**Appendix H**). The HMR included a review of the environmental study area for local, state, and federal environmental database records; a review of readily available historical aerial photographs; a windshield site reconnaissance survey; and a written technical memorandum. Olsson conducted a site reconnaissance on April 5, 2024. The survey was completed by driving and walking along the proposed Project alignment on public streets and sidewalks. Private property was not accessed.

The alignment for the Preferred Alternative could not be directly accessed because it currently sits on several areas of private property; however, there was line of sight on the entire alignment from public ROW.

The HMR identified 19 environmental facility sites within the environmental study area (Table 4-2). Four on-site wastewater treatment (OWT) facilities are located adjacent to US-26/N-92. These sites are septic systems and are not generally associated with hazardous materials or petroleum products. Ten additional sites are located within the eastern portion of the environmental study area and consist of a service station and additional commercial businesses. Because of their locations and distances from alternatives, any spills or releases that may have occurred would likely migrate to the east away from the proposed Project.

The WAPA Bridgeport substation is located on the south side of US-26/N-92. Transformer oil is stored at this location; however, there are no reports of spills or releases in the regulatory databases. Electrical substations have been historically linked to environmental contamination caused by spills or releases of polychlorinated biphenyls (PCBs), which were historically used in transformer oil. Petroleum hydrocarbon contamination may also be present, depending on the types of oils used. This site is located near the Preferred Alternative.

The Panhandle Co-op Association Fertilizer/Bulk and Conoco Bulk Plant facility is located to the south of US-26/N-92 and immediately east of the BNSF railroad tracks. The facility is used for bulk fertilizer, agricultural chemicals, and fuel storage/distribution. Two releases have occurred near the intersection of 8th and J Streets (approximately 0.20 mile southeast of the Preferred Alternative). The file information for these spills states that the contamination resulting from the spills had not migrated toward the environmental study area, so these two spills are not a concern. An environmental investigation was conducted for a former bulk oil storage warehouse/station (Conoco Bulk Plant) that operated from the 1960s to early 2000s. The station was near the Preferred Alternative. The investigation revealed that petroleum contamination was present in the soils at depths as shallow as three feet. Groundwater contamination was also identified. NDEE

determined that the levels of contamination were low enough to close the site with no cleanup or additional investigation (NDEE 2017).

Other facilities near the Preferred Alternative include a concrete batch plant with several aboveground storage tanks on-site and the Bridgeport transfer station.

Table 4-2 - Environmental Facility Sites within the Environmental Study Area.

Facility Name	Distance and Direction*	Environmental Programs**	Facility Status***
Panhandle Co-op Association (702 Main Street)	0.50 Mile Southeast	RCRA LUST/PRR (2) TL3 PCS IWM (3) UST	Not Provided Inactive Inactive Inactive Inactive (2), Active 3 In Use, 1 Removed
21st Century Equipment Inc.	0.14 Mile West	RCRA OWT	Inactive Active
Bridgeport Ampride	0.45 Mile East	LUST/PRR (2) TL3 PCS (2) AST UST	Inactive Inactive, Active Active Inactive, Active No Listing
Panhandle Co-op Association (502 Main Street)	0.45 Mile East	RCRA	Not Provided
Bridgeport Motors	0.44 Mile East	TL3 LUST/PRR PCS	Inactive Active Inactive
#Panhandle Co-op Association Fertilizer/Bulk	0.21 Mile Southeast	TL3 RCRA RA/PRR AST	Active Active Inactive Not Provided
Bridgeport Equipment Co.	0.47 Mile East	RCRA	Not Provided
Morrill County Weed Control	0.39 Mile Southeast	RCRA	Not Provided
Bridgeport 66 Service	0.53 Mile Southeast	TL3 LUST/PRR (3) UST	Inactive Inactive (3) 1 Out of Use, 5 Removed
#Conoco Bulk Plant	0.32 Mile Southeast	TL3 RA/PRR UST	Active Inactive No Listing
WAPA Bridgeport Substation	0.05 Mile Southwest	TL3 NPDES	Active Active
Bridgeport Transfer Station	0.23 Mile East	IWM	Active

Facility Name	Distance and Direction*	Environmental Programs**	Facility Status***
Connie Lapaseotes Livestock	0.74 Mile West	OWT (3)	Active
Lapaseotes Offices	0.07 Mile West	OWT (2)	Active
Bridgeport Head Start	0.47 Mile Northeast	BF	Active
Hazel Adams Farm	0.80 Mile West	OWT	Active
Nick Lapaseotes Farm	0.92 Mile West	OWT	Active
Bridgeport Batch Plant	0.21 Mile Southeast	NPDES	Active
Bridgeport Groundwater	0.47 Mile East	CERCLIS	Not on NPL

* *Distance and direction are measured from the at-grade crossing of the railroad line and US-26 / N-92*

** *RCRA – Resource Conservation and Recovery Act*
LUST – Leaking Underground Storage Tank
PRR – Petroleum Release Remediation
PCS – Permit Compliance System
IWM – Integrated Waste Management
OWT – On-site Wastewater Treatment
RA – Release Assessment
TL3 – Superfund Amendments and Reauthorization Act (SARA) Title 3
NPDES – National Pollutant Discharge Elimination Program
UST – Underground Storage Tank
AST – Aboveground Storage Tank
BF – Brownfields
CERCLA – Comprehensive Environmental Response, Compensation, and Liability Act
CERCLIS – CERCLA Information System
NPL – National Priority List

*** *Facility status is taken from the environmental database records if available.*

\# *Listings are the same facility. Listed in database searches with different facility names.*

The HMR identified two locations of potential concern within the environmental study area.

- An electrical substation owned by WAPA is located near the environmental study area in proximity to the Preferred Alternative. No information is available regarding spills or releases of petroleum product or hazardous substances at this site.
- The Panhandle Co-op Association Fertilizer / Conoco Bulk Plant is located near the environmental study area east of the BNSF railroad tracks. An environmental investigation completed on the facility identified low levels of petroleum contamination in an area that corresponds to the Preferred Alternative's alignment.

4.17.2 Impacts of the No Build Alternative

The No Build Alternative would not involve any ROW or construction activities other than general maintenance and repair of the existing roadways within the environmental study area. The No Build Alternative would have no effect on any known environmental facility sites within the environmental study area.

4.17.3 Impacts of the Preferred Alternative

The HMR concluded that there is low potential for construction of the Preferred Alternative to encounter contamination that may affect construction because of the proximity of the Panhandle Co-op Association / Conoco Bulk Plant to the Preferred Alternative (Olsson 2024). NDOT defines low potential as, "Through investigation, it is determined that it's unlikely that contamination would be encountered during construction. There is a low potential that human populations or environmental concerns adjacent to project limits will be adversely impacted." (NDOT 2024). In addition, the facility also stores agricultural chemicals at a location that is close to the Preferred

Alternative. NDEE files indicate any potential contamination encountered would be minor and would be adequately addressed utilizing project commitments (refer to **Section 4.16.4**).

An electrical substation owned by WAPA is located near the alignment of the Preferred Alternative. There is no information regarding spills or releases of petroleum product or hazardous substances at this site. Therefore, this facility is considered to have low potential to impact hazardous materials or affect construction of the Project.

Impacts to the environmental facilities the HMR identified within the environmental study area would include the hazardous materials travel route used by Panhandle Co-op on Railroad Ave. No additional impacts, including those associated with the four on-site OWT/septic systems located adjacent to US-26/N-92, are anticipated.

4.17.4 Mitigation Measures

- If contaminated soils/groundwater or unexpected wastes are discovered, The Contractor shall stop all work within the immediate area. The Contractor shall secure the area of the discovery and notify the Highway Project Manager (HPM). The Contractor shall not re-enter the discovery area until notified by the HPM. At the time of discovery, the HPM and Contractor shall utilize the NDOT Unexpected Waste Action Plan (UWAP) to coordinate appropriate actions. The actions to be carried out by the HPM are (but not limited to):

  verification that the Contractor has suspended construction activities in the area of the discovery, contact the Roadside Development & Compliance Unit (RDCU) hazmat representative and make an entry into AASHTOware Project that an unexpected waste discovery was made. The HPM shall then utilize the UWAP Notification Form (NDOT Form 691) to properly document the extent and type of waste. The HPM will ensure that proper disposal of the waste and any required health and safety mitigation is implemented by the Contractor. The Contractor is required by NDOT's Standard Specification section 107.11 (Hazardous Material Discoveries) to handle and dispose of regulated material in accordance with applicable laws.
- If contaminated soils/groundwater or unexpected wastes are discovered, The Contractor shall stop all work within the immediate area. The Contractor shall limit access to authorized personnel within the area of the discovery and notify the Highway Project Manager (HPM). The Contractor shall not re-enter the discovery area until notified by the HPM. At the time of discovery, the HPM and Contractor shall utilize the NDOT Unexpected Waste Action Plan (UWAP) to coordinate appropriate actions. The Contractor is required by NDOT's Standard Specification section 107.11 (Hazardous Material Discoveries) to handle and dispose of regulated material in accordance with applicable laws.

4.18 Material Sources and Waste Materials

Material sources (borrow sites) are used for the construction of projects and must adhere to environmental laws before their use. For some projects, materials excavated from a proposed project site may also be used for fill material or for other construction needs. The contractor should obtain all environmental clearances and permits required for a borrow site prior to obtaining borrow material for a project (see **Platte River Depletions, Section 4.14**). The Project requirements for material sources and details regarding material disposal are provided below.

4.18.1 Affected Environment

The existing environment includes a two-lane highway with agricultural, residential, and commercial properties adjacent.

Borrow sources are generally available throughout the North Platte River valley in this region of Nebraska, as evidenced by numerous sand and gravel pits.

4.18.2 Impacts of the No Build Alternative

Because the No Build Alternative would not require any borrow sites, borrow or waste material would not be associated with this alternative, and therefore there would be no impact on material sources or waste materials.

4.18.3 Environmental Impacts of the Preferred Alternative

The proposed Project is anticipated to need approximately 110,000 cubic yards of borrow. Borrow materials are anticipated to be available for site preparation in the general vicinity of the proposed Project area. No material source has been identified for borrow at this time. The selected contractor would be required to provide the needed borrow material and would identify a source of material that does not include dredging within the channel of the Platte River. The contractor would obtain all environmental clearances and permits required for the borrow site prior to obtaining borrow material for the Project (see **Platte River Depletions, Section 4.14**).

4.18.4 Mitigation Measures

- The Contractor shall be required to provide the needed borrow material and shall identify a source of material that does not include dredging Platte River sediment or otherwise deplete Platte flows. The Contractor shall obtain borrow material from an upland site to prevent depletion issues and shall be required to submit a Materials Source Site Identification and Evaluation form to NDOT and USACE. After receiving the form, NDOT shall forward the Material Source Form to the USFWS, NGPC, DNR, and the Highway Archaeology Program of History Nebraska. (NDOT Environmental, District Construction, Contractor)
- If the borrow site is within a depletion area of concern, the Contractor shall coordinate with the appropriate agencies and NDOT to offset or minimize impacts. The Contractor shall have a staging area for the Project where material and equipment for the Project is stored (e.g., re-steel, forms, etc.). The Contractor shall be required to dispose of material removed as part of the Project described above and miscellaneous obstructions encountered and removed along the Project. The disposal is the responsibility of the Contractor. A waste site may be needed. The Contractor shall be responsible to obtain all permits and clearances, and all conditions of those permits shall be followed. (Contractor)

4.19 Visual Resources

This section describes the character of the landscape in the environmental study area and determines whether there are any visually sensitive resources that may be affected by the Project. Because Bridgeport is in the vicinity of two prominent and historic landforms (Courthouse Rock and Jail Rock), it is important to consider the impact of the Project on these resources and any others that may be identified in local plans. This section also describes the measures and methods available for reducing visual impacts, including the consideration of any local plans or restrictions

on appearance that would affect the design of Project elements, and concludes whether the Project would be compatible with local scenic highways and byways.

4.19.1 Affected Environment

Courthouse and Jail Rocks

Courthouse and Jail Rocks, located approximately five miles south of Bridgeport on N-88, are the erosional remnants of an ancient plateau that was bisected by the North Platte River. These natural features are composed of Brule clay, Gering sandstone, and volcanic ash, and rise more than 240 feet above nearby Pumpkin Creek. These landmarks served as an important crossroads for pioneers traveling westward, as the Oregon and California Overland trails merged at this location and the Mormon Trail, the Pony Express Trail, and the Sidney-Deadwood Trail were located near the rocks. Many emigrants described the larger rock in terms of a large public building and named it the Castle or Courthouse Rock because it resembled the ruins of an old castle (NPS undated). The rocks are listed in the NRHP and in the Nebraska Natural Areas Register.

Although these features are outside the environmental study area of the proposed Project, concerns were expressed by a member of the public and by an agency as to whether they would be visible from town, or whether the viaduct would affect their viewshed. Therefore, a visual impact analysis was conducted to determine whether the viewshed from the rocks, or from the viaduct location, would be adversely affected by the elevated viaduct. This section discusses aesthetic and viewshed considerations for these landmarks.

Western Trails Scenic and Historic Byway

US-26 and N-92 from Ogallala, Nebraska, to the Wyoming border are identified as the Western Trails Scenic and Historic Byway. While the majority of this byway extends through rural western Nebraska into Wyoming, the route does include the environmental study area.

Planning

Currently, no plans exist for additional scenic resources within the environmental study area.

Jail Rock formation located south of Bridgeport.

Courthouse Rock formation located south of Bridgeport.

View of Bridgeport (approximate location of proposed viaduct indicated by red arrow) from Courthouse and Jail Rocks.

View of Courthouse and Jail Rocks (indicated by red arrow) from the approximate location of the proposed viaduct.

4.19.2 Impacts of the No Build Alternative

The No Build Alternative would not involve any construction of a viaduct or any other elevated roadway structures. The No Build Alternative would have no effect on visual resources within the environmental study area or within the viewshed of Courthouse and Jail Rocks.

4.19.3 Impacts of the Preferred Alternative

Construction of the Preferred Alternative is not likely to change the visual aesthetics within the environmental study area or within the viewshed of Courthouse and Jail Rocks. Because of the distance of Courthouse and Jail Rocks from the environmental study area, and because of the inclusion of power lines, center pivots, trees, and other developed features between Bridgeport and these features, as shown in the photos in **Section 4.19.1**, there would be no substantial change from the current view. Therefore, the view from Courthouse and Jail Rocks, or the view from the ground at the location of the proposed viaduct, would not be inconsistent with, or visually more intrusive than, the current existing view.

As discussed in **Section** Error! Reference source not found., there are no scenic components of the Western Trails Scenic and Historic Byway near the proposed Project.

4.19.4 Mitigation Measures

There are no impacts to visually sensitive resources, therefore mitigation measures are not required.

4.20 Temporary Construction Impacts

Project construction activities may lead to temporary short-term impacts. These impacts typically include such things as traffic accommodations during construction activities, access to adjoining properties, construction noise, dust, and construction accommodations needed to build the proposed Project.

4.20.1 Affected Environment

The existing environment includes a two-lane highway with residential, commercial, industrial, and agricultural properties adjacent to it. Construction activities are not currently in progress.

4.20.2 Impacts of the No Build Alternative

The No Build Alternative would not require any construction and, therefore, would not result in any temporary construction impacts.

4.20.3 Impacts of the Preferred Alternative

This alternative would allow traffic to be maintained on the existing US-26/N-92 during construction. Short-term, temporary impacts may occur because of lane closures necessary to accommodate specific construction activities/phases. These activities could include delivery of materials, equipment mobilization, and construction of tie-ins and cross-overs. Most of the realignment would occur away from traffic, with temporary closure during construction of the existing roadway's tie-in. Emergency vehicle access to all residences and businesses would be maintained at all times. Commercial and residential drives would be temporarily restricted for short periods of time during the regrading or realignment of drive approaches. All businesses and residences would have access via alternative routes including adjacent streets and alleys or multiple driveways.

Train traffic would be affected when the contractor sets the girders of the proposed new viaduct. This work would require a three- to four-hour window to set the girders. Appropriate coordination with BNSF would be conducted prior to this construction phase.

G Street, H Street, I Street, and J Street would be temporarily affected at their intersections with US-26/N-92 during construction. The approaches would be reconstructed to tie into the pavement. Traffic volumes on these streets are low, and impacts would be temporary. Construction at each intersection would be completed in phases to maintain access at all times. Access would be provided to private dwellings, commercial properties, businesses, and public facilities from the nearest intersecting public road or street (See **Figure 4.11A** through **Figure 4.11C**).

Figure 4.11A - Temporary Access Plan.

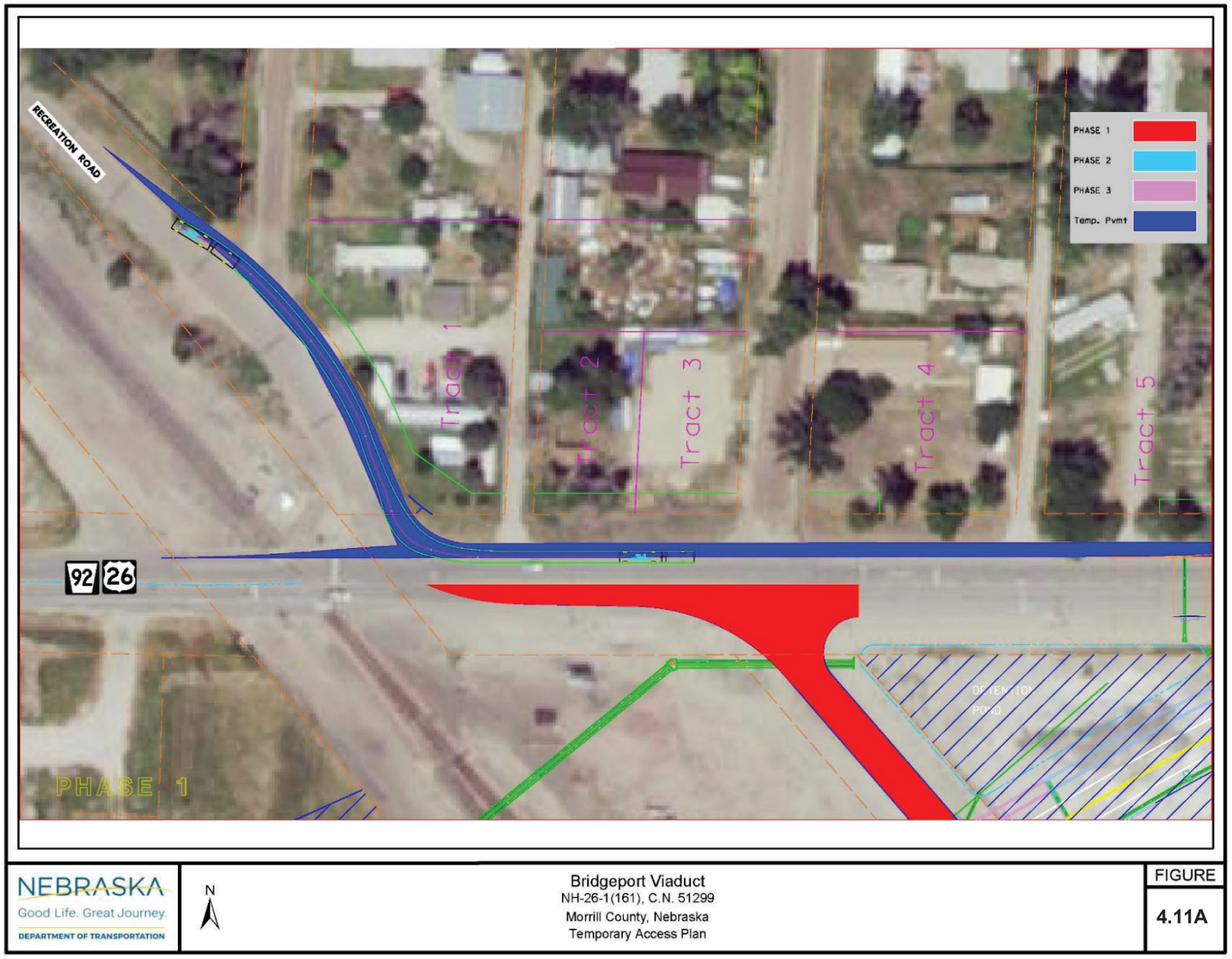


Figure 4.11B - Temporary Access Plan.

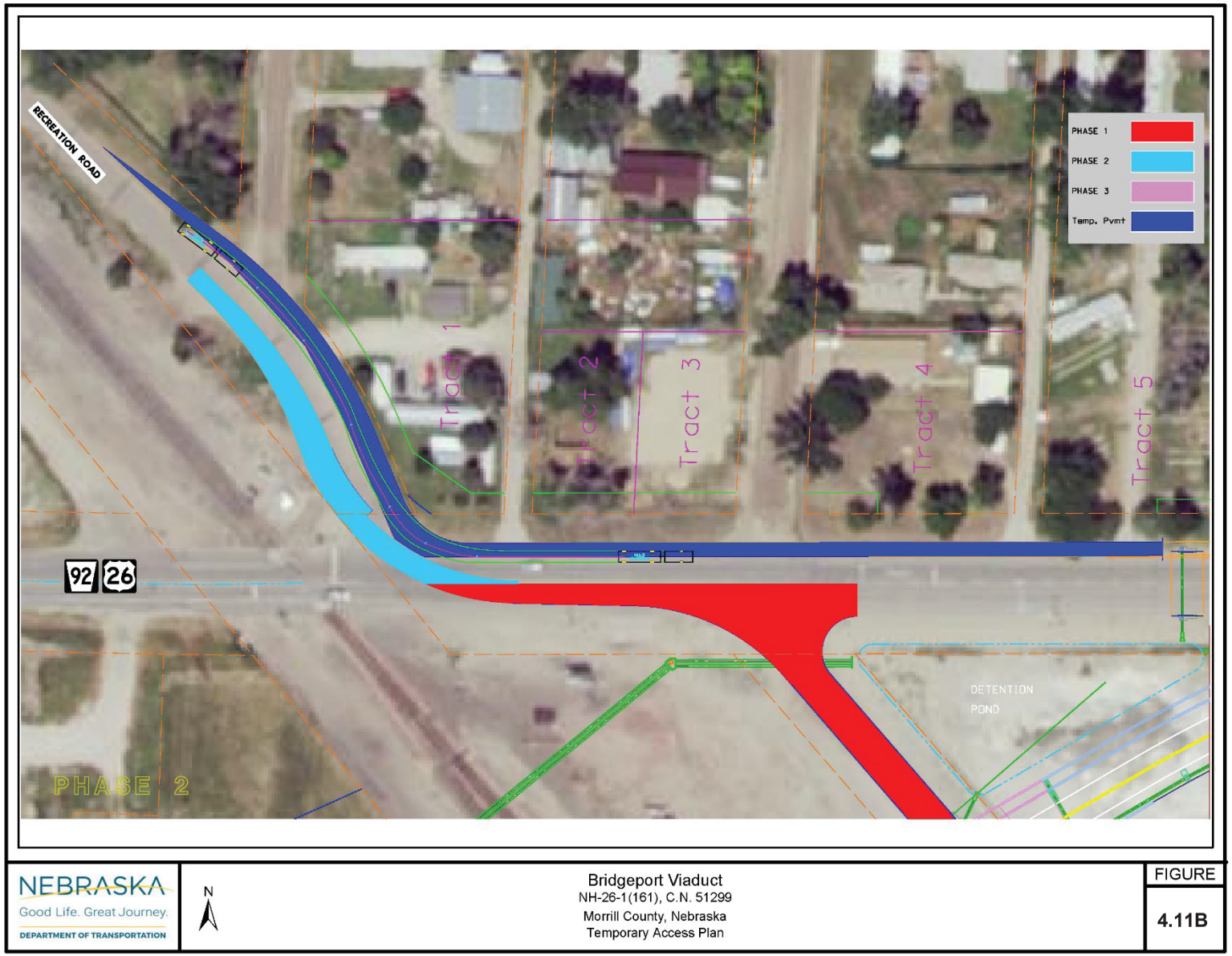
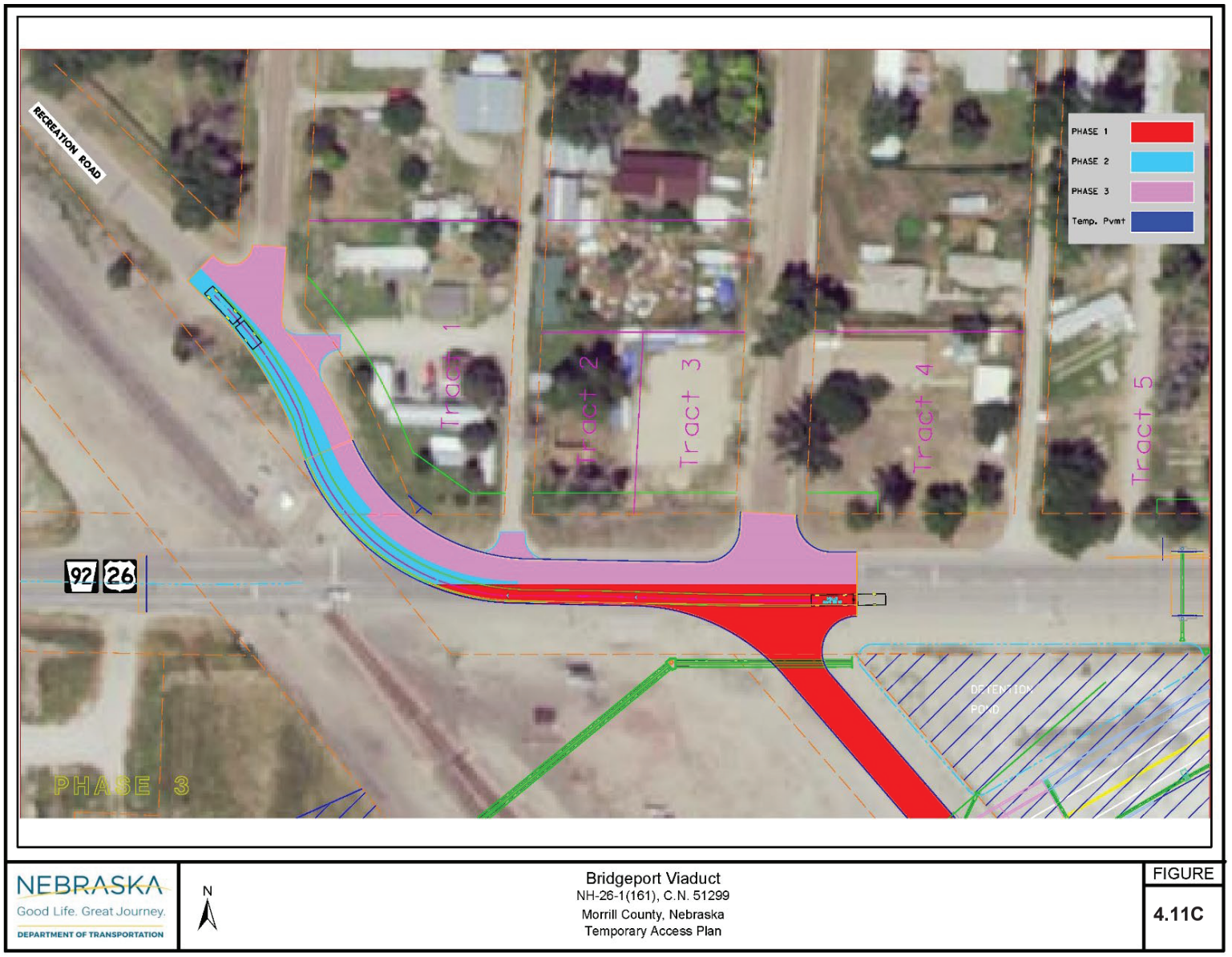


Figure 4.11C - Temporary Access Plan.



Recreation Road / F Street and Railroad Avenue would be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices. Access to adjacent properties would be maintained during construction but may be limited at times because of phasing requirements.

The Preferred Alternative would have no major traffic noise level impact. Noise levels would temporarily increase in the immediate vicinity of the Project site because of construction activities. BMPs would be used in accordance with state regulations to mitigate construction-related noise impacts and would generally limit construction activities to daylight hours.

Dust from construction would be minor and temporary. Dust-suppression measures including wet or dry calcium chloride applications would be used as needed to stabilize soil and gravel particles on-site. Nebraska Air Quality Regulations (Title 129, Chapter 32) state that no person may cause or permit a road being constructed or repaired without applying reasonable measures to prevent particulate matter (commonly referred to as dust) from becoming airborne and remaining visible beyond the premises where it originates (NDEE 2022). Slight wetting of the soil during demolition and earthwork activities to prevent dust from affecting on-site workers and any potential off-site migration is recommended. Additionally, EPA suggests dust suppression when dry and dusty conditions are present to reduce the inhalation of dust. This includes the use of dust masks by contractors.

4.20.4 Mitigation Measures

- Appropriate coordination with BNSF shall be conducted prior to setting girders on the proposed viaduct. (District Construction, Contractor)
- Access shall be maintained for the traveling public during the proposed Project construction. The public and emergency services shall be notified prior to any road closures. Message boards may be used to alert the public of road closures and detours. (District Construction, Contractor)
- For each affected road, access shall be constructed in phases to maintain access at all times. A note shall be included on the construction plans indicating that access is to be maintained. (District Construction, Contractor)
- Accommodations shall be made to ensure local traffic passing within the limits of the Project has access to all private dwellings, commercial properties, businesses, and public facilities. If a road is closed, limited access must be maintained for authorized local traffic. Emergency vehicle access shall always be provided. If access is closed longer than one day, the contractor would meet with the property owners to address temporary access issues. Access details shall be coordinated among NDOT's project manager, the contractor, and property owners. (District Construction, Contractor)
- Nebraska Air Quality Regulations (Title 129, Chapter 32) state that no person may cause or permit a road being constructed or repaired without applying reasonable measures to prevent particulate matter (commonly referred to as dust) from becoming airborne and remaining visible beyond the premises where it originates (NDEE 2022). Slight wetting of the soil during demolition and earthwork activities to prevent dust from affecting on-site workers and any potential off-site migration is recommended. Additionally, the EPA

suggests dust suppression when dry and dusty conditions are present to reduce the inhalation of dust. This includes the use of dust masks by contractors. (Contractor)

4.21 Indirect and Cumulative Impacts

In compliance with NEPA, potential indirect and cumulative impacts on the environment were assessed for the Preferred Alternative. This analysis was performed using existing, readily available data.

Direct Impacts

A direct effect is one that is caused by the proposed action and occurs at the same time and place. The direct effects of the Preferred Alternative have been discussed in the previous sections of this EA.

Indirect Effects

Indirect effects are those that are caused by an action and are later in time or farther removed in distance but are still reasonably foreseeable. FHWA provides guidance on determining what actions are "reasonably foreseeable," stating: "The determination or estimation of future impacts is essential to both indirect and cumulative impact analysis. However, the focus must be on reasonably foreseeable actions, those that are likely to occur or probable, rather than those that are merely possible" (FHWA 2016b). Indirect effects may include changes in land use, water quality, economic vitality, and population density.

Cumulative Impacts

Cumulative effects are impacts that result from the incremental consequences of an action when added to other past and reasonably foreseeable future actions. The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts but nonetheless can add to other disturbances and eventually lead to a measurable environmental change.

Cumulative impacts include the direct and indirect impacts of a project, together with the impacts from reasonably foreseeable future actions of other proposed projects. For an action to be reasonably foreseeable, it must have advanced far enough in the planning process that its implementation is likely. The impacts of reasonably foreseeable future actions not associated with the proposed Project include the impacts of other federal, state, local, and private actions. Reasonably foreseeable future actions are not speculative, are likely to occur based on reliable sources, and are typically characterized in planning documents.

4.21.1 Affected Environment

Past Actions Included in the Impacts Analysis

Commercial and residential development has occurred within the environmental study area in the last 15 years; however, based on aerial photography reviews, development within the study area has been limited to the following features:

Residential Development. Residential development has occurred in the neighborhoods north of US-26/N-92, between F Street and L Street, and south of US-26/N-92, between J Street and L Street. Development included construction of residences within the existing neighborhoods.

Commercial Development. Over the past 15-year period, commercial development has expanded on the west side of the BNSF railroad tracks north of US-26/N-92, both through expansion of existing developed areas and through the addition of new commercial development. This has resulted in a greater amount of local traffic crossing the existing at-grade crossing. Currently, several businesses are in that location, including The Mercantile, 21st Century Equipment, Plummer Insurance, and Bomgaars.

Railroad Crossings. BNSF is a large interstate rail carrier, serving the central and western U.S. The current crossing consists of one mainline track and four siding tracks that serve industrial facilities in the Bridgeport area. BNSF has a large railyard located approximately 35 miles to the north in Alliance.

Hazardous Materials. The proposed Project is located in a historically industrial area with known regulated facilities and indications of spills and releases that could affect the proposed Project's construction activities because of potential groundwater and localized soil contamination. Based on the initial HMR, past actions are not anticipated to have adverse impacts on human health or the environment.

Present Actions Included in the Impacts Analysis

There are no present actions, either private or public, occurring within the environmental study area or its vicinity. Thus, no present actions other than the proposed viaduct are included in the impacts analysis. There would be no additional at-grade crossing closures.

Reasonably Foreseeable Future Actions Included in the Impacts Analysis

The *City of Bridgeport Comprehensive Plan* (City of Bridgeport 2012) recommends that future commercial development be located within the same areas as current commercial development, which is along the US-385 and US-26/N-92 corridors. Thus, it is likely that additional commercial development will happen near the commercial properties currently located near the railroad tracks. For example, one potential business expansion is the Panhandle Co-op near the intersection of 5th Street (US-26/N-92) and Main Street (US-385).

BNSF requested the new viaduct be designed to accommodate up to two additional mainline tracks that may be constructed in the foreseeable future. The Preferred Alternative was designed with this request. It is reasonably foreseeable that the existing single mainline track might not be capable of handling the volume of train traffic BNSF anticipates on this line, and additional tracks would be built to increase capacity at a future date.

Resources Considered for Impacts Analysis

Based on impacts evaluated throughout this EA, the following resources would be impacted by the Preferred Alternative: land use and hazardous materials. Impacts to these resources, when combined with the reasonably foreseeable future actions, are discussed below.

4.21.2 Impacts of the No Build Alternative

Indirect Effects. A reasonably foreseeable indirect impact of the No Build Alternative could be the inhibition of economic development in areas consistent with the *City of Bridgeport Comprehensive Plan* (City of Bridgeport 2012). If traffic delays inhibit businesses from locating near the at-grade crossing, businesses would locate elsewhere, in areas that are not consistent with the City of Bridgeport's plans.

Cumulative Impacts. The cumulative impact of a second or third mainline track could have adverse impacts on the neighborhood near the at-grade crossing. The additional capacity of two or three mainline tracks is likely to result in a much larger number of trains, which would result in additional delays, noise from train horns, and inconvenience for residents of the neighborhood. In addition, community facilities such as emergency vehicles or school buses would be more likely to be delayed at the crossing as the number of trains increases. An increase in train traffic volume would increase the EF for this crossing, leading to more conflicts between trains and vehicles and more costs from delays and crashes. The current EF at this crossing of 71,040 exceeds the 50,000 minimum to consider a grade separation at this location, and the total average annual cost of delays to the traveling public is approximately $42,197. Crashes, particularly those involving freight carried by trucks or trains, can result in spills of hazardous materials, potentially resulting in human health concerns, or contributing to soil contamination in the area. In addition, the average annual crash costs associated with this at-grade crossing is estimated to be $10,153.

4.21.3 Impacts of the Preferred Alternative

Indirect Effects. A viaduct at the US-26/N-92 crossing of the BNSF railroad tracks would remove conflicts between trains and vehicles and remove vehicular delays at the crossing of the BNSF railroad tracks, which in turn, would provide for more seamless access to and from Bridgeport and neighboring businesses. These traffic benefits may encourage future development to occur along US26/N-92 and existing commercial areas, but growth in these areas is consistent with the City of Bridgeport Comprehensive Plan (City of Bridgeport 2012), and the Project is not anticipated to induce growth beyond what is currently planned for.

Cumulative Impacts. The viaduct and the development of more businesses to the west of a viaduct could result in additional land use changes from agricultural to developed. However, this is anticipated to be a minor change in land use in Morrill County, as additional industrial growth and development pressure on agricultural land beyond the immediate vicinity of Bridgeport is not expected as a result of this or any other proposed projects. Although construction of the viaduct may facilitate commercial development or expansion in the immediate vicinity of the proposed Project, this would not result in an overall increase of the rate at which development encroaches on agricultural lands around Bridgeport.

If additional mainline BNSF railroad tracks are constructed in the future, the Preferred Alternative would result in a positive cumulative impact for community facilities concerns. Residents within the environmental study area would not be inconvenienced by a greater volume of train traffic and the associated extensive delays and noise from train horns, or from increased risk of conflicts between pedestrians, vehicles, and trains. The risk of hazardous material spills caused by crashes between trains and vehicles would be eliminated. The Preferred Alternative would also result in a positive cumulative impact for community facilities as emergency vehicles, school buses, businesses, employees, residents, and others who need to cross the BNSF railroad tracks would not be delayed for even more extensive periods if train traffic volume increases.

Summary of Impacts

Table 4-3 provides a summary of environmental effects on each resource from each evaluated alternative.

Table 4-3 - Environmental Effects of the Evaluated Alternatives.

Environmental Consideration	No Build Alternative	The Preferred Alternative
Land Ownership, Jurisdiction, and Land Use	The existing conditions, including delays at the at-grade crossing, may interfere with the development of land on the west side of the crossing, which would not meet the intent of the City of Bridgeport's comprehensive plan.	The Preferred Alternative is in conformance with existing and currently proposed future land use plans. This alternative would have only a minimal effect on land ownership, jurisdiction, and land use. The Preferred Alternative would require acquisition of approximately 15 acres of land (13 acres of agricultural, 1.75 acres within Bridgeport) and would require the relocation of one shed. No residences would be relocated. Temporary easement of approximately 0.7 acre would be required.
Socioeconomic Considerations	Delayed access to western Bridgeport from US-26/N-92 would be expected to continue. The No Build Alternative would result in continued delayed access for emergency vehicle response to properties on the west side of the BNSF railroad tracks and for emergency vehicles heading toward the hospital from properties on the west side.	The Preferred Alternative would improve transportation movement at the proposed Project location for the traveling public and for emergency vehicles. It would also eliminate conflicts between trains, pedestrians, and vehicles. The Preferred Alternative would be built with minimal disruption to the traveling public because traffic would be maintained on the existing roadway while the off-alignment viaduct is constructed. During construction, access to businesses that would be by-passed will be provided via the existing crossing and temporary hard surfaced roads that would be constructed along the north side of the existing roadway. After construction is complete, access to businesses located west of the existing BNSF tracks would be provided at two improved access points, including the construction of a viaduct access point located east of C Street on the southside of US-26/N-92. Although there is some additional travel distance required to some destinations, eliminating the potential delay due to trains provides for more consistent and reliable travel times and eliminates unexpected delays.
LEP	The No Build Alternative would not result in impacts to LEP Populations.	No translations or specialized LEP outreach are required for this project because, considering the total population affected by the project, there are no LEP populations that meet or exceed the NDOT LEP outreach triggers of 5 percent or 1,000 persons.

Environmental Consideration	No Build Alternative	The Preferred Alternative
Cultural Resources	No effect	No historic properties would be affected.
Section 4(f) of the Transportation Act and Section 6(f) of Land and Water Conservation Fund	No effect	No effect. The Preferred Alternative would not use or indirectly adversely affect any 4(f) or 6(f) properties. The Preferred Alternative would temporarily require one lane traffic on Recreation Road using temporary signals; however, the road would be maintained during construction.
Noise	No effect	There would be no noise impacts from the Preferred Alternative. Providing a viaduct at the US-26/N-92 crossing of BNSF railroad tracks would also eliminate the need for trains to sound their horns in advance of the crossing. This would improve the quality of life for people in the area currently affected by train horns, especially in the residential community located to the northeast of the crossing.
Utilities	No effect	Utility relocations would be required but would not result in outages or disruptions.
Land Resources and Vegetation	No effect	The environmental study area includes developed land, barren land, grassland pastures, and agricultural land. While some of this land would be converted to roadway pavement, much of the area within the footprint would be maintained as grassed ROW, vegetated roadside ditches, and detention basins.
Streams, Drainages, and Floodplains	No effect	The Preferred Alternative would include construction of stormwater detention basins to provide better drainage of stormwater flows as there is no existing stormwater drainage system. There are no streams or floodplains located in the environmental study area; therefore, the Preferred Alternative would not impact streams or floodplains.
Groundwater and Wellhead Protection Areas (WPA)	No effect	The Preferred Alternative is located within the city of City of Bridgeport's WPA. Construction and completion of the Preferred Alternative would have a minor impact on the WPA. The roadway itself would represent a minor increase in an impermeable surface and, therefore, would result in a minor decrease in groundwater recharge. Construction of the Preferred Alternative is not expected to impact the one domestic well within the environmental study area, either directly (physical) or indirectly (water

Environmental Consideration	No Build Alternative	The Preferred Alternative
		quality) since the well is located outside the limits of construction and due to the implementation of the Project SWPPP BMPs. Any registered or unregistered wells within ROW to be acquired would be properly decommissioned.
Wetlands, Waters of the U.S. (WOUS), and Waters of the State	No effect	No effect. No wetlands, WOUS, or Waters of the State are located within the environmental study area; therefore, the Preferred Alternative would have no impact on wetlands or other waters.
Impaired Waters	No effect	The Preferred Alternative would not affect impaired waters. The viaduct itself would not contribute any of the contaminants that impair these waters and would not result in land changes that negatively impact the impaired beneficial use. Soil disturbance during construction would require an NPDES permit and BMPs and thus would not contribute to water quality degradation.
Platte River Depletions and Borrow	No effect	With the proposed mitigation measures, operational or maintenance activities would not expose groundwater, and borrow sites would not cause depletions. Therefore, construction of the Preferred Alternative would not result in groundwater evaporation or flow depletions to the Platte River.
Noxious Weeds	No effect	The Preferred Alternative would require the conversion of pasture and agricultural areas, the removal of trees, and clearing and grubbing. Reestablishment of vegetation within the ROW to reduce soil erosion would be completed according to NDOT roadside vegetation establishment and management standards. Following construction, disturbed areas would be reseeded with a weed-free native seed mix appropriate to the region and would be located within the proposed Project to avoid introduction of weed species.

Environmental Consideration	No Build Alternative	The Preferred Alternative
Threatened and Endangered Species, Bald and Golden Eagle Protection Act (BGEPA), Migratory Bird Treaty Act (MBTA)	No effect	No effect. There would be no impacts to threatened and endangered species or bald or golden eagles. The migratory bird communities that are mostly likely to be present within the environmental study area correspond to urban woodlands and generalist species adapted to agricultural and industrial areas. If construction is planned to occur during the primary nesting season or at any other time that may result in the take of nesting migratory birds, a nest survey would be completed prior to clearing activities. The study area does not contain habitat utilized by bald and golden eagles.
Farmland	No effect	The Preferred Alternative requires the acquisition of approximately 13 acres of agricultural land for ROW and construction purposes. This represents less than 0.001 percent of the total farmland within the county. No prime farmland or soils of statewide importance occur within the environmental study area.
Hazardous Materials	No effect. No construction would occur; therefore, no contaminated soil would be exposed. There would be no potential for cleanup of any contaminated areas.	It is possible, but unlikely, that construction activities could encounter subsurface contamination because of the proximity of the Panhandle Co-op Association to the location of the Preferred Alternative. In addition, the facility stores agricultural chemicals at a location that is close to the Preferred Alternative. Possible contamination is located adjacent to the proposed viaduct and Railroad Avenue but not within the anticipated construction limits. NDEE files indicate any potential contamination encountered would be minor and would be addressed with proposed Project commitments. With the proposed mitigation measures, a hazardous materials travel route used by Panhandle Co-op on Railroad Ave would remain available by constructing two separate and temporary hard surfaced roads.
Material Sources and Waste Materials	No effect	The proposed Project is anticipated to need approximately 110,000 cubic yards of borrow. Borrow materials are anticipated to be available for site preparation in the general vicinity of the proposed Project area. No material source has been identified for borrow at this time. The selected contractor would be required to provide the needed borrow material and would identify a source of material that does not include dredging within the channel of the Platte River. The contractor should obtain all environmental clearances and permits

Environmental Consideration	No Build Alternative	The Preferred Alternative
		required for the borrow site prior to obtaining borrow material for the proposed Project.
Visual Resources	No effect	Construction of the Preferred Alternative is not likely to change the visual aesthetics within the environmental study area or within the view shed of Courthouse and Jail Rocks.
Temporary Construction Impacts	No effect	Short-term, temporary impacts could occur because of lane closures necessary to accommodate specific construction activities/phases. These activities could include delivery of materials, equipment mobilization, and construction of tie-ins and cross-overs. A majority of the realignment would occur away from traffic, with temporary closure of the existing roadway's tie-in during construction. Emergency vehicle access to all residences and businesses would be maintained at all times. Commercial and residential driveways would be temporarily restricted for short periods of time during the regrading or realigning of driveway approaches. All businesses and residences would have access via alternative routes including adjacent streets and alleys or multiple driveways. Train traffic would be affected when the contractor sets the girders on the proposed new viaduct. This work would require a three- to four-hour window to set the girders. G Street, H Street, I Street, and J Street would be temporarily affected during construction at their intersections with US-26/N-92. The approaches would be reconstructed to tie into the pavement. There will be temporary traffic impacts during construction, however the impacts will be minimal since volumes on these streets are low Construction at each intersection would be completed in phases to maintain access at all times. Access would be provided to private dwellings, commercial properties, businesses, and public facilities from the nearest intersecting public road or street. Recreation Road / F Street and Railroad Avenue would be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices. Access to adjacent properties would be maintained during construction but could be limited at times because of phasing requirements.

Environmental Consideration	No Build Alternative	The Preferred Alternative
		The Preferred Alternative would have no major traffic noise level impacts. Increased noise from construction activities would be temporary and short term. Dust from construction would be minor and temporary. Dust-suppression measures including wet or dry calcium chloride applications would be used as needed to stabilize soil and gravel particles on-site.
Indirect and Cumulative Impacts	The No Build Alternative would perpetuate conflicts between trains and motorists and associated delay costs, which could result in problems obtaining the City of Bridgeport's goals for more development on the west side of the BNSF railroad tracks. This alternative maintains the risk of hazardous materials spills from train-vehicle crashes.	The Preferred Alternative would resolve conflicts between trains and motorists at the railway crossing; would improve and encourage movement through the area; and would reduce negative impacts from delays, noise, and an increased exposure factor (EF) if train traffic volume increases.

5. PUBLIC INVOLVEMENT / AGENCY COORDINATION

5.1 Agency Scoping

Interagency Meeting: November 25, 2013

A Project scoping meeting was held with the USACE, NGPC, FHWA, NDOT, and the SHPO at the NDOT Auditorium, 1500 Highway 2, Lincoln, Nebraska. No comments on the Project were received from the resource agencies at this meeting.

WAPA / FHWA / NDOT Coordination Meeting: July 20, 2016

A coordination meeting was held in Bridgeport, Nebraska, on July 20, 2016. Representatives from NDOT, FHWA, WAPA, and Olsson were in attendance. Notes from the meeting available in Appendix J.

Stakeholder Coordination Meeting: July 20, 2016

A coordination meeting was held at the Prairie Winds Community Center in Bridgeport, Nebraska, on July 20, 2016. Representatives from NDOT, FHWA, the City of Bridgeport, and Olsson were in attendance. Notes from the meeting are outlined below.

- Olsson gave an overview and status of the proposed Project, explaining the status of the Preliminary Draft EA and that two alternatives are still under consideration. Alternatives presented were substantially similar to what was presented in March 2015.
- Bridgeport Mayor Berg asked about access to the SRA from I Street along US-26. It was explained that access needed to accommodate at least westbound US-26 vehicles, which would be similar to pick-up/trailer combinations that regularly access the SRA. To improve the I Street intersection would adversely affect the properties adjacent and north of US-26.
- Questions were asked about schedule. While the proposed Project is programmed, it does not have a letting date set. Completion of the Preliminary Draft EA and selection of a preferred alternative may occur by Winter 2016, and a public hearing would follow, possibly in the Spring 2017.
- Questions were asked about impacts to city utilities because of either alternative. NDOT stated that utilities affected would be brought back to the existing configurations. Any requested betterment could be incorporated to the proposed Project but would need to be paid for by the City of Bridgeport.
- Morrill County Sheriff stated that Alternative 2 would be desirable from an emergency medical services standpoint.
- A member of the Bridgeport City Council voiced a desire to write a letter to NDOT advocating for a preferred alternative. NDOT stated that the City Council's input is welcome at any time. NDOT also stated that input from other entities with a differing view would be appreciated too.
- FHWA asked if the city has any upcoming and/or overlapping projects with the proposed viaduct Project. The City Administrator stated the Panhandle Co-op owner will be expanding on its property near the intersection of 5th Street and Main Street (US-385).

After the meeting, members of FHWA were interested in looking at 7th Street, from US-385 to the proposed new access road to the SRA. Meeting attendants drove it and also visited the SRA, looking for an NGPC office or official. None were found.

5.2 Formal Public Outreach

Public Information Meeting: Thursday, July 10, 2014; 4 – 6 p.m.

A Highway Design Public Information Meeting was held on the proposed Project at the Prairie Winds Community Center in Bridgeport, which is Americans with Disabilities Act (ADA) accessible. Notices were published in the *Bridgeport News-Blade* on June 18, 2014, and July 2, 2014. The public notices were published in English. Project notification information sheets were also mailed to 222 key area stakeholders, along with the resource agencies identified. A news release announcing the open house was distributed through NDOT's normal media distribution on June 26, 2014. Signs were also placed at a westbound location and an eastbound location along the proposed Project to inform drivers of the public meeting.

Sixty persons attended the meeting, not including NDOT officials and consultants. The meeting was conducted in an open house format with informational displays and stations throughout the room. The Project design and environmental teams were available to answer questions and take comments. Twenty-three written comments were received. All handouts were available in both English and Spanish, and a Spanish translator was available.

Several people indicated that they learned about the meeting from direct mailings or the newspaper. **Appendix I** provides documentation of the meeting, including information on advertising, venue, support materials, attendance, and public comments. **Table 5-1** provides a summary of the public comments.

Table 5-1 - Citizen Comments from the July 10, 2014 Public Meeting.

No.	Comment	Response
1	I have commercial property on west 5th, west of the lumber yard. On this property, I have a 26 ft by 52 ft storage building with two overhead door access on the north side and one door on west side. If right of way changes and sufficient room remains, I would like to retain the same access. This is my personal storage and is not high traffic use.	The NDOT and the FHWA appreciate your input in regard to the BNSF Railroad (RR) at Bridgeport Project. The shed in question would be relocated as per the Uniform Act. Additional details regarding this relocation are provided in **Appendix A.**
2	I am humbled to have this opportunity of submitting my comments to the NDOT on the above proposed Project. As a former NDOT employee in the engineering division in Bridgeport from Oct. 1965 to Oct. 1972. From then to April 2012, I served as county highway superintendent for Morrill County. I am proud to have served on the board of examiners for county highway and city street superintendent for twenty (20) years. I hereby submit my comments: alternative	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this Project. At the next Public Information Meeting, which is currently being planned for early 2015, NDOT will present more detailed information regarding the roadway location, profile, and access. I would like to address your suggestion to eliminate the N-88 BNSF grade crossing 089-080-U located at N-88,

No.	Comment	Response
	nos. 3 & 4 are totally out of the question. In my opinion, alternative no. 1 is the best course to pursue. Likely there will be very little ROW necessary. This route also creates a problem for thriving business northwest of the BNSF grade crossing. If I may, I would like to ask a question about another BNSF RR crossing at the south end of Bridgeport Main Street. This crossing is also BNSF RR on NE Hwy 88. I am certain that the city would be in favor of the closure of this crossing. If an alternate access to US-26/NE-92 to the west (see Google Earth enclosed). Thank you for allowing the Bridgeport public opinions. During my tenure as highway superintendent., I managed to close four (4) BNSF RR and one (1) UPRR grade crossing. *Below comments on google earth map attachment* NE-88 connection to US-26 - eliminating the NE-88 grade crossing (BNSF) Result – viaduct on US-26, grade crossing on NE-88, eliminating possibility of vehicle and train collision.	Mile Post 58+80. We appreciate your suggestion and applaud your accomplishments as highway superintendent in getting five grade crossings closed during your tenure. NDOT normally closes more than one grade crossing for its viaduct projects if it can reasonably be done. In lieu of a new grade-separated structure, the N-88 grade crossing could conceivably be closed if N-88 were to be realigned and connected to US-26 west of the proposed viaduct. In this case, however, NDOT does not plan to pursue closure of the N-88 grade crossing or realignment of N-88 at this time for the following reasons: 1. At the N-88 location, the average train traffic is currently 26 trains per day while the highway traffic volume is currently 1,305 ADT. The EF is about 34,000 (~ 26 x 305). This is fewer than the 50,000 required by Title 415, Chapter 5, Paragraph 04.04A for a new grade-separated structure. NDOT does not expect future highway traffic volumes at this location to increase significantly. 2. Crash mitigation does not appear to be an issue based on crash records. In the period 4-1-2011 through 3-31-2014, there was one reportable property damage accident at the junction of N-88 with US-385 and one non-reportable property damage crash at the highway-rail crossing. Neither involved a train-vehicle collision. Further review of a 10-year crash history revealed that there were no other crashes at the highway-rail crossing. 3. Additional funding would have to be secured for this added capital improvement. Although realigning N-88 has not been studied by NDOT, we believe the cost would be $1 million or more. 4. It does not meet the purpose and need of the proposed Project.
3	I believe Alt #1 would be the best choice for the City of Bridgeport, causing minimal changes to the current traffic flow. This viaduct would be helpful to the City of Bridgeport. However, I would be strongly opposed to any RR crossing closing such as the Hwy 88 crossing because of the negative effect on the fragile and struggling downtown business district. I hope you	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project and understand you would prefer the N-88 crossing to remain open. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network.

No.	Comment	Response
	consider the greater good not just the benefit to BNSF and NDOT maintenance costs.	
4	What about Bridgeport's Main Street businesses? I doubt they can afford losing any business traffic these days. That route would not be convenient for those of us who live here either. So, who is this benefiting? We have lived with the trains the way they are and learned to be patient. Thanks for reconsidering	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street.
5	I would like to thank the Nebraska Department of Roads for their efforts to educate our community about their plans for a potential viaduct in Bridgeport. The information they provided tremendously helped us gain a better understanding of impacts to our local residents and businesses. My business, Plummer Insurance, is located approximately 1,000 feet west of the Hwy 26 railroad crossing. I am pleased that there are discussions being held to improve the inconvenience of this railroad crossing. However, I have a few concerns of the proposed routes. Alternate routes two and four (red and green color-coded routes on the legend) would completely bypass our building. Visibility is very important to the sustainability of our organization, and I feel that those two proposed routes would harm our business. We are also in the process of completing an extensive office remodel and addition. Part of our decision process centered around exterior improvement, as we wanted the building to look nice for traffic entering the town. Not only would we feel our money was partially wasted on a remodel, but we feel we would	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. We understand you would like to maintain your business's visibility and parking. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street.

No.	Comment	Response
	also partially lose our name-recognition to those who would no longer see our business as they drove by. Similarly, alternate route three (yellow color-coded route) wouldn't completely bypass our building, but would remove us as one of the primary focal points to passing traffic. Rather, through traffic would be viewing farm implements and would only see our building in the distance. We would have to restructure our signage, and the route would be an inconvenience for our customers and employees that need to enter our building. Alternate route one (blue color-coded route) would provide some minor inconveniences. We would lose a majority of our parking. Our current, unobstructed view of Courthouse and Jail Rocks would be replaced with concrete and rail guards. In addition, we would have to amend our signage of the building. However, I feel that of the four proposed routes, this would have the most favorable conditions to the sustainability and growth-potential of our business. Therefore, I would like to recommend alternate route one. I feel that while we would be inconvenienced by the route, the impact would be less severe than the other three routes. Thank you for the opportunity to provide input to the NDOR on the Bridgeport Viaduct Project. I hope that my comments and concerns will be taken into consideration during the decision process. Have a great week ahead!	
6	Having attended the public meeting at the Prairie Winds Community Center and analyzing the four alternative routes for the BNSF RR Viaduct, it's my conclusion that alternative number one would be the best. It would be less disruptive to the community as laid out; especially if it is constructed on pillars and not on dirt abutments.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this Project. In regard to your comment referring to minimizing the footprint of the fill required to build the embankment for a viaduct structure, the NDOT will look at methods such as mechanically

No.	Comment	Response
	P.S. Recreation Road could pass under the overpass as well, and connect with Railroad Ave.	stabilized earth walls, gravity block retaining walls, and the length of the bridge to help minimize the impacts to adjacent properties and to aid in providing access to the new US-26/N-92 roadway. As part of the development of this proposed Project, the NDOT will look at different configurations for connecting side streets and drives, including Recreation Road. The NDOT will investigate the possibility of taking Recreation Road underneath the proposed viaduct structure. At the next Public Information Meeting, which is currently being planned for early 2015, NDOT will present more detailed information regarding the roadway location, profile, and access.
7	Panhandle Co-op has multiple locations and would be affected by any route chosen. Blue - Route 1 - Would be best route desired for all Panhandle Co-op locations; may affect some parking of equipment on Railroad Ave; Co-op has hazmat travel on Railroad Ave - would need alternative route. Red - Route 2 - 2nd choice route -would affect parking of equipment on Railroad Ave - would affect hazmat travel on Railroad Ave – need alternate route. Yellow & Green - Route 3&4 - least desired by Panhandle Co-op. Panhandle Co-op owns & operates a convenience store on the corner of 5th & Main St. Redirecting traffic away from current Hwy 92 & 26 travel would drastically affect business sales at this location. Green 0 Route 4 - Would affect Panhandle Co-op most - Along with what's mentioned above it would affect equipment parking - Would need to relocate bulk fuel & propane facility on Railroad Ave.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. We understand the concerns regarding the Co-op's equipment parking areas, accessibility, and convenience store at 5th and Main Streets. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses. Access to the convenience store at 5th Street and Main Street would remain open via N-88 and temporary roads during construction.
8	We own Plummer Insurance, located just west of the BN Crossing on Hwy 26. We strongly prefer option #1 - to keep the same line as Hwy 26 currently has. Assuming that you have narrowed your realistic options to two, the current line and	The NDOT and FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. We understand you would like to maintain your business's visibility and parking. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map

No.	Comment	Response
	the line going south of the substation then coming back north, option 1 is much better for the three businesses currently west of the tracks. If you curve the highway south of the substation, it will decrease the visibility of our business dramatically. We are just finishing a major remodel - if we lose our highway access - and if Bomgaars loses their visibility we will be irreparably harmed. We need highway visibility to remain a visible business. Likewise, my daughter's home - south of my office and the substation and immediately next to the proposed south route, will be nearly worthless sitting next to a viaduct.	provided during the 2014 meeting. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street.
9	I am against a viaduct being built in Bridgeport if it means that the Hwy 88 RR Crossing will be closed. Closing that crossing would hurt the town of Bridgeport. It will close off the business part of town and detour everyone completely around our town. I'm against closing the Hwy 88 railroad crossing!	The NDOT and FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses.
10	I am against any viaduct project that will ultimately lead to the closing of the Hwy 88 crossing. Even the most remote possibility of closing the crossing at the south end of town would ultimately devastate the already fragile rural economy by re-routing traffic away from the downtown business district. The talk is right now that the state does not have the funding at this time to divert Hwy 88 to the opening at the west end of town. Others at the state level have said the railroad may be willing to fund this project so they can close the Hwy 88 crossing. This will be bad for the town. 100% against any project that may ultimately close the Hwy 88 crossing.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses.
11	To Whom It May Concern: It would be good to have a viaduct on the west edge of Bridgeport, but not at the sacrifice of closing the crossing at Hwy 88 on the south edge of town. Not only would that be inconvenient, but it would also	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project.

No.	Comment	Response
	divert some traffic from “main” street in Bridgeport. Traffic passing through our town is essential to the economy of our town. Please keep this in mind.	The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses.
12	To Whom It May Concern: I am not in favor of a viaduct if it closes the Hwy 88 railroad crossing. This will ultimately decrease business in town, which will have a negative impact for the town of Bridgeport. Do not close the Hwy 88 crossing!!	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses.
13	Take the Blue Route North route too expensive	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. The project’s Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. Alternative 1, the Blue Route, would have constructed a viaduct on the existing alignment. This alignment was determined to have higher construction costs than Alternative 2 and would have greater construction impacts to the travelling public than Alternative 2.
14	Panhandle Co-op owns or leases facilities that would be impacted by all four alternatives. First, our property at 105 5th street is now a thriving business with the traffic flow from Hwy 385 and Hwy 92 to support our c-store. From that standpoint, the current configuration is preferable. Both alternative 3 and 4 would divert traffic from this location. Second, we have leases from the railroad from Hwy 92 along the railroad from 5th Street to 9th Street. Alternative #2 would force us to give up parking for our equipment (see reverse). Third, alternative 4 would require us to move our bulk fuel facility and propane	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. We understand the concerns regarding the Co-op’s equipment parking areas, accessibility, and convenience store at 5th and Main Streets. The project’s Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street

No.	Comment	Response
	bulk plant to a new location. This would be at a considerable cost. If we had to pick one alternative, #1 would be our choice, short of not building at all. **Reverse side of sheet** We haul hazmat materials in and out of property - access needs to allow us to stay out of residential areas - what is the elevation to access property on j street? We haul hazmat materials out daily and receive them daily also. We haul sprayers on semitrailers to and from the fertilizer plant daily – would like to stay out of residential.	businesses. Access to the convenience store at 5th Street and Main Street would remain open via N-88 and temporary roads during construction. In regard to your comment referring to the elevation of the roadway at J Street, our preliminary work indicates the US-26/N-92 roadway elevation will match the existing elevation of the roadway at J Street. That could change through the more detailed design process, which will follow the preliminary study, but that is the way it stands now. As part of the development of this proposed Project, the NDOT will further develop the roadway profile and will look at different configurations for connecting side streets and drives, including the drives to your business.
15	Alt 1 would be the best in my opinion. For 4 we would have to move propane tank at our bulk plant and 2 would go through our fert plant where we park tanks trucks and equipment it would take a lot of funding to do this for Panhandle Co-op.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. We understand the concerns regarding the Co-op's equipment parking areas and accessibility. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street. The N-88 crossing would remain open as closure of this crossing would greatly disrupt the state and federal transportation network in addition to Main Street businesses. Access to the convenience store at 5th Street and Main Street would remain open via N-88 and temporary roads during construction. Specific property impacts would be negotiated during the ROW phase.
16	Alt #1 would be the most costly to Chimney Rock Public Power District (CRPPD). Need more info on ROW and how much equipment & structures need moved. Alt #2 would be the least expensive.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting.

No.	Comment	Response
17	Option 2 would be the best option for us as we would not have to move as much equipment. Depending upon the width of ROW on Option 1 that could be an option also, but we would have to move our equipment and be much more labor intensive and costly.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting.
18	My concern is how far east the project will reach. The homes for 2 blocks west of Main Street have no alleys or other entrance to property. And of course, I really don't want to have to look at a wall. My home is on 5th Street between K & L Streets.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. The project would extend to approximately J Street.
19	Dear Sir: I would favor alternate #2 or alternate #4 route. These 2 alternate routes affect fewer residential properties plus they are closer to Hwy 88. I very strongly oppose alternate route #3 because it severely affects many residential properties, including my own.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting.
20	My wife & I don't think it is necessary to spend taxpayer's money to do this project at all. Traffic in this area has not been delayed that much. With new federal regs on coal burning electric generation coals trains will be thing of past. Let the keystone pipeline be built, tanker cars will be reduced. However, I know a supervisor at the State has already made this decision so alternative #4 would be best choice. This area could be under construction with little or no interference to traffic at all. There are several properties in area already owned by County or vacant lots. Still have access to State Recreation area off 5th a lot less utilities in this area as well. Gas, Power, several fiber optics, sewer, water on 5th St. Also, Nebraska is the 3rd highest in taxes behind New York & California. You need to consider the taxpayers' situation and not add more taxes to those of us that PAY TAXES! Having State employees deliver this paperwork is another example of wasteful spending. If my husband and I have to be	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. The project is needed to reduce vehicle train conflicts and delays, which have been projected to continue into future years. NDOT is committed to completing this project in an efficient manner while minimizing overall project cost.

No.	Comment	Response
	careful in our spending the State of Nebraska/Federal government should Lead By Example!!	
21	I am writing to say that I am opposed to building the viaduct at Bridgeport. We are having a hard enough time keeping our town alive without have a road destroy homes and businesses for what-you have to wait 5 minutes for a train, if you are in that big of a hurry, you can always go north to that viaduct. I've seen what the interstate has done to towns and the wonderful Heartland Expressway has done nothing. In the first place the logical place would have been Hwy 385, but no let's take it 40 miles west and they bypass Kimball and Scottsbluff and then back track to Alliance. Does this make sense, and did it help any of those towns? Kimball and Scottsbluff thought that they were going to make a fortune from people coming to the town and what did they get-nothing! I don't think the State has any idea how the people in western Nebraska struggle to keep their towns alive and when I say western Nebraska, I don't mean starting at Grand Island. If you want to do something for the town, put in a stop light so you can get across the street. Thank you for your time.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project is needed to reduce vehicle train conflicts and delays, which have been projected to continue into future years. NDOT is committed to completing this project in an efficient manner while minimizing overall project cost. The Heartland Expressway project was a separate project with a separate project purpose and need from the Bridgeport Viaduct.
22	We do hope that the new viaduct will be alternative 1 and the second choice is #2.	The NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2, the red colored route on the map provided during the 2014 meeting. Alternative 1, the Blue Route, would have constructed a viaduct on the existing alignment. This alignment was determined to have higher construction costs than Alternative 2 and would have greater construction impacts to the travelling public than Alternative 2.

Public Information Meeting: Thursday, March 26, 2015; 4 – 6 p.m.

A second Highway Design Public Information Meeting was held on the proposed Project at the Prairie Winds Community Center in Bridgeport, which is ADA accessible. Notices were published in the *Bridgeport News-Blade* on March 4 and March 18, 2015. The public notices were published in English. Project notification information sheets were also mailed to 265 key area stakeholders. A news release announcing the open house was distributed through NDOT's normal media

distribution on March 12, 2015. Signs were also placed at a westbound location and an eastbound location along the proposed Project to inform drivers of the public meeting.

Forty-seven persons attended the meeting, not including NDOT officials and consultants. The meeting was conducted in an open house format with informational displays and stations throughout the room. The Project design team was available to answer questions and take comments. Nine written comments and one phone comment were received. All handouts were available in both English and Spanish, and a Spanish translator was available.

Most of the comments received were supportive of at least one of the two alternatives, Alternatives 1 and 2. Several people indicated that they learned about the meeting from direct mailings, newspaper, or emails. **Appendix I** provides documentation of the meeting, including information on advertising, venue, support materials, attendance, and public comments. **Table 5-2** provides a summary of the public comments.

Table 5-2 - Citizen Comments from the March 26, 2015 Public Information Meeting.

No.	Comment	Response
1	Good Morning, Since our conversation on Wednesday of last week I have been in touch with staff at our Western Division office regarding the proposed construction of a viaduct on US Hwy 26, west side of Bridgeport, Nebraska. The following is a brief description of Croell Redi-Mix, Inc.'s position on this proposal: Croell Redi-Mix, Inc. is opposed to both Alternative #1 and Alternative #2 for the construction proposal as it currently exists. Croell Redi-Mix, Inc. would currently support a No Build option. Croell Redi-Mix, Inc. produces ready-mixed concrete at our plant located at 428 Railroad Avenue, Bridgeport, Nebraska. This product is manufactured from cement powder, sand, rock, water and certain additives and delivered from this location to customers within a radius of, generally speaking, fifty miles of the plant. Ingress to and egress from this plant is currently only available through an entrance on Railroad Ave. Railroad Ave. acts as a feeder onto US Hwy 26 for travel both east and west to our customers. Travel on US Hwy 26 allows our trucks to avoid residential streets and potential conflict with traffic, pedestrians, children and animals in those areas.	The NDOT appreciates your input in regard to the BNSF Bridgeport Viaduct Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. Regarding your comment referring to the loss of your access from US-26/N-92, I would like to assure you that you will not lose your access with this proposed Project. Access to the concrete plant from the proposed US-26/N-92 would be provided via J Street to Railroad Avenue to the south of the proposed highway for both Alternatives 1 and 2. Changes to the access as described above would be done in coordination with the City of Bridgeport. Railroad Avenue as shown on both Alternatives 1 and 2 would be hard-surfaced paved with either concrete pavement or asphaltic concrete pavement. The width of the proposed roadway would be nominally 24 feet and would be able to accommodate the appropriate vehicles utilizing the roadway. All the streets providing access to the concrete plant would be or are already hard surfaced. Regarding your comment indicating the need for the condemnation of a portion of your company's property, this proposed Project is in a preliminary planning stage. It would be improper to specifically identify the need for condemnation at this time. Please note that any ROW needed to

No.	Comment	Response
	As we understand the alternatives, both #1 and #2 will eliminate access to US Hwy 26 directly from Railroad Ave. Both alternatives will necessitate heavy (fully loaded concrete mixer trucks typically weigh around 79,000 pounds) trucks being driven through residential areas in order to access US Hwy 26 after departing our plant location on Railroad Ave. The potential for conflict with typical residential activities both north and south of US Hwy 26 which would result from our trucks having to utilize those streets, is extreme. This situation would be exacerbated by the lack of paved streets in the area creating a dust issue with which residents would then be forced to deal. In addition to the extreme difficulties presented by concrete mixer truck traffic in residential areas, aggregate supply operations would be impossible. Both sand and rock aggregate materials are brought into our location on Railroad Ave. by large semi-tractor trailer units and/or end dump trucks. These trucks do not belong in residential areas and, we believe, their presence on those streets will create tremendous ill-will among the people of Bridgeport. Croell Redi-Mix, Inc. has an excellent relationship with the City of Bridgeport and its inhabitants. We want that to continue. Both alternatives indicate a need for the condemnation of a portion of Croell Redi-Mix, Inc. property on the northern portion. The loss of property in alternative #2 would be potentially fatal to our business at this location due to the reduction in land area needed by our company to store necessary aggregate and other materials. Thank you for the opportunity to comment on this construction proposal. While we agree, there is a need for reduction in the potential for train/highway conflicts on US Hwy 26, the two alternatives presently under review are both unacceptable to Croell Redi-Mix, Inc.	be acquired for this Project must conform to the rules and regulations under Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (Uniform Act). The property would be appraised to assure that a fair market value is determined, and that just compensation would be offered for the property. At the next public meeting, which is tentatively scheduled for this fall or winter, NDOT will present the preferred alternative with more detailed information regarding the roadway location, profile, and access. Thank you for your interest and participation.

No.	Comment	Response
2	I visited with [redacted] after you had him return my phone call to you. Thanks for your help in getting my questions answered. I am the president of Panhandle Co-op Association. We have 3 businesses in Bridgeport, Nebraska, one of which will be highly affected by the viaduct. The 3 businesses are located at: • Main Street and 5th Street, (we would want to keep the same traffic pattern we presently have, with the C-Store needing heavy traffic for sales success). • Main Street and 7th Street, where we fuel trucks and do tire work. • 425 Railroad Avenue, where we have an Agronomy Center. We lease from the BNRR between Railroad Avenue and the mainline tracks, between 5th Street and J Street, and have liquid fertilizer facilities, dry fertilizer facilities, A Fuel Bulk Plant, and Propane Storage on the property. I am concerned that option 2 will split our operation and hinder equipment parking, and option 1 will cover one end of the parking area. There is limited space for our business as H is presently, without the additional traffic. We also will have to consider driveways and traffic patterns on our property to allow the Railroad Avenue to be paved, as we will lose space to the paved roadway. Elimination of direct access to Hwy 26/92 will force us to use J Street as an alternative to travel to those routes. We will be traveling down residential streets to access our business with semi-trucks. Option 1 is the best option for us based on what I know now. • Noel indicated that probably you were past doing the No Build option which would be the best option for us. Thank you for allowing me to express my concerns. Please give me a call if you have any other questions. **From:** [redacted] **Sent:** Friday, April10, 2015 2:06PM **To:** [redacted]	I called [redacted] this afternoon to address the questions he submitted per his request. He leases property from BNSF between the tracks and Railroad Avenue to run a fertilizer plant, across from the concrete plant. He apologized for not getting his comments in early. I commented to him that we will take note of whatever he said and that he will be included in future contacts for this Project. I also informed him that we are planning to have an additional meeting with the public this fall. He did voice preference for no build or if not possible, Alternative 1. --- Follow up conversation with [redacted]: The NDOT appreciates your input in regard to the BNSF Bridgeport Viaduct Project. Your written comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. In regard to our phone conversation on April 10, 2015, you had a number of questions in which I wanted to provide a written response for each question. 1. Question: Is the pavement to be reconstructed along Railroad Avenue? If so, what width will the new roadway be? Answer: Railroad Avenue as shown on both Alternatives 1 and 2 would be hard-surfaced paved with either concrete pavement or asphaltic concrete pavement. The width of the proposed roadway would be nominally 24 feet, and the roadway would be designed to accommodate the appropriate vehicles utilizing the roadway. 2. Question: How will access to the fertilizer plant change? Answer: Access to the fertilizer plant from the proposed US-26/N-92 would be provided via J Street to Railroad Avenue to the south of the proposed highway for both Alternatives 1 and 2. 3. Question: What kind of pavement will we be using on Railroad Avenue?

No.	Comment	Response
	Cc: [redacted] **Subject:** NH-26-1(161) BNSF RR AT BRIDGEPORT; CN 51299 [redacted], I received a call from [redacted] of Bridgeport this afternoon with questions regarding the Bridgeport Viaduct. He was unable to attend the Public Meeting but, he had	Answer: The roadway would be constructed with either concrete pavement or with asphaltic concrete pavement. The specific type of pavement would be determined at a future date. 4. Question: How will traffic be impacted at our C-Store located at the corner of 5th Street and Main Street? Answer: The C-Store is located outside the limits of the proposed Project. Both Alternative 1 and Alternative 2 would tie back into the existing alignment on 5th Street prior to reaching Main Street. Therefore, there is no anticipated change in traffic volume from the project once construction is complete. There would be temporary impacts during construction, but these are anticipated to be minor and of short duration. At the next public meeting, which is tentatively scheduled for this fall or winter, NDOT will present the preferred alternative with more detailed information regarding the roadway location, profile, and access. Thank you for your interest and participation.
3	Phone message: [redacted] is in favor of Alternative #1. He feels it is the simplest design of the two and, in the long run, would be cheaper.	NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2. Alternative 1, would have constructed a viaduct on the existing alignment. This alignment was determined to have higher construction costs than Alternative 2 and would have greater construction impacts to the travelling public than Alternative 2.
4	As the manager of the Bridgeport 21st Century Equipment store, I have a strong preference for Alternative 2 for the following reasons: 1. Less disruption of our business during the construction phase because of all the traffic on the frontage road during the time period. 2. Retained display area for equipment in front of our store that would become frontage road under Alternative 1. 3. Much easier access for trucks and large equipment entering and leaving the new viaduct.	NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Project. The project's Preferred Alternative was determined to be Alternative 2. Thank you for your participation.

No.	Comment	Response
	Reduced congestion by separating the primary access of Bomgaars [hardware store] and 21st Century Equipment.	
5	I live at [redacted] "F" Street in Bridgeport, Nebraska. I prefer Alternative 2 for the viaduct in Bridgeport. There is more open land to the south of Hwy 92 and fewer homes and business that would be disturbed.	NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Viaduct Project. The project's Preferred Alternative was determined to be Alternative 2. Thank you for your participation.
6	I would like to see alternative #2.	NDOT and FHWA appreciate your input in regard to the BNSF RR at Bridgeport Viaduct Project. The project's Preferred Alternative was determined to be Alternative 2. Thank you for your participation.
7	I strongly favor Alternative #2. This alternative will have the least impact on our business. This alternative does not require a temporary crossing. It also does not impact our display lot in front of the dealership. Alternative #1 turning radius at the exit appears to be very difficult to maneuver with our semi-trailers and other long units, such as 110-ft. grain auger.	NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Viaduct Project. The project's Preferred Alternative was determined to be Alternative 2. Thank you for your participation.
8	My only concern for this proposed Project is that the section & quarter section corners involved with this proposed Project are tied out and preserved before and after construction.	NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Viaduct Project. Your comments have been received, reviewed by appropriate personnel, and will be taken into consideration on the future development of this proposed Project. Thank you for your participation.
9	Extend pavement from F Street to I Street on Alternative #1. I'm not in favor of Alternative #2.	NDOT and the FHWA appreciate your input in regard to the BNSF RR at Bridgeport Viaduct Project. The project's Preferred Alternative was determined to be Alternative 2. Alternative 1, would have constructed a viaduct on the existing alignment. This alignment was determined to have higher construction costs than Alternative 2 and would have greater construction impacts to the travelling public than Alternative 2. During construction, two separate and temporary hard surfaced roads would be constructed to allow traffic to utilize the area. After construction, the old US-26/N-92 would be left in place to provide access to businesses and the electrical substations on the west side of the railroad tracks. On the east side, Railroad Avenue would be improved with concrete and would provide access to Recreation Road and connect to G Street and H Street. Both I and J Streets would

No.	Comment	Response
		connect to the newly constructed US-26/N-92. Thank you for your participation.

5.3 Public Hearing

NDOT will hold a public hearing on the proposed Project and Draft EA. Public notices, letters, and news releases will be developed to inform members of the public and interested agencies of the upcoming meeting details. The official legal notice of the hearing will be provided at least 15 days in advance of the public hearing (not including the day of the public hearing).

NDOT will provide an accessible meeting facility for all persons. Reasonable accommodations will be made for people who are hearing and visually challenged or who have LEP. The materials will be provided in English and Spanish. NDOT will specifically invite all those who would be directly affected by the proposed Project.

Design information will be displayed, and personnel from NDOT will be present to answer questions and receive comments about the proposed Project. This hearing will be held for coordination and fact-gathering on the NEPA document and to provide and receive information regarding environmental impacts. The Project study team will be present to receive design input regarding the design plans, and the final EA document will be developed further after the public hearing. The Draft EA will be available for public review at the hearing. Prior to the hearing, copies of the Draft EA will be available at the following locations:

City of Bridgeport – City Clerk	809 Main Street	Bridgeport, Nebraska
Bridgeport Public Library	722 Main Street	Bridgeport, Nebraska
https://www.bridgeportne.gov/bridgeport-public-library		
NDOT District 5 Office	140375 Rundell Road	Gering, Nebraska
NDOT Headquarters	1500 Highway 2	Lincoln, Nebraska
FHWA Nebraska Division	100 Centennial Mall North	Lincoln, Nebraska

The document will also be available on the NDOT website at:
https://dot.nebraska.gov/projects/environment/environmental-documents/

There will be a 30-day comment period for the Draft EA document, after which the final EA will be prepared in errata format.

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16 USC 668-668c. Protection of Bald and Golden Eagles, as amended.

16 USC 703-712: Ch. 128. Migratory Bird Treaty Act, as amended.

16 USC 1531 et seq. Endangered Species Act of 1973, as amended.

16 USC 4601.4-4601.11. Land and Water Conservation Act of 1965.

16 USC 4601-8(f)(3). Land and Water Conservation Act of 1965.

23 USC 139. Efficient Environmental Reviews for Project Decisionmaking

23 CFR 774 Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites (Section 4[f]).

23 CFR 771.119 Environmental Assessments.

23 CFR 771.135 Section 4(f) (49 USC 303)

33 CFR 1251 et seq. Federal Pollution Control Act (Clean Water Act).

36 CFR 59. Land and Water Conservation Fund Program of Assistance to States

36 CFR 800. Protection of Historic Properties.

40 CFR 122. EPA Administered Permit Programs: The National Pollutant Discharge Elimination System.

40 CFR 261, Subpart C. Identification and Listing of Hazardous Waste, Characteristics of Hazardous Waste.

42 USC 4332. Cooperation of Agencies; Reports; Availability of Information; Recommendations;

International and National Coordination of Efforts.

42 USC 4601 et seq. Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended.

49 USC 303. Policy on lands, wildlife and waterfowl refuges, and historic sites.

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APPENDIX A

Communication with Mr. Don Landrigan

(Owner of the Shed to be Relocated)

APPENDIX B

Section 106 / Cultural Resources Coordination

APPENDIX C

Noise Analysis

APPENDIX D

Western Area Power Administration (WAPA) Study

APPENDIX E

Water Resources

APPENDIX F

Endangered and Threatened Species Coordination

APPENDIX G

Natural Resources Conservation Service (NRCS) Coordination

APPENDIX H

Hazardous Materials Review

APPENDIX I

Documentation of the Public Information Meetings

APPENDIX J

Delay Cost Calculations and
Grade Separation Priority Ranking of Crossings

APPENDIX K

Crossing Closure Exception Memo

APPENDIX L

Memorandum of Understanding Federal Highway Administration, Nebraska Division Western Area Power Administration, Rocky Mountain Region