US-81 York - Columbus

Project Number: S-81-2(1051)

Control Number: 42967

FINAL ENVIRONMENTAL ASSESSMENT – ERRATA

This Final Environmental Assessment – Errata has been prepared in accordance with provisions and requirements of 23 Code of Federal Regulations 771 and 774, relating to the implementation of the National Environmental Policy Act of 1969. The signatures below indicate verification that the content of the attached document/errata sheet accurately reflects the scope of this project.

RICHARD W FEDORA

Digitally signed by RICHARD W FEDORA
Date: 2025.05.09 10:01:01 -05'00'

for

U.S. Department of Transportation Federal Highway Administration

5/9/2025

Date

for
Project Sponsor

NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

4/30/2025

Date

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Federal Highway Administration

Finding of No Significant Impact

for

Project Number: S-81-2(1051)
Control Number: 42967

US-81 York - Columbus

The Federal Highway Administration (FHWA) has determined that this project will not have any significant impact on the human environment or natural environment. This Finding of No Significant Impact (FONSI) is based on the enclosed Final Environmental Assessment – Errata in conjunction with the September 3, 2024, Draft Environmental Assessment document, which have been independently evaluated by FHWA and determined to adequately and accurately discuss the need, environmental issues, and impacts of the proposed project and appropriate mitigation measures. It provides sufficient evidence and analysis for determining that an Environmental Impact Statement is not required. FHWA takes full responsibility for the accuracy, scope, and content of the attached Final Environmental Assessment – Errata.

RICHARD W FEDORA

Digitally signed by RICHARD W FEDORA
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5/9/2025

Date

Division Administrator

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Abbreviations

BMP	best management practice
CFR	Code of Federal Regulations
CWA	Clean Water Act of 1972
DEA	Draft Environmental Assessment
EA	Environmental Assessment
FEA	Final Environmental Assessment
FHWA	Federal Highway Administration
HPM	Highway Project Manager
MM	mile marker
mph	miles per hour
MSAT	Mobile Source Air Toxics
N-	Nebraska Highway
NCRC	Nebraska Central Railroad Company
NDEE	Nebraska Department of Environment and Energy
NDOT	Nebraska Department of Transportation
NEPA	National Environmental Policy Act
NGPC	Nebraska Game and Parks Commission
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
Project	York - Columbus project
RCUT	restricted crossing U-turn intersection
ROW	right-of-way
SHPO	Nebraska State Historic Preservation Office
STA	Station
SWPPP	Stormwater Pollution Prevention Plan
Uniform Act	Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
US-	US Highway
USACE	US Army Corps of Engineers
USC	United States Code
USFWS	US Fish and Wildlife Service

Chapter 1 Introduction

A Draft Environmental Assessment (EA) for the above-referenced project was submitted by the Nebraska Department of Transportation (NDOT) to the Federal Highway Administration (FHWA) and was signed and approved by FHWA on September 3, 2024. The Draft EA was made available at the following locations for review for a 30-day public comment period, which began on September 12, 2024, and ended on October 16, 2024:

- NDOT Headquarters (1500 Nebraska Parkway, Lincoln, NE)
- FHWA Nebraska Division (100 Centennial Mall N., Lincoln, NE 68508)
- NDOT District 4 Headquarters (211 N. Tilden St., Grand Island, NE 68803)
- Kilgore Memorial Library (520 Nebraska Ave., York, NE 68467)
- Stromsburg Public Library (320 Central St., Stromsburg, NE 68666)
- Osceola Public Library (131 N. Main St., Osceola, NE 68651)
- Shelby Community Library (648 N. Walnut St., Shelby, NE 68662)
- Columbus Public Library (2500 14th St., Ste. 2, Columbus, NE 68602)

In addition, an electronic version of the Draft EA was available for review on the NDOT website at https://dot.nebraska.gov/projects/environment/environmental-documents/. Resource agencies, stakeholders, and other members of the public were notified via public notice and targeted mailer of the availability of the Draft EA and the public hearing. The public notification involved mailing a postcard with a project location map to a compiled distribution list of 1,284 property owners adjacent to the project location, as well as potentially interested parties. Additionally, 485 public and private agencies with potential interest in the project were included in the distribution list, including the Nebraska Trucking Association. A legal notice was placed in the following three Nebraska Press Association–recognized newspapers on September 12, 2024: the *Columbus Telegram*, the *York News Times*, and the *Polk County News*.

The public hearing was held at Cross County Community School in Stromsburg, Nebraska, on October 1, 2024, from 5:30 to 7:30 p.m., with approximately 141 people in attendance. Temporary highway signs advertising the meeting were placed along the project location. Project information was posted on Twitter/X and Facebook and added to NDOT's website at www.ndot.info/42967.

The public hearing began with an open house and continued with a formal presentation and forum for recorded public input. The presentation and public forum were followed by an open house providing additional opportunity for the public to provide input. The public was encouraged to make oral or written comments, or public statements during the hearing, if they desired.

After the public hearing, comments (written, email, phone calls) were accepted on the Draft EA until October 16, 2024. NDOT received and responded to approximately 37 public comments summarized in Chapter 2, Table 2-1 and in Appendix R.

This Final EA – Errata documents public comments from the public hearing and any other comments received during the 30-day review period of the Draft EA and documents any changes to the project design or analysis, as described in the Draft EA, resulting from the comments received.

The purpose of this Final EA – Errata is to respond to comments received during the hearing process and to provide additions or changes to the Draft EA where necessary, using this errata format. This document, in conjunction with the September 3, 2024, Draft EA document, constitutes the completed National Environmental Policy Act (NEPA) document.

Chapter 2 Public and Agency Involvement

2.1 Public Involvement

Public hearing attendees had the opportunity to submit written comments and provide verbal public testimony. Ten public statements were given during the open forum. Comments were also accepted from the public via mail, email, and phone during the comment period. The Public Involvement Summary Memo is provided in Appendix R.

The memo includes the public hearing notifications, the materials presented to the public, the public hearing transcript, the public and agency comments received during the public comment period, and the official response letters. The response letters were mailed on December 20, 2024.

Table 2-1 summarizes all written and verbal public comments received at the public hearing and during the public comment period, and NDOT/FHWA responses. No agency correspondence or comments were received on the Draft EA.

2.2 Agency Coordination

No agency comments were received on the Draft EA.

Table 2-1. Public and Agency Comments

#	Comment	Response
1	Stakeholder feels that there is a problem at U.S. Highway 34 (US-34) and U.S. Highway 81 (US-81) that needs to be addressed.	Thanked stakeholder for feedback on the project. Noted that the intersection of US-81 and US-34 is outside of the project study area. Thanked stakeholder again for feedback.
2	Stakeholder loves the project idea and hopes it will be constructed sooner, rather than later. Suggests a bypass route that they feel would be more streamlined. Notes that the smaller towns don't want the increase in traffic and road noise and NDOT would deal with less unhappy landowners.	Thanked stakeholder for feedback on the project. Noted that bypasses of the three communities are no longer being considered due to cost and schedule constraints. Also noted the three-lane improvements for these communities would minimize impacts through town and improve traffic operations. Thanked stakeholder again for feedback.
3	Stakeholder wants to hear more about the project.	Thanked stakeholder for feedback on the project. Noted that all project information presented at the public hearing, including a video recording of the hearing, can be found on the project website. Thanked stakeholder again for feedback.
4	Stakeholder is concerned about the idea of stopping the bypass. Would like more information about the meeting agenda.	NDOT received this comment as a phone call. NDOT returned the call and let the stakeholder know that the public hearing would presenting the preferred alternative and anticipated impacts. Noted that materials would be added to the website.

#	Comment	Response
5	Stakeholder would like to know where the new highway will go through Osceola.	NDOT received this comment via phone call. A voicemail was left with stakeholder to return the call at their earliest convenience.
6	Stakeholder is a nearby landowner and asked for additional updates on the project and impacts on the impacts to their land.	Thanked stakeholder for feedback on the project. Noted that at this time, NDOT does not anticipate any impacts to the property. Thanked stakeholder again for feedback.
7	Thanked NDOT for holding the meeting and was appreciative of seeing the project come to fruition. Expressed concern about RCUTs instead of roundabouts in locations where schools or community entries are. Also expressed concern about the construction schedule and beginning construction in 2029. Feels there is plenty of money available to start now and securing a bond would be an option to pay for the project. Feels this is an important route between the north and south parts of the state and should be prioritized.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding Restricted Crossing U-Turn (RCUT intersections) and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Explained that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Provided links to NDOT's RCUT and roundabout pages. Understand the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Thanked stakeholder again for feedback.

#	Comment	Response
8	Expressed concern with the design of the RCUTs on the intersections. Feels that they may not be safe for emergency responders or students travelling to school. Stakeholder is afraid that while the speed limit will be reduced, cars will not slow down in the area. Feels roundabouts would be a better option. Also encourages NDOT to accelerate the timing of the project – wants some emphasis to be put on the rural parts of the state. Stakeholder feels that RCUTS would hinder the movement of farming equipment and students, afraid they will opt for taking less safe, gravel roads to avoid the RCUT.	Thanked stakeholder for feedback on the project. Noted that the Stromsburg project is anticipated to be complete in summer 2025. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Told stakeholder that NDOT is currently studying the US-81 transitions from four lanes to three lanes to assess the appropriate speed zones, and limits would be reduced incrementally along the transitions. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. The team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Thanked stakeholder again for feedback.

#	Comment	Response
9	Stakeholder has concerns about the RCUT intersection and would like to see it changed. Expressed concern about traffic coming out of the school after school events and the RCUTs ability to handle high volume traffic. Stakeholder would like to see the U-turn Lane longer than normal, a yellow flashing light at the intersection and slower speeds for safety.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that both U-turn lanes would be designed to accommodate peak hour traffic and would be monitored for future traffic conditions. Also noted RCUT vehicle queuing has been shown to decrease delays during peak hours. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time instead of making a direct left or crossing the highway. Mentioned the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Noted that the team in not currently planning to add a yellow flashing light at the intersection of US-81 and Nebraska Highway 66 (N-66) but would lower the speed limit to 60 miles per hour near the proposed RCUTs. Thanked stakeholder again for feedback.

#	Comment	Response
10	Thanked NDOT for sharing the information but feels more positive about other alternatives than the RCUT, like traffic lights or a roundabout. There is concern about young drivers navigating the RCUT and high-volume traffic following school events. Stakeholder would like to see more emphasis on how traffic flow is appropriately stopped with a light. Stakeholder understands that there is safety studies completed on the RCUT but thinks young drivers aren't being taken into consideration.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Noted that traffic conditions were evaluated for traffic signals. Based on national standards, the installation of traffic signals was not warranted. Noted that regarding fog and ice, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions and was encouraged to visit www.511.nebraska.gov before heading out. Thanked stakeholder again for feedback.
11	Stakeholder had no agenda for comments. Thanked NDOT for transparency and will submit any future comments in writing.	Thanked stakeholder for feedback on the project.

#	Comment	Response
12	Stakeholder lives along US-81 and is frustrated because the construction project has been presented to them for a long time, but never completed. Has concerns about relocating their house and how it will affect the integrity of the house's construction. Stakeholder also doesn't understand RCUTS and how trucks are expected to safely make a complete U-turn into traffic by a school.	Thanked stakeholder for feedback on the project. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right of way acquisition and design. Regarding stakeholder's concern about moving garage, informed stakeholder that project representatives would contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Also noted RCUT vehicle queuing has been shown to decrease delays during peak hours. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time instead of making a direct left or crossing the highway. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Specific conditions of each intersection and proposed design have been carefully evaluated for their proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
13	Stakeholder wanted to see a show of hands of those in the room that were in favor of an RCUT.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.

#	Comment	Response
14	Stakeholder is a farmer that runs a lot of semis to small businesses. They cross the intersection of N-66 and US-81 multiple times a day but avoid the school when it's in session or there are events at the school. Feels roundabouts work well for a 53-foot trailer, but RCUTS takes a lot of room to get to the other side and cars don't slow down enough, making it hard to anticipate traffic. Would prefer a roundabout for their semis than an RCUT.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Also noted RCUTs decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.

#	Comment	Response
15	Has concerns about the RCUT south of Columbus. Noted there is a lot of truck traffic in the area and feels that if they have an RCUT there, the trucks will have a difficult time navigating it. Would like to see an acceleration lane where trucks and other vehicles can get up to speed before merging into traffic. Worried about truck traffic having to use an RCUT. Also noted that an acceleration lane should be added to get up to speed before merging. Would like NDOT to forget the RCUT.	Thanked stakeholder for feedback on the project. Noted that NDOT is aware of the U.S. Highway 30 (US-30) and Nebraska Highway 64 (N-64) Bypass Study, but a bypass is not expected to be constructed in the near future. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Noted that the RCUTs would be built to allow space for large trucks, semis, buses and large agricultural equipment to turn at the intersection. The design would include bulb-outs at key points to create additional turning space, allowing larger vehicles to safely and smoothly make the U-turn. Noted NDOT is not currently planning to add acceleration lanes for drivers turning right onto US-81 from side roads, but U-turn lanes would be designed to accommodate traffic queuing during peak hours, and NDOT would continue to monitor future traffic conditions. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
16	Stakeholder appreciated the visual maps and displays but noted that the slide text was small and hard to read.	Thanked stakeholder for feedback on the project. Apologized for the difficulty in reading the presentation slides and informed stakeholder that all project information presented at the hearing is available on the project website. Thanked stakeholder again for feedback.
17	Stakeholder lives along US-81/Nebraska Highway 92 (N-92) on the west end of Shelby and is wondering if improvements will be made to the storm water drainage in front of their house. Afraid that if no improvements are made to curb and drainage there will be a major hazard during storms for the new traffic flow.	Thanked stakeholder for feedback on the project. Thanked the stakeholder for making NDOT aware of drainage concerns. Noted that NDOT is currently studying to the pavement and drainage in the area. Thanked stakeholder again for feedback.

#	Comment	Response
18	Appreciates being able to provide comment on the project. Feels that the proposed RCUT was unanimously voted down by the meeting attendees. Concerned about the congestion that occurs during school athletic events or community events. Noted that the modification of an RCUT would require cars to cross multiple lanes of travelers at 70 mph. Also noted that fog makes visibility difficult at that intersection and the postal route could also cause safety issues.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that NDOT would lower the speed limit to 60 mph near the proposed RCUTs. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Also noted that merge lanes, overpasses and grade-separated options are not being considered for the project due to cost and schedule constraints. The proposed RCUT design has been shown to reduce crash risks while maintaining efficient traffic flow. Reminded stakeholder that with fog, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions. Encouraged stakeholder to visit www.511.nebraska.gov before heading out. Noted that NDOT would coordinate with the local postmaster which would ultimately establish final mailbox locations. Thanked stakeholder again for feedback.
19	Asked the NDOT check sign-in sheets for representatives from Osceola and Shelby at the meeting as they had a big volleyball game and may have been underrepresented. Thanked NDOT for having the meeting and keeping the public informed.	Thanked stakeholder for feedback on the project. Noted that anyone unable to attend the public hearing can visit the project website to view all information presented at the hearing and a video recording of the hearing. Thanked stakeholder again for feedback.

#	Comment	Response
20	Stakeholder feels the design plan makes no sense and the rationale for the decisions about bypasses, intersections, etc. are completely based on time and cost. Feels that the intersection improvements and reduced speeds will mean this route is no longer an 'expressway', as it is no longer bypassing the three communities. Feels it would be difficult to drive a truck or farm equipment along this road. Noted that the comments from the Draft Environmental Assessment questioned the lack of bypasses and not wanting roundabouts on a major highway, that sweeping curves or standard intersections would be preferred. Stakeholder also has some concerns about the construction timelines. Feels like NDOT is trying to stand behind "time and cost" instead of building it the right way, that makes sense for an expressway.	Thanked stakeholder for feedback on the project. Noted that when the project is completed, US-81 between York and Columbus would become an expressway. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Noted that bypasses of the three communities are no longer being considered due to cost and schedule constraints. Also noted the three-lane improvements for these communities would minimize impacts through town. Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Also noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Informed stakeholder that NDOT performed a traffic study of the project corridor before developing and proposing the preferred alternative. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.

#	Comment	Response
21	Expressed gratitude that the project is moving forward and feels it's long overdue. Disagrees with having no bypasses around Stromsburg, Osceola and Shelby but also disagrees with adding roundabouts and RCUTs to slow traffic down on an expressway. Feels it would be difficult to trucks and farm equipment to travel through. Feels the goal should be to keep US-81 moving at 70 mph as much as possible.	*Responded in conjunction with the comment above from the same individual.*
22	Feels the RCUT at N-66 by the high school is a bad idea and needs to be modified. Afraid a lot of accidents will happen when school lets out during traffic due to inexperienced drivers.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted RCUT vehicle queuing has been shown to decrease delays during peak hours. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time instead of making a direct left or crossing the highway. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Thanked stakeholder again for feedback.

#	Comment	Response
23	Stakeholder is concerned with the RCUT for the N-64 intersection, and he'd rather see a roundabout. Also concerned about the buildings south of him being acquired. Wants to make sure they are invited to any future meetings.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Noted that project representatives will contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phases. This would include any impacts to fuel tanks. Thanked stakeholder again for feedback.
24	Stakeholder feels the data from the Humphrey RCUT isn't accurate. Feels that people don't like the intersection and semis using create unsafe crossings. Feels a flashing red or yellow light would be more beneficial. Also feels that traffic will get backed up after high school sporting events in the evenings.	Thanked stakeholder for feedback on the project. Noted that Humphrey's RCUT, NDOT's latest reviewed showed a reduction in total crashes by 54% and reduced fatalities and injuries by 96%. Also noted the team evaluated traffic conditions to determine if traffic signal warrants were met. Based on national standards, a flashing yellow or red light is not warranted at this intersection. NDOT performed a traffic study of the project corridor before developing and proposing the preferred alternative. Thanked stakeholder again for feedback.

#	Comment	Response
25	Feels that an RCUT may work where traffic is spread out but would be dangerous at the N-66/US-81 intersection. Since it is close to the school, there will be heavy traffic at times and will have a higher number of teenage and elderly drivers through it. Feels that traffic will remain traveling at 70 mph, despite a lower speed limit. Notes feeling nervous on the Humphrey RCUT and has seen some close calls. Feels there should be a physical barrier at that intersection to slow all the traffic and keep it flowing. Notes that RCUTs are extremely hard on loaded trucks making a 180-degree turn. Feels a roundabout seems the best choice and the one the public is in most favor of.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that NDOT would lower the speed limit to 60 mph near the proposed RCUTs. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Also noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
26	Stakeholder is concerned about the possibility of removing access on US-81/N-92 south of their building. Noted that when they have semis of cattle come, it is much easier for the trucks to come in of the highway. Also concerned that if there is a lot of snow or wind, getting into the northern entrance would be difficult.	Thanked stakeholder for feedback on the project. Noted that project representatives will contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phases. Thanked stakeholder again for feedback.

#	Comment	Response
27	Stakeholder has several concerns of the proposed US-81 four-lane construction south of Stromsburg. Feels the cost to acquire the land and move buildings is extreme, impact on irrigation/pivots goes beyond the land acquisition costs, RCUT at a school intersection causes trouble for heavy traffic, agricultural equipment, ice, fog and immature drivers. Suggests an alternative solution of reducing from four-lane construction to two-lane construction south of US-81/N-66.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Reminded stakeholder that with fog, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions. Encouraged stakeholder to visit www.511.nebraska.gov before heading out. Noted that the team evaluated traffic conditions and based on national standards, traffic signals are not warranted. Thanked stakeholder again for feedback.

#	Comment	Response
28	Glad the project is moving forward. Concerned about having an RCUT by the high school. Doesn't feel like it's a good idea to put an RCUT in any town with an expressway. Stakeholder proposes going from York, across county, at the corner west of Columbus.	Thanked stakeholder for feedback on the project. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Noted that the project would expand US-81 from a two-lane highway to a four-lane expressway in York, Polk and Butler Counties. Bypasses of the communities are no longer being considered due to cost and schedule constraints, but the proposed three-lane improvements for these communities would minimize impacts through town. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
29	Stakeholder is against an RCUT at the junction of US-81/N-66 south of Stromsburg. Feels the RCUT will cause safety hazards at this junction due to inexperienced high school drivers and the speed of the southbound lanes. Would like NDOT to consider not proceeding with what they feel is unnecessary state expenditure and adverse impact upon the community.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Thanked commentator again for feedback.

#	Comment	Response
30	Stakeholder is opposed to the project and requests that it not move forward. Concerned about the safety of the traffic changes by the school. Concerned about disruption to farmland and families along the route, and worried their personal farmstead would be destroyed. Also noted that the impact on irrigation and pivot systems will be significant and costly.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Informed stakeholder that project representatives would contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phase. Thanked stakeholder again for feedback.

#	Comment	Response
31	Stakeholder lives along US-81 and has concerns about the four-lane construction interfering with their irrigated farmland. The impact of construction on their irrigation and pivot systems would have a big effect on their farmland and would impact the amount of land they are able to farm, affecting profits. Stakeholder is also concerned about the safety of the RCUT for young drivers, buses, emergency vehicles, etc. Would like to suggest that part of US-81 from the intersection of N-66 as a two-lane highway, but offer a passing zone area, reducing to two lanes south of the interchange. Feels this will save the land and irrigation pivot systems along the route and save money and lives.	Thanked stakeholder for feedback on the project. Noted that the stakeholder would be contacted with anticipated impacts during the final design and ROW negotiation and acquisition phases, including irrigation and pivot systems. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that the RCUTs would be built to allow space for large trucks, semis, buses and large agricultural equipment to turn at the intersection. The design would include bulb-outs at key points to create additional turning space, allowing larger vehicles to safely and smoothly make the U-turn. Mentioned the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Provided NDOT's RCUT website. Thanked stakeholder again for feedback.

#	Comment	Response
32	Stakeholder is concerned about the intersection at the N-66/ and US-81. They understand that traffic needs to keep flowing, but also feels that traffic needs to be slowed down when most users are young drivers. Believes the safety of children should come before "keeping traffic moving." Asked NDOT to reconsider.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that NDOT would lower the speed limit to 60 mph near the proposed RCUTs. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
33	Stakeholder feels that having acceleration lane for semis would benefit their farm operation.	Thanked stakeholder for feedback on the project. Noted that acceleration lanes are not currently planned due to cost. Thanked stakeholder again for feedback.
34	Would like NDOT to consider the RCUT at N-66 (Cross County School)	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.

#	Comment	Response
35	Stakeholder is concerned about the Big Foot Pond on the east side of US-81 near Benedict being destroyed.	Thanked stakeholder for feedback on the project.
36	Encouraged NDOT to observe traffic flow at N-66 and US-81 intersection on Friday afternoons from August to May, on Graduation Day for Cross County School or during any Cross County football, basketball or district ball games.	Thanked stakeholder for feedback on the project. Informed stakeholder that NDOT performed a traffic study of the project corridor before developing and proposing the preferred alternative. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that both U-turn lanes would be designed to accommodate peak hour traffic and would be monitored for future traffic conditions. Noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
37	Stakeholder is concerned about their driveway being replaced, asking what it will be.	Thanked stakeholder for feedback on the project. Informed stakeholder that project representatives would contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phase. Explained that negotiations would include discussion on driveways and other property impacts. Thanked stakeholder again for feedback.

Chapter 3 Errata Sheet – Changes to the Draft EA

The following pages of the Final EA – Errata include additions or alterations to the Draft EA as a result of public input. Discussion is provided below with reference to the pages from the Draft EA.

3.1 Universal Changes to the Draft EA

Several universal changes apply to the Draft EA text:

- References to "Preferred Alternative" are hereby changed to "Selected Alternative."
- References to "would" in the Preferred Alternative are hereby changed to "will," including the description of the Selected Alternative, design features, affected environment, and environmental consequences.
- In the Environmental Commitments and Mitigation chapter, all references to "would" in connection with NDOT or the Contractor's responsibility to comply with required mitigation measures are hereby changed to "will" and "shall."

3.2 Design Changes Resulting from Public Comment

No changes were incorporated in the project design as a result of public comment.

3.3 Changes to the Draft EA by Section

To provide the relevant context for each edit or change other than the universal changes, the entire original Draft EA paragraph has been included. The section numbering below corresponds with the same section number in Chapter 3 of the Draft EA. Only original Draft EA paragraphs with non-universal edits or changes are reproduced here. Draft EA text to be deleted is shown as strikeout text (~~strikeout~~), and additions to the Draft EA text are *italicized*.

DEA3.1.1 Environmental Justice (Resource Removed)

In compliance with recently enacted executive orders, the EA has been revised. On January 20, 2025, President Trump signed Executive Order (E.O.) 14154 – Unleashing American Energy. The E.O. revoked E.O. 14096 – Revitalizing Our Nation's Commitment to Environmental Justice for All (April 21, 2023). Subsequently on January 21, 2025, President Trump signed E.O. 14173 – Ending Illegal Discrimination and Restoring Merit-Based Opportunity. This E.O. revoked E.O. 12898 – Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations (February 11, 1994). As a result of E.O. 14154 and 14173, all federal environmental justice requirements are revoked and no longer applicable to the environmental review process. DEA 3.1.1 Environmental Justice is removed in its entirety.

~~Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (issued February 11, 1994), directs federal agencies to take the appropriate and necessary steps to identify and address "disproportionately high and adverse" effects of federal projects on the human health or environment of low-income and minority populations. Additionally, representatives of any low-income or minority populations in the community that may be affected by a project must be given the opportunity to be included in the impact assessment and public involvement process. Under Title VI of the Civil Rights Act of 1964, federal agencies are required to ensure that no person, on the grounds of race, color, or national origin, is excluded from participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving federal financial~~

~~assistance. Title VI prevents discrimination, whether intentional or unintentional in any program or activity receiving federal financial assistance from FHWA.~~

~~An environmental justice review was completed for the Project and can be found in Appendix C. The Environmental Justice Study Area includes nine block groups: Block Groups 1 and 2 of Census Tract 9600, and Block Groups 1 and 3 of Census Tract 9601 in Polk County; Block Groups 2 and 3 of Census Tract 9676, and Block Group 2 of Census Tract 9678 in Butler County; and Block Groups 1 and 2 of Census Tract 9696 in York County (see Figure 3-2).~~

~~This Project was originally evaluated for the presence or absence of environmental justice populations on March 23, 2023. The evaluation in 2023 identified the presence of a Hispanic/Latino minority population in Block Group 1, Census Tract 9601. Low income and limited English proficiency populations were not identified. The Project was re-evaluated on April 1, 2024, due to the availability of newer Census data and an updated environmental justice methodology developed by NDOT in coordination with FHWA. The previously identified minority population no longer met NDOT thresholds; therefore, minority and low-income populations were not identified in the Project Study Area (see Appendix C). No translations or specialized outreach for limited English proficiency is required for this Project because there was not a limited English proficiency language group affected by the Project that met NDOT's methodology requiring advance language accommodations. NDOT would provide language assistance should it be requested.~~

DEA.3.5 Community Impact Assessment

DEA.3.5.1 Affected Environment

Community Resources and Cohesion

As discussed in Section 3.2, land use in the CIA Study Area is typical of rural, row crop agricultural land use and includes rural residences, farmsteads, and modern livestock production facilities. US-81 directly passes through the communities of Stromsburg, Osceola, and Shelby and connects them to the larger communities of York on the south and Columbus on the north. Smaller communities in the CIA Study Area but not directly on US-81, such as Bradshaw, Waco, Thayer, Gresham, Benedict, Polk, Rising City, and Bellwood, also use US-81 to reach resources in other towns that their community does not have, such as a grocery stores, education, medical care, employment, or other daily needs.

There are three public school districts that use US-81 for bus routes: Cross County Community School District, Osceola Public Schools, and Shelby-Rising City Public Schools. Cross County Community Schools is located on N-66 approximately 0.25 mile west of US-81. Students are bused in from Stromsburg and surrounding areas via N-66 and US-81. The Osceola Public Schools are located approximately 0.6 mile south of US-81 along Kimmel Street. US-81 is used by those students who are located north, west, and east of US-81. The Shelby-Rising City Schools is located in Shelby approximately 0.40 mile north of US-81 on Walnut Street. Students are bused in from Rising City and the surrounding areas via N-92 and US-81.

Emergency services in the CIA Study Area include fire, police, and health care services. Fire services are provided locally through volunteer or city fire departments. York and Stromsburg have city fire departments while Osceola and Shelby provide fire service through volunteer fire departments (State of Nebraska 2024).

Police service is provided at the local, county, and state levels. Local police service is provided in York by the city police department. County services are provided by York, Polk, Butler, and Platte County sheriffs based in York, Osceola, David City, and Columbus, respectively (Nebraska Resource and Referral System 2024). The Nebraska State Patrol Troop C in Grand Island and Troop H in Lincoln directly serve the Project Study Area.

Medical services consist of clinics and hospitals. There are six clinics in the CIA Study Area including Stromsburg Medical Clinic in Stromsburg; Prairie Creek Family Medicine in Stromsburg, Osceola, and Shelby; Butler County Clinic in David City; and Columbus Urgent Care in Columbus (Nebraska Resource and Referral System 2024). There are four hospitals in the CIA Study Area including York General Hospital in York, Annie Jeffrey Memorial County Health Center in Osceola, Butler County Health in David City, and Columbus Community Hospital in Columbus.

Two local special events are typically held in the CIA Study Area. The first is the Swedish Festival located in Stromsburg. The event takes place in City Square Park in June (The Swedish Festival 2024). The second is Dawg Days in Osceola, which is a week-long celebration of the Osceola homecoming football game (City of Osceola, n.d.).

As noted in the discussion of housing, the area along US-81 is a well-established, cohesive rural community with most people being long-time residents of the area. US-81 bisects the three communities it intersects: Stromsburg, Osceola, and Shelby. During the public meetings discussed in Chapter 4, residents of these communities expressed concerns with traffic and pedestrian crossings. The posted speed on US-81 in rural segments is 65 mph and in urban segments is 30 to 45 mph. A pedestrian study in *Osceola and Shelby* ~~these communities would be~~ *was* completed in fall 2024. *The pedestrian study evaluated two crossing locations per community in both Osceola and Shelby. Both communities have one existing crossing that was evaluated along with an additional location. The study concluded that one crossing location per community is sufficient and that the crossings should remain in their existing locations.*

DEA.3.5.3. Impacts of the ~~Preferred~~ *Selected* Alternative

Community Resources and Cohesion

Access to community resources, including area schools, fire and police services, and community facilities; cohesion among communities, such as York, Benedict, Stromsburg, Osceola, Shelby, and Columbus; and quality of life for residents along the ~~Preferred~~ *Selected* Alternative ~~would~~ *will* benefit from the moderate, long-term impacts that ~~would~~ *will* include those previously described, such as a more efficient and reliable roadway. Posted speeds in rural segments ~~would~~ *will* be 70 mph and in urban segments ~~would~~ *will* range from 30 to 45 mph. The posted speeds in urban areas ~~would~~ *will* not differ from those currently posted. The reduced travel time between communities ~~would~~ *will* be particularly beneficial for emergency services and schools. During construction, the CIA Study Area ~~would~~ *will* experience minor, short-term disruptions from noise and dust. During construction, access to community resources ~~would~~ *will* not be adversely affected by expansion of US-81 because improvements ~~would~~ *will* be constructed under traffic. Any required closures of county roads ~~would~~ *will* be of limited effect and duration. Access to businesses, community resources, and residences ~~would~~ *will* be maintained but may be temporarily disrupted by construction phasing. Sidewalks in urban areas adjacent to US-81 may be closed during phasing of construction, but Americans with Disabilities Act accessible pedestrian detour routes ~~would~~ *will* be posted. *The existing pedestrian crossings in Osceola and Shelby will be refreshed and will have new signage and pushbutton-activated rectangular rapid flashing beacons installed.* Utility service disruptions are not anticipated because of the Project. Local events, as discussed above, are expected to incur minor, short-term, adverse impacts during construction and moderate, long-term, beneficial impacts due to the ~~Preferred~~ *Selected* Alternative, such as increased attendance due to better accessibility, benefiting local tourism and commerce.

DEA.354 Avoidance, Minimization, and Mitigation

As design progresses, impacts on adjacent properties in York, Polk, and Butler Counties ~~would~~ *will* be minimized or eliminated to the extent practicable. Short-term adverse effects on the community

resulting from construction (e.g., traffic, noise, dust) ~~would~~ *will* be addressed or minimized through NDOT's Standard Specifications for Highway Construction. No project-specific mitigation with respect to the community ~~would~~ *will* be required or is proposed for the Project.

COMPLETE ~~Findings from the pedestrian study would be evaluated and incorporated into the Final EA. (NDOT)~~

DEA.3.8 Recreation Facilities

DEA.3.8.3 Impacts of the ~~Preferred~~ *Selected* Alternative

Impacts on the Benedict Ball Field, Cross County Community Schools, Lucy Holm Campground, City Square Park, Governor's Park Arboretum, Osceola City Park, Pocket Park, and Shelby Park are not anticipated. No ROW or easements *will* ~~would~~ be acquired from these properties, and access *will* ~~would~~ be maintained throughout construction.

Temporary easements may be acquired from Buckley Park for construction of the roadway and reconstruction of the existing driveways. ~~Access to the park from one of the two entrances would be maintained during construction.~~ *During the Section 4(f) coordination, the City of Stromsburg noted that there was not a connection between the two entrances into Buckley Park and Campground, and roadway linking the Lucy Holm Campground and Buckley Park is for employees only and chained. The campground can only be accessed via the north entrance and the picnicking facilities, swimming pool, disc golf, tennis courts, basketball courts, sand volleyball courts, horseshoe pits, baseball fields, and playground equipment can only be accessed via the south entrance. However, in the off-season campground users can be accommodated in the Lucy Holm Campground and park users can be detoured to the employee only entrance after the pool is closed for the season*

In response to the 2024 coordination package on historic properties (see Section 3.9.1), the City of Stromsburg responded on January 26, 2024, and expressed concerns regarding Buckley Park and Two Parks Trail, both of which are located along the Project alignment. NDOT responded to the City of Stromsburg on February 15, 2024, and indicated that the City's concerns regarding Buckley Park and the Two Parks Trail would be forwarded to the Design Team. To avoid permanent impacts on Buckley Park, the widening *will* ~~would~~ be placed on the east side of the roadway, resulting in a full realignment of Two Parks Trail from Buckley Park to the NCRC rail line east of the widened roadway. There is an existing sidewalk adjacent to US-81 on the west side. Pedestrian access between Buckley Park and City Square Park would be maintained throughout construction via this sidewalk. Improvements *will* ~~would~~ be made to the sidewalk as needed prior to using it as a detour route. The detour *will* ~~would~~ be in place for approximately 6 to 12 months for grading, trail reconstruction, and work on the Prairie Creek bridge. Following construction, Two Parks Trail would be reconstructed in as good as, if not better than, the pre-construction condition east of its current location.

Approximately 1.8 acres of ROW and easements *will* ~~would~~ be acquired from Ryan Hill Country Club. The existing land use in this area is maintained landscaping. The acquisition is not anticipated to impact the existing golf course holes or fairways.

DEA.3.8.4 Avoidance, Minimization, and Mitigation

The work occurring adjacent to Buckley Park may be minimized further during the design process. (NDOT Roadway)

~~Access to Buckley Park would be maintained via one of the two entrances at all times. (Contractor)~~

Access to Buckley Park from the two entrances, Buckley Parkway/Exchange Street on the south and Park Road on the north, will be maintained during the peak use season. (Contractor)

Buckly Parkway/Exchange Street access reconstruction will occur between Labor Day and Memorial Day with access temporarily detoured to the employee use only access road from Lucy Holm Campground. (Contractor)

Park Road access reconstruction will occur between Labor Day and Memorial Day with access maintained to Lucy Holm Campground for campers. (Contractor)

The full extent of tree removal shall be re-evaluated during the final design and ROW phases, and NDOT will re-coordinate with the City of Stromsburg if tree removal is identified. (NDOT Design)

The sidewalk west of US-81 that is intended for use as the Two Parks Trail detour ~~would~~ *will* be improved as needed and open for use prior to closing Two Parks Trail. (NDOT District, Contractor)

The Contractor ~~would~~ *will* not complete work or stage, stockpile, or store materials outside of the boundaries of the acquired temporary easements at Buckley Park. If it is determined that additional temporary easement is required outside of the designated boundaries or if access is restricted to the property, coordination ~~would~~ *will* occur with NDOT Environmental. (Contractor)

The contractor shall not complete work, stage, stockpile or store materials within the boundary of the following recreational properties: Benedict Ball Field, Cross County Community Schools recreational resources, City Square Park, Osceola City Park, Pocket Park, and Shelby Park. If it is determined that a temporary easement is required from or access is restricted to a recreational property, coordination shall occur with NDOT Environmental. (Contractor)

The following properties shall be marked on the Project plans as sensitive areas: Benedict Ball Field, Cross County Community Schools recreational resources, Buckley Park, City Square Park, Governors' Park Arboretum, Osceola City Park, Pocket Park, and Shelby Park. (NDOT Design)

DEA.3.11 Section 4(f)

DEA.3.11.3 Impacts of the ~~Preferred~~ *Selected* Alternative

As discussed in Sections 3.8 and 3.9, the ~~Preferred~~ *Selected* Alternative ~~would~~ *will* impact Buckley Park, Two Parks Trail, and YK00-266.

As discussed in Section 3.8.3, temporary easements may be acquired from Buckley Park on the east side along US-81 for construction of the roadway and reconstruction of the existing driveways. As design advances, the temporary impacts ~~would~~ *will* be minimized to the extent practicable. Any impacted areas ~~would~~ *will* be returned to existing or better condition following construction. Access to the park from ~~one of~~ the two entrances, Buckley Parkway/Exchange Street on the *south and Park Road on the north,* ~~*south* and Park Road on the north, would~~ *will* be maintained during *the peak use season. Buckly Parkway/Exchange Street access reconstruction will occur between Labor Day and Memorial Day with access temporarily detoured to the employee use only access road from Lucy Holm Campground. Park Road access reconstruction will also occur between Labor Day and Memorial Day with access maintained to Lucy Holm Campground for campers.* ~~construction. A Section 4(f) Exception for Temporary Occupancy is anticipated. Concurrence from the official with jurisdiction would be obtained after receiving public input during the public comment period for the Draft EA~~. *Tree removal along the eastern edge of Buckley Park is not currently anticipated. The full extent of tree removal shall be re-evaluated during the final design and ROW phases, and NDOT will re-coordinate with the City of Stromsburg if tree removal is identified. Impacts on Buckley Park were presented to the public during the October 1, 2024, public hearing. No comments were received pertaining to the park. The Official with Jurisdiction of Buckley Park concurred that the project will not adversely affect the protected activities, features, and attributes of Buckley Park on March 27, 2025. As such, the impact is considered to be an exception* ~~*a de minimis*~~ *under 23 CFR 774.13(d)* ~~*774.5(b)(2)(ii)*~~*. Section 4(f) documentation can be found in Appendix H.*

To avoid permanent impacts on Buckley Park, the roadway widening ~~would~~ *will* be placed on the east side of the roadway, resulting in a full realignment of Two Parks Trail from Buckley Park to the NCRC rail line east of the widened roadway. There is an existing sidewalk adjacent to US-81 on the west side. Pedestrian access between Buckley Park and City Square Park ~~would~~ *will* be maintained throughout construction via this sidewalk. Improvements ~~would~~ *will* be made to the sidewalk as needed prior to using it as a detour route. The detour route ~~would~~ *will* be in place for approximately 6 to 12 months for grading, trail reconstruction, and work on the Prairie Creek bridge. Following construction, Two Parks Trail ~~would~~ *will* be reconstructed in as good as, if not better than, pre-construction condition east of its current location. ~~A Section 4(f) *de minimis* is anticipated. Concurrence from the official with jurisdiction would be obtained after receiving public input during the public comment period for the Draft EA.~~ *Impacts on Two Parks Trail were presented to the public during the October 1, 2024, public hearing. No comments were received pertaining to the trail. The Official with Jurisdiction of the Two Parks Trail concurred that the project will not adversely affect the protected activities, features, and attributes of Two Parks Trail on March 27, 2025. As such, the impact is considered to be a de minimis under 23 CFR 774.5(b)(2)(ii). Section 4(f) documentation can be found in Appendix H.*

As discussed in Section 3.9.3, construction activities proposed at or adjacent to YK00-266 include construction of two new highway lanes with paved shoulders, reconstruction of the intersection of US-81 and County Road 18, the closure of the existing US-81 driveway on the west side, and the acquisition of 0.72 acre of new ROW from the 4-acre YK00-266 property. In the areas of new ROW acquisition, several existing bushes and mature trees ~~would~~ *will* be removed, and the existing "The Fillman Place" sign ~~would~~ *will* be relocated. Access to the property ~~would~~ *will* be maintained via the secondary driveway from County Road 18, which ~~would~~ *will* be resurfaced with rock and gravel. SHPO concurred with the *no adverse effect* finding on May 22, 2024. ~~A Section 4(f) *de minimis* is anticipated.~~ *Impacts on YK00-266 were presented to the public during the October 1, 2024, public hearing. No comments were received pertaining to YK00-266. As such, the impact is considered to be a de minimis under 23 CFR 774.5(b)(2)(ii).*

DEA.3.23 Threatened and Endangered Species

DEA 3.23.1 Affected Environment

The data for federally listed and state-listed threatened and endangered species with the potential for occurrence in the Project Action Area were reviewed, and each species was assessed individually to determine the potential presence or absence of suitable habitat within the Project Action Area, as described in the following paragraphs.

For the Project Action Area, USFWS lists 11 federally protected species and NGPC lists 12 state protected species. Table 3-16 lists federally and state-listed threatened and endangered species with potential for occurrence in the Project Action Area, as well as a brief description of suitable habitat for the listed species.

Table 3-1. Federally and State-listed Threatened and Endangered Species in the Project Action Area

Status[1]	Common Name	Scientific Name	Habitat Description
FE, SE	Black-footed ferret	*Mustela nigripes*	Prairie dog town or complexes 1,000 acres or more in size.
FT, ST	Eastern black rail	*Laterallus jamaicensis*	Wetlands containing herbaceous, persistent, emergent wetland plant cover, dense overhead cover, soils that are moist to saturated, and

Status[1]	Common Name	Scientific Name	Habitat Description
			interspersed with, or adjacent to, very shallow water.
FE, SE	Eskimo curlew	*Numenius borealis*	Wet meadows, burned over prairies, or newly plowed fields.
FE, SE	Gray wolf	*Canus lupus*	Wide range of habitats including prairie, mountains, temperate forests, wetlands, tundra, and taiga. Areas where they are accepted by people.
SE	Interior least tern	*Sternula antillarum athalassos*	Barren to sparsely vegetated sandbars along rivers, sand and gravel pits, and lake and reservoir shorelines.
ST	Lake sturgeon	*Acipenser fulvescens*	Large river systems such as the Platte River or lower tributaries. Preferred habitat has a diversity of depths and velocities formed by braided channels, sand bars, islands, sand flats and gravel bars.
FE, SE	Northern long-eared bat	*Myotis septentrionalis*	Hibernates in caves and mines. Swarms in surrounding wooded areas in autumn. During late spring and summer, roosts and forages in upland forests.
FE, SE	Pallid sturgeon	*Scaphirhynchus albus*	Large river systems such as the Platte River or lower tributaries. Preferred habitat has a diversity of depths and velocities formed by braided channels, sand bars, islands, sand flats and gravel bars.
FT, ST	Piping plover	*Charadrius melodus*	Barren to sparsely vegetated sandbars along rivers, sand and gravel pits, and lake and reservoir shorelines.
FT, ST	Rufa red knot	*Calidris canutus rufa*	Open mud flats and/or mud and sandy shorelines free of vegetation.
Proposed FE[2]	Tri-colored bat	*Perimyotis subflavus*	Hibernates in caves and mines. Swarms in surrounding wooded areas in autumn. During late spring and summer, roosts and forages in woodland.
FT, ST	Western prairie fringed orchid	*Platanthera praeclara*	Wet prairies and sedge meadows.
FE, SE	Whooping crane	*Grus americana*	Sub-irrigated grasslands, meadows, shallow wetland habitat, farm ponds, major rivers, agricultural land outside of densely populated residential, commercial, or industrial areas.

Sources: USFWS 2024; NGPC 2024c.

1. FT=Federally Threatened; FE = Federally Endangered; ST=State Threatened; SE=State Endangered
2. Tri-colored bat is proposed to be federally listed as endangered; an official federal listing opinion is anticipated in 2024. All species federally listed as threatened or endangered are also listed by the state of Nebraska under State Statute 37-802(1).

According to Natural Heritage Records, there are documented occurrences of interior least tern, lake sturgeon, piping plover, and whooping crane within 5 miles of the Project Action Area within the last 30 years, but there are no documented occurrences of any of these species within 1 mile of the Project Action Area. There is no critical habitat present within the Project Action Area.

While there is a documented occurrence of lake sturgeon within 5 miles of the Project Action Area, the NGPC-estimated range for the species is approximately 2.3 miles north of the Project Action Area. There are no lower tributaries to the Platte River intersecting the Project Action Area suitable for lake sturgeon or pallid sturgeon. The waterways present in the Project Action Area are relatively narrow and lack the braided channel habitat suitable for these two species.

The northern limits of the Project, north of 39½ Road, are within the estimated ranges for interior least tern, piping plover, and rufa red knot. The waterways within the Project Action Area lack sandbars or sparsely vegetated banks or shorelines suitable for these species. Additionally, there are no sand or gravel mining pits or lakes and reservoirs present in the Project Action Area.

The Project Action Area lies within the USFWS range for western prairie fringed orchid, which is based on the Platte River Basin, but falls outside the NGPC-designated range where western prairie fringed orchid occurrence ~~would~~ *will* be anticipated. Based on the wetland delineation, there are no wet prairie or sedge meadow habitats present within the Project Action Area suitable for the species.

There are no prairie dog towns or complexes near the Project Action Area suitable for black-footed ferret. The Project Action Area is approximately 35 miles northeast of the Harvard Waterfowl Production Area, the last documented occurrence of eastern black rail. There have been no documented occurrences of gray wolf near the Project Action Area in the last 30 years.

Waterways across the Project alignment, including Lincoln Creek, tributaries to Lincoln Creek including Coon Branch, and the Big Blue River and its tributaries including Prairie Creek and Davis Creek, support wooded riparian corridors that may be suitable habitat for the northern long-eared bat and tri-colored bat. Beyond the riparian corridors associated with waterways, wooded areas across the Project Action Area also include farmsteads, windbreaks, fence lines, and wooded bluffs from MM 102.35 to MM 103.03. There are approximately 180 acres of woodland within the Project Action Area. With the exception of intersecting waterways and the wooded bluff habitat near the Project's northern terminus, most woodland areas along the Project alignment are fragmented and less than 10 acres in size. The larger woodland tracts across the Project alignment are more likely to support northern long-eared bat and tri-colored bat, although either species may use any of these habitats for summer roosting and foraging activities.

Northern long-eared bat and tri-colored bat have been known to use human-made structures for occasionally roosting, such as barns and sheds. The bats may also use bridge and large culvert structures for summer roosting. There are approximately eight bridges and bridge-sized culverts in the Project Action Area. The structures over and adjacent to Davis Creek (Structure Numbers S081 08265, S081 08490R, S081 08543, and S081 08578) are not within suitable habitat for the species. The structures over and adjacent to Lincoln Creek (S081 06464), Coon Branch (S081 06780), Big Blue River (S081 07797), and Prairie Creek (S081 07815) are situated in suitable summer roosting habitat for the species, although bat structure surveys did not detect any bats or evidence of bat usage.

The nearest Natural Heritage documented occurrence of northern long-eared bat is approximately 45 miles from the Project Action Area. The closest documented occurrence of tri-colored bat is approximately 60 miles from the Project Action Area and is also the next closest location for northern long-eared bat. There are no known northern long-eared bat hibernacula or maternity roosts within 1 mile of the Project Action Area.

An acoustic survey for bats was conducted July 23 and 24, 2024. A total of 7,046 files were recorded during the survey. Only 1 of the 7,046 files recorded was determined to belong to a target species, the tri-colored bat. This single recording of tri-colored bat establishes species presence but does not provide any measurable information on the level of species activity. There were no recordings of northern long-eared bat. *The survey findings were submitted to USFWS and NGPC, and the consultation*

process was subsequently completed through a discussion with FHWA and NGPC with the finding described in Section DEA 3.23.3. ~~Consultation with USFWS and NGPC is ongoing to determine the next steps to complete the consultation process.~~

Outside the municipalities of York, Benedict, Stromsburg, Osceola, and Shelby, Eskimo curlew and whooping crane may use a majority of the Project Action Area for foraging habitat. Agricultural fields, grassland/pasture, emergent wetlands, and open water areas provide suitable habitat for the species. With the exception of Davis Creek, the waterways intersecting the Project Action Area support wooded riparian corridors that prevent good horizonal visibility for whooping crane. Davis Creek supports a wider floodplain largely dominated by emergent wetlands, open water, and low-lying vegetation. While there is an abundance of suitable foraging habitat in the Project Action Area, whooping crane ~~would~~ *will* likely continue north and roost in suitable habitat along the Platte River. Migration route location data supports whooping crane's preference for the Platte River for roosting; there are no documented occurrences of the species within the Project Action Area, but several documented occurrences along the Platte River northwest to northeast of the Project Action Area (Pearse et al. 2020).

The federally endangered and threatened species review was conducted according to the Programmatic Agreement for the Nebraska Federal Aid Transportation Program. Appendix O contains the forms completed for the Project based on this Programmatic Agreement.

DEA.3.23.3 Impacts of the ~~Preferred~~ *Selected* Alternative

Based on the analysis conducted using the Programmatic Agreement review process, the ~~Preferred~~ *Selected* Alternative may affect, but is not likely to adversely affect, Eskimo curlew, northern long-eared bat, tri-colored bat, and whooping crane. These species are the only listed species identified through the Programmatic process that may potentially be impacted by the ~~Preferred~~ *Selected* Alternative.

Wetland mitigation ~~would~~ *will* be required to offset aquatic resource impacts incurred by the ~~Preferred~~ *Selected* Alternative. All impacts are expected to be mitigated at a permittee-responsible mitigation site. A mitigation site has not yet been identified but is likely to be located near the ~~Preferred~~ *Selected* Alternative. Similar to construction of the ~~Preferred~~ *Selected* Alternative, mitigation site construction ~~would~~ *will* integrate conservation conditions to mitigate effects on the species. Once a mitigation site is determined, NDOT ~~would~~ *will* reinitiate consultation with NPGC and USFWS. Consultation with USFWS and NGPC is ongoing but ~~would~~ *will* be completed prior to the NEPA decision. Anticipated conservation conditions and avoidance and minimization measures are listed in Section *3.23.4* ~~3.23.3~~.

Eskimo Curlew

Potentially suitable habitat for Eskimo curlew is present, but no conservation conditions have been implemented for the species. Therefore, the ~~Preferred~~ *Selected* Alternative may affect, but is not likely to adversely affect, Eskimo curlew.

Northern Long-eared Bat and Tri-colored Bat

Potentially suitable habitat for northern long-eared bat and tri-colored bat is present, but there are no historic records for either species within the Project Action Area and there are no identified hibernacula or maternity roosts within 1 mile of the ~~Preferred~~ *Selected* Alternative. The acoustic survey did not identify northern long-eared bats in the Project Action Area, but did confirm presence of tri-colored bat. Tree clearing and other woody vegetation removal activities associated with the ~~Preferred~~ *Selected* Alternative have the potential to impact both bat species. ~~Pending concurrence from USFWS and NGPC, with~~ *With* NDOT's commitment to implement the avoidance and minimization measures listed in Section *3.23.4* ~~3.23.3~~, the ~~Preferred~~ *Selected* Alternative may affect, but is not likely to adversely affect, northern long-eared bat *or tri-colored bat*. ~~The affect finding for tri-~~

~~colored bat would be determined through the ongoing consultation process with the USFWS and NGPC.~~

Whooping Crane

Outside city areas, potentially suitable habitat for whooping crane is present across the ~~Preferred~~ *Selected* Alternative alignment. Bank stabilization, a construction activity representing a potential effect on whooping crane, ~~would~~ *will* occur at eight bridges and bridge-sized culvert locations (Structure Numbers S081 06464, S081 06780, S081 07797, S081 07815, S081 08265, S081 08490R, S081 08543, and S081 08578) across the ~~Preferred~~ *Selected* Alternative alignment. Bridges ~~would~~ *will* have riprap placed under the bridge decks to protect bridge berms from erosion, while bridge-sized culvert structures ~~would~~ *will* have riprap placed at outlets to protect from scour. The heavily wooded riparian corridors at S081 06464 (Lincoln Creek), S081 06780 (Coon Branch), S081 07797 (Big Blue River), and S081 07815 (Prairie Creek) disrupt line of sight and lack suitable habitat for the species. Therefore, armoring of the banks adjacent to the existing and proposed bridge/bridge-sized culvert structures in these locations ~~would~~ *will* not convert or modify suitable habitat for the species. Structure Numbers S081 08543 and S081 08578 convey Davis Creek in the city of Osceola. Due to the developed nature of the surrounding land use, suitable habitat is not present, so armoring of the banks at these locations ~~would~~ *will* not convert or modify suitable habitat for the species.

Structure Numbers S081 08265 and S081 08490R convey Davis Creek under US-81 and under County Road N in Polk County. Surrounding land use at S081 08265 consists of agricultural fields and the Davis Creek floodplain. The creek's floodplain contains forested wetlands directly adjacent to the bridge structure and thick reed canarygrass (*Phalaris arundinacea)* exceeding 3 feet in height that serve to disrupt line of sight. Shallow wetlands/open water areas along Davis Creek are removed from the bridge location and located farther to the east. Structure Number S081 08490R is located near the municipal boundaries of Osceola. US-81, industrial development, and a golf course are located north of the structure, with farmsteads and agricultural land present to the south. Placement of riprap in either of these locations ~~would~~ *will* be limited to below or directly upstream/downstream of the structure locations and ~~would~~ *will* convert an inconsequential amount of marginal habitat for whooping crane. While there is marginally suitable habitat for whooping crane near these two structure locations, whooping cranes ~~would~~ *will* likely elect to continue north to the Platte River and Loup River floodplains where more suitable habitat is present.

Construction, if occurring during the whooping crane migration season, has the potential to affect whooping crane species by creating noise or human disturbance that could harm or otherwise disturb this species; disturbing staging, roosting, or foraging behaviors; disturbing occupied or suitable habitat; indirectly modifying habitat; or deterring individuals from using these areas for stopovers during migration. Construction ~~would~~ *will* be scheduled to the extent possible to avoid the whooping crane migration period. If work is required during the whooping crane migration period, noise levels in the vicinity of the ~~Preferred~~ *Selected* Alternative ~~would~~ *will* temporarily increase, potentially causing whooping crane to avoid the area when equipment is operating. The abundance of suitable habitat in the Action Area and implementation of conservation conditions ~~would~~ *will* minimize any adverse impacts on whooping crane that may stop or nest in the vicinity of the ~~Preferred~~ *Selected* Alternative. Areas disturbed by construction, but not converted to new roadway, ~~would~~ *will* be restored with native vegetation. With the implementation of the conservation conditions in Section *3.23.4* ~~3.23.3~~, the ~~Preferred~~ *Selected* Alternative may affect, but is not likely to adversely affect, whooping crane.

DEA.3.23.4 Avoidance, Minimization, and Mitigation

To minimize any potential impacts on protected species, specific conservation conditions ~~would~~ *will* be implemented during design and construction (see Appendix O).

- A-1 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)
- A-2 Conservation Conditions. Conservation conditions are to be fully implemented within the project limits as shown on the plans. (District Construction, Contractor)
- A-3 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)
- A-4 T&E 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~~ *will* 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)
- A-5 Refueling. Refueling will be conducted outside of those sensitive areas identified on the plans, in the contract, and/or marked in the field. (Contractor)
- A-6 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 *shall* ~~should~~ refer to the Nebraska Game and Park Commission website to determine which species ranges occur within the off-site area. The contractor *shall* ~~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 *shall* ~~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).
- A-7 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)

- A-8 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)
- S-2 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)
- S-3 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)
- S-4 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)
- S-5 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)
- S-6 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~~ *will* 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.
- Wetland Mitigation Site Consultation. NDOT will re-initiate consultation with NGPC and USFWS once a wetland mitigation site is determined.
- Northern Long-eared Bat and Tri-colored Bat
  - General AMM 1. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures.

- Tree Removal AMM 1. All phases/aspects of the Project (e.g., temporary work areas, alignments) will be modified, to the extent practicable, to avoid tree removal in excess of what is required to implement the Project safely.
- *Tree Removal AMM 2. Apply time of year restrictions for tree removal when bats are not likely to be present (**November 15th – March 31st**), or limit tree removal to 10 of fewer trees per project at any time of the year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (NDOT Environmental, District, Contractor)*
- Tree Removal AMM 3. Tree removal will be limited to that specified in Project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).
- *Tree Removal AMM 4. Do not remove **documented** Indiana bat, NLEB, or tri-colored bat roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year. (District, Contractor)*
- Lighting AMM 1. Direct temporary lighting away from suitable habitat during the active season.
- Lighting AMM 2. When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.

- Whooping Crane
  - WC-1. Construction activities will not occur during Whooping Crane migration periods. (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15). (NDOT Environmental, Construction, Contractor) OR
  - WC-2. If construction activities occur during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), NDOT trained personnel, or a qualified biologist, will conduct surveys according to protocol at the following locations: entire project alignment outside of Stromsburg, Osceola, and Shelby city limits (location of suitable habitat). (prior to the start of daily construction activities). If species are present the District will notify the Contractor to stop work within ½ mile of the whooping crane and follow the protocol to determine when work can resume (also not initiate work if species is found in the morning survey). Options for resuming work may include but are not limited to (NDOT Environmental, Construction, Contractor):
    - Construction activities are limited to the hours from 10:00 a.m. to 4:00 p.m. (CST) during the migration period, unless morning survey indicates Whooping Cranes are not present.
    - If a whooping crane is observed during the survey within ½ mile of the project, but departs the area (further than ½ mile from the project), then work can resume. Document this departure according to protocol. AND
  - WC-3. Herbaceous species used for re-seeding within ¼ mile of the following location: entire project alignment outside of Stromsburg, Osceola, and Shelby city limits (location of suitable habitat) will be native grass or forb species. Native shrub or woody species used in restoration should reach no more than 4 feet in height at maturity. (Design, NDOT Environmental).

- *WC-4. If nighttime work is planned during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), work may not begin until evening surveys have been completed according to protocol (see WC-2). Lighting shall be limited to a Nominal CCT of 3000 +/- 300 K, shielded, and directed away from suitable habitat at the following locations: entire Project length outside Stromsburg, Osceola, and Shelby (location of suitable habitat). (NDOT Environmental, Contractor)*

Chapter 4 Environmental Commitments and Mitigation Measures

The following environmental commitments and mitigation measures were presented in the Draft EA, Appendix B, Environmental Commitments and Mitigation, and are listed here in their final version. These mitigation measures will be implemented by NDOT by incorporating them into either the final design or the project construction documents. These mitigation measures supersede any of those identified in the Draft EA. The following mitigation measures and commitments are not subject to modification without the prior written approval of FHWA. Each mitigation measure is presented in association with the resource to which it most directly applies; although some of the listed measures apply to multiple resources, they are listed only under the resource that they most directly benefit. In addition to the mitigation measures listed herein, NDOT Standard Specifications will be applied to the Selected Alternative and will result in impact avoidance and minimization on resources.

4.3 Farmland

NDOT ~~would~~ *will* compensate the landowners and/or current leaseholders for impacts on the center pivot irrigation systems. Compensation ~~would~~ *will* include, but not be limited to, relocating the center pivot system, modifying the center pivot equipment, and/or relocating the well supplying the center pivot system. NDOT ~~would~~ *will* coordinate with the landowner during the ROW process. (NDOT)

Structure and property impact mitigation is discussed further in ~~Section 3.4.4~~ *FEA Section 4.4*. No other mitigation with respect to farmland ~~would~~ *will* be required or is proposed.

4.4 Right-of-Way and Relocations

ROW acquisitions, types, and amounts are based on conceptual design. Impacts on ROW and properties ~~would~~ *will* be further refined and minimized to the extent possible during the design process. (NDOT)

Access to adjacent properties ~~would~~ *will* be maintained throughout construction. Access restrictions ~~would~~ *will* be coordinated with the property owner prior to the restriction. (NDOT, Contractor)

Property rights acquisition ~~would~~ *will* be conducted by paying fair market value for the property rights and damages that may occur. ROW acquisition ~~would~~ *will* be conducted in conformance with the Uniform Act (42 USC 4601 et seq.), Title VI of the Civil Rights Act of 1964, and the Nebraska Relocation Assistance Act (Nebraska Revised Statutes Section 76-1214 et seq.). (NDOT)

4.5 Community Impact Assessment

As design progresses, impacts on adjacent properties in York, Polk, and Butler Counties ~~would~~ *will* be minimized or eliminated to the extent practicable. Short-term adverse effects on the community resulting from construction (e.g., traffic, noise, dust) ~~would~~ *will* be addressed or minimized through NDOT's Standard Specifications for Highway Construction. No project-specific mitigation with respect to the community ~~would~~ *will* be required or is proposed for the Project.

COMPLETE ~~Findings from the pedestrian study would be evaluated and incorporated into the Final EA. (NDOT)~~

4.7 Transportation

For county roadway realignments, county roads adjacent to the closed roadway ~~would~~ *will* not be closed at the same time and ~~would~~ *will* remain open to traffic. (NDOT, Contractor)

Access to properties may be limited at times throughout construction but ~~would~~ *will* remain open. The Contractor ~~would~~ *will* coordinate with property owners to maintain access to fields and residences. (Contractor)

NDOT Roadway Design Division ~~would~~ *will* coordinate with NDOT Aeronautics Division during the Plan-In-Hand to determine impacts on the York Municipal Airport. (NDOT Roadway)

NDOT Roadway Design Division ~~would~~ *will* coordinate with NCRC during the design process to determine impacts on the NCRC rail line. (NDOT Roadway)

4.8 Recreation Facilities

The work occurring adjacent to Buckley Park may be minimized further during the design process. (NDOT Roadway)

~~Access to Buckley Park would be maintained via one of the two entrances at all times.. (Contractor)~~

Access to Buckley Park from the two entrances, Buckley Parkway/Exchange Street on the south and Park Road on the north, will be maintained during the peak use season. (Contractor)

Buckly Parkway/Exchange Street access reconstruction will occur between Labor Day and Memorial Day with access temporarily detoured to the employee use only access road from Lucy Holm Campground. (Contractor)

Park Road access reconstruction will occur between Labor Day and Memorial Day with access maintained to Lucy Holm Campground for campers. (Contractor)

The full extent of tree removal shall be re-evaluated during the final design and ROW phases, and NDOT will re-coordinate with the City of Stromsburg if tree removal is identified. (NDOT Design)

The sidewalk west of US-81 that is intended for use as the Two Parks Trail detour ~~would~~ *will* be improved as needed and open for use prior to closing Two Parks Trail. (NDOT District, Contractor)

The Contractor ~~would~~ *will* not complete work or stage, stockpile, or store materials outside of the boundaries of the acquired temporary easements at Buckley Park. If it is determined that additional temporary easement is required outside of the designated boundaries or if access is restricted to the property, coordination ~~would~~ *will* occur with NDOT Environmental. (Contractor)

The contractor shall not complete work, stage, stockpile or store materials within the boundary of the following recreational properties: Benedict Ball Field, Cross County Community Schools recreational resources, City Square Park, Osceola City Park, Pocket Park, and Shelby Park. If it is determined that a temporary easement is required from or access is restricted to a recreational property, coordination shall occur with NDOT Environmental. (Contractor)

The following properties shall be marked on the Project plans as sensitive areas: Benedict Ball Field, Cross County Community Schools recreational resources, Buckley Park, City Square Park, Governors' Park Arboretum, Osceola City Park, Pocket Park, and Shelby Park. (NDOT Design)

4.9 Historic Properties

NDOT worked to minimize the effects on YK00-266. In the initial design of the Project, construction activities at this historic property included the construction of a drainage ditch that would parallel new

US-81 lanes and associated paved shoulders. This construction would place the proposed limits of construction within the NRHP boundary, approximately 105 feet west of the historic house, with the new ROW line located approximately 89 feet west of the historic house ~~(see Appendix G)~~.

To minimize the effects on the setting and feeling of the historic property, the proposed drainage ditch has been removed from the design. This ~~would~~ *will* locate the proposed limits of construction approximately 145 feet west of the historic house and the new ROW line approximately 135 feet west of the house ~~(see Appendix G)~~. As currently proposed, the limits of construction are still within the NRHP boundaries, but are now farther away from the architecturally significant house, helping to maintain the aspects of setting and feeling. The effort to minimize effects is further illustrated in Appendix ~~G~~ *H*, Figure 1, which depicts aspects of the initial roadway design alongside the current, revised roadway design.

During the design process, NDOT ~~would~~ *will* verify that the proposed design is not modified in such a way that impacts on YK00-266 ~~would~~ *will* be increased. (NDOT)

Sensitive Areas have been identified along this project. The first Sensitive Area includes the property located at 1719 Hwy 81, York (STA 231+50 to STA 235+25 Rt, MM 66.93 to MM 67.00). The second Sensitive Area includes the area between STA 271+73 to STA 274+80 Rt (MM 67.72 to MM 67.76). The third Sensitive Area includes the property located at 125 E Park Street, Shelby (STA 1580+68 to STA 1581+78 Rt, MM 92.27 to MM 92.29). The fourth Sensitive Area includes the property located at 3111 B Road, Rising City (MM 108.95 to MM 109.22 along N-91). These Sensitive Area(s) shall be indicated on project plans. (Design)

Sensitive Areas have been identified along this project. The first Sensitive Area includes the area between STA 271+73 to STA 274+80 Rt (MM 67.72 to MM 67.76). The second Sensitive Area includes the property located at 125 E Park Street, Shelby (STA 1580+68 to STA 1581+78 Rt, MM 92.27 to MM 92.29). The third Sensitive Area includes the property located at 3111 B Road, Rising City (MM 108.95 to MM 109.22 along N-91). No grading or project activities, including but not limited to, working, staging, borrowing, stockpiling, or storing material and/or equipment, shall occur within the boundary of the Sensitive Area(s). (Contractor)

A Sensitive Area has been identified along this project. The Sensitive Area includes the property located at 1719 Hwy 81, York (STA 231+50 to STA 235+25 Rt, MM 66.93 to MM 67.00). Construction activities will be limited to the limits of the new Right of Way acquisition. No grading or project activities, including, but not limited to, working, staging, borrowing, stockpiling, or storing material and/or equipment, shall occur within the boundary of the Sensitive Area(s). (Contractor)

The existing “The Fillman Place” sign located at 1719 Hwy 81, York (STA 233+33 to STA 233+58 Rt, MM 66.97) will be relocated. During construction, the sign will be removed by the contractor prior to construction and safely stored in a secure location chosen by the property owner. The sign shall be clearly labeled “Do Not Dispose.” NDOT Right of Way shall coordinate with the property owner during the ROW process to relocate the sign. (NDOT)[1]

4.11 Section 4(f)

COMPLETE ~~Following the public comment period for the Draft EA, NDOT would confirm the Section 4(f) uses of Buckley Park, Two Parks Trail, and YK00-266, and would complete the appropriate documentation of impacts. (NDOT Environmental)~~

[1] This commitment was listed correctly in DEA Section 3.9.4 and incorrectly in DEA Appendix B. The version shown here is the correct commitment from DEA Section 3.9.4.

COMPLETE ~~Following the public comment period for the Draft EA, NDOT would request concurrence from the City of Stromsburg on the temporary occupancy of Buckley Park and the anticipated *de minimis* use of Two Parks Trail. (NDOT Environmental).~~

Avoidance, minimization, and mitigation for impacts on Buckley Park and Two Parks Trail is discussed in ~~Section 3.8.4~~ *FEA Section 4.8*.

Avoidance, minimization, and mitigation for impacts on YK00-266 is discussed in ~~Section 3.9.4~~ *FEA Section 4.9*.

4.12 Section 6(f)

Additional commitments regarding Buckley Park can be found in ~~Section 4.11~~ *FEA Section 4.8*.

Coordination with NGPC regarding impacts on Buckley Park ~~would~~ *will* continue throughout Project development as impacts are refined. (NDOT Environmental)

4.13 Utilities

Impacts on utilities are not avoidable because several utilities are located near or within the existing ROW. The Contractor ~~should~~ *shall* follow the guidelines of NDOT's Utility Accommodation Policy (NDOT 2024b). It is NDOT's responsibility to notify utility companies of the need for relocation during the design process. The NDOT Utility Section ~~would~~ *will* coordinate utility agreements with the utility companies prior to construction. It is the Contractor's responsibility to notify utility companies of relocation needs during the construction phase of the Project for utilities that were not relocated before construction. (NDOT, Utility Provider(s))

If utility relocation or replacement is required in a later phase of the Project, a re-evaluation ~~would~~ *will* 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 the design process, NDOT ~~would~~ *will* initiate the re-evaluation prior to Project letting. If the work is identified during construction, NDOT ~~would~~ *will* initiate the re-evaluation prior to commencing utility work. (NDOT Environmental, NDOT District)

If either one of the above two conditions does not apply, later relocation or replacement of utilities ~~would~~ *will* be coordinated through NDOT and the Contractor per NDOT's Standard Specifications for Highway Construction, Subsection 105.06. Any environmental permits required for these utility relocations or replacements ~~would~~ *will* be the responsibility of the Utility. (NDOT District, Utility Provider(s))

4.14 Air Quality

Short-term adverse effects on air quality resulting from construction ~~would~~ *will* be addressed or minimized through NDOT's Standard Specifications for Highway Construction. Since York, Polk, and Butler Counties are currently in attainment, and the ~~Preferred~~ *Selected* Alternative ~~would~~ *will* result in no appreciable difference in overall MSAT emissions, no Project-specific mitigation is proposed.

4.15 Noise

Exhaust and muffler systems on construction equipment ~~would~~ *will* be in good working order. Construction equipment ~~would~~ *will* be maintained on a regular basis, and equipment may be subject to inspection by the construction project manager to ensure maintenance. (Contractor, NDOT Project Manager)

The Contractor ~~would~~ *will* locate noise-emitting stationary equipment (for example, compressors, generators) to avoid unnecessary impacts on residents and businesses. (Contractor, NDOT Project Manager)

Noise impacts are based on conceptual design. Additional design refinement and coordination with affected property owners regarding noise abatement ~~would~~ *will* occur during the design process per NDOT's Noise Analysis and Abatement Policy. (NDOT Environmental)

4.16 Hazardous Materials

There is a medium potential for contamination to be present in the soils in the Project Study Area. The following location will have a medium potential for contamination to impact the Project:

- Former Beebe Seed & Fertilizer Sales / Thompson & Service: Between 2nd and 3rd Streets along US-81 in Stromsburg

The Contractor shall be aware of the possibility of encountering contamination in this area during construction activities and look for signs such as odor and/or discolored soil. The NDOT Highway Project Manager (HPM) shall be notified 7 days prior to when construction is expected to begin in the suspect area. If contamination is discovered, all work in the immediate area shall be stopped until NDEE and NDOT are notified and a materials management plan has been developed and approved. The Contractor shall manage the waste in accordance with Nebraska Administrative Code Title 128, Nebraska Hazardous Waste Regulations, and/or Title 132, Integrated Solid Waste Management Regulations. The Contractor is required by NDOT's Standard Specifications for Highway Construction, Section 107 (Legal Relations and Responsibilities to the Public) to handle and dispose of contaminated material in accordance with applicable laws. (Contractor)

If contaminated soils/water 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 NDOT HPM. The Contractor shall not re-enter the discovery area until allowed to do so by the HPM. At the time of discovery, the HPM and Contractor shall use the NDOT Unexpected Waste Action Plan to coordinate appropriate actions. The actions to be carried out by the NDOT HPM include, but are not limited to, verifying that the Contractor has suspended construction activities in the area of the discovery, contacting the Environmental Section Manager, and making an entry into Site Manager that an unexpected waste discovery was made. The HPM shall then use the Unexpected Waste Action Plan Notification Form (NDOT Form 691) to properly document the extent and type of waste. The HPM shall 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 Specifications for Highway Construction, Section 107 (Legal Relations and Responsibilities to the Public) to handle and dispose of regulated material in accordance with applicable laws. (NDOT District, Contractor)

Contractor Commitment: 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 NDOT 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 use the NDOT Unexpected Waste Action Plan to coordinate appropriate actions. The Contractor is required by NDOT's Standard Specifications for Highway Construction, Subsection 107.11 (Hazardous Material Discoveries) to handle and dispose of regulated material in accordance with applicable laws. (NDOT District, Contractor)

There is potential for lead-based paint to be found on the bridges' painted components. If the method of removal of the components generates paint debris, the waste shall be handled in accordance with NDOT's Standard Specifications for Highway Construction, Section 732 (Lead-based Paint Removal) and Nebraska Administrative Code Title 128, Nebraska Hazardous Waste Regulations. Extreme

caution shall be taken to minimize the amount of potential lead-based painted material or debris from causing or threatening to cause pollution of the air, land, and waters of the State. The Contractor's implementation plan efforts shall be documented in ECO-Database Environment Commitment Tracking System. (Contractor)

Bridge structures S081 06464, S081 06780, S081 07797, S081 07815, S081 08543 and S081 08578 will be replaced/reconstructed. The Contractor shall recycle any lead bearing plates and/or lead shims at a legitimate recycling facility as found in NDOT's Standard Specifications for Highway Construction, Subsection 203.01, paragraph 3 (Environmental Requirements) and in accordance with Nebraska Administrative Code Title 128, Nebraska Hazardous Waste Regulations. The Contractor's implementation plan efforts shall be documented in a SWPPP. (NDOT District, Contractor)

4.19 Floodplains

The US-81 roadway and bridges ~~would~~ *will* be designed to adequately convey flood flows along existing drainage patterns. Construction of the Project ~~would~~ *will* have floodplain encroachment, but Project impacts ~~would~~ *will* be certified that federal, state, and local floodplain regulations are met, and a Floodplain Development Permit ~~would~~ *will* be obtained from the appropriate jurisdictions prior to construction. All conditions of the permit ~~would~~ *will* be adhered to during construction. (NDOT Environmental, Contractor)

4.20 Water Quality

With the implementation of BMPs, no mitigation is required. The following permits ~~would~~ *will* be obtained prior to construction: (1) CWA Section 404 permit; (2) CWA Section 401 Water Quality Certification; and (3) NPDES permit, with implementation of a SWPPP, to address impacts resulting from disturbance of more than 1 acre of land during construction.

The Project traverses five Wellhead Protection Areas including the Benedict, Stromsburg, Osceola, Shelby, and Bay Meadows Trailer Court Wellhead Protection Areas. NDOT's Standard Specifications for Highway Construction, Subsections 107.01, 107.09, and 107.16, address the Contractor's responsibility to keep fully informed of, observe, and comply with all federal, state, and local laws and ordinances that affect the conduct of the work. (Contractor)

During the ROW process, NDOT ~~would~~ *will* coordinate with the owners of wells that ~~would~~ *will* be directly impacted by the Project during construction. If the well is actively used, NDOT ~~would~~ *will* have the well relocated and replaced. If a well is not currently in use, the Contractor ~~would~~ *will* decommission the well, as needed, during construction in accordance with Nebraska Administrative Code Title 178, Chapter 13. (NDOT Right-of-Way, Contractor)

There are Category 5 impaired waters in the Project Study Area; BMPs shall be reviewed and developed as necessary during the erosion control review process. If mitigation is required for impaired waters, it shall be captured in the Project's erosion control plan sheets and special provisions. (NDOT Roadside Development and Compliance Unit)

4.21 Wetlands and Water Resources

Throughout the conceptual design process, efforts were made to minimize impacts on wetlands and other waters of the US. The following measures were employed during conceptual design:

- To reduce impacts on Lincoln Creek at Structure Number S081 06464 and Coon Branch at Structure Number 081 06780, the grading of slopes and ditches ~~would~~ *will* be optimized to accommodate drainage.

- Impacts on Davis Creek ~~would~~ *will* be minimized by placing the new lanes north of the existing lanes and widening bridge structures S081 08543 and S081 08578 in lieu of full reconstruction. Additionally, the existing culvert structure (S081 08265) located south of the west junction of US-81/N-92 ~~would~~ *will* be extended rather than replaced.
- All other wetland impacts within the Project corridor include avoidance/reduction of impacts by grading slopes and ditches to optimize drainage.

Avoidance and minimization measures ~~would~~ *will* be further refined throughout the design process as appropriate. The design ~~would~~ *will* comply with the policy of Executive Order 11990 (42 Federal Register 26961) regarding impacts on wetlands. Additionally, any project using federal transportation funds must adhere to the net gain of wetland policy (23 CFR 777.11(g)), where there ~~would~~ *will* be no net loss of wetlands across the program in a given year. (NDOT Roadway Design, NDOT Environmental)

Based on the conceptual design impacts, wetland and stream mitigation is anticipated. Where wetland impacts could not be avoided or minimized, mitigation ~~would~~ *will* occur at ratios determined by USACE and at locations approved by USACE. Mitigation ratios are determined based on the type and location of mitigation proposed for the affected wetlands. Required mitigation ~~would~~ *will* be completed at a minimum 1:1 ratio. All impacts are expected to be mitigated at a permittee-responsible mitigation site. A mitigation site has not yet been identified but is likely to be located near the Project. Once a mitigation site is determined, NDOT ~~would~~ *will* reinitiate consultation with USACE. A Nebraska Stream Condition Assessment Procedure ~~would~~ *will* be completed as part of the CWA Section 404 permitting process to determine stream mitigation needs.

Prior to construction activities, a CWA Section 404 permit ~~would~~ *will* be obtained. An Individual Permit ~~would~~ *will* likely be the mechanism for authorization of permanent and temporary impacts related to construction access. All terms and conditions of the permit ~~would~~ *will* be implemented, and no work ~~would~~ *will* occur prior to obtaining the permit. (NDOT Environmental)

Prior to construction, a Section 401 Individual Water Quality Certification will be obtained from Nebraska Department of Environment and Energy (NDEE). (NDOT Environmental)

All wetlands within the Project limits that are not permitted for impact ~~would~~ *will* be marked on the Project plans and on the E Sheet as avoidance areas. (NDOT Roadway Design, NDOT Environmental)

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

4.22 Fish, Wildlife, and Vegetation

In accordance with NDOT’s *Avian Protection Plan* (NDOT 2018), NDOT ~~would~~ *will* make every effort to schedule clearing and grubbing, large tree removal, or other work activities that may impact migratory bird nests, outside of the primary Nebraska nesting season of April 1 to September 1. If any of the aforementioned activities ~~would~~ *will* be required during this period, a nesting survey ~~would~~ *will* be completed by a qualified biologist prior to work commencing. Specific to bridge and culvert work, the required survey period extends through September 30. (NDOT Environmental, Contractor)

Suitable bald eagle nesting and/or roosting habitat exists within 0.5 mile of the Environmental Study Area. If construction will begin between February 1 and April 15, a nest survey must be completed at least 1 day 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 because nests will likely already be

constructed if nesting will occur that year. However, a nest survey may be completed any time 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)

In efforts to maintain aquatic wildlife connectivity, the ~~Preferred~~ *Selected* Alternative may use temporary structures during construction. The use of temporary structures ~~would~~ *will* facilitate aquatic life movements during construction in accordance with CWA Section 404 Nationwide Permit General Condition No. 2: Aquatic Life Movements. Proposed structures ~~would~~ *will* be constructed at appropriate sizes and elevations so as not to impede aquatic life movements. (NDOT Environmental, Contractor)

To avoid impacts on fish and other aquatic organisms, an erosion control plan and a SWPPP ~~would~~ *will* be developed and implemented. In accordance with the SWPPP and the requirements in the General Construction Storm Water Permit, NDOT ~~would~~ *will* inspect all erosion and sediment control BMPs every 14 days and after every precipitation event of 0.5 inch or greater. Any BMP adjustments and repairs ~~would~~ *will* occur within 7 days of the inspection to ensure that water quality is being protected to the maximum extent practicable. The SWPPP ~~would~~ *will* be maintained, and discharge points ~~would~~ *will* be monitored by NDOT until the site is 70 percent revegetated. (NDOT Environmental, Contractor)

According to NDOT's Standard Specifications for Highway Construction, Subsection 202.01(2)(b), the Contractor ~~would~~ *will* be responsible for disposal of all vegetation for NDOT ROW and the limits of construction. Disturbed areas ~~would~~ *will* be seeded in accordance with NDOT's Standard Specifications, Subsection 803.02. Revegetation of the area following construction ~~would~~ *will* occur using seed mixtures containing native grasses, legumes, and forbs to appropriately landscape the region, as specified in NDOT's *Plan for the Roadside Environment* for a rural highway corridor (NDOT 2008). (NDOT Environmental, Contractor)

As stated in NDOT's Standard Specifications for Highway Construction, Subsection 107.12, "The Contractor should prevent the transfer of invasive plant and animal species and should wash all equipment at the Contractor's storage facility prior to entering the construction site. The Contractor should inspect all construction equipment and remove all attached vegetation and animal prior to leaving the construction site." (NDOT Environmental, Contractor)

Appropriate mulching materials, as defined in NDOT's Standard Specifications for Highway Construction, Subsection 806.02(1), ~~should~~ *shall* be applied and ~~should~~ *shall* not include brome hay, rushes, cattails, reed canarygrass, wide-bladed grass, or invasive species. All sod, if required, to be applied to the Project ~~should~~ *shall* be free from noxious weeds and all other weeds. (NDOT Environmental, Contractor)

4.23 Threatened and Endangered Species

To minimize any potential impacts on protected species, specific conservation conditions ~~would~~ *will* be implemented during design and construction (see Appendix O).

- A-1 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)
- A-2 Conservation Conditions. Conservation conditions are to be fully implemented within the project limits as shown on the plans. (District Construction, Contractor)

- A-3 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)
- A-4 T&E 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~~ *will* 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)
- A-5 Refueling. Refueling will be conducted outside of those sensitive areas identified on the plans, in the contract, and/or marked in the field. (Contractor)
- A-6 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~~ *shall* refer to the Nebraska Game and Park Commission website to determine which species ranges occur within the off-site area. The contractor ~~should~~ *shall* 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~~ *shall* 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).
- A-7 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)
- A-8 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)
- S-2 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)

- S-3 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)
- S-4 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)
- S-5 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)
- S-6 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~~ *will* 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.
- Wetland Mitigation Site Consultation. NDOT will re-initiate consultation with NGPC and USFWS once a wetland mitigation site is determined.
- Northern Long-eared Bat and Tri-colored Bat
  - General AMM 1. Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures.
  - Tree Removal AMM 1. All phases/aspects of the Project (e.g., temporary work areas, alignments) will be modified, to the extent practicable, to avoid tree removal in excess of what is required to implement the Project safely.
  - *Tree Removal AMM 2. Apply time of year restrictions for tree removal when bats are not likely to be present (**November 15th – March 31st**), or limit tree removal to 10 of fewer trees per project at any time of the year within 100 feet of existing road/rail surface and **outside of***

documented roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (NDOT Environmental, District, Contractor)

- Tree Removal AMM 3. Tree removal will be limited to that specified in Project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).
- *Tree Removal AMM 4. Do not remove documented Indiana bat, NLEB, or tri-colored bat roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or documented foraging habitat any time of year. (District, Contractor)*
- Lighting AMM 1. Direct temporary lighting away from suitable habitat during the active season.
- Lighting AMM 2. When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable.
- COMPLETE ~~Summer Presence/Probable Absence Surveys. NDOT will complete summer Presence/Probable Absence Surveys in all areas where trees are being cleared outside the 100-foot buffer from the existing roadway. If northern long-eared and/or tri-colored bat are detected, FHWA/NDOT will re-initiate consultation with NGPC and USFWS.~~

- Whooping Crane
  - WC-1. Construction activities will not occur during Whooping Crane migration periods. (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15). (NDOT Environmental, Construction, Contractor) OR
  - WC-2. If construction activities occur during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), NDOT trained personnel, or a qualified biologist, will conduct surveys according to protocol at the following locations: entire project alignment outside of Stromsburg, Osceola, and Shelby city limits (location of suitable habitat). (prior to the start of daily construction activities). If species are present the District will notify the Contractor to stop work within ½ mile of the whooping crane and follow the protocol to determine when work can resume (also not initiate work if species is found in the morning survey). Options for resuming work may include but are not limited to (NDOT Environmental, Construction, Contractor):
    - Construction activities are limited to the hours from 10:00 a.m. to 4:00 p.m. (CST) during the migration period, unless morning survey indicates Whooping Cranes are not present.
    - If a whooping crane is observed during the survey within ½ mile of the project, but departs the area (further than ½ mile from the project), then work can resume. Document this departure according to protocol. AND
  - WC-3. Herbaceous species used for re-seeding within ¼ mile of the following location: entire project alignment outside of Stromsburg, Osceola, and Shelby city limits (location of suitable habitat) will be native grass or forb species. Native shrub or woody species used in restoration ~~should~~ *shall* reach no more than 4 feet in height at maturity. (Design, NDOT Environmental).

- *WC-4. If nighttime work is planned during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), work may not begin until evening surveys have been completed according to protocol (see WC-2). Lighting shall be limited to a Nominal CCT of 3000 +/- 300 K, shielded, and directed away from suitable habitat at the following locations: entire Project length outside Stromsburg, Osceola, and Shelby (location of suitable habitat). (NDOT Environmental, Contractor)*

Appendix H

Section 4(f)

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

March 7, 2025

Mr. Jeff Branting, Parks Commissioner
City of Stromsburg
PO Box 407
Stromsburg, NE 68666

RE: Request for Concurrence: Section 4(f) *de minimis* for Two Parks Trail and Exception for Temporary Occupancy of Buckley Park
Nebraska Department of Transportation – US-81 York - Columbus Project
Project No. S-81-2(1051); Control No. 42967

Dear Mr. Branting:

This letter is in regard to anticipated impacts on Two Parks Trail and Buckley Park, resulting from the Nebraska Department of Transportation (NDOT) US-81 York - Columbus Project (the Project), which is located along US Highway 81 (US-81).

As part of the Project's National Environmental Policy Act (NEPA) review process, NDOT requires your concurrence regarding impacts on Department of Transportation Act Section 4(f) resources adjacent to the Project. The Federal Highway Administration's (FHWA) Section 4(f) regulations, entitled Parks, Recreation Areas, Wildlife and Waterfowl Refuges, and Historic Sites, codified at Title 23 Part 774 of the Code of Federal Regulations (23 CFR 774), govern the use of land from publicly owned parks, recreation areas, wildlife and waterfowl refuges, and public or private historic sites for Federal highway projects. These requirements are commonly referred to as Section 4(f) because the requirements originated in Section 4(f) of the Department of Transportation Act of 1966 (Pub. L. 89-670, 80 Stat. 931).

Project Description

The Project is located in York, Polk, and Butler Counties, beginning approximately 0.4 mile north of the North US-34 / US-81 intersection at mile marker (MM) 64.39, the end of the existing 4-lane York Bypass, and extending north for approximately 41 miles to MM 105.75, 0.5 mile north of the intersection of N-64 and US-81. Construction may begin and/or end approximately 500 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.

The Project would consist of widening US-81 from a two-lane highway to a 4-lane divided highway with a depressed median in rural segments using the 2+2 strategy of constructing new lanes on the left or right side and milling and resurfacing the existing lanes. South of Stromsburg, the depressed median would be transitioned to match the newly constructed three-lane section in Stromsburg, including widening the Prairie Creek Bridge (Structure Number S081 07815). A grade raise would not be required for the Prairie Creek Bridge. Outside of Stromsburg, additional bridge replacements and widening would occur on bridges along the project. Additionally, three-lane roadways would be constructed in Osceola and Shelby. Improvements include new paving, milling and resurfacing, culvert and storm sewer work, removing and replacing guardrail, improved intersections, access relocations, and side road modifications. Grading would be required for the entire length of this project. This project would be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices. Additional property rights would be required to build this project. Access to adjacent properties would be maintained during construction but may be limited at times due to phasing requirements.

Due to widening of the roadway and bridge work over Prairie Creek, Two Parks Trail would be closed and permanently relocated approximately 10 to 20 feet east of its current location. Additionally, the Project would require the acquisition of temporary easements along the entire east side of Buckley Park. Easements are needed for contractor access during construction.

Section 4(f) Property

Because the Project involves an action by FHWA, it comes under the purview of Section 4(f) regarding the use of public recreational facilities for transportation purposes. As publicly accessible recreation resources, Two Parks Trail and Buckley Park qualify for protection under Section 4(f).

Section 4(f) also requires coordination with the officials having jurisdiction over the potentially affected resources. As the official with jurisdiction over Two Parks Trail and Buckley Park, NDOT is requesting your concurrence that the proposed Project would not adversely affect the activities, features, and attributes of Two Parks Trail nor constitute a "use" of Buckley Park.

Section 4(f) Analysis

23 CFR 774.3 provides for Section 4(f) approval. The Project requires two Section 4(f) approvals for anticipated impacts on Two Parks Trail and Buckley Park as discussed below.

Two Parks Trail

As relevant to the Project, one of the approvals outlined under Part 774.3(b) includes determination that the use of the land from the property would have a *de minimis* (minor) impact (as defined in §774.17) on the property. There are three conditions that must be met for the Project to qualify for a *de minimis* impact decision under Section 4(f). These three conditions, and how they have been addressed for the Project, are as follows.

> **Condition 1)** *"The transportation use of the Section 4(f) resource, together with any impact avoidance, minimization and mitigation or enhancement measures incorporated into the project, does not adversely affect the protected activities, features, or attributes of the property, on either a temporary or permanent basis."*
>
> The Project would temporarily close and relocate Two Parks Trail between Buckley Park and the Nebraska Central Railroad (Figure 2). The proposed scope of work along this portion of the trail consists of widening the roadway including new pavement and grading and bridge work over Prairie Creek. The trail would be permanently relocated approximately 10 to 20 feet east of its current location to accommodate widening of the roadway. There is an existing sidewalk adjacent to US-81 on the west side. Pedestrian access between Buckley Park and City Square Park would be maintained throughout construction via this sidewalk. Improvements would be made to the sidewalk as needed prior to using it as a detour route. The detour would be in place for approximately 6 to 12 months for grading, trail reconstruction, and work on the Prairie Creek bridge. Following construction, Two Parks Trail would be reconstructed in as good as, if not better than, the pre-construction condition east of its current location. These impacts would not adversely affect the protected activities, features, or attributes of the property, on either a temporary or permanent basis.
>
> **Condition 2)** *"The public has been afforded the opportunity to review and comment on the effects of the project on the activities, features, and attributes of the Section 4(f) resource."*
>
> Based on an analysis of the project scope and a civil rights analysis, a public hearing, a targeted mailer in the form of public notification, legal notice, news release, temporary highway signs, website, social media and a 30-day comment period were used as outreach tools for public involvement on this project. No EJ/LEP populations were identified through the civil rights analysis, therefore no translations or specialized outreach were conducted. A public hearing was held at Cross County Community School in Stromsburg, Nebraska on October 1, 2024, from 5:30 – 7:30 p.m., with approximately 141 stakeholders in attendance. The public notification involved

mailing a postcard with a project location map to a compiled distribution list of 1,284 property owners adjacent to the project location, as well as potentially interested parties. Additionally, 485 public and private agencies with potential interest in the project were included in the distribution list, including the Nebraska Trucking Association. A legal notice was placed in three Nebraska Press Association (NPA) recognized newspapers on September 12, 2024, including the Columbus Telegram, the York News Times and the Polk County News. Temporary highway signs advertising the meeting were placed along the project location. Project information was posted on Twitter and Facebook and added to NDOT's website at www.ndot.info/42967.

NDOT Public Involvement received 37 comments during the specified comment period (Sept.12 – Oct.16, 2024). No comments were received in regard to effects on Two Parks Trail or Buckley Park.

Condition 3) *"There must be a documented agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions."*

By signing this document, the City of Stromsburg concurs that the closure and relocation of Two Parks Trail at Buckley Park would not adversely affect the protected activities, features, and attributes of Two Parks Trail.

Buckley Park

As relevant to the Project, one of the approvals outlined under Part 774.3(b) includes determination that temporary occupancy of the land is so minimal as to not constitute a "use." Section 4(f) defines a "use" of a Section 4(f) property as occurring when: 1) land is permanently incorporated into a transportation facility; 2) there is a temporary occupancy of land that is adverse; or 3) there is a "constructive use" of a Section 4(f) property (constructive use occurs when a project's proximity impacts are so severe that the protected activities, features and attributes that qualify for Section 4(f) protection are substantially impaired).

The Project would temporarily occupy a portion of Buckley Park. NDOT seeks your concurrence that this temporary use meets the criteria for a Section 4(f) Temporary Occupancy Exception, as set forth in 23 CFR §774.13(d) discussed below.

1) **Duration must be temporary, i.e., less than the time needed for construction of the project, and there should be no change in ownership of the land:**
   The Project would require the acquisition of temporary easements along the entire east side of the property. The project is in conceptual design and precise easement information would be determined during final design. Work in this location would take approximately 6-12 months while this segment of US-81 is expected to be constructed approximately two construction seasons. There would be no change in ownership of the land upon completion of the work and no permanent physical impacts are anticipated.

2) **Scope of the work must be minor, i.e., both the nature and the magnitude of the changes to the Section 4(f) property are minimal:**
   Construction activities within Buckley Park are minor including contractor access for construction, tree removal, and sidewalk improvements. There would be no impacts on any of the amenities within Buckley Park including the tennis courts, flagpole, and steeple monument. Tree removal along the eastern edge of Buckley Park is not currently anticipated. The full extent of tree removal shall be re-evaluated during the final design and ROW phases and NDOT will re-coordinate with the City of Stromsburg if tree removal is identified.

3) **There are no anticipated permanent adverse physical impacts, nor would there be interference with the protected activities, features, or attributes of the property, on either a temporary or permanent basis:**
   No permanent physical impacts are anticipated. No interference with the activities, features, or attributes of Buckley Park would occur as a result of the proposed Project. Access to Buckley

Park from the two entrances, Buckley Parkway/Exchange Street on the south and Park Road on the north, will be maintained during the peak use season. Buckley Parkway/Exchange Street access reconstruction will occur between Labor Day and Memorial Day with access temporarily detoured to the employee use only access road from Lucy Holm Campground (Figure 2). During Park Road reconstruction Buckly Park Campground will be closed. However, Park Road access reconstruction will occur between Labor Day and Memorial Day with access maintained to Lucy Holm Campground for campers.

4) **The land being used must be fully restored, i.e., the property must be returned to a condition which is at least as good as that which existed prior to the project.**
The portions of Buckley Park disturbed during construction would be returned to a condition as good as, if not better, than it was prior to construction (e.g. trees, shrubbery, re-seeding).

5) **There must be documentation of agreement of the official(s) with jurisdiction over the Section 4(f) resource regarding the above conditions:**
Your concurrence below, and return of this signed letter to NDOT, indicates your determination that the Project activities would result in a temporary occupancy to Buckley Park.

Official with Jurisdiction Concurrence Request

As the official with jurisdiction over Two Parks Trail and Buckley Park, FHWA and NDOT are requesting your concurrence that the proposed project would not adversely affect the protected activities, features, or attributes of Two Parks Trail and the temporary occupancy of Buckley Park would not constitute a "use". Please acknowledge your concurrence by signing on the appropriate line below.

If you have any questions on the US-81 York – Columbus Project, please contact me at (402) 742-8464.

Sincerely,

Jon Barber
Nebraska Department of Transportation
Highway Environmental Program Manager
P.O. Box 94759
Lincoln, NE 68509-4759
Jon.Barber@nebraska.gov
(402)479-4412

Enclosures: Figure 1: Project Location
Figure 2: Two Parks Trail and Buckley Park Impacts
Public Involvement Summary Report

As the official with jurisdiction over Two Parks Trail and Buckley Park, I concur that the Project would not adversely affect the activities, features, and attributes that qualify Two Parks Trail for protection under Section 4(f) and that the temporary occupancy of Buckley Park would be minimal and would not constitute a "use" within the meaning of Section 4(f). I acknowledge concurrence by signing on the line below.

Jeff Branting, Parks Commissioner, City of Stromsburg — Date: 3/27/25

Appendix O

Threatened and Endangered Species

Project Name: York - Columbus *Updated 2/17/2023*
Federal-aid Number: S-81-2(1051)
Control Number: 42967

Overview of Effects and Required Conservation Conditions

Threatened and Endangered Species Effect Determination:

☐ This project will have "no effect" to all listed species and their habitats.
**If an IPLE was written to justify the no effect determination, the BA is sent to FHWA for concurrence.*

☒ A "may affect, not likely to adversely affect" determination is made for the following species/critical habitat with the conservation conditions listed below *(and will have "no effect" on all other listed species, except for any listed in the 3rd check box)*: **Northern Long-eared Bat, Tri-colored Bat, Whooping Crane**

Northern long-eared bat (NLEB) was initially evaluated through the FHWA, FRA, FTA Programmatic Biological Opinion for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat on IPaC. The project received a "May Affect, not Likely to Adversely Affect" Concurrence letter from the USFWS on 11/4/2024.

Tri-Colored bat is a proposed endangered species. Since Tri-colored bat is not included in any programmatic agreements NDOT is evaluating the impacts to TCB in an IPLE.

☐ A "may affect, likely to adversely affect" determination is made for the following species/critical habitat with the conservation conditions listed below *(and will have "no effect" on all other listed species, except for any listed above)*:

Platte River Flow Depletions and Borrow:
If the excavation of borrow sites will occur within the Platte River Basin and result in open water that could constitute a depletion to the Platte River system, upstream of the Loup confluence, the Nebraska Department of Natural Resources will be contacted. If a borrow site will result in a depletion to the Platte River system, downstream of the Loup confluence, NDOT will coordinate with the Nebraska Game and Parks Commission.

Migratory Bird Treaty Act:
NDOT has developed an Avian Protection Plan (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 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 will utilize its APP to reduce conflicts with migratory birds on this project.

Bald and Golden Eagle Protection Act:
This project was also reviewed for potential impacts on bald and golden eagles. It has been determined that suitable habitat does exist within 0.5 mile of the Environmental Study Area. NDOT will utilize the Bald Eagle Survey Protocol to determine when a survey for nests and/or roosts should be conducted. If nest(s) are present within 0.5 mile of the project area, NDOT will

notify the Nebraska Game and Parks Commission and United States Fish and Wildlife Service, and construction will not commence prior to their approval.

Fish and Wildlife Coordination Act:
A wetland delineation was completed; however, impacts are not yet available. This project will likely require a NPDES permit and Section 404 permit from the Corps of Engineers. This project is anticipated to be covered under an Individual 404 permit. Wetland mitigation for this project is anticipated to be covered under a permittee-responsible mitigation site. The wetland migiation site is anticipated to occur near the Project, however a site has yet to be confirmed. A habitat connectivity memo was created for this project and wildlife movement and interactions with the roadway were analyzed in the memo. Areas around major forested corridors and waterways were identified as having a significant concentration of wildlife-vehicle collisions. FHWA/NDOT will further coordinate with the USFWS and NGPC to address wildlife passage in these areas and reducing vehicle – wildlife collisions. Improvement could include but are not limited to improved signage, underpasses, or fencing.

Conservation Conditions: *Responsible Party for conservation condition shown in parentheses.*
Listed below are the required Conservation Conditions that apply to this project. These measures are not subject to change without the prior written approval of the NDOT Environmental Section. **Copy and paste the conditions listed below verbatim in the NEPA document, the Green Sheet, and in the contract documents:**

A-1 **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)*

A-2 **Conservation Conditions**. Conservation conditions are to be fully implemented within the project limits as shown on the plans. *(District Construction, Contractor)*

A-3 **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)*

A-4 **T&E 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)*

A-5 **Refueling**. Refueling will be conducted outside of those sensitive areas identified on the plans, in the contract, and/or marked in the field. *(Contractor)*

A-6 **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).*

A-7 **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)*

A-8 **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)*

S-2 **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*)

S-3 **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*)

S-4 **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*)

S-5 **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*)

S-6 **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.

Northern Long-eared Bat & Tri-colored Bat:

GENERAL AMM 1
Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures.

TREE REMOVAL AMM 1
All phases/aspects of the Project (e.g., temporary work areas, alignments) will be modified, to the extent practicable, to avoid tree removal in excess of what is required to implement the Project safely**.**

TREE REMOVAL AMM 2
Apply time of year restrictions for tree removal when bats are not likely to be present (**November 15th – March 31st**), or limit tree removal to 10 of fewer trees per project at any time of the year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (*NDOT environmental, District, Contractor*)

TREE REMOVAL AMM 3
Tree removal will be limited to that specified in Project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

TREE REMOVAL AMM 4
Do not remove **documented** Indiana bat, NLEB, or tri-colored bat roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year. *(District, Contractor*)

Lighting AMM 1
Direct temporary lighting away from suitable habitat during the active season (April 1st– November 15th) (*District, Contractor*).

LIGHTING AMM 2
When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable (*Design, Contractor*).

Whooping Crane:

WC-1 Construction activities will not occur during Whooping Crane migration periods. (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15). (*NDOT Environmental, Construction, Contractor*)

OR

WC-2 If construction activities occur during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), NDOT trained personnel, or a qualified biologist, will conduct surveys according to protocol at the following locations: entire Project length outside Stromsburg, Osceola, and Shelby (*location of suitable habitat*). **(prior to the start of daily construction activities)**. If species are present the District will notify the Contractor to stop work within 1/2 mile of the whooping crane and follow the protocol to determine when work can resume **(also not initiate work if species is found in the morning survey)**. Options for resuming work may include but are not limited to (*NDOT Environmental, Construction, Contractor*):

- Construction activities are limited to the hours from 10:00 a.m. to 4:00 p.m. (CST) during the migration period, unless morning survey indicates Whooping Cranes are not present.
- If a whooping crane is observed during the survey within ½ mile of the Project, but departs the area (further than ½ mile from the Project), then work can resume. Document this departure according to protocol.

AND

WC-3 Herbaceous species used for re-seeding within ¼ mile of the following location: entire Project length outside Stromsburg, Osceola, and Shelby (location of suitable habitat) will be native grass or forb species. Native shrub or woody

species used in restoration should reach no more than 4 feet in height at maturity. (*Design, NDOT Environmental*).

WC-4 If nighttime work is planned during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), work may not begin until evening surveys have been completed according to protocol (see WC-2). Lighting shall be limited to a Nominal CCT of 3000 +/- 300 K, shielded, and directed away from suitable habitat at the following locations: entire Project length outside Stromsburg, Osceola, and Shelby (location of suitable habitat). (*NDOT Environmental, Contractor*)

The overall Biological Assessment package was prepared by:

Signature	Printed Name	Title and Agency/Firm	Date
Emily Schmit	Emily Schmit	Environmental Scientist, HDR Engineering, Inc.	4/5/2024

Approved by the following qualified NDOT biologist:

Signature	Printed Name	Date
Matthew Greiner	Matthew Greiner	12/4/2024

☒ Check if FHWA signature required *(NDOT Environmental use only).*
Approved by FHWA Environmental *(FHWA signature only needed when the project is unassigned under the most current CE MOU and the project results in a "may affect" determination, or an Individual Project Level Evaluation, modified Conservation Conditions, or Individual BA is required.):*

Signature	Printed Name	Date
Luke Pitts	Luke Pitts	12/9/2024

☒ Check if USFWS and/or NGPC concurrence is required *(NDOT Environmental use only).*

☐ Check if the project occurs on federal or tribal land *(NDOT Environmental use only)*.
If yes, provide federal or tribal agency name: _____

Species Evaluation Parameters

Form to assist in completing the Endangered & Threatened Species Evaluation Procedures Guide Sheet and Determining the Potential Effect

The following questions identify the potential for suitable habitat within the Action Area, or if the project is within the range of a federally or state listed species. If a species is listed during construction or implementation, the species will be addressed in the Individual Project Level Evaluation document.

Proposed Project Information

Project Sponsor and Contact: Matthew Greiner, Nebraska Department of Transportation

Biologist Completing Assessment: Emily Schmit, HDR Engineering, Inc.

Project No.: S-81-2(1051)

Control No.: 42967

Project Name: York – Columbus

County: York, Polk, and Butler

Limits of Work

Start: US Highway 81 (US-81) Mile Marker (MM) 64.39

End: US-81 MM 105.75

Total Length: 41.36 miles

Activity Checklist Date: 11/13/2024

Project Description Date: 05/07/2024

Project Description: The project is located within York, Polk, and Butler Counties, beginning approximately 0.35 mile north of the North US-34 / US-81 Junction at mile marker (MM) 64.39, the end of the existing 4-lane York Bypass, and extending north for approximately 41 miles to MM 105.75, 0.5 mile north of the intersection of N-64 and US-81. Construction may begin and/or end approximately 500 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.

A separate NDOT project, known as *In Stromsburg (C.N. 42782b),* will be constructed in 2024 and will make the US-81 corridor three lanes through Stromsburg. The project starts approximately 200 feet south of the railroad and continues 700 feet north of 10th Street. The project includes improvements to the pavement, sidewalks, and drainage structures.

The project will consist of widening US-81 from a two-lane highway to a 4-lane divided highway with a depressed median in rural segments using the 2+2 strategy of constructing new lanes on the left or right side and milling and resurfacing the existing lanes. Three (3) lane sections will

be constructed in Osceola and Shelby; some rural and some urban. Improvements include new paving, milling and resurfacing, culvert and storm sewer work, new guardrail, removing and replacing guardrail, new bridges, improved intersections, access relocations and side road modifications.

The preliminary preferred alignments for each segment are as follows:

- York to Stromsburg - construct additional 2 lanes on the east side
- Stromsburg to W Jct US-81/N-92 - construct additional 2 lanes on the east side
- W Jct US-81/N-92 - construct a roundabout
- W Jct US-81/N-92 to Osceola - construct additional 2 lanes on the north side
- Osceola to Shelby - construct additional 2 lanes on the north side
- Shelby to E Jct US-81/N-92 - construct additional 2 lanes on the north side
- E Jct US-81/N-92 - construct a roundabout
- E Jct US-81/N-92 to N-64 - construct additional 2 lanes on the west side
- Junction US-81/N-64 – construct and RCUT

Grading will be required for the entire length of this project.

The existing bridge over Lincoln Creek (Structure Number S081 06464) will be reconstructed in place and a new bridge will be built with the new set of lanes on the east side. A grade raise for both directions is anticipated. Work will be required in the waterway. Guardrail will be built with the new bridges.

The existing bridge over Coon Branch (Structure Number S081 06780) will be reconstructed in place and a new bridge will be built with the new set of lanes on the east side. A grade raise for both directions is anticipated. Work will be required in the waterway. Guardrail will be built with the new bridges.

The existing bridge over the Big Blue River (North Branch) (Structure Number S081 07797) will be widened for the 3-lane section. A grade raise is not anticipated. Work will be required in the waterway. Guardrail will be reconstructed with the widened bridge.

The bridge over Prairie Creek (Structure Number S081 07815) will be widened for the 3-lane section. A grade raise is not anticipated. Work will be required in the waterway. Guardrail will be reconstructed with the widened bridge.

The following bridge-size box culverts will be extended: Structure Number S081 08265 (Davis Creek).

The following bridge-size culvert will be Used-In-Place: Structure Number S081 08490R. No work is assumed in the waterway.

The bridge over Davis Creek (Structure Number S081 08543) will be widened for the 3-lane section. A grade raise is not anticipated. Work will be required in the waterway. Guardrail will be reconstructed with the widened bridge.

The bridge over Davis Creek (Structure Number S081 08578) will be widened for the 3-lane section. A grade raise is not anticipated. Work will be required in the waterway. Guardrail will be reconstructed with the widened bridge.

The following non-bridge-size box culvert MM 99.20 will be reconstructed to a bridge size culvert. A grade raise for both directions is anticipated. Work will be required in the waterway.

The following non-bridge-size box culvert at MM 99.50 will be reconstructed to a bridge size culvert. A grade raise for both directions is not anticipated. Work will be required in the waterway.

This project will be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices.

Additional property rights will be required to build this project.

Access to adjacent properties will be maintained during construction but may be limited at times due to phasing requirements.

Project Limits: The Project Limits are defined as the area between the project beginning and end points, from right-of-way to right-of-way, as marked in the construction plans, including temporary construction easements, detours, and any designated waste, staging, stockpile, or material sites.

Project Action Area: The Action Area extends 1.1 mile from the project limits. This distance represents the greatest likely extent of project effects based on the activities associated with road projects.

Project Action Area Habitat Description: The Project Study Area is located in three Topographic Regions: Plains, Valleys, and Bluffs and Escarpments. The Plains are flat-lying land which lies above the valley. The materials of the Plains region are sandstone or stream-deposited silt, clay, sand, and gravel overlain by wind-deposited silt (loess). The Valleys region consists of flat-lying land along the major streams. The materials of the Valleys region are stream-deposited silt, clay, sand, and gravel. The Bluffs and Escarpments region consists of rugged land with very steep and irregular slopes. Bedrock materials, such as sandstone, shale, and limestone, are often exposed in these areas.

According to the Nebraska Natural Legacy Project, the Project is located in the Tallgrass Prairie Ecoregion, a historically upland prairie with diverse community types ranging from deciduous woodlands to wet meadows and saline wetlands. The ecoregion receives between 25 and 36 inches of precipitation annually, more than any other ecoregion in the state. Common native vegetation includes big bluestem, Indian grass, switchgrass, Canada wild-rye, and a variety of wildflowers and forbs such as showy goldenrod, skyblue aster, and purple coneflower. Most watercourses in the ecoregion, like the Missouri River, are lined with riparian forests composed of cottonwood, willow, boxelder, American elm, oak, black walnut, hickory, and other deciduous trees. Glaciers, wind, and water have shaped the topography of the tallgrass region and today the land surface is mainly rolling hills intersected with stream valleys. Receding glaciers left behind till deposits, hilly moraines, and windblown loess. Approximately two percent of Nebraska's tallgrass prairie remains intact. This is the result of land-use shifting toward agricultural production and urban development.

Additionally, a majority of the Project alignment falls within the Rainwater Basin Biologically Unique Landscape (BUL). The Rainwater Basin BUL occupies parts of 17 counties in south-central Nebraska. The topography is flat to gently rolling loess plain. The surface water drainage system in this landscape is poorly developed and many watershed drain into low-lying wetlands. Most uplands in the landscape had been converted to cropland by the beginning of the 20th century and nearly all remaining Rainwater Basin wetlands have been farmed at some time in the last century.

The Project spans through a rural landscape consisting largely of row crop agricultural fields and maintained highway right-of-way between the cities of York and Columbus. Farmsteads are scattered throughout the Project Study Area and include private residences, outbuildings, and windbreaks. Feed lots/concentrated animal feeding operations are located at MM 65.60, 67.90, 70.35, 73.25, 82.50, 82.70, 89.35, 93.15, and MM 104.90. The Project Study Area intersects the cities of Stromsburg (MM 78.00 – 79.10), Osceola (MM 85.10 – 86.00), and Shelby (MM 91.75 –

92.85), with Benedict located immediately west at MM 71.00. The cities support a variety of development including residential, commercial, and light industrial development.

The Project spans over Lincoln Creek via Structure Number S081 06464 at MM 64.64. Lincoln Creek supports a wooded, riparian corridor with its floodplain supporting wetland complexes and upland grassland areas. The Project intersects an unnamed intermittent tributary to Lincoln Creek at MM 65.57. The waterway supports a narrow emergent wetland fringe with surrounding land use dominated by row crop agriculture. The tributary contains a wider, wooded corridor east of US-81. The Project spans over Coon Branch, a tributary to Lincoln Creek, via Structure Number S081 06780 at MM 67.80. Coon Branch supports a wetland complex of emergent and forested wetlands with surrounding land use consisting of row crop agriculture and a feed lot to the northeast. Wetland complexes associated with irrigation reuse pits are located at MM 69.01, 69.96, 71.80, 72.88, 73.90, 75.80, and 77.90.

South of Stromsburg, the Project intersects the Big Blue River via Structure Number S081 07797 at MM 77.97 and Prairie Creek via Structure Number S081 07815 at MM 78.15. Both waterways support a wooded riparian corridor as well as emergent and forested wetlands. The broader floodplain of the Big Blue River exhibits emergent and forested wetlands, open water, wooded areas, and upland grassland areas. US-81 intersects Davis Creek via Structure Number S081 08265 at MM 82.65, S081 08543 at MM 85.43, and S081 08578 at MM 85.78. The waterway parallels the highway to the south from MM 82.80 to 85.35. The creek's floodplain supports a wide, wetland complex consisting of emergent wetlands of various hydrologic regimes, forested and scrub-shrub wetlands, open water, upland grassland, and small disconnected woodland areas. In Osceola, Davis Creek has been channelized and contains a narrow wetland fringe.

East of Osceola, the Project Study Area intersects two ephemeral waterways that fail to support wetland areas. Wetland areas from Osceola to Shelby consist of narrow emergent wetlands, with two sizable wetland complexes located west of Shelby at MM 90.80 and MM 91.90 and one wetland complex located east of town at MM 93.55. The areas consist of emergent wetlands, open water, upland grassland, and woodland. The Project Study Area intersects an unnamed intermittent tributary to the Big Blue River 0.35 mile east of the US-81/Nebraska Highway 92 (N-92) east intersection. The waterway supports an upland wooded corridor. North of the US-81/N-92 east intersection, US-81 spans over an unnamed perennial tributary to the Big Blue River via a non-bridge-size box culvert at MM 95.50. The waterway contains a narrow emergent wetland fringe. Irrigation reuse pits supporting open water and wetlands are present at MM 97.75, 98.30, 99.22, 100.05, 100.28, and MM 103.75. Wooded bluff habitat dissected by ravines are present from MM 102.35 to MM 103.03. The northern terminus of the Project (MM 104.30 to MM 105.60) consists of grassland/pasture areas with scattered woodland, row crop agricultural fields, and concentrated animal feeding operations.

There are no prairie dog towns or complexes in proximity to the Project Study Area. The Project Study Area is approximately 35 miles northeast of the Harvard Waterfowl Production Area. While the Project Study Area is approximately 2.3 miles south of the South Channel Platte River and 3.75 miles south of the Platte River, there are no open mud flats, sandy shorelines, or un-vegetated or sparsely vegetated sand, shale, or gravel areas in proximity to the Project Study Area.

Field Visit Summary, as applicable: Wetland delineations were conducted throughout the Project Study Area June 13 through 17, 22, 26, 2022, and September 9, October 13, and October 24, 2022.

On 4/1/2023 NDOT Biologist Mary Schroeder and Amy Utt surveyed S0810 06464, S0810 06780, S081 0781, and S0810 07797. On S0810 06780 mouse droppings were detected. On 4/1/2024, NDOT Biologist Matthew Greiner re-surveyed S081 06780 and verified that the detected scat feces were mouse droppings. None of the surveys on the structures detected any bat usage or evidence of bat use.

From July 23rd through July 25th, 2024, HDR completed an acoustic survey at suitable habitat locations along the project corridor. Particularly the acoustic survey focused on the areas around Lincoln Creek and the Big Blue River riparian corridors. The acoustic survey determined probable absence of northern long-eared bat at both locations and probable presence of tri-colored bat at Lincoln-Creek. After manual vetting of the tri-colored bat calls it was determined that a single bat call likely belonged to tri-colored bat at the Lincoln Creek location. NDOT/FHWA submitted the bat survey to the USFWS and NGPC and it was accepted by the USFWS on 11/1/2024.

The wooded bluffs located South of Columbus (from MM 102.35 – MM 103.03) were also initially acoustically surveyed, however, due to equipment failure during the survey the site did not meet the minimum level of effort for that location and had to be removed from consideration. However, upon an additionally field visit on October 10th, 2024, NDOT has determined that the bluff location is not suitable for northern long-eared bats or tri-colored bats (See field visit in BA attachments) The site visit informed that the bluff location was dominated by eastern red cedars that formed a thick understory that would not be navigable by bat species. Further, no significant water resources were identified that would be suitable to facilitate travel of forest adapted species along the bluffs. Therefore, the bluff location is not being considered suitable for northern long-eared bat and tri-colored bat.

Nebraska Federal and State Listed Species and Critical Habitat

E = Endangered	P = Proposed for Listing	XN = Experimental Population
T = Threatened	C = Candidate (no specific review required)	CH = Critical Habitat

Animals

American Burying Beetle (T)
Black-footed Ferret (E)
Blacknose Shiner (E)
Eastern Black Rail (T)
Eskimo Curlew (E)
Finescale Dace (T)
Gray Wolf (E)
Interior Least Tern (E)
Lake Sturgeon (T)
Mountain Plover (T)
Northern Long-Eared Bat (E)
Northern Redbelly Dace (T)
Pallid Sturgeon (E)
Piping Plover (T)
Salt Creek Tiger Beetle (E; CH)
Scaleshell Mussel (E)
Southern Flying Squirrel (T)
Sturgeon Chub (E)
Swift Fox (E)
Thick-Billed Longspur (T)
Timber Rattlesnake (T)
Topeka Shiner (E; CH)
Western Massasauga (T)
Whooping Crane (E; CH)

Plants

American Ginseng (T)
Blowout Penstemon (T)
Colorado Butterfly Plant (T)
Saltwort (E)
Small White Lady's Slipper (T)
Ute Ladies'-tresses (T)
Western Prairie Fringed Orchid (T)

Species Information: http://www.fws.gov/nebraskaes/species.php and http://outdoornebraska.gov/naturalheritageprogram/#rangemaps
Nature Serve: http://www.natureserve.org

STEP 1: RANGE AND OCCURRENCE EVALUATION

Species	Is the Project Action Area in the estimated range of the species as identified by the USFWS and NGPC[1]?	Are there Natural Heritage records within 5-miles of the Project Limits in the last 30 years?
American Burying Beetle[2]	☐ Yes ☒ No	☐ Yes ☒ No
American Ginseng	☐ Yes ☒ No	☐ Yes ☒ No
Black-footed Ferret	☒ Yes ☐ No	☐ Yes ☒ No
Blacknose Shiner	☐ Yes ☒ No	☐ Yes ☒ No
Blowout Penstemon	☐ Yes ☒ No	☐ Yes ☒ No
Colorado Butterfly Plant	☐ Yes ☒ No	☐ Yes ☒ No
Eastern Black Rail	☒ Yes ☐ No	☐ Yes ☒ No
Eskimo Curlew	☒ Yes ☐ No	☐ Yes ☒ No
Finescale Dace	☐ Yes ☒ No	☐ Yes ☒ No
Gray Wolf	☒ Yes ☐ No	☐ Yes ☒ No
Interior Least Tern[3]	☒ Yes ☐ No	☒ Yes ☐ No
Lake Sturgeon	☐ Yes ☒ No	☒ Yes ☐ No
Mountain Plover	☐ Yes ☒ No	☐ Yes ☒ No
Northern Long-Eared Bat	☒ Yes ☐ No	☐ Yes ☒ No
Northern Redbelly Dace	☐ Yes ☒ No	☐ Yes ☒ No
Pallid Sturgeon[3]	☒ Yes ☐ No	☐ Yes ☒ No
Piping Plover[3]	☒ Yes ☐ No	☒ Yes ☐ No
***Rufa* Red Knot**	☒ Yes ☐ No	☐ Yes ☒ No
Salt Creek Tiger Beetle	☐ Yes ☒ No	☐ Yes ☒ No
Salt Creek Tiger Beetle Critical Habitat	☐ Yes ☒ No	NA
Saltwort	☐ Yes ☒ No	☐ Yes ☒ No
Scaleshell Mussel	☐ Yes ☒ No	☐ Yes ☒ No
Small White Lady's Slipper	☐ Yes ☒ No	☐ Yes ☒ No
Southern Flying Squirrel	☐ Yes ☒ No	☐ Yes ☒ No
Sturgeon Chub	☐ Yes ☒ No	☐ Yes ☒ No
Swift Fox	☐ Yes ☒ No	☐ Yes ☒ No
Thick-Billed Longspur	☐ Yes ☒ No	☐ Yes ☒ No

Timber Rattlesnake	☐ Yes ☒ No	☐ Yes ☒ No
Topeka Shiner	☐ Yes ☒ No	☐ Yes ☒ No
Topeka Shiner Critical Habitat	☐ Yes ☒ No	NA
Ute Ladies'-tresses	☐ Yes ☒ No	☐ Yes ☒ No
Western Massasauga	☐ Yes ☒ No	☐ Yes ☒ No
Western Prairie Fringed Orchid	☒ Yes ☐ No	☐ Yes ☒ No
Whooping Crane[3]	☒ Yes ☐ No	☒ Yes ☐ No
Whooping Crane Critical Habitat	☐ Yes ☒ No	NA

[1] **Species ranges can be found at:** https://cert.outdoornebraska.gov/content/map AND/OR http://outdoornebraska.gov/naturalheritageprogram/#rangemaps **AND** https://ecos.fws.gov/ipac/.

[2] American Burying Beetle (ABB) species range differs between USFWS and NGPC. Both species ranges will be reviewed, and the range question marked "yes" if action area is within either USFWS or NGPC species range for ABB.

[3] This species is a Platte River Recovery Implementation Program Target Species for enhancing, restoring, and protecting habitat.

If the species is not identified in either column, then there is a "no effect" to the species from action. If any "yes" boxes are checked, carry these species to Step 2.

Does the Project Action Area occur directly adjacent to or on Federal or Tribal land?*
☐ Yes ☒ No

***Federal and Tribal lands can be found at:** https://apps.nationalmap.gov/viewer/ and http://news.legislature.ne.gov/lrd/files/2015/12/lrd_mow_2.pdf

If yes, the project Biological Evaluation documentation will be provided to the tribe and Bureau of Indian Affairs (BIA), or the Federal land managing agency regardless of the effect determination. This documentation will be provided concurrently with the resource agency submittals in May Affect situations. If a tribe, BIA, or Federal land managing agency does not concur with the effect determination or conservation conditions, then a consultation with all parties, including the resource agencies, shall occur.

Has a survey, Natural Heritage Database, or other source identified an occurrence within 1.0 mile of the Project Action Area, within the last 30 years?

☒ Yes ☐ No

If yes, indirect effects of the activity will be analyzed below. Indirect effects may include but are not limited to hydrologic changes (ditching, diking, etc.). If any indirect effects are identified that are not captured elsewhere in the Matrix, then May Affect. (NDOT Environmental).

Indirect Effects Analysis

During the acoustic survey for TCB and NLEB a single TCB was identified at the Lincoln Creek Riparian Corridor at the southern end of the project. Please refer to the IPLE section of this Biological Assessment for direct and indirect effects of work at this location.

Will the project impact animal movements, such as by adding traffic capacity within occupied habitats, or will the project provide an opportunity to improve known existing habitat fragmentation conditions?

☒ Yes ☐ No

If yes, the effects will be analyzed below.

Habitat Connectivity Analysis

The animal-related crash rate along this portion of US-81 (23 percent) is far below the statewide average for animal-related crashes on two-lane state highways in Nebraska (57 percent). While much of the alignment has a low percentage of animal crashes, a few areas identified in the prepared habitat connectivity memo showed locations where wildlife collisions were concentrated. Locations that had the highest wildlife collisions were the areas around Lincoln Creek, the Big Blue River, and the forest bluffs towards the north end of the alignment, which accounted for 40% of the wildlife-related collisions along the project alignment from November 2011 through November 2024. The two major forested riparian corridors across the project alignment are Lincoln Creek and the Big Blue River. The forested bluffs are a heavily forested corridor that offers shelter and movement for wildlife. This data implies that these three corridors are the locations of significant wildlife movement. Outside these three locations, the habitat across the alignment is predominantly row-crop agriculture. Coincidently, outside Lincoln Creek, the Big Blue River, and the forested bluffs, no other locations have a high concentration of wildlife collision across the alignment. These areas may not offer much suitable habitat for wildlife, and/or there is enough line of sight to avoid wildlife collisions. Additional traffic lanes and increased traffic speeds would inherently diminish habitat connectivity throughout the project. Still, with wildlife-vehicle crash rates relatively low across most of the alignment, there is not anticipated to be significantly increased collisions or interactions with wildlife. At Lincoln Creek, the Big Blue River, and the forested bluffs, increased lanes would be expected to reduce habitat connectivity and increase vehicle and wildlife interactions. At these locations, NDOT/FHWA will coordinate with the USFWS and NGPC to discuss facilitating wildlife movement and reducing vehicle-wildlife collisions at these three locations. Improvements could include but are not limited to improved signage, underpasses, or fencing.

STEP 2: HABITAT EVALUATION

For each species checked above, complete the Yes/No questions to assist in scoping for the potential affects to the listed species. All the questions associated with a species need to be evaluated individually to determine Yes/No applicability (see below).

If ALL answers are "No" for the species or critical habitat below, then there is a "No Effect" to that particular species or critical habitat.

If ANY answer is "Yes" on this Habitat Evaluation worksheet, then carry the "Yes" species forward and proceed to the Step 3 – Federal or State Species Matrix for further effects guidance.

In rare situations, Unique Circumstances are present that justify a question be answered "No" where it would normally be checked "Yes." In these situations, check the "Unique Circumstances" box by the species name and provide detailed reasoning for this conclusion in the box at the end of Step 2.

SPECIES			
American Burying Beetle			
	*Note to practitioner: The ABB is not included in the Matrix Process. Utilize the species-specific ABB programmatic agreement in development, or in the interim, utilize IPLE's or the formal consultation process (see interim implementation guidance in PA appendix).		
American Ginseng		Unique Circumstances ☐	
	Check which question applies:		
	☐ Based on a desktop survey, does the action area include mature deciduous forest along a river bluff?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include mature deciduous forest along a river bluff? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
Black-footed Ferret		Unique Circumstances ☐	
	Does the action area include, in whole or in part, a prairie dog town or complex which is 1,000 acres or more in size? A complex consists of two or more neighboring prairie dog towns with the spacing between the adjacent neighboring town being less than 4.0 miles.	Yes ☐	No ☒
Blacknose Shiner		Unique Circumstances ☐	
	Does the action area include a stream, connected backwater areas, and/or topographic floodplain?*	Yes ☐	No ☐
Blowout Penstemon		Unique Circumstances ☐	
	Check which question applies:		
	☐ Based on a desktop survey, does the action area include open areas of bare sand?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include open areas of bare sand? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐

Colorado Butterfly Plant	Unique Circumstances ☐		
	Check which question applies:		
	☐ Based on a desktop survey, does the action area include pasture, grassland, or hay land on floodplain and lower stream terraces along Lodgepole Creek?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include pasture, grassland, or hay land on floodplain and lower stream terraces along Lodgepole Creek? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
Eastern Black Rail	Unique Circumstances ☐		
	Does the action area contain dense or thick emergent vegetation with high vegetation density (interspersion) within 0.5 mile of the Harvard WPA as well as a mixture of new and residual growth?	Yes ☐	No ☒
Eskimo Curlew	Unique Circumstances ☐		
	Does the action area contain wet meadows, burned over prairies, or newly plowed fields?	Yes ☒	No ☐
Finescale Dace	Unique Circumstances ☐		
	Does the action area include a stream, connected backwater areas, and/or topographic floodplain?*	Yes ☐	No ☐
Gray Wolf	Unique Circumstances ☐		
	Does the Heritage Database indicate known species occurrences within 5 miles of the in the last 30 years?	Yes ☐	No ☒
Interior Least Tern	Unique Circumstances ☐		
	Does the action area include un-vegetated or sparsely vegetated sand, shale, or gravel such as a beach, peninsula, or bar?	Yes ☐	No ☒
	Is the action area (noise and sight) within suitable habitat to include but not limited to a beach area, sand pits, peninsula, sand, shale, or gravel bar?	Yes ☐	No ☒
Lake Sturgeon	Unique Circumstances ☐		
	Is the action area within a large river system (i.e mainstem Missouri River, lower Platte, Elkhorn, or Niobrara rivers, or lower reach of their tributaries*)? *refer to the USFWS/NGPC construction timeframes for specific river reaches	Yes ☐	No ☒
Mountain Plover	Unique Circumstances ☐		
	Does the action area contain heavily grazed/disturbed short grass prairies or areas with very little cover such as tilled cropland on gently rolling to level topography?	Yes ☐	No ☐

Northern Long-Eared Bat			
	*Note to Practitioner: The NLEB is not included in the Matrix Process. Utilize the FHWA/USFWS Range-wide Programmatic Agreement and IPaC for NLEB review (see Nebraska Implementation Guidance Document for Northern Long-eared Bat appendix).		
Northern Redbelly Dace		Unique Circumstances ☐	
		Yes	No
	Does the action area include a stream, connected backwater areas, and/or topographic floodplain?*	☐	☐
Pallid Sturgeon		Unique Circumstances ☐	
		Yes	No
	Is the action area within a large river system (i.e mainstem Missouri River, lower Platte, Elkhorn, or Niobrara rivers, or lower reach of their tributaries*)? *refer to the USFWS/NGPC construction timeframes for specific river reaches	☐	☒
Piping Plover		Unique Circumstances ☐	
		Yes	No
	Does the action area include un-vegetated or sparsely vegetated sand, shale, or gravel such as a beach, peninsula, or bar?	☐	☒
		Yes	No
	is the action area (noise and sight) within suitable habitat to include but not limited to a beach area, sand pits, peninsula, sand, shale, or gravel bar?	☐	☒
***Rufa* Red Knot**		Unique Circumstances ☐	
		Yes	No
	Does the action area contain open mud flats and/or mud and sandy shorelines free of vegetation?	☐	☒
Salt Creek Tiger Beetle		Unique Circumstances ☐	
		Yes	No
	Are saline wetlands and/or salt flats present within action area?	☐	☐
Salt Creek Tiger Beetle (Critical Habitat)		Unique Circumstances ☐	
		Yes	No
	Does the action area include exposed mudflats associated with saline wetlands, or exposed banks and islands of streams and seeps that contain adequate soil moisture and soil salinity, and adjacent vegetated wetlands within the Little Salt, Rock, Oak or Haines Branch Creeks?	☐	☐
Saltwort		Unique Circumstances ☐	
		Yes	No
	Are saline wetlands, salt flats, or saline soils present within the action area?	☐	☐
Scaleshell Mussel		Unique Circumstances ☐	
		Yes	No
	Is the action area within the topographic floodplain of the Missouri Recreational River segment below Gavin's Point dam and the associated lower portion of tributaries in this area?	☐	☐

Small White Lady's Slipper		Unique Circumstances ☐	
	Check which question applies:		
	☐ Based on a desktop survey, does the action area include an undisturbed native, sub-irrigated wet meadow or wet ditches adjacent to undisturbed wet meadows?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include an undisturbed native, sub-irrigated wet meadow or wet ditches adjacent to undisturbed wet meadows? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
Southern Flying Squirrel		Unique Circumstances ☐	
	Is the action area within or adjacent to a mature deciduous woodland with mast producing trees including walnut, hickory, or oak component?	Yes ☐	No ☐
Sturgeon Chub		Unique Circumstances ☐	
	Is the action area within a large river system (i.e mainstem Missouri River, lower Platte, Elkhorn, or Niobrara rivers, or lower reach of their tributaries*)? *refer to the USFWS/NGPC construction timeframes for specific river reaches	Yes ☐	No ☐
Swift Fox		Unique Circumstances ☐	
	Does the action area include connected suitable habitat that contains vegetation <6 inches in height, including gently rolling to level intact upland grasslands and field borders that are outside of densely populated residential, commercial, industrial areas?	Yes ☐	No ☐
Thick-Billed Longspur		Unique Circumstances ☐	
	Does the action area include heavily grazed/disturbed short grass prairie, prairie dog towns, or areas with very little cover, such as tilled cropland on gently rolling to level topography?	Yes ☐	No ☐
Timber Rattlesnake		Unique Circumstances ☐	
	Check which question applies:		
	☐ Based on a desktop survey, does the action area include mature forest and limestone or sandstone rocky outcrops, or large rubble, down trees, logs or slash piles?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include mature forest and limestone or sandstone rocky outcrops, or large rubble, down trees, logs or slash piles? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
	Is the action area within 1.5-miles of a known den or occurrence site, according to records in the Nebraska Natural Heritage Database?	Yes ☐	No ☐
Topeka Shiner		Unique Circumstances ☐	
	Is the action area within a stream, connected backwater areas and/or floodplain?	Yes ☐	No ☐

Topeka Shiner (Critical Habitat)		Unique Circumstances ☐	
	Does action area include intermittent or perennial, small, low order, prairie streams with good clear water quality, relatively cool temperatures, and low fish diversity within the Taylor Creek drainage?	Yes ☐	No ☐
Ute Ladies'-tresses		Unique Circumstances ☐	
	☐ Based on a desktop survey, does the action area include wet meadow on floodplain and lower stream terraces along the Niobrara River?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include wet meadow on floodplain and lower stream terraces along the Niobrara River? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
Western Massasauga		Unique Circumstances ☐	
	Check which question applies:		
	☐ Based on a desktop survey, does the action area within a wet site (including, but not limited to wetlands, ditches, and floodplains) characterized by the presence herbaceous wetland vegetation OR an upland grassland habitat adjacent to said wet site?	Yes ☐	No ☐
	☐ Based on a field visit, does the action area include a wet site (including, but not limited to wetlands, ditches, and floodplains) characterized by the presence herbaceous wetland vegetation and crayfish burrows OR an upland grassland habitat adjacent to said wet site? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
Western Prairie Fringed Orchid		Unique Circumstances ☒	
	☒ Based on a desktop survey, does the action area have no history of cropping and include undisturbed wet mesic prairie and sedge meadows in alluvial soils of river floodplains or sandy soils of subirrigated meadows and prairie swales?	Yes ☐	No ☒
	☐ Based on a field visit, does the action area have no history of cropping and include undisturbed wet mesic prairie and sedge meadows in alluvial soils of river floodplains or sandy soils of subirrigated meadows and prairie swales? (*include field visit information in the opening section of this form*)	Yes ☐	No ☐
Whooping Crane		Unique Circumstances ☐	
	Is the action area: • outside of densely populated residential, commercial, or industrial areas and… • does it include suitable habitat, such as sub-irrigated grasslands, meadows, shallow wetland habitat, farm ponds, or major rivers?	Yes ☒	No ☐
Whooping Crane (Critical Habitat)		Unique Circumstances ☐	
	Does the action area include wide, open river channel with shallow sand and gravel bars with nearby bottomland areas, including wet meadows, that are isolated and provide protection from disturbance within the 56-mile-long by 3-mile-wide reach of the Platte River from the Lexington, Nebraska bridge to near Denman, Nebraska?	Yes ☐	No ☐

*The topographic floodplain for this project is identified on the attached map.

Describe Unique Circumstances here, if applicable:
Western Prairie Fringed Orchid
This project lies within the US Fish and Wildlife Service range for WPFO which is based upon the Platte River Basin and relates directly to Platte River Depletions. The project falls outside the Nebraska Game and Parks Commission (NGPC) designated range where WPFO occurrence would be anticipated. Therefore, due to NDOTs commitments elsewhere in this Biological Assessment to coordinate with the Nebraska Department of Natural Resources or Nebraska Game and Parks Commission regarding depletions to the Platte River System, NDOT will utilize the NGPC designated range for more accurate assessment of impacts to WPFO or its habitat. Therefore, the suitable habitat in section 2 of this SEP was marked “No.”

York - Columbus
PN S-81-2(1051); CN 42967

Federal Species Matrix

Updated
11/17/2023

Sources of Impacts	Within Project	Eskimo Curlew	Whooping Crane
Asphalt Patching	X	NE	NLAA CC [1 or 2]
Bank Stabilization	X	NE	MA
Bridge Deck Repair	X	NE	NLAA CC [1 or 2]
Bridge Rail Repair/Replacement	X	NE	NLAA CC [1 or 2]
Bridge Substructure New, Replacement, or Repair - Ephemeral	X	NE	NLAA CC [1 or 2]
Bridge Substructure New, Replacement, or Repair - Intermittent	X	NE	NLAA CC [1 or 2]
Bridge Substructure New, Replacement, or Repair - Perennial	X	NE	NLAA CC 1 or 2* or MA
Bridge Superstructure New, Replacement, or Repair - Ephemeral	X	NE	NLAA CC [1 or 2]
Bridge Superstructure New, Replacement, or Repair - Intermittent	X	NE	NLAA CC [1 or 2]
Bridge Superstructure New, Replacement, or Repair - Perennial	X	NE	NLAA CC [1 or 2]
Channelization, Ephemeral	X	NE	NLAA CC [1 or 2]
Channelization, Intermittent	X	NE	NLAA CC [1 or 2]
Channelization, Perennial	X	NE	NLAA CC [1 or 2]
Clearing and Grubbing - Non-woody Vegetation	X	NE	NLAA CC [1 or 2]
Clearing and Grubbing - Trees & Shrubs	X	NE	NLAA CC [1 or 2]
Cofferdams	X	NE	NLAA CC [1 or 2]
Concrete Pavement Repair	X	NE	NLAA CC [1 or 2]
Crack Sealing and Joint Sealing	X	NE	NLAA CC [1 or 2]
Culvert New, Replacement, Extension, Repair - Ephemeral	X	NE	NLAA CC [1 or 2]
Culvert New, Replacement, Extension, Repair - Intermittent	X	NE	NLAA CC [1 or 2]
Culvert New, Replacement, Extension, Repair - Perennial	X	NE	NLAA CC [1 or 2]
Curb & Flume	X	NE	NLAA CC [1 or 2]
Curb & Gutter	X	NE	NE
Drilled Shafts	X	NE	NLAA CC [1 or 2]
Earth Shoulder Construction	X	NE	NLAA CC [1 or 2]
Erosion Control - Barriers	X	NE	NLAA CC [1 or 2]
Erosion Control - Erosion Checks	X	NE	NLAA CC [1 or 2]
Erosion Control - Inlet/Outlet Protection	X	NE	NLAA CC [1 or 2]
Erosion Control - Mulching	X	NE	NLAA CC [(1 or 2) plus 3]
Erosion Control - Rolled Erosion Control	X	NE	NLAA CC [1 or 2]
Erosion Control - Slope Interuption	X	NE	NLAA CC [1 or 2]
Erosion Control - Traps and Basins	X	NE	NLAA CC [1 or 2]
Erosion Control - Vegetation	X	NE	NLAA CC [(1 or 2) plus 3]
Grading Within the Hinge Point	X	NE	NLAA CC [1 or 2]
Grading Outside the Hinge Point	X	NE	NLAA CC [1 or 2]
Guardrail Repair, Replacement, or Installation with Soil Disturbance	X	NE	NLAA CC [1 or 2]
Lighting, Traffic and Pedestrian Signals, Dynamic Message Signs w/ soil disturbance	X	NE	NLAA CC [1 or 2]
Milling and/or In-place Recycling	X	NE	NLAA CC [1 or 2]
Nighttime work with Lights	X	NE	NLAA CC [4]
Pavement Removal	X	NE	NLAA CC [1 or 2]
Paving	X	NE	NLAA CC [1 or 2]
Piers	X	NE	NLAA CC [1 or 2]
Pile Driving - Impact	X	NE	NLAA CC [1 or 2]
Pile/Pier Encasement	X	NE	NLAA CC [1 or 2]

Federal Species Matrix

Sources of Impacts	Within Project	Eskimo Curlew	Whooping Crane
Pipe Jacking & Casing	X	NE	NLAA CC [1 or 2]
Pre-watering	X	NE	NLAA CC [1 or 2]
Removal of Structures and Obstructions	X	NE	NLAA CC [1 or 2]
Replacing a Bridge with a Culvert	X	NE	NLAA CC [1 or 2]
Resurfacing-Fog/Slurry Seal, Armor Coat/Chip Seal	X	NE	NLAA CC [1 or 2]
Rock or Gravel Surfacing	X	NE	NE
Shoo-fly	X	NE	NLAA CC [1 or 2]
Sidewalks and Bikeways	X	NE	NLAA CC [1 or 2]
Signs with Soil Disturbance	X	NE	NLAA CC [1 or 2]
Stream Channel Impact, Ephemeral	X	NE	NLAA CC [1 or 2]
Stream Channel Impact, Intermittent	X	NE	NLAA CC [1 or 2]
Stream Channel Impact, Perennial	X	NE	NLAA CC [1 or 2]
Temporary Crossing, Causeway, Work Platform	X	NE	NLAA CC [1 or 2]
Underground Utility Conduit Installation	X	NE	NLAA CC [1 or 2]
Wetland Mitigation	X	NE	MA

^Whooping Crane *Bridge Substructure New, Replacement, or Repair - Perennial* Note:
Bridge Substructure work will be occurring in a waterway not considered suitable for roosting activities for Whooping Crane, however suitable habitat may exist adjacent to the location, therefore, NLAA-CC 1 or 2 is the appropriate determination for Whooping Crane.

Individual Project Level Evaluation

Project Name: York – Columbus
Federal-aid number: S-81-2(1051)
Control Number: 42967

This Individual Project Level Evaluation, in association with the completed Habitat Evaluation Form, the Matrix and associated conservation conditions, the Overview of Effects and Required Conservation Conditions sheet, and the associated appendices constitutes the complete Biological Assessment documentation for the above-referenced Project.

1. SPECIES TO BE EVALUATED INDIVIDUALLY

Note, these are the species to be evaluated in-depth, separate from the evaluation completed for the remaining state and federally listed species documented through the Habitat Assessment form and Matrix.

Common Name	Scientific Name	Status
Tri-colored Bat	*Perimyotis subflavus*	Proposed FE
Whooping Crane	*Grus americana*	FE | SE

2. SPECIES EVALUATION

Tri-colored Bat (*Perimyotis subflavus*)

Tri-colored bat is proposed to be federally listed endangered; an official federal listing opinion is anticipated in 2024. All species federally listed as threatened or endangered are also listed by the state of Nebraska under State Statute 37-802(1). Due to the similar habitat requirements for northern long-eared bat (NLEB) bat and tri-colored bat (TCB), Project effects are being evaluated similarly.

Tri-colored Bat Life History Information

TCB is a small, nocturnal insectivore weighing approximately four to eight grams with a wingspan of eight to ten inches. The species receives its namesake due to its unique tricolored fur that often appears yellowish to nearly orange. The unique fur appears dark at the base, lighter in the middle, and dark at the tip. TCB have dark, nearly black wing membranes, pink splotches on their face and ears, and reddish skin covering the radius bone (USFWS 2019).

TCB are generalists, feeding on an assortment of insects, including caddisflies, moths, beetles, wasps, flying ants, and flies. The species typically emerge early in the evening and forage at treetop level or above, often foraging closer to the ground later in the evening. It is known to forage most commonly over waterways and forest edges (USFWS n.d.).

The range of TCB extends from eastern Canada, west to Colorado, south to Nicaragua (USFWS n.d.). Across the TCB range, population trends have not been historically monitored. Prior to the emergence of White Nose Syndrome in 2006, TCB were commonly encountered in bat surveys, often in low numbers in the Northeast and upper Midwest. After the arrival of White Nose Syndrome, survey numbers for TCB declined drastically (Loeb and Winters 2022) but are still reported from much of their range.

TCB is a seasonal breeder, with mating occurring in the fall before hibernation when males are fertile. Females store the males' sperm in their uteruses through the winter with fertilization occurring soon after spring emergence from hibernation. Gestation (pregnancy) length is about forty-four days, with females giving birth to litters of two

pups in June or July. Pups can fly by four weeks of age and reach sexual maturity by a year old. Parturition in Missouri was found to extend from early June to early July (LaVal and LaVal 1980). Winters are spent hibernating in caves, crevices, mines, and man-made structures including bridges, buildings, culverts, dams, and sewers (Newman et al. 2021). TCB are reported to enter hibernacula to begin hibernation earlier than most other bat species, between late July to August, and depart later than other species in late April to early May (LaVal and LaVal 1980).

During the summer, TCB primarily roost among live and dead cluster of live or recently dead deciduous hardwood trees. In addition, TCB have been observed roosting during the summer among pine needs, eastern red cedar (*Juniperus virginiana*), within artificial roosts like barns, beneath porch roofs, bridges, concrete bunkers, and rarely within caves. Female TCB form maternity colonies and return to the same summer roosting locations year after year, switching roost trees regularly. Males roost singly. TCB forage on insects in upland and lowland woodlots and tree lined corridors. There is evidence from Indiana and Ohio suggesting upland habitats are preferred over riparian and bottomland habitats (Veilleux et al. 2003) and that forests that are periodically thinned/managed for understory growth have increased bat activity (Silvis et al. 2016). In the Midwest, oak (*Quercus spp.*) abundance correlated with greater abundances of TCB (Veilleux et al. 2003). Acoustic surveys sponsored by Iowa Department of Natural Resources showed TCB presence was likely across most of central and western Iowa, where woodland cover is relatively minimal in the state due to agriculture (Blanchong 2017).

Survey History

NDOT performed bat surveys on the structures within suitable habitat (S081 06464, S081 06780, S081 07797, and S081 07815) (see attached survey reports). The surveys did not detect any bats or any evidence of bat usage.

A presence/probable absence survey was completed on July 23rd through July 24th, 2024, at locations of suitable habitat for NLEB and TCB where tree clearing will occur. The survey results were approved by the USFWS and NGPC on November 1st, 2024**.** The survey encompassed two locations at the bridges along US-81 at Lincoln Creek and the Big Blue River. A single TCB bat calling was detected at the Lincoln Creek corridor.

Habitat Evaluation and Suitability

This Project occurs along US-81, starting just north of York, NE, and extends approximately 41.36 miles north to approximately 6 miles south of Columbus, NE. The project goes through the towns of Stromsburg, Osceola, and Shelby. The landscape surrounding the project is primarily dominated by irrigated row-crop agriculture. Forest areas are associated mainly with the towns, windbreaks, forested bluffs, and the two major stream crossings and their associated tributaries.

Near the southern terminus of the alignment, the project crosses Lincoln Creek, which contains a forested riparian corridor. Within the project action area (1.1 miles) at Lincoln Creek, there are approximately 145.4 acres of trees. In combination with the aquatic resources offered by stream, this area is suitable for TCB. To the north of Lincoln Creek,

approximately 3.12 miles, is its tributary Coon Creek. To the east of the project alignment, Coon Creeks riparian corridor is wooded and has connectivity to Lincoln Creek and is suitable for TCB. The bridge structures associated with these waterways (S081 06464 and S081 06780) are considered to be within suitable habitat.

The project crosses the Big Blue River and its tributary Prairie Creek just south of the city of Stromsburg. Within the project area (1.1 miles), there are approximately 218 acres of trees associated with the Big Blue River and Prairie Creek. Combined with the aquatic resources offered by the Big Blue River and Prairie Creek, this location is suitable for TCB. The bridge structures associated with these waterways (S081 07797 and S081 07815) are considered to be within suitable habitat.

The other bridge-sized structures, S0810 08265, S081 08490R, S0810 08543, and S081 08578, are not situated within suitable habitats. These locations either lack tree areas adjacent to them, or the trees adjacent to the structures lack any connectivity to larger forested corridors that would be suitable for TCB.

Treed areas associated with Shelby and Osceola, NE would not be considered suitable habitats for TCB. The landscape surrounding these towns is dominated by row-crop agriculture and lacks any forested tracks that have connectivity to forested areas suitable for TCB. Therefore, these towns are too isolated in forested connectivity to offer suitable habitat for TCB. Windbreaks outside of those adjacent to the Lincoln Creek, Coon Creek, the Big Blue River, and Prairie Creek are not considered suitable for TCB as they are isolated and lack connectivity to larger tracks of forested areas suitable for the species.

Towards the north terminus of the alignment from MM 102.50 to 102.80, there is a large-forested area along the bluffs of the Platte River Valley. While this area contains many trees, NDOT does not consider this area a suitable habitat for NLEBs or TCB. A field visit on October 10th, 2024, found that the area was dominated by eastern red cedar, providing a thick understory of branches that would be unusable by NLEB and TCB. Further, the area lacks any significant aquatic resources, such as streams or creeks, that both species need. While a few small lakes/ponds occur within the bluff area, they are not significant enough to facilitate the travel of forest-dwelling bats such as TCB and NLEB. Further, no records of NLEB or TCB occur along the forested bluffs, and the closest known records of TCB are approximately 15 miles away along the Platte River near Schuyler, NE (Personal Communication, Dr. Han Li). Separating the project location from the nearest records of the TCB is predominately open agricultural fields. Given that TCB and NLEB home ranges are approximately 3 miles at most (USFWS 2023, USFWS 2024), it is highly unlikely that either species would be present at the location given the quality of habitat between the forested bluff and documented habitat location.

Analysis and Determination of Effects

For NLEB, this project was initially evaluated through the FHWA D-key for NLEBs and determined that the project “May Affect, but is not likely to adversely affect” NLEB or their habitat with the implementation of General AMM 1. NDOT will implement Tree Clearing AMMs 1-4 and Lighting AMMs 1-2 as additional minimization measures. This

determination was based on a negative presence / probable absence survey at locations where tree clearing occurs within suitable habitats. However, the presence / probable absence survey indicated the probable presence of TCB at Lincoln Creek. Therefore, impacts to TCB are being further evaluated through this IPLE.

Expanding the existing 2-lane highway to a 4-lane expressway would directly affect potential summer roosting habitat for TCB through tree removal and replacement of bridges. This could result in direct effects by directly harming the species and by modifying and removing existing habitat.

Direct Harm
If tree clearing were to occur when TCB are present, TCB could be harmed or killed during tree removal. However, NDOT will implement time-of-year restrictions on tree removal and require that all trees on this project be removed from November 1st to March 31st, outside of the TCB active season. By implementing time-of-year restrictions on tree removal for this project, NDOT will avoid directly harming TCB. Further, despite the lack of indicated presence of TCB at other locations, NDOT will be implementing time-of-year restrictions on tree clearing throughout the entire project.

Modification and Removal of Existing Habitat.
Removing trees within suitable habitats for TCB could result in the loss of roosts, foraging areas, and travel corridors. During the acoustic survey for this project, a single call was determined to belong to a TCB at Lincoln Creek, indicating that while the species is present, the species' usage along this section of the stream is limited. With the limited detection of TCB at this location, it is not likely this area contains a roost tree. However, even if a roost tree is present, TCB are known to be flexible in their roost tree selection and would alter their roost to another suitable tree within the general vicinity (Shute et al. 2021). Approximately 1.9 acres of trees will be removed at Lincoln Creek to make room for the installation of the southbound bridge for the 4-lane highway expansion and reconstruction of the northbound bridge. Approximately 0.36 acres of trees will be removed outside 100’ from the roadway and approximately 1.54 acres within 100’ from the roadway. The action area along Lincoln Creek has approximately 145.4 acres of trees. The removal of 1.9 acres of trees in this location represents a loss of 1.3% of the trees along the corridor in the action area. Considering the relatively small amount of trees being removed, the remaining available habitat in the corridor, the limited usage of TCB based on the acoustic survey, and the flexibility of TCB in roost tree selection, tree removal on this project is not likely to adversely affect TCB from the removal of a roost or loss of foraging habitat.

Removing trees in this area could also reduce the viability of bats traveling along the corridor. However, the forested corridor area is already segmented by the 2-lane highway along US-81. Forest edge and clutter-adapted bat species (such as TCB) are known to travel under bridges (Bhardwaj, M et al. 2017). Further, the expansion of the roadway to a 4-lane does not completely form a barrier to movement, and when available, bats regularly fly under bridges (Abbott, I et al. 2012 a & b). The expansion of the roadway may deter some bats from traveling over it. However, clutter and edge-adapted bats

primarily traverse the roadways through underpasses and will still travel under the bridge structures, ultimately still being able to travel along the Lincoln Creek corridor. Considering the limited usage of TCB in this area and the presence of bridges to facilitate travel along the Lincoln Creek corridor, the roadway expansion and tree removal at this location are not likely to adversely affect TCB from impacts to travel corridors.

Nighttime lighting activities could result in lighting previously undisturbed roosting locations for bat species that can cause avoidance of those locations. Any temporary lighting utilized during the active season would be directed away from suitable habitats for the species (Lighting AMM 1), particularly in proximity to Lincoln Creek, Coon Branch, the Big Blue River, and Prairie Creek. Additionally, installing new or replacement permanent lighting would utilize those compatible with the BUG system developed by the Illuminating Engineering Society (Lighting AMM 2 and S-6). No permanent lighting will occur at Lincoln Creek and therefore lighting will not interrupt TCB foraging, roosting, or movement. Further, the currently present lighting south of Lincoln Creek will be removed once that section of the project has been built, resulting in an improved environmental baseline for lighting at and around Lincoln Creek. Therefore, lighting activities on this project may affect, but are not likely to adversely affect, TCB or their habitat.

Wetland mitigation would be required to offset aquatic resource impacts incurred by the Project. All impacts are expected to be mitigated at a permittee-responsible mitigation site. A mitigation site has yet to be identified but is likely to be located near the Project. Similar to the construction of the Project, mitigation site construction would integrate conservation conditions to mitigate effects on the species. Once a mitigation site is determined, NDOT will reinitiate consultation with NGPC and USFWS.

Indirect Effects
The Project is not anticipated to induce growth or changes in land use patterns in York, Polk, or Butler Counties. The land adjacent to the expressway is anticipated to remain mostly rural (in agricultural production), with the exception of the areas already developed along Stromsburg, Osceola, and Shelby. The Project would not cause any permanent changes in the suitability of NLEB or TCB habitat beyond that described in the direct effects section. The Project is anticipated to result in increased traveling speeds; however, TCB are not likely to be affected by the traffic because they do not regularly cross the expressway at grade, rather they most likely travel under roads via bridges.

<u>Determination</u>

Based on NDOT's commitment to implement avoidance and minimization measures for TCB from the FHWA Programmatic Biological Opinion for Transportation Projects within the Range of NLEB, minimal amount of tree clearing in locations of suitable habitat, and continued presence of bridge structures to facilitate movement of TCB under roadways, NDOT has determined that this Project "may affect, but is not likely to adversely affect" TCB or their habitat.

Whooping Crane (*Grus americana*)

Life History Information

The whooping crane (WC) is a tall, mainly white bird with a long neck, long legs, and red facial skin; black primaries are evident in flight; immature individuals are mainly white but have a pale reddish-brown head and neck and similar color scattered elsewhere on the body. Whooping cranes are slightly larger than Sandhill cranes; approximately 4.5 feet tall with a wingspan of 7 feet.

The whooping crane is one of the rarest birds in North America and one of the largest. Whooping cranes are vulnerable to accidents during migration. Each spring they travel north from their wintering grounds around Aransas National Wildlife Refuge in Texas to their breeding grounds in Wood Buffalo National Park in central Canada (2,400 miles). Each fall this route is reversed. Their journey traverses eastern Montana, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas. In Nebraska, they stop to rest and feed on the Platte, North and Middle Loup and Niobrara Rivers (USFWS Draft Revised International Whooping Crane Recovery Plan 2005). During the summer it feeds on insects, crustaceans, and berries, while the winter diet includes grains, acorns, wolfberry fruit, and aquatic species.

Wild birds are nesting in Florida. Presently, whooping cranes in the Wood Buffalo-Aransas population only nest in Wood Buffalo National Park, Northwest Territories, Canada. The migration period in Nebraska is approximately March 6 through April 29 and from October 9 through November 15, although cranes do occasionally arrive earlier and stay later. The primary migration corridor is through central Nebraska from Grand Island to North Platte. However, they have been documented from York County in the east. High use areas include the Rainwater Basin wetlands, the central portion of the Platte River, wetlands in Custer County west of Broken Bow, the Loup River around Taylor, wetlands in Cherry, Brown, and Keya Paha Counties, and the Niobrara River. Whooping cranes roost in wide river channels, wetlands, and farm ponds. They feed in nearby grassland and cropland. Wetlands used include permanent wetland as well as shallow, temporary wetland occurring in cropland. Major prerequisites of suitable stopover locations appear to be resting areas with shallow water (standing or flowing), good horizontal and overhead visibility, proximity to feeding sites, and reasonable isolation from human developments and/or disturbances. In addition, a 3-mile wide, 56-mile-long reach of the Platte River from Lexington to Shelton, Nebraska has been federally listed as critical habitat for whooping cranes. Alterations to feeding and roosting habitats, human disturbance (i.e., noise, construction-related activities, infrastructure, etc.) and depletions of instream flows have negative impacts on whooping cranes.

Survey History

NDOT has not conducted any surveys of whooping crane in the Project vicinity. Natural Heritage data has records of whooping crane within 5 miles of the Project. The records are primarily associated with the South Channel of the Platte River. There are no records south of the Platte River within 5 miles of the alignment.

Habitat Evaluation and Suitability

Whooping cranes use shallow, sparsely vegetated streams, rivers, and wetlands to feed and roost during their migration. They also frequently stopover near ponds and lakes and may feed in crop fields or hay meadows that are in close proximity to roosting locations. Good stopover locations must display good horizontal visibility and reasonable isolation from human development.

Outside the municipalities of York, Stromsburg, Osceola, Shelby, and Bennett, whooping crane may utilize a majority of the Project Study Area for foraging habitat. Agricultural fields, grassland/pasture, emergent wetlands, and open water areas provide suitable habitat for the species. With the exception of Davis Creek, the waterways intersecting the Project Study Area support wooded riparian corridors that prevent good horizonal visibility for the species. Davis Creek supports a wider floodplain largely dominated by emergent wetlands, open water, and low-lying vegetation. While there is an abundance of suitable foraging habitat in the Project Study Area, whooping crane would likely continue north and roost in suitable habitat along the Platte River. Migration route location data supports whooping crane's preference for the Platte River for roosting; there are no documented occurrences of the species within the Project Study Area, but several documented occurrences along the Platte River northwest to northeast of the Project Study Area.

Analysis and Determination of Effects

Expansion of the existing 2-lane highway to a 4-lane expressway would have direct effects on approximately 635 acres of whooping crane suitable foraging habitat (agricultural land, grassland/pasture, emergent wetland, and open water areas). The construction activities *Bank Stabilization* and *Wetland Mitigation* trigger a "May Effect" determination, with 55 other construction activities triggering a "Not Likely to Adversely Affect with Conservation Conditions" determination for whooping crane (See matrix for activity details). The activities *bank stabilization* and *wetland mitigation* trigger a "May Affect" due to potential habitat modifications and direct taking.

The activity *Bank Stabilization* would occur at the seven bridges and bridge-sized culvert locations (Structure Numbers S081 06464, S081 06780, S081 07797, S081 07815, S081 08265, S081 08543, S081 08578) across the Project alignment. Bridges would have riprap placed under the bridge decks to protect bridge berms from erosion, while bridge-sized culvert structures would have riprap placed at outlets to protect from scour. The heavily wooded riparian corridors at S081 06464 (Lincoln Creek), S081 06780 (Coon Branch), S081 07797 (Big Blue River), and S081 07815 (Prairie Creek), disrupt line of

sight and lack suitable habitat for the species. Therefore, armoring of the banks adjacent to the existing and proposed bridge/bridge-sized culvert structures in these locations would not convert or modify suitable habitat for the species. Structure Numbers S081 08543 and S081 08578 convey Davis Creek in the town of Osceola. Due to the developed nature of the surrounding land use, suitable habitat is not present so armoring of the banks at these locations would not convert or modify suitable habitat for the species.

Structure Numbers S081 08265 convey Davis Creek under US-81. Surrounding land use at S081 08265 consists of agricultural fields and the Davis Creek floodplain. The creek's floodplain contains forested wetlands directly adjacent to the bridge structure that serve to disrupt line of sight of whooping crane. The floodplain supports thick reed canarygrass (*Phalaris arundinacea*) exceeding 3 feet in height. Shallow wetlands/open water areas along Davis Creek are removed from the bridge location and located farther to the east. Placement of riprap at this location would be limited to below or directly upstream/downstream of the structure locations only to the extent to protect the structure. This would convert only a small amount of marginal habitat for the species adjacent to the road and would only result in the loss of a discountable amount of marginally suitable habitat. Modification is not anticipated to impact wetlands areas downstream of the bridge location. While there is marginally suitable habitat for whooping crane in proximity to this structure, whooping cranes would likely elect to continue travel north to the Platte River and Loup River floodplains where more suitable habitat is present. If whooping crane were present during this activity, work could disturb the species resulting in take. However, NDOT will be implementing survey conditions (WC-1) to ensure the species is not present during construction or will avoid work when whooping crane are likely to be present (WC-2). Records of whooping crane in proximity to the Project are more closely associated with the Platte River and do not indicate the species uses the agricultural land/grassland in proximity to these structures for foraging. Therefore, the activity *Bank Stabilization* is not likely to adversely affect Whooping crane from modification of habitat or direct taking.

Wetland mitigation would be required to offset aquatic resource impacts incurred by the Project. All impacts are expected to be mitigated at a permittee-responsible mitigation site. A wetland mitigation site has not yet been confirmed, but it will likely be located near the Project. Wetland impacts are primarily associated with low-quality agricultural and ditch wetlands. Wetland mitigation would create or restore higher quality wetland and shallow water habitat for whooping crane in its range, creating suitable foraging habitat and an overall net benefit to the species. Like construction of the Project, mitigation site construction would avoid the whooping crane migration season or conservation conditions would be implemented to mitigate effects on the species. Once a mitigation site is determined, NDOT will reinitiate consultation with NGPC and USFWS. Therefore, the activity wetland mitigation is not anticipated to result in take of the species and is anticipated to improve habitat along the alignment due to creation of higher quality wetland habitat then is currently present.

Indirect Effects
The Project is not anticipated to induce growth or changes in land use patterns in York, Polk, or Butler Counties. The land adjacent to the expressway is anticipated to remain mostly rural (in agricultural production), with the exception of the areas already developed along Stromsburg, Osceola, and Shelby. The Project would not cause any reduction in the suitability of WC habitat and will result in a net benefit to WC through the creation of a wetland mitigation site providing higher quality wetland habitat than what is being mitigated for.

Determination

With the implementation of conservation conditions throughout the extent of the proposed Project, NDOT has determined that this Project **"may affect, but is not likely to adversely affect"** the whooping crane or its habitat.

3. CONSERVATION MEASURES

Tri-colored Bat:

GENERAL AMM 1
Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures.

TREE REMOVAL AMM 1
All phases/aspects of the Project (e.g., temporary work areas, alignments) will be modified, to the extent practicable, to avoid tree removal in excess of what is required to implement the Project safely**.**

TREE REMOVAL AMM 2
Apply time of year restrictions for tree removal when bats are not likely to be present (**November 15th – March 31st**), or limit tree removal to 10 of fewer trees per project at any time of the year within 100 feet of existing road/rail surface and **outside of documented** roosting/foraging habitat or travel corridors; visual emergence survey must be conducted with no bats observed. (*NDOT environmental, District, Contractor*)

TREE REMOVAL AMM 3
Tree removal will be limited to that specified in Project plans and ensure that contractors understand clearing limits and how they are marked in the field (e.g., install bright colored flagging/fencing prior to any tree clearing to ensure contractors stay within clearing limits).

TREE REMOVAL AMM 4
Do not remove **documented** Indiana bat, NLEB, or tri-colored bat roosts that are still suitable for roosting, or trees within 0.25 miles of roosts, or **documented** foraging habitat any time of year. *(District, Contractor*)

LIGHTING AMM 1
Direct temporary lighting away from suitable habitat during the active season (April 1st– November 15th). (*District, Contractor*)

LIGHTING AMM 2
When installing new or replacing existing permanent lights, use downward-facing, full cut-off lens lights (with same intensity or less for replacement lighting); or for those transportation agencies using the BUG system developed by the Illuminating Engineering Society, be as close to 0 for all three ratings with a priority of "uplight" of 0 and "backlight" as low as practicable (*Design, Contractor*).

Whooping Crane:

WC-1 Construction activities will not occur during Whooping Crane migration periods. (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15). (*NDOT Environmental, Construction, Contractor*)

OR

WC-2 If construction activities occur during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), NDOT trained personnel, or a qualified biologist, will conduct surveys according to protocol at the following locations: entire Project length outside Stromsburg, Osceola, and Shelby (*location of suitable habitat*). **(prior to the start of daily construction activities)**. If species are present the District will notify the Contractor to stop work within 1/2 mile of the whooping crane and follow the protocol to determine when work can resume **(also not initiate work if species is found in the morning survey)**. Options for resuming work may include but are not limited to (*NDOT Environmental, Construction, Contractor*):

- Construction activities are limited to the hours from 10:00 a.m. to 4:00 p.m. (CST) during the migration period, unless morning survey indicates Whooping Cranes are not present.
- If a whooping crane is observed during the survey within ½ mile of the Project, but departs the area (further than ½ mile from the Project), then work can resume. Document this departure according to protocol.

AND

WC-3 Herbaceous species used for re-seeding within ¼ mile of the following location: entire Project length outside Stromsburg, Osceola, and Shelby (location of suitable habitat) will be native grass or forb species. Native shrub or woody species used in restoration should reach no more than 4 feet in height at maturity. (*Design, NDOT Environmental*).

WC-4 If nighttime work is planned during Whooping Crane migration periods (Spring migration: March 6 – April 29; and fall migration: October 9 – November 15), work may not begin until evening surveys have been completed according to protocol (see WC-2). Lighting shall be limited to a Nominal CCT of 3000 +/- 300 K, shielded, and directed away from suitable habitat at the following locations: entire Project length outside Stromsburg, Osceola, and Shelby (location of suitable habitat). (*NDOT Environmental, Contractor*)

4. COORDINATION

NDOT/FHWA introduced the project to the USFWS and NGPC on February 21st, 2024 during the agency scoping meeting. The USFWS and NGPC provided comments on March 6th, 2024 and March 11th, 2024, respectively. FHWA/NDOT originally submitted the biological assessment for the project York-Columbus to the USFWS and NGPC for concurrence on May 20th, 2024. However, due to the amount of tree clearing and size of the project, the USFWS and NGPC felt that tree clearing was not sufficiently addressed regarding impacts on NLEB and tri-colored bat. Therefore, NDOT/FHWA proposed to complete an acoustic survey for NLEB and TCB within locations of suitable habitat to determine presence or probable absence of NLEB and TCB. The acoustic survey study plan was submitted to the USFWS and NGPC on July 10th, 2024. The USFWS and NGPC approved the study plan on July 15th and 16th, respectively. The acoustic survey was completed by HDR staff from July 23rd to July 24th. The survey report was initially submitted to the USFWS and NGPC on 8/12/2024. The acoustic survey detected one TCB record at Lincoln Creek. NDOT/FHWA requested a meeting with the NGPC and the USFWS to go over the acoustic survey results and to get input from the resource agencies. The resource agencies indicated that FHWA/NDOT need to address the impacts of tree clearing at the Lincoln Creek location and either offset impacts or provide justification for why work at this location would not likely adversely affect TCB. The USFWS requested edits to the acoustic survey report on September 13th, 2024 and indicated that site three in the acoustic survey report did not meet the minimum level of effort for the acoustic survey due to a failed detector. FHWA/NDOT re-submitted the survey report on September 27th, 2024. The USFWS and NGPC approved the survey results on November 1st, 2024 and November 5th, 2024, respectively. NDOT/FHWA re-submitted the biological assessment to the USFWS and NGPC on November 18th, 2024. The USFWS and NGPC provided comments on the biological assessment on December 3rd, 2024. NDOT has incorporated the comments by the USFWS and NGPC.

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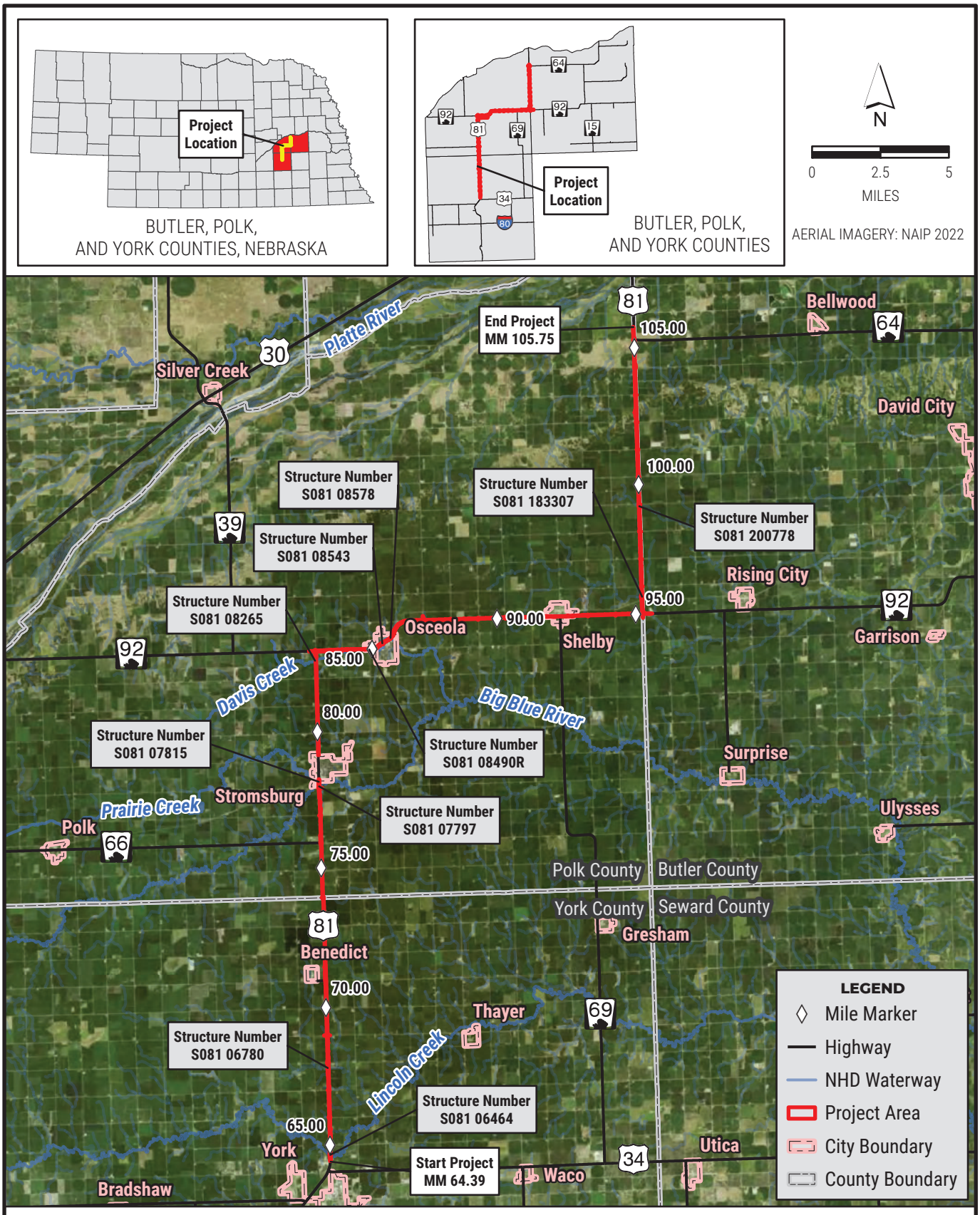
6. ADDITIONAL INFORMATION

Additional information including field notes, photographs, etc., are in the consultant Project file and at the Nebraska Department of Transportation Environmental Services Office.



NEBRASKA
DEPARTMENT OF TRANSPORTATION

PROJECT LOCATION
YORK - COLUMBUS
PN: S-81-2(1051)
CN 42967

FIGURE 1

(1)

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 4/7/23 9:40 am	DOT Project Number: Lincoln Creek Hwy 81	Route/Facility Carried: Hwy 81	County: York
Federal Structure ID: 5081 064104	Structure Coordinates (latitude and longitude): 40°54'30.92"N 97°35'51.54"W	Structure Height (approximate): 20 ft	Structure Length: 99.48'

Structure Type (check one)

Bridge Construction Style

- (•) Cast-in-place
- ( ) Flat Slab/Box
- ( ) Truss (Side View)
- ( ) Parallel Box Beam
- ( ) Pre-stressed Girder
- ( ) Steel I-beam
- ( ) Covered
- ( ) Other:

Culvert Type

- ( ) Box
- ( ) Pipe/Round
- ( ) Other:

Other Structure

- ( )

Structure Material (check all that apply)

Deck Material	*Beam Material*	*End/Back Wall Material*
[ ] Metal	[x] None	[x] Concrete
[ ] Concrete	[ ] Concrete	[ ] Timber
[ ] Timber	[ ] Steel	[ ] Stone/Masonry
[ ] Open grid	[ ] Timber	[ ] Other:
[ ] Other:	[ ] Other:	

Creosote Evidence

- ( ) Yes (•) No
- ( ) Unknown

Culvert Material

- [ ] Metal
- [ ] Concrete
- [ ] Plastic
- [ ] Stone/Masonry
- [ ] Other:

Notes:

Crossings Traversed (check all that apply)

[x] Bare ground	[ ] Open vegetation
[x] Rip-rap	[ ] Closed vegetation
[ ] Flowing water	[ ] Railroad
[x] Standing water	[ ] Road/trail - Type:
[ ] Seasonal water	[ ] Other:

Surrounding Habitat (check all that apply)

[x] Agricultural	[x] Grassland
[ ] Commercial	[ ] Ranching
[ ] Residential-urban	[x] Riparian/wetland
[ ] Residential-rural	[ ] Mixed use
[x] Woodland/forested	[ ] Other:

Areas Assessed (check all that apply)

Check all areas that apply. If an area is not present in the structure, check the "not present" box.
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.

Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)
[x] All crevices and cracks: **Bridges/culverts:** rough surfaces or imperfections in concrete **Other structures:** soffits, rafters, attic areas	[x] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[x] Concrete surfaces (open roosting on concrete)	[x] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[x] Spaces between concrete end walls and the bridge deck	[x] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[x] Crack between concrete railings on top of the bridge deck (Gap / Railing)	[x] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] Vertical surfaces on concrete I-beams	[ ] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] Spaces between walls, ceiling joists	[ ] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] Weep holes, scupper drains, and inlets/pipes	[ ] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[x] All guiderails	[x] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[x] All expansion joints	[x] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species

Name: Mary Schroer | Amy Utt

Signature: Mary Schroer

ri ge Structure at Assessment orm

Date & Time of Assessment	DOT Project Number	Route/Facility Carried	County
4/1/2024 - 7:56 AM	42967	US-81	York
Federal Structure ID	**Structure Coordinates (latitude and longitude)**	**Structure Height (approximate)**	**Structure Length**
S081 06780	40°57'23.24"N 97°35'51.39"W	25'	89.64'

Structure pe (check one)

Bridge Construction Style

- ○ Cast-in-place
- ○ Flat Slab/Box
- ○ Truss (Side View)
- ○ Parallel Box Beam
- ○ Pre-stressed Girder
- ◉ Steel I-beam
- ○ Covered
- ○ Other:

Culvert Type

- ◉ Box
- ◉ Pipe/Round
- ○ Other:

Other Structure

- ○

Structure Material (check all that apply)

Deck Material	*Beam Material*	*End/Back Wall Material*
☐ Metal	☐ None	☒ Concrete
☒ Concrete	☐ Concrete	☐ Timber
☐ Timber	☒ Steel	☐ Stone/Masonry
☐ Open grid	☐ Timber	☐ Other:
☐ Other:	☐ Other:	

Culvert Material

- ☐ Metal
- ☐ Concrete
- ☐ Plastic
- ☐ Stone/Masonry
- ☐ Other:

Creosote Evidence

- ○ Yes ○ No
- ○ Unknown

Notes:

Crossings ra erse (check all that apply)

☒ Bare ground	☐ Open vegetation
☐ Rip-rap	☐ Closed vegetation
☐ Flowing water	☐ Railroad
☒ Standing water	☐ Road/trail - Type:
☐ Seasonal water	☐ Other:

Surroun ing a itat (check all that apply)

☒ Agricultural	☐ Grassland
☐ Commercial	☐ Ranching
☐ Residential-urban	☒ Riparian/wetland
☐ Residential-rural	☐ Mixed use
☐ Woodland/forested	☐ Other:

Areas Assesse (check all that apply)

Check all areas that apply. If an area is not present in the structure, check the "not present" box.
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.

Area (check if assessed)	Assessment Notes	E i ence of ats (include photos if present)
☒ All crevices and cracks: ri ges cul erts: rough surfaces or imperfections in concrete ther structures: soffits, rafters, attic areas	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ Concrete surfaces (open roosting on concrete)	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ Spaces between concrete end walls and the bridge deck	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ Crack between concrete railings on top of the bridge deck (Gap / Railing)	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☐ Vertical surfaces on concrete I-beams	☒ Not present	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ Spaces between walls, ceiling joists	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ Weep holes, scupper drains, and inlets/pipes	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ All guiderails	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species
☒ All expansion joints	☐ Not present: Nothing detected	☐ Visual - live # dead # ☐ Guano ☐ Staining ☐ Audible ☐ Odor ☐ Photos ☐ Species

Name: Matthew Greiner

Signature: Matthew Greiner

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 1:56 4/7/23	DOT Project Number: Hwy 81 Prairie Creek	Route/Facility Carried: Hwy 81	County: Polk
Federal Structure ID: E08107815	Structure Coordinates (latitude and longitude): 47°6'20.43"N 97°55'54.08"W	Structure Height (approximate): 30'	Structure Length: ~~12 6 1/8"~~ 82'

Structure Type (check one)

Bridge Construction Style

- (X) Cast-in-place
- ( ) Flat Slab/Box
- ( ) Truss (Side View)
- ( ) Parallel Box Beam
- ( ) Pre-stressed Girder
- ( ) Steel I-beam
- ( ) Covered
- ( ) Other:

Culvert Type

- ( ) Box
- ( ) Pipe/Round
- ( ) Other:

Other Structure

- ( )

Structure Material (check all that apply)

Deck Material	*Beam Material*	*End/Back Wall Material*
[ ] Metal	[X] None	[X] Concrete
[X] Concrete	[ ] Concrete	[ ] Timber
[ ] Timber	[ ] Steel	[ ] Stone/Masonry
[ ] Open grid	[ ] Timber	[ ] Other:
[ ] Other:	[ ] Other:	

Culvert Material

- [ ] Metal
- [ ] Concrete
- [ ] Plastic
- [ ] Stone/Masonry
- [ ] Other:

Creosote Evidence

( ) Yes ( ) No ( ) Unknown

Notes:

Crossings Traversed (check all that apply)

[X] Bare ground	[ ] Open vegetation
[ ] Rip-rap	[ ] Closed vegetation
[ ] Flowing water	[ ] Railroad
[X] Standing water	[ ] Road/trail - Type:
[ ] Seasonal water	[X] Other: bike trail

Surrounding Habitat (check all that apply)

[ ] Agricultural	[ ] Grassland
[ ] Commercial	[ ] Ranching
[ ] Residential-urban	[ ] Riparian/wetland
[ ] Residential-rural	[X] Mixed use
[ ] Woodland/forested	[ ] Other:

Areas Assessed (check all that apply)

Check all areas that apply. If an area is not present in the structure, check the "not present" box.
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.

Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)
[X] All crevices and cracks: **Bridges/culverts:** rough surfaces or imperfections in concrete **Other structures:** soffits, rafters, attic areas	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Concrete surfaces (open roosting on concrete)	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Spaces between concrete end walls and the bridge deck	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] Crack between concrete railings on top of the bridge deck (Gap / Railing)	[ ] Not present N/A	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Vertical surfaces on concrete I-beams	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] Spaces between walls, ceiling joists	[ ] Not present N/A	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Weep holes, scupper drains, and inlets/pipes	[X] Not present ~~N/A~~	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] All guiderails	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] All expansion joints	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species

Name: Amy Utt / Mary S.

Signature: Amy Utt

4

Bridge/Structure Bat Assessment Form

Date & Time of Assessment: 2:17 pm 4/7/23	DOT Project Number: Big Blue River	Route/Facility Carried: Hwy 81 MM 78	County: POLK
Federal Structure ID: 07797	Structure Coordinates (latitude and longitude): 41°6'29.48"N 97°35'53.95W	Structure Height (approximate):	Structure Length: ~~180.10~~ 127"

Structure Type (check one)

Bridge Construction Style

- (X) Cast-in-place
- ( ) Flat Slab/Box
- ( ) Truss (Side View)
- ( ) Parallel Box Beam
- ( ) Pre-stressed Girder
- ( ) Steel I-beam
- ( ) Covered
- ( ) Other:

Culvert Type

- ( ) Box
- ( ) Pipe/Round
- ( ) Other:

Other Structure

- ( )

Structure Material (check all that apply)

Deck Material	*Beam Material*	*End/Back Wall Material*
[ ] Metal	[X] None	[X] Concrete
[X] Concrete	[ ] Concrete	[ ] Timber
[ ] Timber	[ ] Steel	[ ] Stone/Masonry
[ ] Open grid	[ ] Timber	[ ] Other:
[ ] Other:	[ ] Other:	

Culvert Material

- [ ] Metal
- [ ] Concrete
- [ ] Plastic
- [ ] Stone/Masonry
- [ ] Other:

Creosote Evidence

- ( ) Yes (X) No
- ( ) Unknown

Notes:

Crossings Traversed (check all that apply)

- [X] Bare ground
- [X] Rip-rap
- [X] Flowing water
- [ ] Standing water
- [ ] Seasonal water
- [ ] Open vegetation
- [ ] Closed vegetation
- [ ] Railroad
- [ ] Road/trail - Type:
- [ ] Other:

Surrounding Habitat (check all that apply)

- [ ] Agricultural
- [ ] Commercial
- [ ] Residential-urban
- [X] Residential-rural
- [X] Woodland/forested
- [ ] Grassland
- [ ] Ranching
- [X] Riparian/wetland
- [ ] Mixed use
- [ ] Other:

Areas Assessed (check all that apply)

Check all areas that apply. If an area is not present in the structure, check the "not present" box.
Document all bat indicators observed during the assessment. Include the species present, if known, and provide photo documentation as indicated.

Area (check if assessed)	Assessment Notes	Evidence of Bats (include photos if present)
[X] All crevices and cracks: **Bridges/culverts:** rough surfaces or imperfections in concrete **Other structures:** soffits, rafters, attic areas	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Concrete surfaces (open roosting on concrete)	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Spaces between concrete end walls and the bridge deck	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] Crack between concrete railings on top of the bridge deck (Gap / Railing)	[ ] Not present N/A	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Vertical surfaces on concrete I-beams	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Spaces between walls, ceiling joists	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] Weep holes, scupper drains, and inlets/pipes	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[X] All guiderails	[X] Not present	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species
[ ] All expansion joints	[ ] Not present N/A	[ ] Visual - live # dead # [ ] Guano [ ] Staining [ ] Audible [ ] Odor [ ] Photos [ ] Species

Name: Amy Utt / Mary S

Signature: Amy Utt

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Nebraska Ecological Services Field Office
9325 B South Alda Rd., Ste B
Wood River, NE 68883-9565
Phone: (308) 382-6468 Fax: (308) 384-8835

In Reply Refer To: 11/04/2024 15:50:08 UTC
Project code: 2024-0111613
Project Name: York - Columbus (CN 42967; PN S-81-2[1051])

Subject: Concurrence verification letter for the 'York - Columbus (CN 42967; PN S-81-2[1051])' project under the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (NLEB).

To whom it may concern:

The U.S. Fish and Wildlife Service (Service) has received your request dated November 04, 2024 to verify that the **York - Columbus (CN 42967; PN S-81-2[1051])** (Proposed Action) may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat (PBO) to satisfy requirements under Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat.884, as amended; 16 U.S.C. 1531 *et seq.*).

Based on the information you provided (Project Description shown below), you have determined that the Proposed Action is within the scope and adheres to the criteria of the PBO, including the adoption of applicable avoidance and minimization measures. **At least one of the qualification interview questions indicated an activity or portion of your project is consistent with a not likely to adversely affect determination therefore, the overall determination for your project is, may affect, and is not likely to adversely affect (NLAA) the endangered Indiana bat (*Myotis sodalis*) and/or the endangered northern long-eared bat (*Myotis septentrionalis*)**. Consultation with the Service pursuant to section 7(a)(2) of ESA (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq*.) is required.

The Service has 14 calendar days to notify the lead Federal action agency or designated non-federal representative if we determine that the Proposed Action does not meet the criteria for a NLAA determination under the PBO. If we do not notify the lead Federal action agency or designated non-federal representative within that timeframe, you may proceed with the Proposed Action under the terms of the NLAA concurrence provided in the PBO. This verification period allows Service Field Offices to apply local knowledge to implementation of the PBO, as we may identify a small subset of actions having impacts that were unanticipated. In such instances,

Service Field Offices may request additional information that is necessary to verify inclusion of the proposed action under the PBO.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities: If your initial bridge/culvert or structure assessment documented signs of bat use or occupancy, or an assessment failed to detect Indiana bats and/or NLEBs, yet are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of any potential take. In these instances, potential incidental take of Indiana bats and/or NLEBs is covered under the Incidental Take Statement in the 2018 FHWA, FRA, FTA PBO (provided that the take is reported to the Service).

If the Proposed Action is modified, or new information reveals that it may affect the Indiana bat and/or northern long-eared bat in a manner or to an extent not considered in the PBO, further review to conclude the requirements of ESA Section 7(a)(2) may be required.

For Proposed Actions that include bridge/culvert or structure removal, replacement, and/or maintenance activities:
If your initial bridge/culvert or structure assessments failed to detect Indiana bats and/or NLEB use or occupancy, yet bats are later detected prior to, or during construction, please submit the Post Assessment Discovery of Bats at Bridge/Culvert or Structure Form (User Guide Appendix E) to this Service Office within 2 working days of the incident. In these instances, potential incidental take of Indiana bats and/or NLEBs may be exempted provided that the take is reported to the Service.

If the Proposed Action may affect any other federally-listed or proposed species, and/or any designated critical habitat, additional consultation between the lead Federal action agency and this Service Office is required. If the proposed action has the potential to take bald or golden eagles, additional coordination with the Service under the Bald and Golden Eagle Protection Act may also be required. In either of these circumstances, please contact this Service Office.

The following species may occur in your project area and **are not** covered by this determination:

- Monarch Butterfly *Danaus plexippus* Candidate
- Pallid Sturgeon *Scaphirhynchus albus* Endangered
- Piping Plover *Charadrius melodus* Threatened
- Western Prairie Fringed Orchid *Platanthera praeclara* Threatened
- Western Regal Fritillary *Argynnis idalia occidentalis* Proposed Threatened
- Whooping Crane *Grus americana* Endangered

PROJECT DESCRIPTION

The following project name and description was collected in IPaC as part of the endangered species review process.

NAME

York - Columbus (CN 42967; PN S-81-2[1051])

DESCRIPTION

The project is located in York, Polk, and Butler Counties, beginning approximately 0.35 mile north of the North US Highway 34 (US-34)/US-81 Junction at MM 64.39, the end of the existing four-lane York Bypass, and extending north for 40.55 miles to MM 104.94, 0.29 mile south of the junction of Nebraska Highway 64 (N-64) and US-81. Construction may begin and/or end approximately 500 feet ahead of or beyond the actual project limits to accommodate transitioning the pavement.

The project would consist of widening US-81 from a two-lane highway to a four-lane divided highway with a depressed median in rural segments using the 2+2 strategy of constructing new lanes on the left or right side and milling and surfacing the existing lanes. Three lane sections would be constructed in Osceola and Shelby, some rural and some urban. A new three-lane urban section in Stromsburg would be constructed in 2024 under a separate project. Improvements include new paving, milling and resurfacing, culvert and storm sewer work, new guardrail, removing and replacing guardrail, new bridges, improved intersections, access relocations, and side road modifications.

Grading beyond the hinge point would be required for the entire length of this project.

The existing bridge over Lincoln/ Creek (Structure Number S081 06464) would be reconstructed in place and a new bridge would be built with the new set of lanes. A grade raise for both directions is anticipated. Work would be required in the waterway. Guardrail would be built with the new bridges.

The existing bridge over Coon Branch (Structure Number S081 06780) would be reconstructed in place and a new bridge would be built with the new set of lanes. A grade raise for both directions is anticipated. Work would be required in the waterway. Guardrail would be built with the new bridges.

The existing bridge over the Big Blue River (North Branch) (Structure Number S081 07797) would be widened for the three-lane section. A grade raise is not anticipated. Work would be required in the waterway. Guardrail would be reconstructed with the widened bridge.

The bridge over Prairie Creek (Structure Number S081 07815) would be widened for the three-lane section. A grade raise is not anticipated. Work would be required in the waterway. Guardrail would be reconstructed with the widened bridge.

The bridge-size box culvert, Structure Number S081 08265 (Davis Creek), would be extended.

The bridge-size culvert, Structure Number S081 08490R, would be used-in-place. No work is assumed in the waterway.

The bridge over Davis Creek (Structure Number S081 08543) would be widened for the three-lane section. A grade raise is not anticipated. Work would be required in the waterway. Guardrail would be reconstructed with the widened bridge.

The bridge over Davis Creek (Structure Number S081 08578) would be widened for the three-lane section. A grade raise is not anticipated. Work would be required in the waterway. Guardrail would be reconstructed with the widened bridge.
Structure Number S081 183307 would be reconstructed to a bridge-sized culvert. A grade raise for both directions is not anticipated. Work would be required in the waterway.
Structure Number S081 200778 would be reconstructed to a bridge-sized culvert. A grade raise for both directions is anticipated. Work would be required in the waterway.
This project would be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices.
Additional property rights would be required to build this project.
Access to adjacent properties would be maintained during construction but may be limited at times due to phasing requirements.

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@41.008277899999996,-97.5973958670554,14z

DETERMINATION KEY RESULT

Based on your answers provided, this project(s) may affect, but is not likely to adversely affect the endangered Indiana bat and/or the endangered northern long-eared bat, therefore, consultation with the U.S. Fish and Wildlife Service pursuant to Section 7(a)(2) of the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended 16 U.S.C. 1531 *et seq.*) is required. However, also based on your answers provided, this project may rely on the concurrence provided in the amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects within the Range of the Indiana Bat and Northern Long-eared Bat.

QUALIFICATION INTERVIEW

1. Is the project within the range of the Indiana bat[1]?

   [1] See Indiana bat species profile

   Automatically answered
   No

2. Is the project within the range of the northern long-eared bat[1]?

   [1] See northern long-eared bat species profile

   Automatically answered
   Yes

3. Which Federal Agency is the lead for the action?

   A) Federal Highway Administration (FHWA)

4. Are *all* project activities limited to non-construction[1] activities only? (examples of non-construction activities include: bridge/abandoned structure assessments, surveys, planning and technical studies, property inspections, and property sales)

   [1] Construction refers to activities involving ground disturbance, percussive noise, and/or lighting.

   No

5. Does the project include *any* activities that are **greater than** 300 feet from existing road/rail surfaces[1]?

   [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

   Yes

6. Are *all* project activities **greater than** 300 feet from existing road/rail surfaces[1]?

   [1] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.

   No

7. Does the project include *any* activities **within** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum[1]?

   [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

   No

8. Is the project located **within** a karst area?

   No

9. Is there *any* suitable[1] summer habitat for Indiana Bat or NLEB **within** the project action area[2]? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

   [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

   [2] The action area is defined as all areas to be affected directly or indirectly by the Federal action and not merely the immediate area involved in the action (50 CFR Section 402.02). Further clarification is provided by the User's Guide for the Range-wide Programmatic Consultation for Indiana Bat and Northern Long-eared Bat.

   Yes

10. Will the project remove *any* suitable summer habitat[1] and/or remove/trim any existing trees **within** suitable summer habitat?

    [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

    Yes

11. Will the project clear more than 20 acres of suitable habitat per 5-mile section of road/rail?

    No

12. Have presence/probable absence (P/A) summer surveys[1][2] been conducted[3][4] **within** the suitable habitat located within your project action area?

    [1] See the Service's summer survey guidance for our current definitions of suitable habitat.

    [2] Presence/probable absence summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate distance from hibernacula) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    [3] For projects within the range of either the Indiana bat or NLEB in which suitable habitat is present, and no bat surveys have been conducted, the transportation agency will assume presence of the appropriate species. This assumption of presence should be based upon the presence of suitable habitat and the capability of bats to occupy it because of their mobility.

    [4] Negative presence/probable absence survey results obtained using the summer survey guidance are valid for a minimum of two years from the completion of the survey unless new information (e.g., other nearby surveys) suggest otherwise.

    Yes

    SUBMITTED DOCUMENTS

    - *York-Columbus Acoustic Detection Report_WITHAPPENDICES_9.27.24 002.pdf*
      https://ipac.ecosphere.fws.gov/project/64QFF2CSAVCSJG2UF3UXJE6JD4/projectDocuments/152073863
    - *York-Columbus Acoustic Detection Report_WITHAPPENDICES_9.27.24 002.pdf*
      https://ipac.ecosphere.fws.gov/project/64QFF2CSAVCSJG2UF3UXJE6JD4/projectDocuments/152073864

13. Did the presence/probable absence (P/A) summer surveys detect Indiana bats and/or NLEB[1]?

    [1] P/A summer surveys conducted within the fall swarming/spring emergence home range of a documented Indiana bat hibernaculum (contact local Service Field Office for appropriate home range) that result in a negative finding requires additional consultation with the local Service Field Office to determine if clearing of forested habitat is appropriate and/or if seasonal clearing restrictions are needed to avoid and minimize potential adverse effects on fall swarming and spring emerging Indiana bats.

    No

14. Were the P/A summer surveys conducted **within** the fall swarming/spring emergence range of a documented Indiana bat hibernaculum[1]?

    [1] Contact the local Service Field Office for appropriate distance from hibernacula.

    No

15. Does the project include activities **within documented NLEB habitat**[1][2]?

    [1] Documented roosting or foraging habitat – for the purposes of this consultation, we are considering documented habitat as that where Indiana bats and/or NLEB have actually been captured and tracked using (1) radio telemetry to roosts; (2) radio telemetry biangulation/triangulation to estimate foraging areas; or (3) foraging areas with repeated use documented using acoustics. Documented roosting habitat is also considered as suitable summer habitat within 0.25 miles of documented roosts.)

    [2] For the purposes of this key, we are considering documented corridors as that where Indiana bats and/or NLEB have actually been captured and tracked to using (1) radio telemetry; or (2) treed corridors located directly between documented roosting and foraging habitat.

    No

16. Will the removal or trimming of habitat or trees occur **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors?

    Yes

17. What time of year will the removal or trimming of habitat or trees **within** suitable but **undocumented NLEB** roosting/foraging habitat or travel corridors occur?

    B) During the inactive season

18. Will *any* tree trimming or removal occur **within** 100 feet of existing road/rail surfaces?

    Yes

19. Will *any* tree trimming or removal occur **between** 100-300 feet of existing road/rail surfaces?

    Yes

20. Will *any* tree trimming or removal occur **greater than** 300 feet from existing road/rail surfaces?

    Yes

21. Are *all* trees that are being removed clearly demarcated?

    Yes

22. Will the removal of habitat or the removal/trimming of trees include installing new or replacing existing **permanent** lighting?

    No

23. Does the project include maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins)?

    No

24. Does the project include wetland or stream protection activities associated with compensatory wetland mitigation?

    Yes

25. Does the project include slash pile burning?

    No

26. Does the project include *any* bridge removal, replacement, and/or maintenance activities (e.g., any bridge repair, retrofit, maintenance, and/or rehabilitation work)?

    Yes

27. Is there *any* suitable habitat[1] for Indiana bat or NLEB **within** 1,000 feet of the bridge? (includes any trees suitable for maternity, roosting, foraging, or travelling habitat)

    [1] See the Service's current summer survey guidance for our current definitions of suitable habitat.

    Yes

28. Has a bridge assessment[1] been conducted **within** the last 24 months[2] to determine if the bridge is being used by bats?

    [1] See User Guide Appendix D for bridge/structure assessment guidance

    [2] Assessments must be completed no more than 2 years prior to conducting any work below the deck surface on all bridges that meet the physical characteristics described in the Programmatic Consultation, regardless of whether assessments have been conducted in the past. Due to the transitory nature of bat use, a negative result in one year does not guarantee that bats will not use that bridge/structure in subsequent years.

    Yes

    SUBMITTED DOCUMENTS

    - *42967 NLEB survey.pdf https://ipac.ecosphere.fws.gov/project/64QFF2CSAVCSJG2UF3UXJE6JD4/projectDocuments/152073922*

29. Did the bridge assessment detect *any* signs of Indiana bats and/or NLEBs roosting in/under the bridge (bats, guano, etc.)[1]?

    [1] If bridge assessment detects signs of *any* species of bats, coordination with the local FWS office is needed to identify potential threatened or endangered bat species. Additional studies may be undertaken to try to identify which bat species may be utilizing the bridge prior to allowing *any* work to proceed.

    Note: There is a small chance bridge assessments for bat occupancy do not detect bats. Should a small number of bats be observed roosting on a bridge just prior to or during construction, such that take is likely to occur or does occur in the form of harassment, injury or death, the PBO requires the action agency to report the take. Report all unanticipated take within 2 working days of the incident to the USFWS. Construction activities may continue without delay provided the take is reported to the USFWS and is limited to 5 bats per project.

    No

30. Will the bridge removal, replacement, and/or maintenance activities include installing new or replacing existing **permanent** lighting?

    Yes

31. Does the project include the removal, replacement, and/or maintenance of *any* structure other than a bridge? (e.g., rest areas, offices, sheds, outbuildings, barns, parking garages, etc.)

    No

32. Will the project involve the use of **temporary** lighting *during* the active season?

    Yes

33. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **temporary** lighting will be used?

    Yes

34. Will the project install *any* new or replace any existing **permanent** lighting in addition to the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities?

    Yes

35. Is there *any* suitable habitat **within** 1,000 feet of the location(s) where **permanent** lighting (other than the lighting already indicated for habitat removal (including the removal or trimming of trees) or bridge/structure removal, replacement or maintenance activities) will be installed or replaced?

    Yes

36. Does the project include percussives or other activities (**not including tree removal/ trimming or bridge/structure work**) that will increase noise levels above existing traffic/ background levels?

    Yes

37. Will the activities that use percussives (**not including tree removal/trimming or bridge/ structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the active season[1]?

    [1] Coordinate with the local Service Field Office for appropriate dates.

    Yes

38. Will *any* activities that use percussives (**not including tree removal/trimming or bridge/ structure work**) and/or increase noise levels above existing traffic/background levels be conducted *during* the inactive season[1]?

    [1] Coordinate with the local Service Field Office for appropriate dates.

    Yes

39. Are *all* of the project activities that will be conducted **greater than** 0.5 miles of a known Indiana bat and/or NLEB hibernaculum[1] and **greater than** 300 feet from the existing road/rail surface[2] limited to one or more of the following activities:

    - maintenance of the surrounding landscape at existing facilities (e.g., rest areas, stormwater detention basins);
    - wetland or stream protection activities associated with compensatory wetland/stream mitigation that will not clear suitable habitat (i.e. tree removal/trimming);
    - involves slash pile burning;
    - within an area with negative presence/probable absence (P/A) summer surveys[3];
    - limited to activities that **DO NOT** cause any stressors to the bat species, including, but not limited to those described in the BA/BO (i.e. do not involve habitat removal, tree removal/trimming, bridge or structure activities, temporary or permanent lighting, or use of percussives) (e.g., lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.))?

    [1] For the purpose of this consultation, a hibernaculum is a site, most often a cave or mine, where bats hibernate during the winter (see suitable habitat), but could also include bridges and structures if bats are found to be hibernating there during the winter.

    [2] Road surface is defined as the actively used [e.g. motorized vehicles] driving surface and shoulders [may be pavement, gravel, etc.] and rail surface is defined as the edge of the actively used rail ballast.
    (example activities include road line painting)

    [3] See the Service's summer survey guidance for our current definitions of suitable habitat.

    Yes, all of the project activities that are greater than 0.5 miles from a hibernaculum and greater than 300' from the road/rail surface are limited to one or more of these activities

40. Are *all* project activities that are **not associated with** habitat removal, tree removal/ trimming, bridge and/or structure activities, temporary or permanent lighting, or use of percussives, limited to actions that DO NOT cause any additional stressors to the bat species?

    Examples: lining roadways, unlighted signage , rail road crossing signals, signal lighting, and minor road repair such as asphalt fill of potholes, etc.

    Yes

41. Will the project raise the road profile **above the tree canopy**?

    No

42. Are the wetland or stream protection activities associated with compensatory wetland/ stream mitigation portion of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because your activities associated with compensatory wetland/stream mitigation activities do not clear suitable summer habitat and are not within 0.5 miles of Indiana bat or NLEB hibernaculum.

43. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the active season within undocumented habitat.

44. Are the project activities that use percussives (not including tree removal/trimming or bridge/structure work) and/or increase noise levels above existing traffic/background levels consistent with a No Effect determination in this key?

    Automatically answered
    Yes, because the activities are within 300 feet of the existing road/rail surface, greater than 0.5 miles from a hibernacula, and conducted during the inactive season

45. Is the location of this project consistent with a Not Likely to Adversely Affect determination in this key?

    Automatically answered
    Yes, because no bats were detected during presence/probable absence surveys conducted during the summer survey season and outside of the fall swarming/spring emergence periods. Additionally, all activities were at least 0.5 miles from any hibernaculum.

46. Is the bridge removal, replacement, or maintenance activities portion of this project consistent with a No Effect determination in this key?

    Automatically answered
    Yes, because the bridge has been assessed using the criteria documented in the BA and no signs of bats were detected

47. **General AMM 1**
    Will the project ensure *all* operators, employees, and contractors working in areas of known or presumed bat habitat are aware of *all* FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable Avoidance and Minimization Measures?

    Yes

PROJECT QUESTIONNAIRE

1. Please describe the proposed bridge work:

   Bridge Repair

2. How many acres[1] of trees are proposed for removal between 100-300 feet of the existing road/rail surface?

   [1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

   8.58

3. Please state the timing of all proposed bridge work:

   During the NLEB active/inactive season

4. Please enter the date of the bridge assessment:

   4/7/2023 and 4/1/2024

5. Have you made a No Effect determination for *all* other species indicated on the FWS IPaC generated species list?

   No

6. Have you made a May Affect determination for *any* other species on the FWS IPaC generated species list?

   Yes

7. How many acres[1] of trees are proposed for removal between 0-100 feet of the existing road/rail surface?

   [1] If described as number of trees, multiply by 0.09 to convert to acreage and enter that number.

   16.9

AVOIDANCE AND MINIMIZATION MEASURES (AMMS)

This determination key result includes the committment to implement the following Avoidance and Minimization Measures (AMMs):

GENERAL AMM 1

Ensure all operators, employees, and contractors working in areas of known or presumed bat habitat are aware of all FHWA/FRA/FTA (Transportation Agencies) environmental commitments, including all applicable AMMs.

DETERMINATION KEY DESCRIPTION: FHWA, FRA, FTA PROGRAMMATIC CONSULTATION FOR TRANSPORTATION PROJECTS AFFECTING NLEB OR INDIANA BAT

This key was last updated in IPaC on October 30, 2023. Keys are subject to periodic revision.

This decision key is intended for projects/activities funded or authorized by the Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), and/or Federal Transit Administration (FTA), which may require consultation with the U.S. Fish and Wildlife Service (Service) under Section 7 of the Endangered Species Act (ESA) for the endangered **Indiana bat** (*Myotis sodalis*) and the endangered **northern long-eared bat** (NLEB) (*Myotis septentrionalis*).

This decision key should only be used to verify project applicability with the Service's amended February 5, 2018, FHWA, FRA, FTA Programmatic Biological Opinion (dated March 23, 2023) for Transportation Projects. The programmatic biological opinion covers limited transportation activities that may affect either bat species, and addresses situations that are both likely and not likely to adversely affect either bat species. This decision key will assist in identifying the effect of a specific project/activity and applicability of the programmatic consultation. The programmatic biological opinion is not intended to cover all types of transportation actions. Activities outside the scope of the programmatic biological opinion, or that may affect ESA-listed species other than the Indiana bat or NLEB, or any designated critical habitat, may require additional ESA Section 7 consultation.

IPAC USER CONTACT INFORMATION

Agency: Nebraska Department of Transportation
Name: Matthew Greiner
Address: 1500 Nebraska Parkway
City: Lincoln
State: NE
Zip: 68502
Email matthew.greiner@nebraska.gov
Phone: 4024794419

LEAD AGENCY CONTACT INFORMATION

Lead Agency: Federal Highway Administration

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

October 9th, 2024 Field Visit

York-Columbus

Project No. S-81-2(1051)

CN: 42967

Photo 1: S 1 ense eastern re ce ar scru shru
Coordinates: 41.30071904, -97.36822514

Photo 2 rom S 1 MM looking west into foreste area
Coordinates: 41.30013503, -97.36848121

Photo : Insi e foreste area e tremel ense ce ars
Coordinates: 41.29981383, -97.36901673

Photo : Insi e foreste area e tremel ense ce ars
Coordinates: 41.30036369, -97.36883492

Photo : pen area in foreste area Surroun e eastern re ce ar
Coordinates: 41.29737072, -97.36874498

Photo **6**: iew of ce ars from open area ense un erstor Coordinates: 41.29748635, -97.36878647

Photo **7**: iew of ce ars from open area ense un erstor Coordinates: 41.298542, -97.36881346

Photo **8**: iew of ce ars from open area ense un erstor Coordinates: 41.29866275, -97.36899837

Photo **9**: Insi e foreste area e tremel ense ce ars Coordinates: 41.29885327, -97.36915897

Photo **10**: Insi e foreste area e tremel ense ce ars Coordinates: 41.29885997, -97.36916802

Photo **11**: iew on the northern e ge of open area within forest Surroun e eastern re ce ars
Coordinates: 41.29695883, -97.368963

Appendix R

Public and Stakeholder Involvement

To: NDOT Environmental
From: Sierra Luhn, Public Involvement Specialist
Date: Dec. 20, 2024
RE: Public Involvement Summary Memo, S-81-2(1051) York – Columbus; C.N. 42967

Public Involvement Outreach Requirements for Public Hearing: C.N. 42967, S-81-2(1051), York – Columbus

Based on an analysis of the project scope and a civil rights analysis, a public hearing, targeted mailer in the form of a public notification, legal notice, news release, temporary highway signs, website, social media and a 30-day comment period were used as outreach tools for public involvement on this project. A public hearing was held at Cross County Community School in Stromsburg, Nebraska on Oct. 1, 2024, from 5:30 – 7:30 p.m., with approximately 141 people in attendance. The public notification involved mailing a postcard with a project location map to a compiled distribution list of 1,284 property owners adjacent to the project location, as well as potentially interested parties. Additionally, 485 public and private agencies with potential interest in the project were included in the distribution list, including the Nebraska Trucking Association. A legal notice was placed in three Nebraska Press Association (NPA) recognized newspapers on Sept. 12, 2024, including the *Columbus Telegram*, the *York News Times* and the *Polk County News*. Temporary highway signs advertising the meeting were placed along the project location. Project information was posted on Twitter/X and Facebook and added to NDOT's website at www.ndot.info/42967.

NDOT Public Involvement received 37 comments during the specified comment period (Sept.12 – Oct.16, 2024).

#	Comment	Response
1	Stakeholder feels that there is a problem at U.S. Highway 34 (US-34) and U.S. Highway 81 (US-81) that needs to be addressed.	Thanked stakeholder for feedback on the project. Noted that the intersection of US-81 and US-34 is outside of the project study area. Thanked stakeholder again for feedback.
2	Stakeholder loves the project idea and hopes it will be constructed sooner, rather than later. Suggests a bypass route that they feel would be more streamlined. Notes that the smaller towns don't want the increase in traffic and road noise and NDOT would deal with less unhappy landowners.	Thanked stakeholder for feedback on the project. Noted that bypasses of the three communities are no longer being considered due to cost and schedule constraints. Also noted the three-lane improvements for these communities would minimize impacts through town and improve traffic operations. Thanked stakeholder again for feedback.
3	Stakeholder wants to hear more about the project.	Thanked stakeholder for feedback on the project. Noted that all project information presented at the public hearing, including a video recording of the hearing, can be found on the project website. Thanked stakeholder again for feedback.
4	Stakeholder is concerned about the idea of stopping the bypass. Would like more information about the meeting agenda.	NDOT received this comment as a phone call. NDOT returned the call and let the stakeholder know that the public hearing would presenting the preferred alternative and anticipated impacts. Noted that materials would be added to the website.
5	Stakeholder would like to know where the new highway will go through Osceola.	NDOT received this comment via phone call. A voicemail was left with stakeholder to return the call at their earliest convenience.
6	Stakeholder is a nearby landowner and asked for additional updates on the project and impacts on the impacts to their land.	Thanked stakeholder for feedback on the project. Noted that at this time, NDOT does not anticipate any impacts to the property. Thanked stakeholder again for feedback.
7	Thanked NDOT for holding the meeting and was appreciative of seeing the project come to fruition. Expressed concern about RCUTs instead of roundabouts in locations where schools or community entries are. Also expressed concern about the construction schedule and beginning construction in 2029. Feels there is plenty of money available to start now and securing a bond would be an option to pay	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding Restricted Crossing U-Turn (RCUT intersections) and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands

	for the project. Feels this is an important route between the north and south parts of the state and should be prioritized.	the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Explained that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Provided links to NDOT's RCUT and roundabout pages. Understand the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Thanked stakeholder again for feedback.
8	Expressed concern with the design of the RCUTs on the intersections. Feels that they may not be safe for emergency responders or students travelling to school. Stakeholder is afraid that while the speed limit will be reduced, cars will not slow down in the area. Feels roundabouts would be a better option. Also encourages NDOT to accelerate the timing of the project – wants some emphasis to be put on the rural parts of the state. Stakeholder feels that RCUTS would hinder the movement of farming equipment and students, afraid they will opt for taking less safe, gravel roads to avoid the RCUT.	Thanked stakeholder for feedback on the project. Noted that the Stromsburg project is anticipated to be complete in summer 2025. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools.

		Told stakeholder that NDOT is currently studying the US-81 transitions from four lanes to three lanes to assess the appropriate speed zones, and limits would be reduced incrementally along the transitions. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. The team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Thanked stakeholder again for feedback.
9	Stakeholder has concerns about the RCUT intersection and would like to see it changed. Expressed concern about traffic coming out of the school after school events and the RCUTs ability to handle high volume traffic. Stakeholder would like to see the U-turn Lane longer than normal, a yellow flashing light at the intersection and slower speeds for safety.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that both U-turn lanes would be designed to accommodate peak hour traffic and would be monitored for future traffic conditions. Also noted RCUT vehicle queuing has been shown to decrease delays during peak hours. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time instead of making a direct left or crossing the highway. Mentioned the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Noted that the team in not currently planning to add a yellow flashing light at the intersection of US-81 and Nebraska Highway 66 (N-66) but

		would lower the speed limit to 60 miles per hour near the proposed RCUTs. Thanked stakeholder again for feedback.
10	Thanked NDOT for sharing the information but feels more positive about other alternatives than the RCUT, like traffic lights or a roundabout. There is concern about young drivers navigating the RCUT and high-volume traffic following school events. Stakeholder would like to see more emphasis on how traffic flow is appropriately stopped with a light. Stakeholder understands that there is safety studies completed on the RCUT but thinks young drivers aren't being taken into consideration.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Noted that traffic conditions were evaluated for traffic signals. Based on national standards, the installation of traffic signals was not warranted. Noted that regarding fog and ice, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions and was encouraged to visit www.511.nebraska.gov before heading out. Thanked stakeholder again for feedback.
11	Stakeholder had no agenda for comments. Thanked NDOT for transparency and will submit any future comments in writing.	Thanked stakeholder for feedback on the project.
12	Stakeholder lives along US-81 and is frustrated because the construction project has been presented to them for a long time, but never completed. Has concerns about relocating their house and how it will affect the integrity of the house's construction. Stakeholder also doesn't understand RCUTS and how trucks are expected to safely make a complete U-turn into traffic by a school.	Thanked stakeholder for feedback on the project. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right of way acquisition and design.

		Regarding stakeholder's concern about moving garage, informed stakeholder that project representatives would contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Also noted RCUT vehicle queuing has been shown to decrease delays during peak hours. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time instead of making a direct left or crossing the highway. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Specific conditions of each intersection and proposed design have been carefully evaluated for their proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
13	Stakeholder wanted to see a show of hands of those in the room that were in favor of an RCUT.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
14	Stakeholder is a farmer that runs a lot of semis to small businesses. They cross the intersection of N-66 and US-81 multiple times a day but avoid the school when it's in session or there are events at the school. Feels roundabouts work well for a 53-foot trailer, but RCUTS takes a lot of room to get to the other side and cars don't slow down	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone

	enough, making it hard to anticipate traffic. Would prefer a roundabout for their semis than an RCUT.	understands the reasoning behind the design and included an RCUT handout along with the response letter. Also noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
15	Has concerns about the RCUT south of Columbus. Noted there is a lot of truck traffic in the area and feels that if they have an RCUT there, the trucks will have a difficult time navigating it. Would like to see an acceleration lane where trucks and other vehicles can get up to speed before merging into traffic. Worried about truck traffic having to use an RCUT. Also noted that an acceleration lane should be added to get up to speed before merging. Would like NDOT to forget the RCUT.	Thanked stakeholder for feedback on the project. Noted that NDOT is aware of the U.S. Highway 30 (US-30) and Nebraska Highway 64 (N-64) Bypass Study, but a bypass is not expected to be constructed in the near future. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Noted that the RCUTs would be built to allow space for large trucks, semis, buses and large agricultural equipment to turn at the intersection. The design would include bulb-outs at key points to create additional turning space, allowing larger vehicles to safely and smoothly make the U-turn. Noted NDOT is not currently planning to add acceleration lanes for drivers turning right onto US-81 from side roads, but U-turn lanes would be designed to accommodate traffic queuing during peak hours, and NDOT would continue to monitor future traffic conditions. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.

16	Stakeholder appreciated the visual maps and displays but noted that the slide text was small and hard to read.	Thanked stakeholder for feedback on the project. Apologized for the difficulty in reading the presentation slides and informed stakeholder that all project information presented at the hearing is available on the project website. Thanked stakeholder again for feedback.
17	Stakeholder lives along US-81/Nebraska Highway 92 (N-92) on the west end of Shelby and is wondering if improvements will be made to the storm water drainage in front of their house. Afraid that if no improvements are made to curb and drainage there will be a major hazard during storms for the new traffic flow.	Thanked stakeholder for feedback on the project. Thanked the stakeholder for making NDOT aware of drainage concerns. Noted that NDOT is currently studying to the pavement and drainage in the area. Thanked stakeholder again for feedback.
18	Appreciates being able to provide comment on the project. Feels that the proposed RCUT was unanimously voted down by the meeting attendees. Concerned about the congestion that occurs during school athletic events or community events. Noted that the modification of an RCUT would require cars to cross multiple lanes of travelers at 70 mph. Also noted that fog makes visibility difficult at that intersection and the postal route could also cause safety issues.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that NDOT would lower the speed limit to 60 mph near the proposed RCUTs. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Also noted that merge lanes, overpasses and grade-separated options are not being considered for the project due to cost and schedule constraints. The proposed RCUT design has been shown to reduce crash risks while maintaining efficient traffic flow. Reminded stakeholder that with fog, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions.

		Encouraged stakeholder to visit www.511.nebraska.gov before heading out. Noted that NDOT would coordinate with the local postmaster which would ultimately establish final mailbox locations. Thanked stakeholder again for feedback.
19	Asked the NDOT check sign-in sheets for representatives from Osceola and Shelby at the meeting as they had a big volleyball game and may have been underrepresented. Thanked NDOT for having the meeting and keeping the public informed.	Thanked stakeholder for feedback on the project. Noted that anyone unable to attend the public hearing can visit the project website to view all information presented at the hearing and a video recording of the hearing. Thanked stakeholder again for feedback.
20	Stakeholder feels the design plan makes no sense and the rationale for the decisions about bypasses, intersections, etc. are completely based on time and cost. Feels that the intersection improvements and reduced speeds will mean this route is no longer an 'expressway', as it is no longer bypassing the three communities. Feels it would be difficult to drive a truck or farm equipment along this road. Noted that the comments from the Draft Environmental Assessment questioned the lack of bypasses and not wanting roundabouts on a major highway, that sweeping curves or standard intersections would be preferred. Stakeholder also has some concerns about the construction timelines. Feels like NDOT is trying to stand behind "time and cost" instead of building it the right way, that makes sense for an expressway.	Thanked stakeholder for feedback on the project. Noted that when the project is completed, US-81 between York and Columbus would become an expressway. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Noted that bypasses of the three communities are no longer being considered due to cost and schedule constraints. Also noted the three-lane improvements for these communities would minimize impacts through town. Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Also noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools.

		Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Informed stakeholder that NDOT performed a traffic study of the project corridor before developing and proposing the preferred alternative. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
21	Expressed gratitude that the project is moving forward and feels it's long overdue. Disagrees with having no bypasses around Stromsburg, Osceola and Shelby but also disagrees with adding roundabouts and RCUTs to slow traffic down on an expressway. Feels it would be difficult to trucks and farm equipment to travel through. Feels the goal should be to keep US-81 moving at 70 mph as much as possible.	*Responded in conjunction with the comment above from the same individual.*
22	Feels the RCUT at N-66 by the high school is a bad idea and needs to be modified. Afraid a lot of accidents will happen when school lets out during traffic due to inexperienced drivers.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted RCUT vehicle queuing has been shown to decrease delays during peak hours. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time instead of making a direct left or crossing the highway. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools.

		Thanked stakeholder again for feedback.
23	Stakeholder is concerned with the RCUT for the N-64 intersection, and he'd rather see a roundabout. Also concerned about the buildings south of him being acquired. Wants to make sure they are invited to any future meetings.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Noted that project representatives will contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phases. This would include any impacts to fuel tanks. Thanked stakeholder again for feedback.
24	Stakeholder feels the data from the Humphrey RCUT isn't accurate. Feels that people don't like the intersection and semis using create unsafe crossings. Feels a flashing red or yellow light would be more beneficial. Also feels that traffic will get backed up after high school sporting events in the evenings.	Thanked stakeholder for feedback on the project. Noted that Humphrey's RCUT, NDOT's latest reviewed showed a reduction in total crashes by 54% and reduced fatalities and injuries by 96%. Also noted the team evaluated traffic conditions to determine if traffic signal warrants were met. Based on national standards, a flashing yellow or red light is not warranted at this intersection. NDOT performed a traffic study of the project corridor before developing and proposing the preferred alternative. Thanked stakeholder again for feedback.
25	Feels that an RCUT may work where traffic is spread out but would be dangerous at the N-66/US-81 intersection. Since it is close to the school, there will be heavy traffic at times and will have a higher number of teenage and elderly drivers through it. Feels that traffic will	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted

	remain traveling at 70 mph, despite a lower speed limit. Notes feeling nervous on the Humphrey RCUT and has seen some close calls. Feels there should be a physical barrier at that intersection to slow all the traffic and keep it flowing. Notes that RCUTs are extremely hard on loaded trucks making a 180-degree turn. Feels a roundabout seems the best choice and the one the public is in most favor of.	that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that NDOT would lower the speed limit to 60 mph near the proposed RCUTs. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Also noted that roundabouts were selected primarily where the highway curves, allowing for smoother transitions in those areas. RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor of US-81 was essential. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
26	Stakeholder is concerned about the possibility of removing access on US-81/N-92 south of their building. Noted that when they have semis of cattle come, it is much easier for the trucks to come in of the highway. Also concerned that if there is a lot of snow or wind, getting into the northern entrance would be difficult.	Thanked stakeholder for feedback on the project. Noted that project representatives will contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phases. Thanked stakeholder again for feedback.
27	Stakeholder has several concerns of the proposed US-81 four-lane construction south of Stromsburg. Feels the cost to acquire the land and move buildings is extreme, impact on irrigation/pivots goes beyond the land acquisition costs, RCUT at a school intersection causes trouble for heavy traffic, agricultural equipment, ice, fog and immature drivers. Suggests an alternative solution of reducing from four-lane construction to two-lane construction south of US-81/N-66.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the

		number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Reminded stakeholder that with fog, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions. Encouraged stakeholder to visit www.511.nebraska.gov before heading out. Noted that the team evaluated traffic conditions and based on national standards, traffic signals are not warranted. Thanked stakeholder again for feedback.
28	Glad the project is moving forward. Concerned about having an RCUT by the high school. Doesn't feel like it's a good idea to put an RCUT in any town with an expressway. Stakeholder proposes going from York, across county, at the corner west of Columbus.	Thanked stakeholder for feedback on the project. Expressed understanding for the frustration with the project timeline and noted that the schedule is based on factors such as securing funds, agency approvals, environmental assessment, public involvement, preliminary design, right-of-way acquisition and design. Noted that the project would expand US-81 from a two-lane highway to a four-lane expressway in York, Polk and Butler Counties. Bypasses of the communities are no longer being considered due to cost and schedule constraints, but the proposed three-lane improvements for these communities would minimize impacts through town. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.

29	Stakeholder is against an RCUT at the junction of US-81/N-66 south of Stromsburg. Feels the RCUT will cause safety hazards at this junction due to inexperienced high school drivers and the speed of the southbound lanes. Would like NDOT to consider not proceeding with what they feel is unnecessary state expenditure and adverse impact upon the community.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Thanked commentator again for feedback.
30	Stakeholder is opposed to the project and requests that it not move forward. Concerned about the safety of the traffic changes by the school. Concerned about disruption to farmland and families along the route, and worried their personal farmstead would be destroyed. Also noted that the impact on irrigation and pivot systems will be significant and costly.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Informed stakeholder that project representatives would contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phase. Thanked stakeholder again for feedback.

31	Stakeholder lives along US-81 and has concerns about the four-lane construction interfering with their irrigated farmland. The impact of construction on their irrigation and pivot systems would have a big effect on their farmland and would impact the amount of land they are able to farm, affecting profits. Stakeholder is also concerned about the safety of the RCUT for young drivers, buses, emergency vehicles, etc. Would like to suggest that part of US-81 from the intersection of N-66 as a two-lane highway, but offer a passing zone area, reducing to two lanes south of the interchange. Feels this will save the land and irrigation pivot systems along the route and save money and lives.	Thanked stakeholder for feedback on the project. Noted that the stakeholder would be contacted with anticipated impacts during the final design and ROW negotiation and acquisition phases, including irrigation and pivot systems. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that the RCUTs would be built to allow space for large trucks, semis, buses and large agricultural equipment to turn at the intersection. The design would include bulb-outs at key points to create additional turning space, allowing larger vehicles to safely and smoothly make the U-turn. Mentioned the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Provided NDOT's RCUT website. Thanked stakeholder again for feedback.
32	Stakeholder is concerned about the intersection at the N-66/ and US-81. They understand that traffic needs to keep flowing, but also feels that traffic needs to be slowed down when most users are young drivers. Believes the safety of children should come before "keeping traffic moving." Asked NDOT to reconsider.	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the

		number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that NDOT would lower the speed limit to 60 mph near the proposed RCUTs. Also noted that before constructing the project, NDOT would take measures to educate young drivers at local schools. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
33	Stakeholder feels that having acceleration lane for semis would benefit their farm operation.	Thanked stakeholder for feedback on the project. Noted that acceleration lanes are not currently planned due to cost. Thanked stakeholder again for feedback.
34	Would like NDOT to consider the RCUT at N-66 (Cross County School)	Thanked stakeholder for feedback on the project. Expressed understanding for concern regarding RCUT intersections and acknowledged that it would take time for drivers to get used to. Noted that the stakeholder's concerns were important to them and NDOT wants to make sure everyone understands the reasoning behind the design. Included an RCUT handout along with the response letter. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
35	Stakeholder is concerned about the Big Foot Pond on the east side of US-81 near Benedict being destroyed.	Thanked stakeholder for feedback on the project.
36	Encouraged NDOT to observe traffic flow at N-66 and US-81 intersection on Friday afternoons from August to May, on Graduation Day for Cross County School or during any Cross County football, basketball or district ball games.	Thanked stakeholder for feedback on the project. Informed stakeholder that NDOT performed a traffic study of the project corridor before developing and proposing the preferred alternative. Expressed understanding for concern regarding RCUTs and acknowledged that it would take time for drivers to get used to it. Noted that the stakeholder's concerns were important to them and want to

		make sure everyone understands the reasoning behind the design and included an RCUT handout along with the response letter. Noted that RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. RCUTs reduce the number of places vehicles can collide by over 40%, reducing crash potential and resulting in less severe crashes compared to traditional intersections on divided highways. Noted that both U-turn lanes would be designed to accommodate peak hour traffic and would be monitored for future traffic conditions. Noted RCUTS decrease delays during peak hours. RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers at local schools. Mentioned that the team has carefully evaluated specific conditions of each intersection, including near schools and communities. Noted that the designs were selected or proven effectiveness and safety benefits. Thanked stakeholder again for feedback.
37	Stakeholder is concerned about their driveway being replaced, asking what it will be.	Thanked stakeholder for feedback on the project. Informed stakeholder that project representatives would contact landowners with anticipated impacts during the final design and ROW negotiation and acquisition phase. Explained that negotiations would include discussion on driveways and other property impacts. Thanked stakeholder again for feedback.

Legal Notice

NEBRASKA DEPARTMENT OF TRANSPORTATION

NOTICE OF PUBLIC HEARING

Public Hearing

Tuesday, Oct. 1, 2024 | 5:30–7:30 p.m. | Cross County Community School, 1270 123rd Rd, Stromsburg, NE 68666

The Nebraska Department of Transportation (NDOT) will give a formal presentation at 6 p.m., with an open house to follow until 7:30 p.m.

S-81-2(1051) *York - Columbus*; C.N. 42967

NDOT will hold a public hearing regarding the conceptual design and Draft Environmental Assessment for the *York – Columbus* project, which would expand approximately 41 miles of U.S. Highway 81 (US-81) in York, Polk and Butler counties in Nebraska. The public hearing will be held at Cross County Community School, 1270 123rd Road in Stromsburg, Nebraska on Tuesday, Oct. 1, 2024, from 5:30 to 7:30 p.m. A formal presentation will begin at 6:00 p.m., with an open house to follow.

Identified as *York - Columbus,* the proposed project would expand the existing two-lane highway to a four-lane expressway, changing to three lanes in urban areas and returning to four lanes through the rural segments. The proposed project would start near the north U.S. Highway 34 (US-34)/US-81 intersection at the end of the existing four-lane York bypass. It would extend north to just north of the Nebraska Highway 64 (N-64) and US-81 intersection, where it would connect to the existing four-lane roadway.

The purpose of the project is to fulfill legislative intent to continue the development of the expressway system identified in the *1988 Nebraska Highway Needs Study;* improve regional connectivity for vehicles, including commercial vehicles, in east-central Nebraska by providing important expressway connections with US-34, Nebraska Highway 66 (N-66), Nebraska Highway 92 (N-92), Nebraska Highway 69 (N-69) and N-64, while maintaining convenient highway access for communities in the area; improve the condition of the existing infrastructure. The project is needed because there is a gap in the US-81 Expressway from the Kansas-Nebraska border to Norfolk, a lack of connectivity in east-central Nebraska and existing infrastructure deficiencies.

A Draft Environmental Assessment has been prepared for this project and is available for public review at the following locations:

- NDOT Headquarters (1500 Nebraska Pkwy., Lincoln, NE 68502)
- FHWA Nebraska Division (100 Centennial Mall N., Lincoln, NE 68508)
- NDOT District 4 Headquarters (211 N. Tilden St., Grand Island, NE 68803)
- Kilgore Memorial Library (520 Nebraska Ave., York, NE 68467)
- Stromsburg Public Library (320 Central St., Stromsburg, NE 68666)

- Osceola Public Library (131 N. Main St., Osceola, NE 68651)
- Shelby Community Library (648 N. Walnut St., Shelby, NE 68662)
- Columbus Public Library (2500 14th St., Ste. 2, Columbus, NE 68602)

An electronic version of the Draft Environmental Assessment is available for review on the project website at: www.ndot.info/42967.

The proposed project would require the acquisition of additional property rights, which could include new right-of-way (ROW), control of access (CA), permanent easements (PE) and/or temporary easements (TE). Relocations are anticipated. If your property is impacted by this project, you will be contacted by a representative once the design footprint has been established. Access to adjacent properties would be maintained during construction but may be limited at times due to traffic phasing requirements.

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NDOT will make every reasonable accommodation to provide an accessible meeting facility for all persons. Appropriate provisions to provide effective communication, including accommodations for people with hearing challenges, visual impairments or Limited English Proficiency (LEP), will be arranged if NDOT is notified by Sept. 24, 2024.

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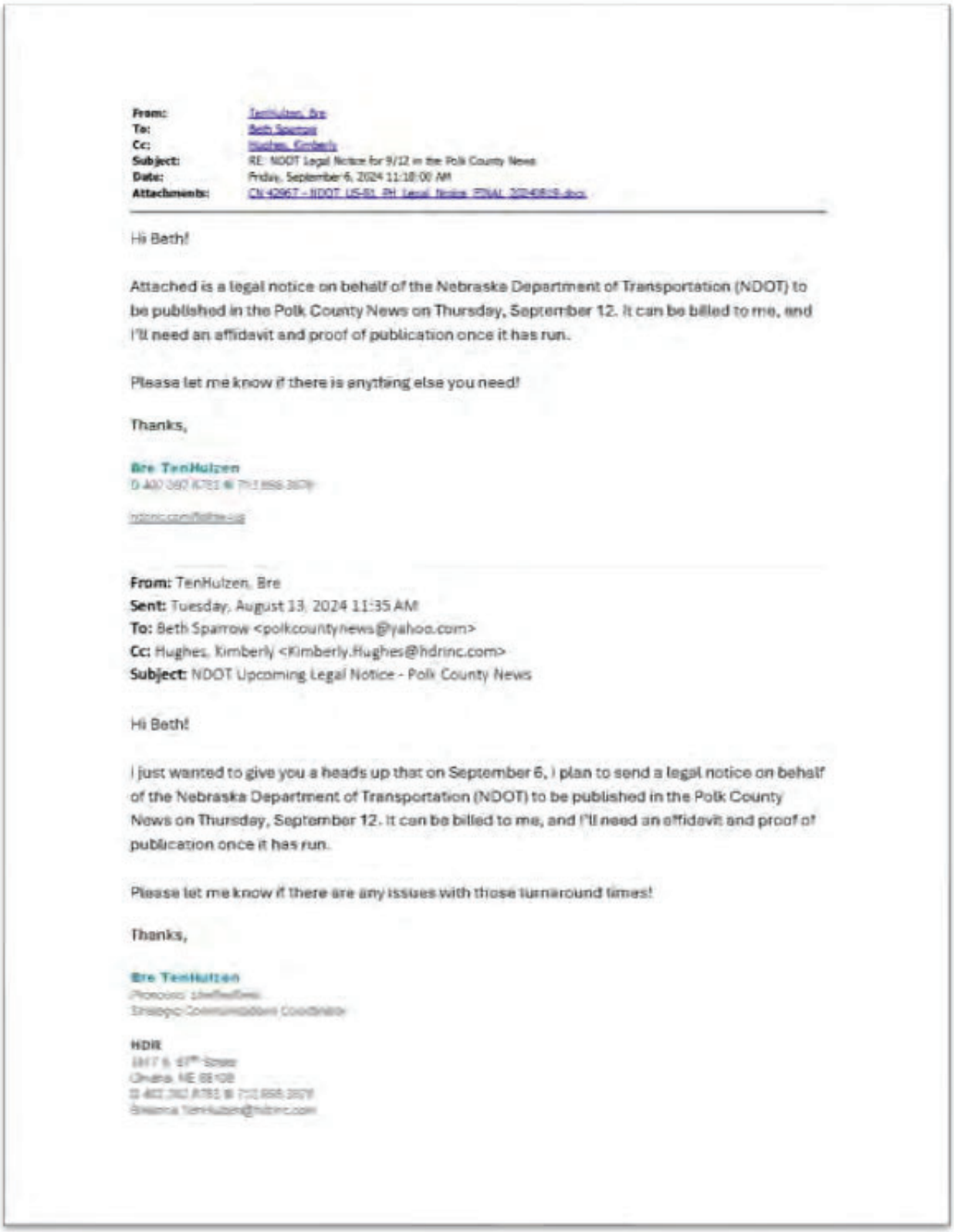
Comments will be collected through Oct. 16, 2024 and should be submitted to:

Sierra Luhn
NDOT Public Involvement
P.O. Box 94759
Lincoln, NE 68509-4759

Requests for Publication



From: TenHulzen, Bre
To: Beth Sparrow
Cc: Hughes, Kimberly
Subject: RE: NDOT Legal Notice for 9/12 in the Polk County News
Date: Friday, September 6, 2024 11:18:00 AM
Attachments: CN 42967 - NDOT US-81 PH Legal Notice FINAL 20240819.docx

Hi Beth!

Attached is a legal notice on behalf of the Nebraska Department of Transportation (NDOT) to be published in the Polk County News on Thursday, September 12. It can be billed to me, and I'll need an affidavit and proof of publication once it has run.

Please let me know if there is anything else you need!

Thanks,

Bre TenHulzen
D 402.392.6781 M 712.898.3879

From: TenHulzen, Bre
Sent: Tuesday, August 13, 2024 11:35 AM
To: Beth Sparrow <polkcountynews@yahoo.com>
Cc: Hughes, Kimberly <Kimberly.Hughes@hdrinc.com>
Subject: NDOT Upcoming Legal Notice - Polk County News

Hi Beth!

I just wanted to give you a heads up that on September 6, I plan to send a legal notice on behalf of the Nebraska Department of Transportation (NDOT) to be published in the Polk County News on Thursday, September 12. It can be billed to me, and I'll need an affidavit and proof of publication once it has run.

Please let me know if there are any issues with those turnaround times!

Thanks,

Bre TenHulzen
Pronouns: she/her/hers
Strategic Communications Coordinator

HDR
1917 S. 67th Street
Omaha, NE 68106
D 402.392.6781 M 712.898.3879
Breanna.TenHulzen@hdrinc.com

TenHulzen, Bre

From: Column Support <support@column.us>
Sent: Friday, September 6, 2024 11:52 AM
To: TenHulzen, Bre
Subject: Notice Order Confirmed
Attachments: notice_BTIFg0qBVN9Qrtj8Td16_proof.pdf

You don't often get email from support@column.us. Learn why this is important

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Column

Hi Bre,

The Columbus Telegram just confirmed that they have received your notice order.

Notice Name: NDOT York - Columbus Project Public Hearing
Notice ID: BTIFg0qBVN9Qrtj8Td16
Receipt Confirmed: Sep. 6, 2024
Publication Dates: 09/12/24

You'll receive further updates if the publisher makes any changes to your notice before publication

View Notice

Supported by Column

If you'd like to [illegible] from any emails from Column, you can do so in your user settings.

TenHulzen, Bre

From: Column Support <support@column.us>
Sent: Friday, September 6, 2024 12:08 PM
To: TenHulzen, Bre
Subject: Payment Confirmation

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Column

Thank you for using Column!

Notice Name: NDOT York - Columbus Project Public Hearing
Notice ID: 59w4kTp0XjbzXtdL1Ksb
Publisher: York News Times
Publication Dates: 09/12/24
Invoice Date: Sep. 6, 2024
Amount Paid: $115.62
Invoice Number: E49CAD2C-0003

You will be alerted when the affidavit for this notice becomes available.

Invoice receipts are available on the "View Notice" page.

View Notice

Supported by Column

If you'd like to [illegible] from any emails from Column, you can do so in your user settings.

Legal Notice Affidavits

Telegram

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

The Columbus Telegram
1254 27th Ave., Columbus, NE 68601
(402) 564-2741

State of Pennsylvania, County of Lancaster, ss:

I, Yuade Moore, of lawful age, being duly sworn upon oath deposes and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of The Columbus Telegram, a legal newspaper printed and published daily Tuesday-Saturday in Platte County, State of Nebraska and of general circulation in Platte County; that said newspaper has a bonafide circulation published within said county for more than 52 successive weeks immediately prior to the first date of the published notice; and is produced in an office maintained at the place of publication. This affidavit is a true and correct copy of notice which appeared in said newspaper.

Publication Dates:
- Sep 12, 2024

Notice ID: BTIFg0qBVN9Ortj8Td16
Publisher ID: COL-NE-600138
Notice Name: NDOT York - Columbus Project Public Hearing

Publication Fee: $117.03

Section: Class Legals
Category: 0099 LEGALS

Yuade Moore
Agent

VERIFICATION

State of Pennsylvania
County of Lancaster

Signed or attested before me on this: 09/12/2024

Nicole Bubbenheimer
Notary Public

Notarized remotely online using communication technology via Proof.

NEBRASKA DEPARTMENT OF TRANSPORTATION NOTICE OF PUBLIC HEARING FOR YORK–COLUMBUS PROJECT

Public Hearing
Tuesday, Oct. 1, 2024 | 5:30 – 7:30 p.m. | Cross County Community School, 1270 123rd Rd, Stromsburg, NE 68666

The Nebraska Department of Transportation (NDOT) will give a formal presentation at 6 p.m., with an open house to follow until 7:30 p.m.

S-81-2(1051) York – Columbus; C.N. 42967

NDOT will hold a public hearing regarding the conceptual design and Draft Environmental Assessment for the ***York – Columbus*** project, which would expand approximately 41 miles of U.S. Highway 81 (US-81) in York, Polk and Butler counties in Nebraska. The public hearing will be held at Cross County Community School, 1270 123rd Road in Stromsburg, Nebraska on Tuesday, Oct. 1, 2024, from 5:30 to 7:30 p.m. A formal presentation will begin at 6:00 p.m., with an open house to follow.

Identified as ***York - Columbus,*** the proposed project would expand the existing two-lane highway to a four-lane expressway, changing to three lanes in urban areas and returning to four lanes through the rural segments. The proposed project would start near the north U.S. Highway 34 (US-34)/US-81 intersection at the end of the existing four-lane York bypass. It would extend north to just north of the Nebraska Highway 64 (N-64) and US-81 intersection, where it would connect to the existing four-lane roadway.

The purpose of the project is to fulfill legislative intent to continue the development of the expressway system identified in the *1988 Nebraska Highway Needs Study*; improve regional connectivity for vehicles, including commercial vehicles, in east-central Nebraska by providing important expressway connections with US-34, Nebraska Highway 66 (N-66), Nebraska Highway 92 (N-92), Nebraska Highway 69 (N-69) and N-64, while maintaining convenient highway access for communities in the area; improve the condition of the existing infrastructure. The project is needed because there is a gap in the US-81 Expressway from the Kansas-Nebraska border to Norfolk, a lack of connectivity in east-central Nebraska and existing infrastructure deficiencies.

A Draft Environmental Assessment has been prepared for this project and is available for public review at the following locations:

- NDOT Headquarters (1500 Nebraska Pkwy., Lincoln, NE 68502)
- FHWA Nebraska Division (100 Centennial Mall N., Lincoln, NE 68508)
- NDOT District 4 Headquarters (211 N. Tilden St., Grand Island, NE 68803)
- Kilgore Memorial Library (520 Nebraska Ave., York, NE 68467)
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Sierra Luhn

NDOT Public Involvement

P.O. Box 94759

Lincoln, NE 68509-4759
September 12, 2024
COL-NE-800138 ZNEZ

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

News-Times

See Proof on Next Page

AFFIDAVIT OF PUBLICATION

York News Times
327 Platte Ave , York, NE 68467
(402) 204-7023

State of Florida, County of Duval, ss:

I, Delaney Anne Cornforth, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher of York News Times, a newspaper printed and published at York, in York County, Nebraska, and as such has charge of the records and files of the York News Times, and affiant knows of his/her own personal knowledge that said newspaper has a bonafied circulation of more than 500 copies of each issue, has been published at York, Nebraska, for more than 52 weeks successively prior to the first publication of the annexed printed notice, and is a legal newspaper under the statutes of the State of Nebraska.

Publication Dates:
- Sep 12, 2024

Notice ID: 59w4kTp0XjbzXtdL1Ksb
Publisher ID: COL-NE-1600107
Notice Name: NDOT York - Columbus Project Public Hearing

Publication Fee: $115.62

Section: Class Legals
Category: 0099 LEGALS

Delaney Cornforth

Agent

VERIFICATION

State of Florida
County of Duval

Signed or attested before me on this: 09/13/2024

Notary Public

Notarized remotely online using communication technology via Proof

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

NEBRASKA DEPARTMENT OF TRANSPORTATION NOTICE OF PUBLIC HEARING FOR YORK – COLUMBUS PROJECT

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Sierra Luhn

NDOT Public Involvement

P.O. Box 94759

Lincoln, NE 68509-4759
September 12, 2024
COL-NE-1600107 ZNEZ

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

NOTICE OF HEARING

NEBRASKA DEPARTMENT OF TRANSPORTATION
NOTICE OF PUBLIC HEARING
Public Hearing
Tuesday, Oct. 1, 2024 I 5:30–7:30 p.m. I Cross County Community School, 1270 123rd Rd, Stromsburg, NE 68666

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Sierra Luhn
NDOT Public Involvement
P.O. Box 94759
Lincoln, NE 68509-4759

ZNEZ

PUBLISHER'S AFFIDAVIT

STATE OF NEBRASKA, } ss
POLK COUNTY

I, Beth Sparrow,

editor/publisher of The Polk County News, a legal weekly newspaper in said County of Polk, State of Nebraska, being duly sworn, say on my oath that I know of my own knowledge that the notice hereto attached was published in The Polk County News for one week; the publication having been made on the

12 day of September, 2024.

Beth Sparrow
Editor/Publisher

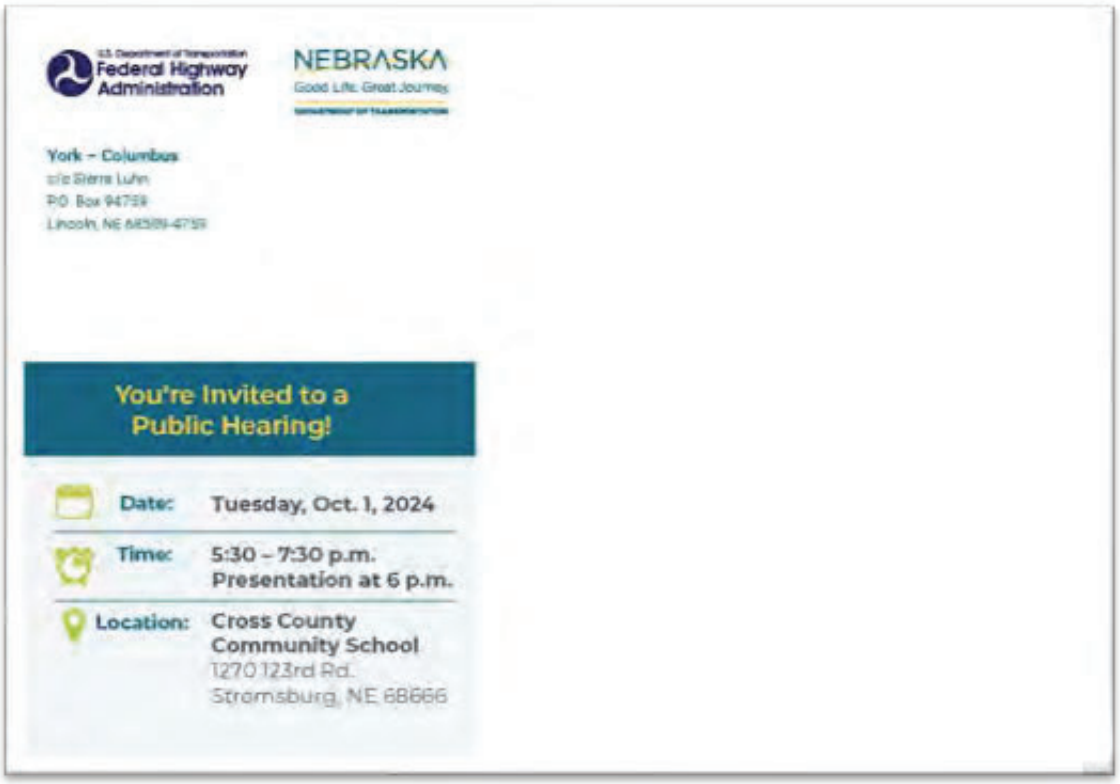
Subscribed in my presence and sworn to before me this 19th day of September, 2024.

Sandra Thompson
Notary Public

Printer's fee $ _____
Affidavit fee $ _____

GENERAL NOTARY - State of Nebraska
SANDRA THOMPSON
My Comm. Exp. February 18, 2026

Postcard



U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
Good Life. Great Journey.

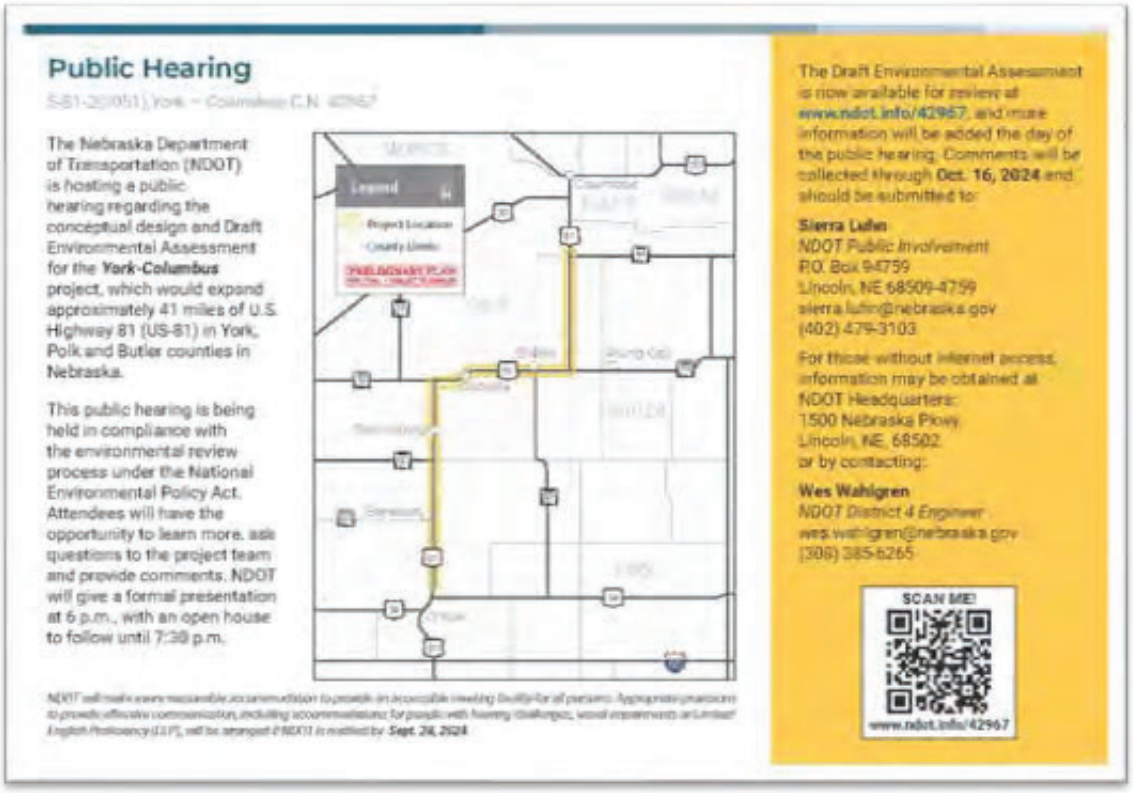
York – Columbus
c/o Sierra Luhn
P.O. Box 94759
Lincoln, NE 68509-4759

You're Invited to a Public Hearing!

Date: Tuesday, Oct. 1, 2024

Time: 5:30 – 7:30 p.m.
Presentation at 6 p.m.

Location: Cross County Community School
1270 123rd Rd.
Stromsburg, NE 68666



Public Hearing

S-81-2(205), York – Columbus C.N. 42967

The Nebraska Department of Transportation (NDOT) is hosting a public hearing regarding the conceptual design and Draft Environmental Assessment for the **York-Columbus** project, which would expand approximately 41 miles of U.S. Highway 81 (US-81) in York, Polk and Butler counties in Nebraska.

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The Draft Environmental Assessment is now available for review at **www.ndot.info/42967**, and more information will be added the day of the public hearing. Comments will be collected through **Oct. 16, 2024** and should be submitted to:

Sierra Luhn
NDOT Public Involvement
P.O. Box 94759
Lincoln, NE 68509-4759
sierra.luhn@nebraska.gov
(402) 479-3103

For those without internet access, information may be obtained at NDOT Headquarters:
1500 Nebraska Pkwy
Lincoln, NE, 68502
or by contacting:

Wes Wahlgren
NDOT District 4 Engineer
wes.wahlgren@nebraska.gov
(308) 385-6265

SCAN ME!
www.ndot.info/42967

Transcript of Public Form

YORK - COLUMBUS

PUBLIC HEARING

CONCEPTUAL DESIGN & DRAFT ENVIRONMENTAL ASSESSMENT

OCTOBER 1, 2024

AT

5:00 P.M.

CROSS COUNTY COMMUNITY SCHOOL

1270 123RD ROAD

STROMSBURG, NEBRASKA 68666

APPEARANCES:
JAMES KINDIG - DISTRICT 4 STATE HIGHWAY COMMISSIONER
WES WAHLGREN - DISTRICT ENGINEER
DAWN KNOTT - PROJECT MANAGER
JASON JURGENS - ENVIRONMENTAL
SIERRA LUHN - NDOT PUBLIC INVOLVEMENT

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KEN EVERINGHAM.....Page 23
KURT MOORE.....Page 25
CINDY NYBERG.....Page 26
DAN POTTER.....Page 28
LARRY JACOBSEN.....Page 28
DAVID BRYAN.....Page 30
DOUG NUTTELMAN.....Page 31
ROGER BODTKE.....Page 32

U.S. Department of Transportation
Federal Highway Administration
NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

Page 3

(Whereupon, at 5:30 p.m., the following proceedings were had:)

MR. JAMES KINDIG: I guess we'll start.

Hello and welcome to the York to Columbus public hearing to discuss conceptual design and draft environment assessment.

Thank you for joining us. If you haven't already, please be sure to sign in at the welcome table where you can also pick up all the information.

A court reporter is here today to record this presentation in a public forum. Please save your questions and comments for the end of the presentation when we open the public forum. At that time you can verbally provide comments or write a comment for us to read.

The purpose of today's public hearing is to present the project and gather public input as part of the National Environmental Policy Act, also known as NEPA, which we'll explain -- which we'll explain more later.

Today the project is looking for feedback on the preferred alternative and its potential impact as listed in the draft environmental assessment.

NDOT and the Federal Highway

Page 4

Administration, or FHWA, won't be responding to questions tonight as we need to carefully review your feedput (sic) -- feedback. Instead, your comments during a public forum will be recorded by a court reporter and addressed in final environmental assessment.

We will formally respond to all comments received during the public forum and throughout the comment period either in writing or in the final EA environmental assessment posted on NDOT's website.

Today we will begin with a brief introduction of the panel, then we'll cover a overview of the project. Next we'll discuss the draft environmental assessment, potential impacts, and next steps. We will conclude with the public forum which is when we will take comments.

First let's do introductions. My name is James Kindig and I am the state highway commissioner for District 4. With me from NDOT are Dawn Knott, project manager; Jason Jurgens, environmental; Wes Wahlgren, district engineer; and Sierra Luhn, public involvement.

With that, I'll turn it over to Wes and go into the project overviews.

MR. WES WAHLGREN: Thank you, Jim.

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Thanks everyone for coming tonight too.

The proposed York to Columbus project would expand U.S. Highway 81 from a two-lane highway to a four-lane expressway along an approximately 41-mile segment in York, Polk and Butler counties. The four-lane expressway would transition into a three-lane roadway into Stromsburg, Osceola, and Shelby.

The proposed project would start at the end of the existing four-lane bypass just north of the north U.S. 34 and U.S. Highway 81 intersection on the York bypass. It would extend north for approximately 41 miles to just north of the Nebraska Highway 64 and U.S. Highway 81 intersection where it would connect to the existing four-lane expressway south of Columbus.

The purpose of the project is to fulfill legislative intent to continue development of the expressway system identified in the 1988 Nebraska Highway Needs Study. It's going to improve regional connectivity for vehicles in east-central Nebraska by providing important expressway connections with U.S. Highway 34, Nebraska Highway 66, Nebraska Highway 92, and Nebraska Highway 69, and Nebraska Highway 64, while maintaining convenient highway access for communities in the area. Improve -- and to also improve the condition of the existing infrastructure.

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The project is needed because there's a gap in the U.S. Highway 81 expressway from the Kansas, Nebraska border to Norfolk. A lack of connectivity in east-central Nebraska, and existing infrastructure deficiencies.

Improvements of the preferred alternative would widen U.S. Highway 81 from the existing two-lane highway to a four-lane expressway using the 2+2 concept, which I will explain on the next slide.

The expressway would also change to three lanes in urban areas, then return to four lanes through the rural segments of the project. There are eight existing bridge structures included in the project that would need replacement, rehabilitation or repair. A second set of structures would also be built adjacent to the existing structures to accommodate the additional lanes.

The preferred alternative would use the 2+2 construction concept and construction two new lanes adjacent to the existing two lanes of U.S. Highway 81. Highway -- to create a four-lane corridor.

Using the 2+2 approach would allow the improvements to be conducted without a detour. While the new lanes are being built on one side, traffic

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would be maintained on the existing lanes.
Once the new lanes are completed, one direction of traffic would be shifted onto the new lanes. Where needed, the existing lanes would be repaired and resurfaced one lane at a time while maintaining traffic.
Once this is complete, the highway would be opened to two lanes of traffic in each direction. This construction approach would minimize traffic disruption and maximize the use of the existing highway.
This slide shows a typical rural four-lane section within the proposed project. The new roadway would be constructed on either side of the existing roadway as previously described. The new lanes would have two 12-foot wide lanes with an eight-foot wide paved shoulder on the outside and a four-foot wide paved shoulder on the inside.
NDOT would resurface and reuse the existing roadway to preserve the existing asset, save costs and reduce time to complete the project. The median would be approximately 54 feet wide.
In urban areas, the expressway would transition to three lanes. This slide shows a typical urban three-lane section within the proposed project.

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In non-urban areas, such as in Osceola, the existing roadway would be expanded to have two 12-foot wide lanes within an eight-foot wide paved shoulder in each direction, and a 14-foot wide two-way left turning lane would be added.
The total roadway width would be 54 feet. Portions of the three-lane section through Osceola would be modified with curb to reduce impacts.
In Shelby the project would add an urban three-lane section while preserving the existing curbed and non-curbed areas.
NDOT would not make improvements in Stromsburg because in Stromsburg the project is currently under construction to expand U.S. Highway 81 to three lanes in Stromsburg.
With that, I will now hand it over to Jason Jurgens.
MR. JASON JURGENS: Thanks, Wes.
Again, my name is Jason Jurgens and I'm the environmental section manager at NDOT. I'll be discussing the draft environmental assessment, or the draft EA.
What is the National Environmental Policy Act, or NEPA? NEPA is a law that requires federal agencies to consider the environmental impacts

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of the proposed actions before making decisions. FHWA in partnership with NDOT is the designated lead federal agency for this project action. Under NEPA, FHWA and NDOT must document these impacts and make the information public available -- publicly able for comment.
NEPA is addressed for this project through an environmental assessment generally referred to as an EA. Currently we have a draft EA regular for review and comment. The draft EA examines project benefits and potential impacts on the natural and human environment based on the conceptual design. We'll discuss these impacts in detail in the upcoming slides.
The draft EA considers and evaluates project impacts on the natural environment, such as water quality, wetlands and wildlife, and as well as the human environment which includes social economics, noise, historic resources, recreational property and hazardous materials.
The draft EA is available for review and comment at today's hearing. There are also copies of the pro -- on the project website and at several physical locations which we will list at the end of this presentation.
And I'm going to hand it over to Dawn

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Knott to talk about a preferred alternative.
MS. DAWN KNOTT: Thank you, Jason.
Hello, my name is Dawn Knott and I'm a design engineer with the Department of Transportation and the project manager for the project.
To identify a preferred alternative, our team began by dividing the corridor into segments and evaluating impacts of placing the lanes on either side of the existing roadway.
The team then considered input from the public and federal state resources. After analyzing the different options, all but one alternative was eliminated for each segment of the project.
This combination of segment alternatives along with the four- to three-lane transitions, into and out of Stromsburg, Osceola and Shelby, make up the preferred alternatives. This alternative is the one that best fits the purpose and need considering any potential environmental, social and economic impacts.
It was carried forward for further analysis because it balances broader goals of infrastructure and improvement while minimizing environmental and community impacts.
This map shows the preferred alternative and intersection types. I'll describe the alternatives

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for each segment and discuss the intersection types in more detail in later slides.

Please notice the legend on the slide in the following three slides. The blue line represents the existing lanes and the red line represents the locations of the new two lanes. The intersection types and locations are also shown.

On the next three slides, we'll zoom in on one segment of U.S. 81, so you can see the location of the segment on the left in relation to the corridor on the right. Working south and north, preferred alternative involves placing the new lanes east of the existing roadway from York to Stromsburg. A restricted crossing U-turn intersection, or RCUT, would be constructed at U.S. Highway 81's intersections with Nebraska Spur 93C near Benedict, and Nebraska Highway 66 near Cross County Schools.

As previously mentioned, new improvements will occur in Stromsburg because the "In-Stromsburg" project is currently under construction to expand U.S. 81 to three lanes in town.

Moving north of Stromsburg, the lane would continue to be placed east of the existing roadway to the Nebraska Highway 92 west intersection. Which would be converted to a roundabout.

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For the east/west portion of the project between Nebraska Highway 92 west and east intersections, the preferred alternative would place the new lanes north of the existing roadway. In Osceola, the preferred alternative would create a three-lane urban section with shoulders. Portions of the three-lane section through Osceola would be constructed with curb to reduce impacts.

In Shelby, the preferred alternative would create an urban three-lane section while preserving the existing curbed and non-curbed areas. The U.S. Highway 81 east of the intersection with Nebraska Highway 92 would be converted to a roundabout.

Moving towards Columbus, the new lanes would be placed on the west side of the existing roadway. An RCUT would be constructed at the U.S. Highway 81 intersection with Nebraska Highway 64.

Just to reiterate the locations of the new two roundabouts, we wanted to enlarge the map and show you what it could look like.

This graph, I think, shows a roundabout at U.S. 81 and Nebraska Highway 92 west intersection. The county road going into this roundabout is shown as a dashed line because it is still being analyzed by NDOT. NDOT is considering relocating the county road

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outside the roundabout and will discuss alternatives with the county.

This graphic shows the U.S. 81 and Nebraska Highway 92 east intersection. As previously stated, the county road alignment is still being analyzed and NDOT will discuss alternatives with the county.

To learn more, you can visit the roundabout board or scan the QR code shown here to visit NDOT's roundabout web page.

Next I'll discuss restricted crossing U-turns or RCUTs. These are newer to Nebraska, but NDOT has constructed two on highways within the state that are operating successfully, and a third one is currently under construction. I'll briefly touch base on RCUTs while on this slide. To learn more you can visit the RCUT board or scan the QR code shown here to visit NDOT's RCUT web page.

For this project, RCUTs will be constructed at U.S. Highway 81's intersection with Nebraska Spur 93C near Benedict, Nebraska Highway 66 near Cross Country School -- there I did it, County School -- and Nebraska Highway 64 south of Columbus.

You can see on the graphic on the right of the slide, RCUTs were in a way that drivers

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approaching U.S. Highway 81 from intersecting roads would not be allowed to make left turns or cross traffic. Instead, they would be required to turn right and make a U-turn at a designated median opening.

Traffic would still be able to turn left and right onto intersecting roads from U.S. Highway 81. The RCUTs at Nebraska Spur 93C, Nebraska Highway 66, and Nebraska Highway 64 would be designed to allow adequate space for large vehicles such as buses, semis and large agricultural vehicles to turn at the intersections.

Vehicle queuing would be considered during the final design process to provide appropriate turn lane storage for anticipated traffic conditions, the intersection lighting -- and the intersection lighting would be incorporated.

Prior to the construction of the project, NDOT would also take measures to educate young drivers such as giving a presentation to Cross County highschoolers.

Our team conducted a pedestrian study to evaluate accessibility for crossing U.S. Highway in Shelby and Osceola. We evaluated factors such as traffic flow, pedestrian volumes, and existing infrastructure, in addition to different types of

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pedestrian crossings and traffic control devices. We have proposed solutions aimed at safer and more efficient pedestrian movement in both cities.

In Osceola there are currently beacons at the U.S. Highway 81 and North State Street intersection. In Shelby, there are signs and markings to U.S. Highway 81 and Walnut interstructure -- intersection. Both existing crossings would be upgraded to a rectangular rapid flashing beacon. These are push-button activated and you can see an example on the slide.

I'll now hand it back over to Jason Jurgens to discuss potential impacts.

MR. JASON JURGENS: The project team evaluated cultural resources and historic properties along the project. Historic properties include building structures, ob -- objects and archaeological sites and districts that of 50 years or older and of significance based on criteria established in the National Historic Preservation Act.

Along the project route there are three such historic properties. The first historic property is known as The Fillman Place. It includes a 1930s era National Folk styled house. That historic property is located near the U.S. 81 and County Road 18

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intersection. The project involves construction near this property and efforts have been made to minimize effects. Some trees and bushes would be removed, the property's driveway would be altered, and the existing Fillman Place sign would be relocated.

The character defining attributes which make this property eligible for inclusion on the National Register of Historic Places would also not be adversely affected.

The remaining two historic properties include a Queen Anne style house located along Highway 81 in Shelby, and a farmstead located just north of the Nebraska Highway 82 and B Road intersection in east of Rising -- or in Rising City. These historic properties would not be affected by the project as currently proposed.

There are 10 properties located in the project that are protected by Section 4(f) of the Transportation Act of 1966. Section 4(f) provides protections for the historic properties, parks and recreational areas. Only two would have construction impacts that would be considered a use under section 4(f).

In Stromsburg, minor impacts on Buckley Park and Two Parks Trail are anticipated. NDOT would

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minimize the impacts to Buckley Park by placing the new lanes on the east side of the existing roadway, although temporary easements may be needed from within the property boundaries of the park.

Due to the roadway widening to the east, Two Parks Trail from Buckley Park to the Nebraska Central Railroad Company -- company rail line would require realignment east of the widened roadway.

During construction, pedestrian access to Buckley Park would be maintained via the existing sidewalk on the west side of U.S. Highway 81. Any necessary improvements would be made to the sidewalk before using it as a pedestrian detour route. Following construction, Two Parks Trail would be reconstructed in as good as, if not better than, the preconstruction condition.

The proposed project would require activation of additional property rights, which could include new right of way, control of access, permanent easements, temporary easements, relocations and/or impacts to existing center pivot irrigation systems.

If your property is impacted by this project, you would be contacted by an NDOT representative once the design footprint has been established.

Access to adjacent properties would be

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maintained during construction, but may be limited at times due to traffic phasing requirements.

This slide shows the location of impact structures along the alignment. Impacts on 22 structures including houses and outbuildings are anticipated. I know it is difficult to read here, but we have boards with this information and these locations are also shown on the large mosaics for a more detailed view.

Impacts to wetlands and streams are anticipated and would be mitigated as necessary. The project may affect, but is not likely to adversely affect, threatened and endangered species including the Eskimo curlew, northern long-eared bat, and the whooping crane. Consultation for the tri-colored bat is still ongoing.

A preliminary noise study has been prepared and is available for review today. It found that in 2015, the preferred alternative would have noise impacts on 42 receptors, primarily single-family residences. Two locations meet the feasibility and reasonableness requirements for noise abatement.

Further evaluation would be needed before any noise abatement is implemented. Additional design refinement and coordination with the affected property

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owners would occur during the final design.

This project will be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices. Temporary surfacing may be required to accommodate phased construction. Access to community resources, areas -- area schools, police, fire services would not be affected. A highway detour would not be required.

To the extent possible, adjacent road -- county roads would not be closed at the same time while intersection work is occurring.

Now let's talk about our schedule. Three public meetings were held in March of this year before drafting the environmental assessment, which is the reason for today's public hearing. Many activities still need to occur before construction can start, including preliminary design, completion of the final environmental assessment, final design, right of way acquisition and contract lettings.

The project is anticipated to be built in four phases with one phase being let to construction in each year as soon as 2029. The project schedule is based on several assumptions and is subject to change based on the availability of funds and agency approvals. Total project costs are estimated at

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400 million to $450 million.

I'll now turn it over to Sierra to discuss how to provide feedback on this project.

MS. SIERRA LUHN: Hello, my name is Sierra Luhn. I work in public involvement at NDOT. As stated earlier, physical copies of the draft EA are available for review at the locations listed here on the screen and on the project website.

For those without internet access, information can be obtained at NDOT headquarters or by contacting a District 4 Engineer Wes Wahlgren or myself. Comments are collected now through October 16th.

And now for the public forum. The project team is looking for feedback on the impacts of the preferred alternative and the draft EA. We'll consider every comment before moving forward with this project.

Tonight our panel is here to listen to your comments and concerns. We will not be responding immediately as we need time to carefully review your feedback. Your comments during the public forum will be recorded by the court reporter and addressed in final environmental assessment. We will formally respond to all comments received during this public

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forum and throughout the comment period either in writing or in final EA posted on NDOT's website.

A few instructions before we get started. Please wait to hear your name or for our staff to call you up. We'll begin with those who signed the public forum sheet at the welcome stations. Once we run through that list, I'll go ahead and open it up to the room. At that time, you can raise your hand and be called up, and have your -- or read your comment sheet out loud.

If you have additional comments after the public forum ends tonight, you can always provide them in writing to staff, we have comment boxes out in the lobby. You can provide them to a staff member themselves, or speak directly to the court reporter, she will be staying until 7:30 tonight.

Comments are considered regardless how they're provided, but please try to avoid redundant comments, and remember the more specific your remarks, the better our response to you will be.

We'll now begin with the public forum. I'll begin by calling names before opening it up to the room. When you approach the podium, please state and spell your first and last name for the record. We do have quite a few people planning to speak this evening,

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therefore we will limit the comments to three minutes. When you approach the two-minute mark, I'll provide you a warning, and once you've reached the three-minute mark, I'll ask you to complete your comments and allow the next person to come up and have their turn.

So with that, we will go ahead and start. First on my list I will have Mark Kolterman please approach the podium.

I apologize in advance if I mispronounce anyone's name tonight.

* * *

MR. MARK KOLTERMAN: Thank you for having this meeting. I've had the pleasure of serving as the senator for this district for eight years, and in that eight-year period we worked hard to see this project go to fruition.

The only concern that I have is -- and there's a few things, the RCUTs versus roundabouts, I think that where you have schools involved and entry into communities, those ought to be looked at very seriously. But probably the biggest concern that I had is that construction won't start until 2029? There's plenty of money available right now. If you can't secure that money on a state level, we can always bond. That's an option that's available now.

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It seems ludicrous to wait four years before we even start finishing this project. I know for a fact that since I served, we're now putting three lanes each way going in and out of Lincoln and now they tell us that they're going to break all the way to Seward, seem to find money for that. This is an important route between the north and south parts of our state. I think it's -- it would be more prudent if we direct some money this way in getting going instead of waiting five years. That's my only comment.

MS. SIERRA LUHN: Thank you. Next I have Ken Everingham.

* * *

MR. KEN EVERINGHAM: Hello, my name is Ken Everingham, I'm the mayor of the City of Stromsburg. I want to thank -- start out thanking Wes for all the headaches that he's had in through Stromsburg and we hope that it is done in time the rest of the road gets started.

Anyway, my concern is the design with the RCUTs on the intersection out here. I am a fireman, I am an EMT, safety at that intersection is high priority for me. I have grandkids that go to school out here, my wife often subs out here, that I cannot fathom why you would have traffic make a right

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turn and then make a U-turn across traffic going 70-mile an hour. I know that -- I've been told that the traffic, or the speed limit is reduced for those areas, but do the cars slow down? They'll slow down on that just like they slow down going through Stromsburg. I'll guarantee there's more cars go through Stromsburg at 40-mile an hour than they do at 30. I don't believe the traffic's going to slow down. I cannot see how it can be a safer area.

Roundabouts look like to me would be a lot better or if the lanes were spread out so you have room to pull across one set of lanes and then a merge lane to go, you know, onto the other so you can merge back right into the lanes going north, make way more sense that RCUTs and having people make U-turns across traffic that's coming at 'em.

Otherwise, I encourage you to speed this project up. Forty years ago I moved down here and I went to a meeting shortly after that that this segment was going to be built, and still not been built, but you can build the interstates and roads in the cities. It's time to take care of rural America. Rural America is what makes this state as the agriculture is the largest industry in this state and that's what we need to take care of.

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And also, the RCUTs would severely hinder the movement of equipment trying to go across the road. We have a farmer that lives over here east that has to cross that road numerous times every day with semis, or turn and go south with those semis. Environmental impact on the local citizens would be huge by putting in a major impact on the local citizens by putting in roundabouts on 66 and at Benedict.

A lot of the farmers are coming from the west on 66 turning to the elevator in Stromsburg, and they would have to be making the cuts, how many of them would turn around and go onto the gravel road? How many of our young kids are going to go here a half mile west and go on gravel roads rather than have to put up with this intersection down here.

I don't know, but I do know it's not safe to have kids on gravel roads and that is what will happen. So thank you.

MS. SIERRA LUHN: Thank you, Ken.

I have Kurt Moore.

* * *

MR. KURT MOORE: Yep, Kurt Moore. I'm board president here at Cross County School. We sent a letter regarding the RCUT intersection here in spring hoping to -- you would consider changing it. Obviously

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you're going to stay with your preferred design. I guess I don't want to be redundant with what's already been said, but the main concern would be after -- after big events like basketball, football games, that sort of thing, we literally have hundreds of cars coming out of our parking lot, and majority of them are wanting to turn north. So we have serious concerns about the RCUT's ability to impact that high volume of traffic.

At the very least we would hope that you would consider making the U-turn lane much longer than normal, because if traffic gets backed up into the regular four-lane, waiting for the U-turn, that will -- can be very dangerous, so we've heard about that.

We also mentioned in our letter that at the very least, it would be good to have a yellow flashing light at that intersection, and maybe even a slower speed limit than you have in some of the other ones that have been designed, so that's all. Thank you.

MS. SIERRA LUHN: Thank you, Kurt.

Next I have Cindy Nyberg.

* * *

MS. CINDY NYBERG: I'm Cindy Nyberg, C-I-N-D-Y N-Y-B-E-R-G, secretary of the Cross County School Board and mom of four, two teen drivers, one

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learning to drive right now, and I do thank you for the attentionality for information sharing the proposal to educate our youth that attend this particular school.

I do feel more positive about other alternatives, not the RCUT, whether it's a light or maybe it's your roundabout. I feel like the RCUT leaves concerns like we talked about in the school letter, the school board letter to you. With the sheer number of young drivers and the high volume after activities, as Kurt talked about, I'm concerned about icy roads and dense fog.

As a parent who has dropped her children off because I don't let them drive in that dense fog, which requires taking good chance or good judgment, braking can be a challenge. I've seen young drivers slide in a domino effect out here at the entry into the school into the median, and I would just like maybe some more emphasis on how these stop lights, kind of in the middle of nowhere like at 81 and South Lincoln Avenue work effectively, perhaps as you get towards Columbus, how the flow is appropriately stopped with a light.

I know that the RCUT has had serious safety studies, I've looked at a little bit of the research, I appreciate you sharing that, but I feel the

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consideration is that we have the volume of youth couple different times of day and following those events, that makes this project consider this intersection on a different level that speaks to that research that is maybe not judging how many young drivers there are. So I appreciate you taking our comments into consideration, thank you.

MS. SIERRA LUHN: Thank you, Cindy. Next up I have Dan Potter.

* * *

MR. DAN POTTER: I really have no agenda as far as comments here tonight. I do want to thank you for the process for the transparency on it, and any -- any future comments I will submit in writing.

Like I said, I just wanted to be here and reserve the right to speak. Thank you.

MS. SIERRA LUHN: Thank you.

And then next up I have Larry Jacobsen.

* * *

MR. LARRY JACOBSEN: Larry Jacobsen, J-A-C-O-B-S-E-N.

My comments I guess are a little more personal because my house sits right on Highway 81. I guess I'm frustrated because this has been dangled in our face for about 25 years and each time they come out

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they do their studies, they upset your life, talk about what they're going to do or not do, and then leave. And I guess my frustration takes in the fact that they're considering moving my garage, but not the house where I live. So if they do move the house where I live, which is made out of brick that has sat there for 46 years, I've been told by two different movers that they can move a brick house, but if they move my brick house and set it on the foundation that is going to settle, what happens when your project is all done, everybody's left? Checks have been written and my bricks start falling off my house? That's my responsibility.

And I guess in the same regards with the RCUTs, driving truck coming down Highway 81 every day and I just don't understand -- I guess I don't understand them, period, how you expect trucks to make a complete U-turn into traffic that runs up and down Highway 81 safely especially by a school.

Thank you.

MS. SIERRA LUHN: Thank you.

Now that does end the list for people who have signed up ahead of time. Do I have anyone else who would like to speak at this time?

(No response.)

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MS. SIERRA LUHN: All right, seeing there are no other questions or comments, we will end the public forum, the time is 6:42 p.m.

Staff will be available in the lobby to answer any additional questions you have. If you didn't receive a handout or a comment form when you arrived, there are additional copies available up at the welcome table in the front lobby area, as well as at the comment table itself.

Please remember to sign in if you didn't do so already. That just ensures that you're going to receive any further information on the project that was sent out.

And then please also just thank you for your time tonight and your participation. It means a lot to us -- oh, sorry do we have one more?

MR. DAVID BRYAN: May I ask a question?

MS. SIERRA LUHN: Is it specific or all together?

MR. DAVID BRYAN: Specific.

MS. SIERRA LUHN: Specific to your property?

MR. DAVID BRYAN: No, in general.

MS. SIERRA LUHN: Okay.

MR. DAVID BRYAN: I would like a show of

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hands who here would be in favor of the RCUT?
(Congregation responds.)
MR. DAVID BRYAN: Okay, that's all I needed.
MS. SIERRA LUHN: Like I said, thank you for your time and participation tonight, everyone. I'm going to go ahead and leave this up with the location of all the draft EAs. Feel free to find staff. We have maps back here to locate your property as well. Thank you.
(Whereupon, at 6:42 p.m., the public forum portion of this hearing ended and awaited comments on record:)
* * *
MR. DOUG NUTTELMAN: My name is Doug Nuttelman, N-U-T-T-E-L-M-A-N.
I'm a farmer that lives a mile and a half east of here and we do run a dozen semis in one of our small businesses. We cross the intersection of 66 and 81 a dozen to 20 times a day. And like today, I came over the hill, I was hauling sand out of Central City, and when school's in process here, I wind up stopping clear up there. The traffic lines at a ball game and everything are long, and everything else, but -- but we go east and west all the time.

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We haul livestock. The roundabouts, you know, with 53-foot trailer work really good; RCUTs, takes a lot of room for us to get to the other side of the road.
And with traffic, I know they slow down, like at Humphrey and North Bend and stuff like that, but they just -- you just don't -- they're hard to anticipate traffic sometimes with the time you need to get across. Or you have to wait till they'll big be an opening and stuff like that.
So I'm -- I would prefer a roundabout with my semis rather than RCUTs is what I would like. That's -- I wrote in my comments, so I appreciate if they would listen to it. Thank you very much.
* * *
MR. ROGER BODTKE: Roger Bodtke, I have a concern about the RCUT south of Columbus going through Bellwood. I don't think anybody's thought about it, but there's a plan and I think they have even did some -- what's the word I want to use? Studies going from south or going north of Bellwood up to Columbus where the truck traffic to keep it out of Columbus and, I think that particular aspect has not been looked at.
But if all the trucks are -- that go

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through Bellwood that now go through Columbus, once that thing's built, we're going to have a lot of truck traffic coming back out and trying to have an RCUT trying to get all these trucks that go -- come in the south and some even from the west, they're going to have difficult time negotiating this -- these RCUTs.
In addition, going north on Highway 81, and I've experienced this a long time, 39 years worth, people coming from the east, especially this morning going to work, they need an acceleration lane so they can instead of merging right into traffic while it's going north, so acceleration lane where they can then speed and then merge into traffic, that would sure save a lot of cuss words or whatever else.
But if this thing is built north of Bellwood, the trucks coming out trying to negotiate an RCUT going south, I can see a lot of problems. There are trucks that use it now, but they have to go all the way through Schuyler and then back west to the packing plant or ADM there.
If they would forget the RCUT and -- like coming south out of Columbus, wanting to turn east going in through Bellwood, currently the acceleration lane is only about room for two trucks, front to back. If they would ex -- you know, expand that north at

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least two or three times once that would give people a chance to pull off, they can turn and wouldn't need an RCUT.
Also there's a lot of farm traffic that goes back and forth through that particular intersection. That's it. Thank you.
(No further comments.)
(Hearing concluded at 7:30 p.m.)
** ** ** **

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C E R T I F I C A T E

STATE OF NEBRASKA)
: ss.
COUNTY OF LANCASTER)

I, Christine M. Salerno, Registered Professional Reporter, General Notary Public within and for the State of Nebraska, do hereby certify that the foregoing proceedings were taken by me in shorthand and thereafter reduced to typewriting by use of Computer-Aided Transcription, and the foregoing thirty-five (35) pages contain a full, true and correct transcription of all the testimony of said proceedings to the best of my ability;

That I am not a kin or in any way associated with any of the parties to said cause of action, or their counsel, and that I am not interested in the event thereof.

IN WITNESS WHEREOF, I hereunto affix my signature and seal this 15th of OCTOBER, 2024.

_____
Christine M. Salerno, RPR
GENERAL NOTARY PUBLIC
Registered Professional Reporter

My Commission Expires: October 02, 2027.

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Public Comments/Responses

From: Fisher, Sarah on behalf of NDOT, Public Involvement
To: Luhn, Sierra
Subject: FW: Comment Inquiry for York - Columbus
Date: Monday, September 16, 2024 9:21:15 AM
Attachments: image001.png

Sarah isher
u lic nvolvement Specialist

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From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Friday, September 13, 2024 2:30 PM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: rogermorris101@gmail.com
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

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68467

Comment
Problem at hiway #34 and hiway #81. Needs to have something done there.

How satisfied are you with this project?
Somewhat satisfied

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Roger Morris
916 Woodcrest Ct
York, NE 68467

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

The intersection of U.S. Highway 81 (US-81) and US-34 is outside of this project's study area. The proposed project would start at the end of the existing four-lane York bypass, near the north U.S. Highway 34 (US-34) and US-81 intersection. It would extend north to the Nebraska Highway 64 (N-64) and US-81 intersection, where it would connect to the existing four-lane roadway. We have forwarded your comment to Wes Wahlgren, NDOT's District 4 Engineer.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From:	Fisher, Sarah on behalf of NDOT, Public Involvement
To:	Luhn, Sierra
Subject:	FW: Comment Inquiry for York - Columbus
Date:	Monday, September 16, 2024 9:21:31 AM
Attachments:	image001.png

Sarah isher
u lic nvolvement Specialist

Ne raska epartment of ransportation
OFFICE 402-479-3832
sarah.fisher@nebraska.gov
ot ne raska go witter

From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Saturday, September 14, 2024 8:48 AM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: beequiped2015@outlook.com
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Matt Karabel

Email
beequiped2015@outlook.com

Address
605 N Fairfield Ave

City
Fairfield

State
Nebraska

Zip
68398

Comment
I use to be a resident in York. I love this project idea and Hope it can get under way sooner than later. The 4-lane 81 project has been the best thing for Nebraska and an amazing use of our taxes! I have a suggestion on this project to streamline it and that would be making an easier bypass vs re-designing whole towns. This would be a goal of take the 4-lane East, instead of going up to Stromsburg, by instead starting from "66" at Cross-county and heading east with 4 lanes to Make road 123" the new 4-lane and that when you reach "Road A" you head straight north until you reach Highway 92. The thing with these smaller towns is. They dont want that massive increase in traffic and road noise, and a person has to redesign everything around the whole town. Plus your impact of having to deal with unhappy land owners is reduced and having to spend money on court agreements. In one way, you would have 18 households to manage vs the other route, which costs substantially more and takes more time in the courts.

How satisfied are you with this project?
Very satisfied

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Jim Pillen, Governor

Matt Karabel
605 N Fairfield Ave
Fairfield, NE 68398

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Regarding your comments on bypasses, these are no longer being considered as part of this project due to cost and schedule constraints. The proposed three-lane improvements through local communities would minimize impacts through town and improve traffic operations.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From:	Fisher, Sarah on behalf of NDOT, Public Involvement
To:	Luhn, Sierra
Subject:	FW: Comment Inquiry for York - Columbus
Date:	Monday, September 16, 2024 9:21:54 AM
Attachments:	image001.png

Sarah isher
u lic nvolvement Specialist

Ne raska epartment of ransportation
OFFICE 402-479-3832
sarah.fisher@nebraska.gov
ot ne raska go witter

From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Saturday, September 14, 2024 12:24 PM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: tdmohn@outlook.com
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Deb Mohning

Email
tdmohn@outlook.com

Address
4924 36 Street

City
Columbus

State
Nebraska

Zip
68601

Comment
Want to hear about it.

How satisfied are you with this project?
Somewhat satisfied

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Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Deb Mohning
4924 36th St
Columbus, NE 68601

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

All project information presented at our recent public hearing, including the Draft Environmental Assessment and a video recording of the hearing, can be found on the project website at www.ndot.info/42967.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Phone Log

Date:	Time:
9/20/24	10:20 AM

Caller	ecei er
Name: Ron	Name: Sierra Luhn - Voicemail
Company:	Company: NDOT
Address: York, NE	Address: 1500 Nebraska Pkwy, Lincoln
Phone No.: 402-745-0588	Phone No.: 402-479-3103

Re: CN 42967; York - Columbus

Discussion:
I'm calling from York. I hate answering mahines. Nobody answers their stupid phone when you call them. I just got a couple questions about this new-old highway they're looking to finish. I mean how stupid is this when you have the state of Nebraska plan to build a road and they get to York and do a bypass and they go north of town and says oh sh** ran out of money. Let's quit right. Block it off. About time they get something going. But I'm 80 years old and I cannot go to a highschool. So I got some questions as to what the agenda is so maybe I can try to get someone to take me there. It's a hope and a prayer that I'll get a call back but I'll try. My name is Ron 402-745-0588.

Resolution:
Returned call on 9/27/24 10:20AM - Ron expressed concerns that he thought there should have been a 4-lane from York to Columbus when the expansion and bypass aroun York initally occurred, but is glad the work is being done now. Ron asked about what would occur at the meeting next week. I explained to him we would be presenting the preferred alternative for the project and talk about the anticipated impacts, as well as talk about the work would occur. Reiterated time and place of hearing next week and Ron thanked me and said he would likely attend. I let him know all meeting materials would be added to the webpage on Tuesday if he could not attend.

☐ For Your Concurrence

☒ For Your Information

Phone Log

Date:	Time:
9/20/24	6:01 PM

Caller	ecei er
Name: Joe Clark	Name: Sierra Luhn - Voicemail
Company:	Company: NDOT
Address:	Address: 1500 Nebraska Pkwy, Lincoln
Phone No.: 308-940-0946	Phone No.: 402-479-3103

Re: CN 42967; York - Columbus

Discussion:
Hey Sierra, this is Joe Clark. I'm at 308-940-0946. I'm curious where the new highwya will go in Osceola through town. Please give me a call. I have one of the buildings in town. Please call me so I understand. Again, my phone number is 308-940-0946. Thank you very much.

Resolution:
Attempted to call Joe back 9/27/24 10:40 AM - Left voicemail with my work cell number to call me back at his earliest convenience.

☐ For Your Concurrence

☒ For Your Information

From:	Candace Niezgodzki
To:	Wahlgren, Wes; Luhn, Sierra
Subject:	RE: NDOT Roadway Project- Dollar General, Store #15302, 231 Hwy 81/92, Osceola, NE 68651 (RI File #6957)
Date:	Friday, September 27, 2024 12:05:23 PM

You don't often get email from cniezgodzki@realtyincome.com. Learn why this is important

Thank you for letting us know.

Candace Niezgodzki
Senior Associate, Right of Way, Condemnations, & Real Estate
West Region
Realty Income Corporation (NYSE "O")
11995 El Camino Real, San Diego, CA 92130
www.realtyincome.com
(O) 858-284-5275

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From: Wahlgren, Wes <Wes.Wahlgren@nebraska.gov>
Sent: Friday, September 27, 2024 6:11 AM
To: Candace Niezgodzki <cniezgodzki@realtyincome.com>; Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Subject: RE: NDOT Roadway Project- Dollar General, Store #15302, 231 Hwy 81/92, Osceola, NE 68651 (RI File #6957)

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

At this time we do not anticipate any impacts to your Osceola property.

Thank you for your inquiry.

Sincerely,

Wesley Wahlgren, P.E.
District 4 Engineer
(308) 385-6265
(308) 385-6269 FAX
wes.wahlgren@nebraska.gov

Confidentiality Notice: This E Mail, including all attachments is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure, or distribution is prohibited unless specifically provided under the Nebraska Public Records Act. If you are not the intended recipient, please contact the sender and destroy all copies of this message.

From: Candace Niezgodzki <cniezgodzki@realtyincome.com>
Sent: Thursday, September 26, 2024 6:29 PM
To: Luhn, Sierra <Sierra.Luhn@nebraska.gov>; Wahlgren, Wes <Wes.Wahlgren@nebraska.gov>
Subject: RE: NDOT Roadway Project- Dollar General, Store #15302, 231 Hwy 81/92, Osceola, NE 68651 (RI File #6957)

> Some people who received this message don't often get email from cniezgodzki@realtyincome.com. Learn why this is important

Hello,

Our office is in receipt of the attached notice regarding a NDOT roadway project in proximity to the property referenced above in the subject line. We are the property owners of the site. Are there any updates you can share regarding the project, and if there will be any impacts to our property in connection with the roadway project?

Thank you,

Candace Niezgodzki
Senior Associate, Right of Way, Condemnations, & Real Estate
West Region
Realty Income Corporation (NYSE "O")
11995 El Camino Real, San Diego, CA 92130
www.realtyincome.com
(O) 858-284-5275

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therefore we will limit the comments to three minutes. When you approach the two-minute mark, I'll provide you a warning, and once you've reached the three-minute mark, I'll ask you to complete your comments and allow the next person to come up and have their turn.

So with that, we will go ahead and start. First on my list I will have Mark Kolterman please approach the podium.

I apologize in advance if I mispronounce anyone's name tonight.

* * *

MR. MARK KOLTERMAN: Thank you for having this meeting. I've had the pleasure of serving as the senator for this district for eight years, and in that eight-year period we worked hard to see this project go to fruition.

The only concern that I have is -- and there's a few things, the RCUTs versus roundabouts, I think that where you have schools involved and entry into communities, those ought to be looked at very seriously. But probably the biggest concern that I had is that construction won't start until 2029? There's plenty of money available right now. If you can't secure that money on a state level, we can always bond. That's an option that's available now.

It seems ludicrous to wait four years before we even start finishing this project. I know for a fact that since I served, we're now putting three lanes each way going in and out of Lincoln and now they tell us that they're going to break all the way to Seward, seem to find money for that. This is an important route between the north and south parts of our state. I think it's -- it would be more prudent if we direct some money this way in getting going instead of waiting five years. That's my only comment.

MS. SIERRA LUHN: Thank you. Next I have Ken Everingham.

* * *

MR. KEN EVERINGHAM: Hello, my name is Ken Everingham, I'm the mayor of the City of Stromsburg. I want to thank -- start out thanking Wes for all the headaches that he's had in through Stromsburg and we hope that it is done in time the rest of the road gets started.

Anyway, my concern is the design with the RCUTs on the intersection out here. I am a fireman, I am an EMT, safety at that intersection is high priority for me. I have grandkids that go to school out here, my wife often subs out here, that I cannot fathom why you would have traffic make a right

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Jim Pillen, Governor

Mark Kolterman
2577 Waverly Rd
Seward, NE 68434

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concern regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

Regarding intersection design, roundabouts were selected primarily where the highway curves, allowing for smoother transitions in these areas. In contrast, RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor, U.S. Highway 81 (US-81), is essential. This design prioritizes safety for left turns and crossings from the secondary route while minimizing disruptions to US-81.

Our team has carefully evaluated the specific conditions of each intersection, including those near schools and communities. The designs proposed in the preferred alternative were selected for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs and roundabouts, please visit www.ndot.info/rcut and www.ndot.info/rab.

We understand your frustration with the project timeline. The current schedule considers several factors beyond securing funds, such as agency approvals, an environmental assessment, public involvement, preliminary design, right-of-way acquisition and final design. For this reason, the project is anticipated to be built in multiple phases beginning as soon as 2029, depending on funding availability.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Vicki Kramer, Director
Department of Transportation
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Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

It seems ludicrous to wait four years before we even start finishing this project. I know for a fact that since I served, we're now putting three lanes each way going in and out of Lincoln and now they tell us that they're going to break all the way to Seward, seem to find money for that. This is an important route between the north and south parts of our state. I think it's -- it would be more prudent if we direct some money this way in getting going instead of waiting five years. That's my only comment.

MS. SIERRA LUHN: Thank you. Next I have Ken Everingham.

* * *

MR. KEN EVERINGHAM: Hello, my name is Ken Everingham, I'm the mayor of the City of Stromsburg. I want to thank -- start out thanking Wes for all the headaches that he's had in through Stromsburg and we hope that it is done in time the rest of the road gets started.

Anyway, my concern is the design with the RCUTs on the intersection out here. I am a fireman, I am an EMT, safety at that intersection is high priority for me. I have grandkids that go to school out here, my wife often subs out here, that I cannot fathom why you would have traffic make a right

turn and then make a U-turn across traffic going 70-mile an hour. I know that -- I've been told that the traffic, or the speed limit is reduced for those areas, but do the cars slow down? They'll slow down on that just like they slow down going through Stromsburg. I'll guarantee there's more cars go through Stromsburg at 40-mile an hour than they do at 30. I don't believe the traffic's going to slow down. I cannot see how it can be a safer area.

Roundabouts look like to me would be a lot better or if the lanes were spread out so you have room to pull across one set of lanes and then a merge lane to go, you know, onto the other so you can merge back right into the lanes going north, make way more sense that RCUTs and having people make U-turns across traffic that's coming at 'em.

Otherwise, I encourage you to speed this project up. Forty years ago I moved down here and I went to a meeting shortly after that that this segment was going to be built, and still not been built, but you can build the interstates and roads in the cities. It's time to take care of rural America. Rural America is what makes this state as the agriculture is the largest industry in this state and that's what we need to take care of.

And also, the RCUTs would severely hinder the movement of equipment trying to go across the road. We have a farmer that lives over here east that has to cross that road numerous times every day with semis, or turn and go south with those semis. Environmental impact on the local citizens would be huge by putting in a major impact on the local citizens by putting in roundabouts on 66 and at Benedict.

A lot of the farmers are coming from the west on 66 turning to the elevator in Stromsburg, and they would have to be making the cuts, how many of them would turn around and go onto the gravel road? How many of our young kids are going to go here a half mile west and go on gravel roads rather than have to put up with this intersection down here.

I don't know, but I do know it's not safe to have kids on gravel roads and that is what will happen. So thank you.

MS. SIERRA LUHN: Thank you, Ken.

I have Kurt Moore.

* * *

MR. KURT MOORE: Yep, Kurt Moore. I'm board president here at Cross County School. We sent a letter regarding the RCUT intersection here in spring hoping to -- you would consider changing it. Obviously

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Jim Pillen, Governor

Mayor Ken Everingham
1114 E 4th St
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

The In Stromsburg (C.N. 42782B) project is anticipated to be complete in summer 2025, well before construction for this project which is currently anticipated to begin as soon as 2029, depending on funding availability.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

NDOT's proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Additionally, RCUTs decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. For highway drivers, RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested.

Regarding speed limits, NDOT is currently studying the US-81 transitions from four lanes to three lanes near communities to assess the appropriate speed zones. The speed limits would be reduced incrementally along the transitions from the expressway speed to the posted speed in each community. Regarding equipment crossings, the RCUTs would be designed to accommodate the turning radius of large trucks, semis, buses and other large agricultural equipment.

Continued on other side

Vicki Kramer, Director
Department of Transportation
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Lincoln, NE 68502
PHONE 402-471-4567
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dot.nebraska.gov

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DEPARTMENT OF TRANSPORTATION

Regarding intersection design, roundabouts were selected primarily where the highway curves, allowing for smoother transitions in these areas. In contrast, RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor, U.S. Highway 81 (US-81), is essential. This design prioritizes safety for left turns and crossings from the secondary route while minimizing disruptions to US-81.

Our team has carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs and roundabouts, please visit www.ndot.info/rcut and www.ndot.info/rab.

We understand your frustration with the project timeline. The current schedule considers several factors beyond securing funds, such as agency approvals, an environmental assessment, public involvement, preliminary design, right-of-way acquisition and final design. For this reason, the project is anticipated to be built in multiple phases beginning as soon as 2029, depending on funding availability.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Vicki Kramer, Director
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And also, the RCUTs would severely hinder the movement of equipment trying to go across the road. We have a farmer that lives over here east that has to cross that road numerous times every day with semis, or turn and go south with those semis. Environmental impact on the local citizens would be huge by putting in a major impact on the local citizens by putting in roundabouts on 66 and at Benedict.

A lot of the farmers are coming from the west on 66 turning to the elevator in Stromsburg, and they would have to be making the cuts, how many of them would turn around and go onto the gravel road? How many of our young kids are going to go here a half mile west and go on gravel roads rather than have to put up with this intersection down here.

I don't know, but I do know it's not safe to have kids on gravel roads and that is what will happen. So thank you.

MS. SIERRA LUHN: Thank you, Ken.

I have Kurt Moore.

* * *

MR. KURT MOORE: Yep, Kurt Moore. I'm board president here at Cross County School. We sent a letter regarding the RCUT intersection here in spring hoping to -- you would consider changing it. Obviously

you're going to stay with your preferred design. I guess I don't want to be redundant with what's already been said, but the main concern would be after -- after big events like basketball, football games, that sort of thing, we literally have hundreds of cars coming out of our parking lot, and majority of them are wanting to turn north. So we have serious concerns about the RCUT's ability to impact that high volume of traffic.

At the very least we would hope that you would consider making the U-turn lane much longer than normal, because if traffic gets backed up into the regular four-lane, waiting for the U-turn, that will -- can be very dangerous, so we've heard about that.

We also mentioned in our letter that at the very least, it would be good to have a yellow flashing light at that intersection, and maybe even a slower speed limit than you have in some of the other ones that have been designed, so that's all. Thank you.

MS. SIERRA LUHN: Thank you, Kurt.

Next I have Cindy Nyberg.

* * *

MS. CINDY NYBERG: I'm Cindy Nyberg, C-I-N-D-Y N-Y-B-E-R-G, secretary of the Cross County School Board and mom of four, two teen drivers, one

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Kurt Moore
2403 Road P
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

Regarding the U-turn lane length, both U-turn lanes would be designed to accommodate traffic during peak hours. NDOT would continue to monitor future traffic conditions at the RCUTs.

Regarding vehicle queuing, RCUTs have been shown to decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. For highway drivers, RCUTs do not add any additional delays to their route.

Our team has carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs please visit www.ndot.info/rcut.

At this time, NDOT is not planning to add a yellow flashing light at the intersection of US-81 and N-66 near Cross County Community Schools. However, NDOT would lower the speed limit to 60 miles per hour near the proposed RCUTs.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

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you're going to stay with your preferred design. I guess I don't want to be redundant with what's already been said, but the main concern would be after -- after big events like basketball, football games, that sort of thing, we literally have hundreds of cars coming out of our parking lot, and majority of them are wanting to turn north. So we have serious concerns about the RCUT's ability to impact that high volume of traffic.

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We also mentioned in our letter that at the very least, it would be good to have a yellow flashing light at that intersection, and maybe even a slower speed limit than you have in some of the other ones that have been designed, so that's all. Thank you.

MS. SIERRA LUHN: Thank you, Kurt.

Next I have Cindy Nyberg.

* * *

MS. CINDY NYBERG: I'm Cindy Nyberg, C-I-N-D-Y N-Y-B-E-R-G, secretary of the Cross County School Board and mom of four, two teen drivers, one

learning to drive right now, and I do thank you for the attentionality for information sharing the proposal to educate our youth that attend this particular school.

I do feel more positive about other alternatives, not the RCUT, whether it's a light or maybe it's your roundabout. I feel like the RCUT leaves concerns like we talked about in the school letter, the school board letter to you. With the sheer number of young drivers and the high volume after activities, as Kurt talked about, I'm concerned about icy roads and dense fog.

As a parent who has dropped her children off because I don't let them drive in that dense fog, which requires taking good chance or good judgment, braking can be a challenge. I've seen young drivers slide in a domino effect out here at the entry into the school into the median, and I would just like maybe some more emphasis on how these stop lights, kind of in the middle of nowhere like at 81 and South Lincoln Avenue work effectively, perhaps as you get towards Columbus, how the flow is appropriately stopped with a light.

I know that the RCUT has had serious safety studies, I've looked at a little bit of the research, I appreciate you sharing that, but I feel the

consideration is that we have the volume of youth couple different times of day and following those events, that makes this project consider this intersection on a different level that speaks to that research that is maybe not judging how many young drivers there are. So I appreciate you taking our comments into consideration, thank you.

MS. SIERRA LUHN: Thank you, Cindy. Next up I have Dan Potter.

* * *

MR. DAN POTTER: I really have no agenda as far as comments here tonight. I do want to thank you for the process for the transparency on it, and any -- any future comments I will submit in writing.

Like I said, I just wanted to be here and reserve the right to speak. Thank you.

MS. SIERRA LUHN: Thank you.

And then next up I have Larry Jacobsen.

* * *

MR. LARRY JACOBSEN: Larry Jacobsen, J-A-C-O-B-S-E-N.

My comments I guess are a little more personal because my house sits right on Highway 81. I guess I'm frustrated because this has been dangled in our face for about 25 years and each time they come out

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Cindy Nyberg
201 Exchange St
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested.

Regarding intersection design, roundabouts were selected primarily where the highway curves, allowing for smoother transitions in these areas. In contrast, RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor, U.S. Highway 81 (US-81), is essential. This design prioritizes safety for left turns and crossings from the secondary route while minimizing disruptions to US-81.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Regarding stop lights, our team evaluated traffic conditions to determine if traffic signal warrants were met. Based on national standards, which include factors such as volume, crash history, and other criteria, the installation of traffic signals was not warranted.

Regarding fog and ice, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions. For live updates before heading out, please visit www.511.nebraska.gov.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

consideration is that we have the volume of youth couple different times of day and following those events, that makes this project consider this intersection on a different level that speaks to that research that is maybe not judging how many young drivers there are. So I appreciate you taking our comments into consideration, thank you.

MS. SIERRA LUHN: Thank you, Cindy. Next up I have Dan Potter.

* * *

MR. DAN POTTER: I really have no agenda as far as comments here tonight. I do want to thank you for the process for the transparency on it, and any -- any future comments I will submit in writing.

Like I said, I just wanted to be here and reserve the right to speak. Thank you.

MS. SIERRA LUHN: Thank you.

And then next up I have Larry Jacobsen.

* * *

MR. LARRY JACOBSEN: Larry Jacobsen, J-A-C-O-B-S-E-N.

My comments I guess are a little more personal because my house sits right on Highway 81. I guess I'm frustrated because this has been dangled in our face for about 25 years and each time they come out

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Dan Potter
151 32nd Rd
Rising City, NE 68658

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

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MS. SIERRA LUHN: Thank you, Cindy. Next up I have Dan Potter.

* * *

MR. DAN POTTER: I really have no agenda as far as comments here tonight. I do want to thank you for the process for the transparency on it, and any -- any future comments I will submit in writing.

Like I said, I just wanted to be here and reserve the right to speak. Thank you.

MS. SIERRA LUHN: Thank you.

And then next up I have Larry Jacobsen.

* * *

MR. LARRY JACOBSEN: Larry Jacobsen, J-A-C-O-B-S-E-N.

My comments I guess are a little more personal because my house sits right on Highway 81. I guess I'm frustrated because this has been dangled in our face for about 25 years and each time they come out

they do their studies, they upset your life, talk about what they're going to do or not do, and then leave. And I guess my frustration takes in the fact that they're considering moving my garage, but not the house where I live. So if they do move the house where I live, which is made out of brick that has sat there for 46 years, I've been told by two different movers that they can move a brick house, but if they move my brick house and set it on the foundation that is going to settle, what happens when your project is all done, everybody's left? Checks have been written and my bricks start falling off my house? That's my responsibility.

And I guess in the same regards with the RCUTs, driving truck coming down Highway 81 every day and I just don't understand -- I guess I don't understand them, period, how you expect trucks to make a complete U-turn into traffic that runs up and down Highway 81 safely especially by a school.

Thank you.

MS. SIERRA LUHN: Thank you.

Now that does end the list for people who have signed up ahead of time. Do I have anyone else who would like to speak at this time?

(No response.)

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Larry Jacobsen
1801 Hwy 81
York, NE 68467

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your frustration with the project timeline. The current schedule considers several factors beyond securing funds, such as agency approvals, an environmental assessment, public involvement, preliminary design, right-of-way acquisition and final design. For this reason, as discussed at the stakeholder meeting, the project is anticipated to be built in multiple phases beginning as soon as 2029, depending on funding availability.

In response to your comments about moving your garage, project representatives will contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases, which are anticipated to begin in 2026. ROW negotiations will include discussions on damage settlements in addition to land and other property impacts.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. The RCUTs would be built to allow space for large trucks, semis, buses and other large agricultural equipment to turn at the intersection. The design would include bulb-outs, which are curb extensions at key points of the intersection that create additional turning space, allowing larger vehicles to safely and smoothly make the U-turn.

Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested. We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Continued on other side

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

MS. SIERRA LUHN: All right, seeing there are no other questions or comments, we will end the public forum, the time is 6:42 p.m.

Staff will be available in the lobby to answer any additional questions you have. If you didn't receive a handout or a comment form when you arrived, there are additional copies available up at the welcome table in the front lobby area, as well as at the comment table itself.

Please remember to sign in if you didn't do so already. That just ensures that you're going to receive any further information on the project that was sent out.

And then please also just thank you for your time tonight and your participation. It means a lot to us -- oh, sorry do we have one more?

MR. DAVID BRYAN: May I ask a question?

MS. SIERRA LUHN: Is it specific or all together?

MR. DAVID BRYAN: Specific.

MS. SIERRA LUHN: Specific to your property?

MR. DAVID BRYAN: No, in general.

MS. SIERRA LUHN: Okay.

MR. DAVID BRYAN: I would like a show of

hands who here would be in favor of the RCUT?

(Congregation responds.)

MR. DAVID BRYAN: Okay, that's all I needed.

MS. SIERRA LUHN: Like I said, thank you for your time and participation tonight, everyone. I'm going to go ahead and leave this up with the location of all the draft EAs. Feel free to find staff. We have maps back here to locate your property as well. Thank you.

(Whereupon, at 6:42 p.m., the public forum portion of this hearing ended and awaited comments on record:)

* * *

MR. DOUG NUTTELMAN: My name is Doug Nuttelman, N-U-T-T-E-L-M-A-N.

I'm a farmer that lives a mile and a half east of here and we do run a dozen semis in one of our small businesses. We cross the intersection of 66 and 81 a dozen to 20 times a day. And like today, I came over the hill, I was hauling sand out of Central City, and when school's in process here, I wind up stopping clear up there. The traffic lines at a ball game and everything are long, and everything else, but -- but we go east and west all the time.

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

David Bryan

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concern regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

hands who here would be in favor of the RCUT?

(Congregation responds.)

MR. DAVID BRYAN: Okay, that's all I needed.

MS. SIERRA LUHN: Like I said, thank you for your time and participation tonight, everyone. I'm going to go ahead and leave this up with the location of all the draft EAs. Feel free to find staff. We have maps back here to locate your property as well. Thank you.

(Whereupon, at 6:42 p.m., the public forum portion of this hearing ended and awaited comments on record:)

* * *

MR. DOUG NUTTELMAN: My name is Doug Nuttelman, N-U-T-T-E-L-M-A-N.

I'm a farmer that lives a mile and a half east of here and we do run a dozen semis in one of our small businesses. We cross the intersection of 66 and 81 a dozen to 20 times a day. And like today, I came over the hill, I was hauling sand out of Central City, and when school's in process here, I wind up stopping clear up there. The traffic lines at a ball game and everything are long, and everything else, but -- but we go east and west all the time.

We haul livestock. The roundabouts, you know, with 53-foot trailer work really good; RCUTs, takes a lot of room for us to get to the other side of the road.

And with traffic, I know they slow down, like at Humphrey and North Bend and stuff like that, but they just -- you just don't -- they're hard to anticipate traffic sometimes with the time you need to get across. Or you have to wait till they'll big be an opening and stuff like that.

So I'm -- I would prefer a roundabout with my semis rather than RCUTs is what I would like. That's -- I wrote in my comments, so I appreciate if they would listen to it. Thank you very much.

* * *

MR. ROGER BODTKE: Roger Bodtke, I have a concern about the RCUT south of Columbus going through Bellwood. I don't think anybody's thought about it, but there's a plan and I think they have even did some -- what's the word I want to use? Studies going from south or going north of Bellwood up to Columbus where the truck traffic to keep it out of Columbus and, I think that particular aspect has not been looked at.

But if all the trucks are -- that go

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Doug Nuttelman
PO Box 413
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concern regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

RCUTs have been shown to decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. For highway drivers, RCUTs do not add any additional delays to their route.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

We haul livestock. The roundabouts, you know, with 53-foot trailer work really good; RCUTs, takes a lot of room for us to get to the other side of the road.

And with traffic, I know they slow down, like at Humphrey and North Bend and stuff like that, but they just -- you just don't -- they're hard to anticipate traffic sometimes with the time you need to get across. Or you have to wait till they'll big be an opening and stuff like that.

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MR. ROGER BODTKE: Roger Bodtke, I have a concern about the RCUT south of Columbus going through Bellwood. I don't think anybody's thought about it, but there's a plan and I think they have even did some -- what's the word I want to use? Studies going from south or going north of Bellwood up to Columbus where the truck traffic to keep it out of Columbus and, I think that particular aspect has not been looked at.

But if all the trucks are -- that go

through Bellwood that now go through Columbus, once that thing's built, we're going to have a lot of truck traffic coming back out and trying to have an RCUT trying to get all these trucks that go -- come in the south and some even from the west, they're going to have difficult time negotiating this -- these RCUTs.

In addition, going north on Highway 81, and I've experienced this a long time, 39 years worth, people coming from the east, especially this morning going to work, they need an acceleration lane so they can instead of merging right into traffic while it's going north, so acceleration lane where they can then speed and then merge into traffic, that would sure save a lot of cuss words or whatever else.

But if this thing is built north of Bellwood, the trucks coming out trying to negotiate an RCUT going south, I can see a lot of problems. There are trucks that use it now, but they have to go all the way through Schuyler and then back west to the packing plant or ADM there.

If they would forget the RCUT and -- like coming south out of Columbus, wanting to turn east going in through Bellwood, currently the acceleration lane is only about room for two trucks, front to back. If they would ex -- you know, expand that north at

least two or three times once that would give people a chance to pull off, they can turn and wouldn't need an RCUT.

Also there's a lot of farm traffic that goes back and forth through that particular intersection. That's it. Thank you.

(No further comments.)

(Hearing concluded at 7:30 p.m.)

** ** ** **

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Roger Bodtke
13284 W Rd
Shelby, NE 68662

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

NDOT is aware of the U.S. Highway 30 (US 30) and Nebraska Highway 64 (N-64) Bypass Study; however, a bypass is not expected to be constructed in the near future.

We understand your concern regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The RCUTs would be built to allow space for large trucks, semis, buses and other large agricultural equipment to turn at the intersection. The design would include bulb-outs, which are curb extensions at key points of the intersection that create additional turning space, allowing larger vehicles to safely and smoothly make the U-turn.

NDOT is currently not planning to add acceleration lanes for drivers turning right onto US-81 from side roads; however, U-turn lanes, including the one you mentioned on US-81 southbound and turning left to go east on N-64 towards Bellwood, would be designed to accommodate traffic queuing during peak hours. NDOT would continue to monitor future traffic conditions at the RCUTs.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you for the feedback you provided at the public forum. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

From: Luhn, Sierra on behalf of NDOT, Public Involvement
To: TenHulzen, Bre; Luhn, Sierra
Subject: FW: Comment Inquiry for York - Columbus
Date: Friday, October 4, 2024 3:27:08 PM

CA I N: EX E NAL his email originate from outsi e of the organi ation o not click links or open attachments unless ou recogni e the sen er an know the content is safe

From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Tuesday, October 1, 2024 6:43 PM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: jdewitt@crosscounty.esu7.org
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Justin DeWitt

Email
jdewitt@crosscounty.esu7.org

Address
707 E 8th St

City
Stromsburg

State
Nebraska

Zip

68666

Comment

I appreciate the visual maps and displays to look at the project. Words on slides are very small and hard to read.

How satisfied are you with this project?

Somewhat satisfied

NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Justin DeWitt
707 E 8th St
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We apologize for the difficulty you encountered reading the words on our presentation slides, and we regret any inconvenience this may have caused. All project information presented at the hearing, including the Draft Environmental Assessment and the presentation itself, are available our project website at www.ndot.info/42967.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: Luhn, Sierra on behalf of NDOT, Public Involvement
To: Luhn, Sierra; TenHulzen, Bre
Subject: FW: Comment Inquiry for York - Columbus
Date: Friday, October 4, 2024 3:26:43 PM

CA I N: EX E NAL his email originate from outsi e of the organi ation o not click links or open attachments unless ou recogni e the sen er an know the content is safe

From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Wednesday, October 2, 2024 7:47 AM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: jji6869@gmail.com
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Jeff Ingalls

Email
jji6869@gmail.com

Address
PO Box 130, 305 West Park Street

City
Shelby

State
Nebraska

Zip

68662

Comment

I attended the information meeting at Cross County HS on October 1st. I live along Hwy 81/92 on the west edge of Shelby and was wondering if improvements were going to be made to storm water drainage in front of my house? When it rains 2 inches or more, over half the highway is covered in water since most of the SW part of Shelby drains to that spot. If no improvements are made to the current curb and drainage, it will be a major hazard during storms for traffic, especially since they will be driving closer to the curb. It needs to be improved. Thank you.

How satisfied are you with this project?

Somewhat satisfied

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Jeff Ingalls
PO Box 130
305 West Park St
Shelby, NE 68662

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We appreciate you making us aware of your concerns about stormwater drainage in front of your house. NDOT is currently studying the pavement and drainage in this area.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From:	John Peterson
To:	Luhn, Sierra
Subject:	Re: YORK - COLUMBUS: C.N. 42967 Public Comments
Date:	Wednesday, October 2, 2024 7:47:40 PM
Attachments:	image001.png

Thank you!

John Peterson
stonefly55@hotmail.com
N4KEA

From: Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Sent: Wednesday, October 2, 2024 7:01 PM
To: John Peterson <stonefly55@hotmail.com>
Subject: RE: YORK - COLUMBUS: C.N. 42967 Public Comments

Thank you, John. I have received your comment and will respond once the comment period closes.

Best,

Sierra Luhn
u lic nvolvement Specialist
Communications Pu lic Polic i ision
Ne raska epartment of ransportation
OFFICE 402-479-3103
MOBILE 402-432-2281
sierra.luhn@nebraska.gov
ot ne raska go

From: John Peterson <stonefly55@hotmail.com>
Sent: Wednesday, October 2, 2024 3:27 PM
To: Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Subject: YORK - COLUMBUS: C.N. 42967 Public Comments

You don't often get email from stonefly55@hotmail.com. Learn why this is important

I'm glad you said something. I messed up and sent you the wrong attachment. My fault for naming the attachment similar to the invite. I have now attached the correct document with my comments. My apologies.

John Peterson

stonefly55@hotmail.com
N4KEA

From: Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Sent: Wednesday, October 2, 2024 3:07 PM
To: John Peterson <stonefly55@hotmail.com>
Subject: RE: DOCUSIGN

Hi John,

I have not sent you an email response and am also not familiar with “CRA”, so I’m glad you are cautious. I just opened the attachment you sent and only see the postcard that was sent for the hearing; was there meant to be notes on it and/or another sheet?

Thank you,

Sierra Luhn
u lic nvolvement Specialist
Communications Pu lic Polic i ision
Ne raska epartment of ransportation
OFFICE 402-479-3103
MOBILE 402-432-2281
sierra.luhn@nebraska.gov
ot ne raska go

From: John Peterson <stonefly55@hotmail.com>
Sent: Wednesday, October 2, 2024 2:31 PM
To: Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Subject: DOCUSIGN

> You don't often get email from stonefly55@hotmail.com. Learn why this is important

Being the over cautious person I am, I just received a DOCUSIGN email from "CRA". Since I am unfamiliar with CRA or the email address it came from, might you have sent it regarding my Comments on the York-Columbus; C.N. 42967?

John Peterson
stonefly55@hotmail.com
N4KEA

From:	John Peterson
To:	Luhn, Sierra
Subject:	Comments Regarding the Hwy 81 Project
Date:	Wednesday, October 2, 2024 2:04:49 PM
Attachments:	Hwy 81 Meeting.pdf

You don't often get email from stonefly55@hotmail.com. Learn why this is important

Sierra,

Thank you for allowing us to send our comments regarding the Hwy 81 project, for the states review. I live in Polk country right alongside Hwy 81. My comments are attached. If for any reason this type of response is not acceptable, please let me know. Otherwise, I can indeed mail this in. I look forward to receiving a response.

My comments are attached as a pdf.....please acknowledge receiving this email. Thank you again.

John Peterson
enter oa
ene ict Ne ras a

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

PUBLIC COMMENT SHEET

York — Columbus; C.N. 42967

Please submit your written comments by Oct. 16, 2024

Return to: *Sierra Luhn, NDOT Public Involvement*
P.O. Box 94759
Lincoln, NE 68509-4759

sierra.luhn@nebraska.gov
402-479-3103 Office
402-479-3989 Fax

First, Thankyou For allowing public comment on the proposed Hwy 81 project:

① The proposed "R" U-Turn junction at The Hwy 81/66 was unanimously voted down by The 200+ attendee's. For use who live here, we know The amount of vehicle conjestion That occurs at This intersection due To due The schools' athelitic events, community events, normal school see's hundreds of cars approach This intersection at The same time several times a day. The proposed intersection modification will require These cars To cross multiple lanes of cars doing 70 mph which dramatically increases The odds of an accident. Up/over merge lanes like I-80 would be a much safer option. BTW, Fog at that corner makes visability almost impossible.

② Right now mail boxes, for most of us, are required on The East side of The Hwy. IF The post office does not change its routes, Then many of us will be required To cross Four lanes of 70 mph cars. It's not safe now. Really not safe crossing Four lanes and dodging cars.

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	X	~~X~~	○	○

The Federal Highway Administration (FHWA) and the Nebraska Department of Transportation (NDOT) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel.

Thank you for your participation.

Name: (Please Print) John Peterson
Address: 12220 Center Road
City, State, Zip: Benedict, Nebraska 68316
Phone: 703-407-0832 *Email:* stonefly55@hotmail.com

Written comments submitted to NDOT are considered public information and may be shared with appropriate local, state, or federal agencies, as well as the general public, as part of the project development process.

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

John Peterson
12220 Center Rd
Benedict, NE 68316

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Regarding speed limits, NDOT would lower the speed limit to 60 miles per hour near the proposed RCUTs. We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Regarding merge lanes, overpasses and grade-separated options, these are not being considered for this project due to cost and schedule constraints. Our proposed RCUT design has been shown to reduce crash risks while maintaining efficient traffic flow.

Regarding fog, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions. For live updates before heading out, please visit www.511.nebraska.gov.

In response to your comments about mailboxes, NDOT would coordinate with the local postmaster which would ultimately establish the final mailbox locations.

Continued on other side

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

TenHulzen, Bre

From: Luhn, Sierra <Sierra.Luhn@nebraska.gov> on behalf of NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Sent: Friday, October 4, 2024 3:27 PM
To: TenHulzen, Bre
Subject: FW: Comment Inquiry for York - Columbus

CAUTION: [EXTERNAL] This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Thursday, October 3, 2024 9:31 PM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: Polk County News <polkcountynews@yahoo.com>
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Beth Sparrow

Email
polkcountynews@yahoo.com

Address
PO Box 341

City
Stromsburg

State
Nebraska

Zip
68666

Comment
Please check your sign-in sheets. I believe not many (if any) Osceola and Shelby people were in attendance at Tuesday's hearing. Both had home "pink out" volleyball games. I know this because I own and run the Polk County News and didn't recognize many from those towns. Maybe consider having another? Thank you for having this and keeping the public informed. I will certainly do my part in keeping Osceola and Shelby informed through the newspaper.

How satisfied are you with this project?
Somewhat satisfied

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Beth Sparrow
PO Box 341
Stromsburg NE, 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Anyone unable to attend our recent public hearing can visit our project website at www.ndot.info/42967 to view all project information presented at the hearing, including the Draft Environmental Assessment and a video recording of the hearing. We sincerely appreciate your efforts to help keep the public informed about this project.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From:	Jim Kindig
To:	Luhn, Sierra; Wahlgren, Wes; Kindig-Home, Jim
Subject:	Fwd: US 81 "Expressway"
Date:	Friday, October 4, 2024 9:28:51 AM

Please a this to yo r comments an share.

han s.
James Kin i

or ar e messa e
rom Jim Kindig in i 4 @ mail.com
ate ri ct 4 4 at A
ect e E ress ay
o tnelson 4@allo hone.com

a ree ith yo .

n h ct 4 at 5 P tnelson 4@allo hone.com rote

> Hello Mr. Kindig
>
> Tom Nelson from Columbus here. I am contacting you to vent again regarding Highway 81.
>
> I was unable to attend the October 1 meeting at Cross Country Community Schools regarding this project. I did look at proposed road layout and plan.
>
> My main question: Is this even an expressway now?
>
> I find this plan to make no sense and is completely driven by time and cost. The underlying rationale for decisions made about bypasses, intersections, etc. are completely based on "time and cost". What kind of "expressway" has no fewer than seven points that you must reduce speed and/or deal with lane reductions? They are not bypassing the three communities, they are using roundabouts at both ends of 81/92, and they are using two RCUT intersections. That is seven locations where Highway 81 traffic will be reduced back to one lane each direction, or go through an intersection "device" that will slow traffic down.
>
> I would think it will be difficult to drive a truck or farm equipment on this road or try to cross it. Frankly, this is the most illogical thing that I have seen and makes no sense compared to how the rest of Highway 81 was laid out. But, again, time and cost . . .
>
> I looked through the Draft Environmental Assessment for this project and read through the comments from the March 2024 open houses. The people that were thinking a little bit, questioned the lack of bypasses, intersections at 81/92 and the 81/66 intersection where Cross County Schools is located. This assessment at least acknowledged that in 1997 the plan was to build this road with bypasses, but now it is no longer being considered. The comments also talked about not wanting roundabouts at the 81/92 intersections. The difficulty for trucks and farm equipment getting through them was noted. People also feel roundabouts are fine in towns, just not on a 70 mph major highway. Instead, sweeping curves or standard intersections would be preferred. That makes much better sense for an expressway. Finally, the RCUT intersection at 81/66 was not supported by those who commented. It was noted how school traffic/events would be

a problem as would farm equipment trying to cross at that intersection. Many felt that an overpass/interchange at the 81/66 intersection would be the best option, but that is not a consideration.

Why does time seem to be such a factor for NDOT. I would think that as long as they have committed to doing the project and are making progress, why would there be a firm timeline? To me, building it with the right options as opposed to building what you can build in a certain time frame makes more sense.

It seems the NDOT has two new toys in the roundabouts and RCUT intersections. They really like to use them. I know they are cheap and safe, but are they really the best options for this expressway?

I really don't know why I am so mad about this as I won't use this road all that much. I guess I just don't like when smart people do dumb things. This road is a perfect example. The NDOT powers that be seem to be mad that they are being forced to complete this project. So, instead of building it right, they will continue to stand behind "time and cost" and build it in a way that makes no sense for an expressway. RCUT intersections, roundabouts, and lack of bypasses don't seem to make much sense for this project. Besides, it was NDOT that kept delaying this project due to lack of funds and now, of course, it is much more expensive.

I am wondering, when NDOT builds the Lincoln West Beltway and Lincoln East Beltway, will they replace the interchanges with roundabouts and RCUT intersections because of time and cost?

Time and cost . . .

Thanks for listening!

From: noreply@nebraska.gov
To: NDOT, Public Involvement
c: tnelson24@allophone.com
Subject: Comment Inquiry for York - Columbus
Date: Tuesday, October 8, 2024 3:23:21 PM

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Tom Nelson

Email
tnelson24@allophone.com

Address
3260 Pershing Rd

City
Columbus

State
Nebraska

Zip
68601

Comment
*First of all, I am glad this project is finally going forward. It is long overdue. *I have already commented on my disagreement with no bypasses around Stromsburg, Osceola, and Shelby. *Now, in addition to no bypasses, the preferred alternatives are for roundabouts at both ends of 81/92 and RCUT intersections at 81/N64, 81/N66, and 81/N93C. How many more times do you want to slow traffic down? This isn't an "expressway" anymore. And

it is completely different compared to all the other Highway 81 expansion projects. *I would think that no matter how you build the roundabouts and RCUTs, it will be difficult for trucks and farm equipment that must travel through those intersections. *In my opinion, the goal should be to keep Highway 81 traffic moving at 70 mph as much as possible. Therefore, I think it would make more sense to use sweeping curves at both ends of 81/92, standard intersections at 81/N64 and 81/93C, and some kind of overpass/interchange at 81/N66

How satisfied are you with this project?
Somewhat dissatisfied

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Tom Nelson
3260 Pershing Rd
Columbus, NE 68601

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Upon completion of this project, U.S. Highway 81 (US-81) between York and Columbus would become an expressway.

We understand your frustration with the project timeline. The current schedule considers several factors beyond just securing funds, such as agency approvals, an environmental assessment, public involvement, preliminary design, right-of-way acquisition and final design. For this reason, the project is anticipated to be built in multiple phases beginning as soon as 2029, depending on funding availability.

Bypasses of the three communities are no longer being considered as part of this project due to cost and schedule constraints; however, the proposed three-lane improvements for these communities would minimize impacts through town and improve traffic operations.

We also understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of US-81 and Nebraska Highway 66 (N-66) near Cross County Community School. The design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

Regarding crossings, the RCUT would be designed to accommodate the turning radius of large trucks, semis, buses and other large agricultural equipment. NDOT would also lower the speed limit to 60 miles per hour near the proposed RCUTs. Both U-turn lanes would be designed to accommodate traffic during peak hours. NDOT would continue to monitor future traffic conditions at the RCUTs.

Additionally, RCUTs have been shown to decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway.

Continued on other side

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

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Regarding intersection design, roundabouts were selected primarily where the highway curves, allowing for smoother transitions in these areas. In contrast, RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor, U.S. Highway 81 (US-81), is essential. This design prioritizes safety for left turns and crossings from the secondary route while minimizing disruptions to US-81.

NDOT performed a traffic study of the project corridor, including the intersection of on US-81 and N-66, before developing and proposing the preferred alternative based on the findings. We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs and roundabouts, please visit www.ndot.info/rcut and www.ndot.info/rab.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: Luhn, Sierra on behalf of NDOT, Public Involvement
To: TenHulzen, Bre
Subject: FW: Comment Inquiry for York - Columbus
Date: Friday, October 4, 2024 3:27:02 PM

CA I N: EX E NAL his email originate from outsi e of the organi ation o not click links or open attachments unless ou recogni e the sen er an know the content is safe

From: noreply@nebraska.gov <noreply@nebraska.gov>
Sent: Thursday, October 3, 2024 10:41 PM
To: NDOT, Public Involvement <ndot.PublicInvolvement@nebraska.gov>
Cc: ttgabriel16@gmail.com
Subject: Comment Inquiry for York - Columbus

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Trenton Gabriel

Email
ttgabriel16@gmail.com

Address
12922 N Blvd

City
Osceola

State
Nebraska

Zip

68651

Comment

I think the R cut at 66 by the Cross County High School is a terrible idea. Needs to be modified. Kids getting out of school and traffic at the same time. Thinking a lot of accidents are going to happen because of unexperienced drivers and a lot of congestion in traffic from all the school traffic.

How satisfied are you with this project?

Very dissatisfied

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Trenton Gabriel
12922 N Blvd
Osceola, NE 68651

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUT would be designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Regarding congestion, RCUTs have been shown to decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. For highway drivers, RCUTs do not add any additional delays to their route.

Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested. We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

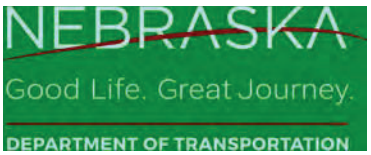
Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

From:	Wahlgren, Wes
To:	Luhn, Sierra
c:	Klein, Eric; Ataullah, Syed; Kessler, Tony
Subject:	81-2(1051), CN 42967, York to Columbus, 7 Mile Steakhouse @ STA 6530 RT
Date:	Friday, October 4, 2024 2:57:25 PM

I took a call from Reg Nekl (402-562-1135) owner of the 7 Mile Steakhouse about the project and he is concerned with the RCUT for the N-64 and he'd rather see a roundabout considered. He also talked about the to buildings south of him being acquired and said his fuel tanks are west of his fuel island on the west side of his business (approx. STA 6530 Rt). Make sure he is invited to the stakeholder meeting. His mailing address is: 2298 140th Rd., Shelby, NE 68662 and his E Mail is regnekl@icloud.com.

Thanks!

Wesley Wahlgren, P.E.
District 4 Engineer
(308) 385-6265
(308) 385-6269 FAX
wes.wahlgren@nebraska.gov



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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Reg Nekl
2298 140th Rd
Shelby, NE 68662

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersection being proposed as part of the preferred alternative for U.S. Highway 81 (US-81) and Nebraska Highway 64 (N-64). This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

Regarding intersection design, roundabouts were selected primarily where the highway curves, allowing for smoother transitions in these areas. In contrast, RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor, U.S. Highway 81 (US-81), is essential. This design prioritizes safety for left turns and crossings from the secondary route while minimizing disruptions to US-81.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

In response to your comments about fuel tanks west of your fuel island, project representatives will contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases, which are anticipated to begin in 2026. ROW negotiations will include discussions on building acquisitions and other property impacts.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: noreply@nebraska.gov
To: NDOT, Public Involvement
c: tedp1952@gmail.com
Subject: Comment Inquiry for York - Columbus
Date: Saturday, October 5, 2024 7:49:50 AM

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Ted Pearson

Email
tedp1952@gmail.com

Address

City
Stromsburg

State
Nebraska

Zip
68666

Comment
The data you have surveyed regarding the R intersection in Humphrey R intersection is not accurate. People not only don't like the intersection, but find it to be ridiculous. I followed a semi through the intersection coming from the east, trying to go west while I was trying to go south. With traffic, it created a very unsafe crossing. I would suggest a flashing red or yellow light vs the R interchange. In Stromsburg I would like to invite you to a nighttime sporting event when the event is over to observe what the

intersection would look like. Please reconsider your decision to do this. Ted Pearson, 402-910-0131

How satisfied are you with this project?
Very dissatisfied

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Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Ted Pearson
tedp1952@gmail.com

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Regarding the Humphrey Restricted Crossing U-Turn (RCUT) intersection, NDOT's latest review shows that it has reduced total crashes by 54% and reduced fatalities and injuries by 96%.

Regarding a flashing red or yellow light, our team evaluated traffic conditions to determine if traffic signal warrants were met. Based on national standards, which include factors such as volume, crash history, and other criteria, the installation of traffic signals was not warranted.

NDOT performed a traffic study of the project corridor, including the intersection of on U.S. Highway 81 (US-81) and N-66, before developing and proposing the preferred alternative based on the findings.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: noreply@nebraska.gov
To: NDOT, Public Involvement
c: gail.stratman@fmc.com
Subject: Comment Inquiry for York - Columbus
Date: Monday, October 7, 2024 3:43:59 PM

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Gail Stratman

Email
gail.stratman@fmc.com

Address
12342 N Road

City
Stromsburg

State
Nebraska

Zip
68666

Comment
My thoughts are similar to others expressed at the Oct. 1st meeting. While an R-cut may work where traffic is spread out, I think it will be very dangerous at the Hwy 66/Hwy 81 intersection. With it being so close to school, it means heavy traffic at given times of the day, evening and with a higher percentage of teenage and elderly drivers attending events, it makes it more tricky to navigate. Traffic on a 4-lane is going to be traveling 70+ mph, no matter if you try to

lower speed limit, and there will a greater amount of truck traffic because it is an expressway. Traffic coming from the North will not slow coming through there, and you are asking slow drivers to get on to Hwy 81, then merge across 2 lanes to get in a turn lane. What lane is the thru traffic traveling 70 mph supposed to be in to avoid those slower people getting onto Hwy 81. I drive 30-35k miles per year for 30+ years. I can say those R-cuts on Hwy 81 at Humphrey make me nervous. I've been through there dozens of times and see some close calls. A loaded truck entering Hwy 81 at 10 mph, then he wants to get in the center lane, then left turn lane. A vehicle coming through at the posted limit of 60 mph comes upon that loaded truck in a hurry, even though you can see him a 1/2 mile away, and you don't know what lane is best to be in to avoid the truck because he needs both lanes. What happens at Hwy 66/81 when a car from school jumps across lanes to get to the R-cut and right in front of semi rolling through at full speed? You need a physical barrier at that intersection to slow all the traffic and keep it flowing and I think a round-about there would accomplish that. Plus, you maintain the utility of the intersection for farm equipment, farm vehicles. 20-ft wide slow equipment doesn't want to use an R-cut. An R-cut there forces traffic to want to use other intersections to "get across" that are more dangerous. An R-cut is also tremendously hard on loaded trucks. Making 180 degree turns fully loaded is hard on tires, axles, and the road. A roundabout seems the best choice here and one the public is in most favor off.

How satisfied are you with this project?
Somewhat satisfied

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Gail Stratman
12342 N Rd
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Regarding speed limits, NDOT would lower the speed limit to 60 miles per hour near the proposed RCUTs. Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested. Regarding equipment crossings, the RCUT would be designed to accommodate the turning radius of large trucks, semis, buses and other large agricultural equipment.

Regarding intersection design, roundabouts were selected primarily where the highway curves, allowing for smoother transitions in these areas. In contrast, RCUTs were chosen in locations where maintaining uninterrupted traffic flow on the priority corridor, U.S. Highway 81 (US-81), is essential. This design prioritizes safety for left turns and crossings from the secondary route while minimizing disruptions to US-81.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

PUBLIC COMMENT SHEET

York — Columbus; C.N. 42967

Please submit your written comments by Oct. 16, 2024

Return to: *Sierra Luhn, NDOT Public Involvement*
P.O. Box 94759
Lincoln, NE 68509-4759

sierra.luhn@nebraska.gov
402-479-3103 Office
402-479-3989 Fax

RECEIVED
OCT 08 2024

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	○	○	◉	○

The Federal Highway Administration (FHWA) and the Nebraska Department of Transportation (NDOT) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel.

Thank you for your participation.

Name: (Please Print) Jennifer Boruch DVM

Address: 1624 131st Road

City, State, Zip: Osceola NE 68651

Phone: 4027472571 *Email:* osceolavet@windstream.net

Written comments submitted to NDOT are considered public information and may be shared with appropriate local, state, or federal agencies, as well as the general public, as part of the project development process.

I am the owner of the Osceola Veterinary Hospital which is situated on the north side of the curve on the east side of Osceola. At the public meeting held at Cross County school on October 1 I was informed there is the possibility of removing my access on Highway 81/92 right south of my building due to safety issues. In the 29 years I have been at the practice there has only been 1 minor fender bender in the west bound lane. In front of the business it is currently a no passing zone because of the curve but looking at the plans it will become the 2 lanes of traffic with a turning lane. That will actually make it even safer for cars turning into the business from the east bound lane. Also, if there is no direct access from the highway, it will be much harder to explain to customers where to turn to get into the parking lot. When I have semitrailers of cattle come it is much easier for the trucks to come in off the highway then it would be to try to come in from the north. The final issue is snow. If we get a lot of snow or the snow comes with a lot of wind we cannot get into the north entrance of the business. During those times it works so much better the go into the parking lot off the highway. For all these reasons I hope you will not remove the current entrance into my business.

Jennifer K Boruch DVM

Jennifer K Boruch DVM

RECEIVED

OCT 08 2024

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Jennifer Boruch, DVM
1624 131st Rd
Osceola, NE 68651

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Regarding your property access, NDOT will take your comments into consideration during final design. Project representatives will contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases, which are anticipated to begin in 2026. ROW negotiations will include discussions on driveways in addition to other property impacts.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

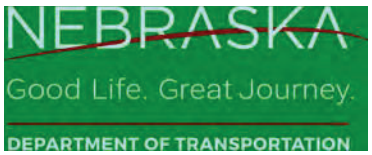
From:	Wahlgren, Wes
To:	Owen D Baker; Sen. Jana Hughes; Luhn, Sierra
Subject:	RE: Highway 81 project
Date:	Wednesday, October 16, 2024 8:37:39 AM

Dear Mr. Baker:

Thank you for your comments on the US Highway 81 project. They will be entered into the comment matrix for the project.

Sincerely,

Wesley Wahlgren, P.E.
District 4 Engineer
(308) 385-6265
(308) 385-6269 FAX
wes.wahlgren@nebraska.gov



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From: Owen D Baker <owen2131@gmail.com>
Sent: Tuesday, October 15, 2024 1:24 PM
To: Wahlgren, Wes <Wes.Wahlgren@nebraska.gov>; Sen. Jana Hughes <jhughes@leg.ne.gov>; Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Subject: Highway 81 project

Some people who received this message don't often get email from owen2131@gmail.com. Learn why this is important

I'm emailing today to lodge critical comment on the proposed highway 81 4 lane construction entering from the south of Stromsburg.

: - Cost to state to acquire land/remove houses/bldgs is extreme.

- Impact on irrigation/pivots goes beyond the land acquisition itself

- changing pivot length impacts entire fields - cost to expand bridge(s) entering Stromsburg will cost

potentially millions

- R-cut at school intersection is not the answer for many reasons: heavy traffic/big ag equipment/ice/sports events/fog/immature young kids making bad decisions to race across four lanes = reduction from 4 lanes to 2 lanes south of 81/66 and addition of stop light will absolutely save money while saving lives - this is not a question of if someone will be injured or killed at that intersection - it's when and how many.

Summary: Please consider this alternative solution. Reducing from 4 lane to 2 south of 81/66:
Saves millions
Saves time.
Saves existing farms
Saves fields/irrigation
a es li es

Please confirm recei t of this email.

en a er
troms r
4 4

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Owen Baker
owen2131@gmail.com

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concern(s) regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative [list intersection here if explicitly stated: including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Regarding fog, it's essential for all drivers to adjust their speed and driving behavior based on road and weather conditions. For live updates before heading out, please visit www.511.nebraska.gov.

Regarding traffic signals, our team evaluated traffic conditions, including intersections, to determine if traffic signal warrants were met. Based on national standards, which include factors such as volume, crash history, and other criteria, the installation of traffic signals was not warranted.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: noreply@nebraska.gov
To: NDOT, Public Involvement
c: hildi@windstream.net
Subject: Comment Inquiry for York - Columbus
Date: Tuesday, October 15, 2024 6:18:24 PM

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Gary Hild

Email
hildi@windstream.net

Address
P O Box 133

City
Benedict

State
Nebraska

Zip
68316

Comment
This is a project that should have been completed long ago, but I'm glad to see you are looking at it now. All along the 81Expressway going South, I think you have dodged every little town and all the big ones, and now you are condensing 4 lanes to two and another lane in the middle for traffic to cross. The same kids are using 81 to go to school and you think we need a R-cut at the school (not) It is the same for any kid who has to cross the hiway to get to school

w/o a R-Cut anywhere along 81. I don''t think it is good to go thru any town with an Expressway. York was terrible until they finished 'the road around' to the west and the same problem will be with Stromsburg, Osceola, Shelby and Columbus until you reroute 81 at a later date with more $$$$. I would propose you consider Going from York, across country, to the corner west of Columbus that goes North. You have done that on most of the Expressway and it would stand the test of time. Probably not the $$.

How satisfied are you with this project?
Very dissatisfied

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Gary Hild
PO Box 133
Benedict, NE 68316

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your frustration with the project timeline. The current schedule considers several factors beyond securing funds, such as agency approvals, an environmental assessment, public involvement, preliminary design, right-of-way acquisition and final design. For this reason, the project is anticipated to be built in multiple phases beginning as soon as 2029, depending on funding availability.

With the proposed project, NDOT would expand U.S. Highway 81 (US-81) from a two-lane highway to a four-lane expressway along an approximately 41-mile segment in York, Polk and Butler Counties, Nebraska. Bypasses of the three communities are no longer being considered as part of this project due to cost and schedule constraints; however, the proposed three-lane improvements for these communities would minimize impacts through town and improve traffic operations.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of US-81 and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter. Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra K Luhn

Sierra Luhn
NDOT Public Involvement
PO Box 94759, Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: Mitzi McKenney
To: Luhn, Sierra
Subject: Highway 81 Project
Date: Wednesday, October 16, 2024 9:26:41 PM

You don't often get email from mitzi60mckenney@gmail.com. Learn why this is important

ear s ierra nn

y name is elissa cKenney an am a nati e of troms r NE. tra el ac to my home area se eral times a year from aine. am a ainst a ane at the nction of i h ay i h ay so th of troms r .

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incerely

elissa K. cKenney

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Melissa K. McKenney
mitzi60mckenney@gmail.com

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested. Regarding speed limits, NDOT would lower the speed limit to 60 miles per hour near the proposed RCUTs. We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

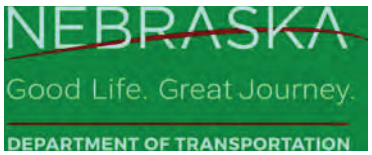
From:	Wahlgren, Wes
To:	Sarah Carlson; Sen. Jana Hughes; Luhn, Sierra
Subject:	RE: Comment Regarding Highway 81 Expansion Project, Project #: S-81-2(1051) Control #: 42967
Date:	Thursday, October 17, 2024 10:38:07 AM

Dear Ms. Carlson:

Thank you for your comments on the US Highway 81 project. They will be entered into the comment matrix for the project.

Sincerely,

Wesley Wahlgren, P.E.
District 4 Engineer
(308) 385-6265
(308) 385-6269 FAX
wes.wahlgren@nebraska.gov



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From: Sarah Carlson <sjanecarlson@gmail.com>
Sent: Wednesday, October 16, 2024 11:36 PM
To: Sen. Jana Hughes <jhughes@leg.ne.gov>; Wahlgren, Wes <Wes.Wahlgren@nebraska.gov>; Luhn, Sierra <Sierra.Luhn@nebraska.gov>
Subject: Comment Regarding Highway 81 Expansion Project, Project #: S-81-2(1051) Control #: 42967

> ome eo le ho recei e this messa e on t often et email from s anecarlson@ mail.com. earn hy this is im ortant

My name is Sarah Carlson. My siblings and I own our generational family farm and farmstead located at site #8, which is south of Stromsburg along the project route.

The intent of my email is to register comments in regards to Highway 81 Expansion Project, Project #: S-81-2(1051) Control #: 42967. My understanding is that you are receiving comments pertaining to the above noted project through today, October 16, 2024.

My comments are as follows:

- I am opposed to the project and request that it not move forward.
- Cross County School is located along the project route. The proposed traffic changes at the intersection of highway 81 and 66 pose a very significant threat to the lives and wellbeing of countless students, families and community members as well as to the lives of motorists that travel along the intended route.
- Disruption to farms and families who reside within the project zone will be adverse for generations to come; there will be no recovery once the farmland, farmsteads and livelihoods have been so adversely affected. From a personal perspective, our family farmstead would be destroyed.
- The impact on irrigation and pivot systems will be significant, costly, and extremely disruptive.
- The history and beauty of the Nebraska landscape we know and love would forever be changed along the project route.

Thank you for reading and giving consideration to my comments.
I look forward to your reply.

Respectfully,
Sarah J (Baker) Carlson
651-491-0028
sjanecarlson@gmail.com

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Sarah J (Baker) Carlson
sjanecarlson@gmail.com

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested. We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

In response to your comments about disruption, project representatives will contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases, which are anticipated to begin in 2026. ROW negotiations will include discussions on mailboxes and other property impacts.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

From: noreply@nebraska.gov
To: NDOT, Public Involvement
c: rltwogood@gmail.com
Subject: Comment Inquiry for York - Columbus
Date: Thursday, October 17, 2024 12:26:07 AM

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Rachel Twogood

Email
rltwogood@gmail.com

Address
12436 M road PO Box 608

City
Stromsburg

State
Nebraska

Zip
68666

Comment
As you drive North from York to Stromsburg you will see our farm on the west side of hwy 81 one and one quarter miles from town. You call this place 8. This farmstead was homesteaded by our ancestors and has been the staple for the Baker family for 125 years. My name is Rachel Baker Twogood. I married Ryan Twogood and we have been the farmers since 1994. I have great concerns about the four lane construction that is to take place on highway

81; especially from the interchange of hwy 81 and 66 heading North to Stromsburg. On your map you have noticed our pasture south of the machine shed. This is actually irrigated farmland which we currently depend upon in our Twogood Grass-fed Beef business. Like all farmers, we are concerned about profit. Why do we have irrigated pasture? This land has stayed in pasture because because of our sustainable grass-fed/ finished beef business. We believe in regenerative methods of agriculture and the farm ground is certified organic. This area pasture has worked well as we implement soil health rotational grazing systems for our black Angus herd. The impact on irrigation and pivot systems in regards to hwy 81 from York to Stromsburg will have a huge affect on our farm ground. We will have to change pivot lengths which will greatly impact the amount of land that will be irrigated cutting into our profits. The proposed interchange at highway 66 and 81 (Cross county schools) requiring farmers with large heavy equipment, truckers, young student drivers, buses or any vehicle coming from the west, who want to go North must go south, then make a U turn to proceed to go North, is very concerning. And if what I just wrote sounds confusing, it's because it is, and will be for every driver who must yield to this design. For a moment let's imagine a a crew of emergency ambulances, fire trucks, or police rushing from the west to a critical accident near Stromsburg or maybe heading to the hospital in Osceola. All participants will want to head North, but instead they have to go south, waiting for oncoming traffic until it's clear to tun. In these situations every minute counts and could be the difference between life and death. If this proposed design is implemented, accidents will happen. What I would like to suggest that we keep this part of hwy 81 from the intersection of 66 a two lane highway, but offer a passing zone area like those offered on 81 heading towards Wahoo Ne. Reducing from a four lane to two lane south of 81/66 is a simple solution to the 81/66 interchange. This will save the land and irrigation pivot systems along this area, it will save Nebraska millions of dollars, and most importantly it will save lives. Thank you Rachel Twogood

How satisfied are you with this project?
Very dissatisfied

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Rachel Twogood
12436 M Rd
PO Box 608
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

In response to your comments about irrigation and pivot systems, project representatives will contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases, which are anticipated to begin in 2026. ROW negotiations will include discussions on irrigation and pivot systems in addition to other property impacts.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Additionally, RCUTs decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. For highway drivers, RCUTs do not add any additional delays to their route. Regarding emergency services, NDOT would coordinate during later design stages of the project if impacts are anticipated.

The RCUTs would be designed to accommodate the turning radius of large trucks, semis, buses and other large agricultural equipment. Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested.

Continued on other side

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

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DEPARTMENT OF TRANSPORTATION

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

From: noreply@nebraska.gov
To: NDOT, Public Involvement
c: jvorthmann@gmail.com
Subject: Comment Inquiry for York - Columbus
Date: Thursday, October 17, 2024 9:09:39 AM

Form Results

Project
York - Columbus

Project URL
https://dot.nebraska.gov/projects/future-projects/york-columbus/

Full Name
Jessica Pallas

Email
jvorthmann@gmail.com

Address
209 W 9th Street

City
Stromsburg

State
Nebraska

Zip
68666

Comment
The intersection proposed for the 66/81 junction is very concerning. I understand the purpose of the R cut is to keep traffic moving but traffic needs to be slowed when you are dealing with an intersection that the majority of its occupants is young children and teenage drivers. Cutting across traffic is less than ideal. I believe the well being of our children should come before "keeping traffic moving". I would implore the NDOT to reconsider.

How satisfied are you with this project?
Somewhat dissatisfied

NEBRASKA
Good Life. Great Journey.
DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Jessica Pallas
209 W 9th St
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concerns regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

The proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Regarding speed limits, NDOT would lower the speed limit to 60 miles per hour near the proposed RCUTs. Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

U.S. Department of Transportation
Federal Highway Administration

NEBRASKA
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DEPARTMENT OF TRANSPORTATION

PUBLIC COMMENT SHEET

York — Columbus; C.N. 42967

Please submit your written comments by Oct. 16, 2024

Return to: *Sierra Luhn, NDOT Public Involvement*
P.O. Box 94759
Lincoln, NE 68509-4759

sierra.luhn@nebraska.gov
402-479-3103 Office
402-479-3989 Fax

It would be helpful for my farm operation if there could be an acceleration lane for the Semi's as they leave my farm going north on the new 2 lanes that are going to be added.
Our farm address is
2110 Hwy 81
Benedict, Ne.

RECEIVED
OCT 17 2024

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

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	○	○	○	●

Name: (Please Print) Steve Roth
Address: 1503 Rae 11 Dr
City, State, Zip: York NE 68467
Phone: 402-641-1744 *Email:* steveroth365@gmail.com

Written comments submitted to NDOT are considered public information and may be shared with appropriate local, state, or federal agencies, as well as the general public, as part of the project development process.

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Steve Roth
1503 Raell Dr
York, NE 68467

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

NDOT is currently not planning to add acceleration lanes due to cost.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
(402) 479-3103

U.S. Department of Transportation
Federal Highway Administration

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PUBLIC COMMENT SHEET

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Lincoln, NE 68509-4759

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Please reconsider the Rout at HWY66 (Cross Country School)

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	✓	○	○	○

The Federal Highway Administration (FHWA) and the Nebraska Department of Transportation (NDOT) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel.

Thank you for your participation.

Name: (Please Print) _____

Address: _____

City, State, Zip: _____

Phone: _____ *Email:* _____

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NEBRASKA
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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Anonymous

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

We understand your concern regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

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PUBLIC COMMENT SHEET

York — Columbus; C.N. 42967

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P.O. Box 94759
Lincoln, NE 68509-4759

sierra.luhn@nebraska.gov
402-479-3103 Office
402-479-3989 Fax

Please dont destroy the Bigfoot Pond on the East side of 81 one mile south of Benidict

The Federal Highway Administration (FHWA) and the Nebraska Department of Transportation (NDOT) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel.

Thank you for your participation.

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	○	○	○	○

Name: *(Please Print)* Willard Peterson

Address: 514 Rd 3 York NE 68467

City, State, Zip:

Phone: 402-366-4132 Email: Wjpeterso@gmail.com

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DEPARTMENT OF TRANSPORTATION

Jim Pillen, Governor

Willard Peterson
514 Rd 13
York, NE 68467

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
Lincoln, NE 68509
sierra.luhn@nebraska.gov
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402-479-3103 Office
402-479-3989 Fax

I encourage you to come observe traffic flow at Hwy 66 + Hwy 81 intersection at the following times:

- Any given Friday afternoon at 3:30 August–May
- Graduation Day at Cross County
- Osceola/Cross County Football or basketball games
- Any district ball game

The Federal Highway Administration (FHWA) and the Nebraska Department of Transportation (NDOT) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel.

Thank you for your participation.

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	○	○	○	○

Name: (Please Print) Teresa Linn
Address: P.O. Box 775
City, State, Zip: Stromsburg NE 68666
Phone: (402)764-0076 *Email:*

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Jim Pillen, Governor

Teresa Linn
PO Box 775
Stromsburg, NE 68666

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* C N 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

NDOT performed a traffic study of the project corridor, including the intersection of on U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66), before developing and proposing the preferred alternative based on the findings.

We understand your concern regarding the Restricted Crossing U-Turn (RCUT) intersections being proposed as part of the preferred alternative, including the intersection of U.S. Highway 81 (US-81) and Nebraska Highway 66 (N-66) near Cross County Community School. This design would change familiar traffic patterns, and we know that would take time for drivers to get used to. Your concerns are important to us, and we want to ensure everyone understands the reasoning behind the proposed design and its role in improving safety for all road users. For this reason, we've included an RCUT handout along with this letter.

NDOT's proposed RCUTs are designed to improve safety by allowing drivers to cross one direction of highway traffic at a time. An RCUT intersection reduces the number of places where vehicles can collide—known as conflict points—by over 40% compared to a traditional intersection. These conflict points are areas where traffic paths cross, merge or diverge, increasing the likelihood of crashes. By lowering the number of conflict points, RCUT intersections not only reduce crash potential but also tend to result in less severe crashes compared to traditional intersections on divided highways.

Regarding congestion, both U-turn lanes would be designed to accommodate traffic during peak hours. NDOT would continue to monitor future traffic conditions at the RCUTs.

Additionally, RCUTs decrease delays during peak hours. At a conventional intersection, side road drivers must wait for a gap in both directions of highway traffic at the same time to safely cross the highway. With RCUTs, drivers on side roads only need to wait for a gap in one direction of highway traffic at a time. Instead of making a direct left or crossing the highway, they first turn right, then use a designated U-turn to safely complete their left turn or cross the highway. For highway drivers, RCUTs do not add any additional delays to their route. Before constructing the project, NDOT would take measures to educate young drivers, such as giving a presentation to Cross County High School students and other schools along the project corridor as requested.

Continued on other side

Vicki Kramer, Director
Department of Transportation
MAILING ADDRESS
PO Box 94759
Lincoln, NE 68509-4759
PHYSICAL ADDRESS
1500 Nebraska Parkway
Lincoln, NE 68502
PHONE 402-471-4567
EMAIL NDOT.ContactUs@nebraska.gov
dot.nebraska.gov

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We have carefully evaluated the specific conditions of each intersection and proposed designs in the preferred alternative for their proven effectiveness and safety benefits in similar contexts. To learn more about RCUTs, please visit www.ndot.info/rcut.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
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Lincoln, NE 68509-4759

sierra.luhn@nebraska.gov
402-479-3103 Office
402-479-3989 Fax

Concrete Drive way Now - What will my New Drive way Be. —

The Federal Highway Administration (FHWA) and the Nebraska Department of Transportation (NDOT) appreciate your input. Your comments, questions, and suggestions will be reviewed by appropriate personnel.

Thank you for your participation.

What is your overall satisfaction with the proposed project?

Very Dissatisfied	Somewhat Dissatisfied	Neutral	Somewhat Satisfied	Very Satisfied
○	○	○	⊘	○

Name: (Please Print) GARY OSENTOWSKI

Address: 1705 N Hwy 81

City, State, Zip: York NE 68467

Phone: 402 3660299 *Email:* 0216 1955@yahoo.com

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Jim Pillen, Governor

Gary Osentowski
1705 N Hwy 91
York, NE 68467

December 20, 2024

NDOT Project:
S 121 1 *or - olumbus* CN 2

Dear Stakeholder:

The Nebraska Department of Transportation (NDOT) appreciates your input regarding the York – Columbus project.

In response to your comments about your concrete driveway, project representatives will contact landowners with anticipated impacts during the final design and right-of-way (ROW) negotiation and acquisition phases, which are anticipated to begin in 2026. ROW negotiations will include discussions on access and new driveways in addition to other property impacts.

Thank you again for your feedback. We appreciate your participation on this project.

Sincerely,

Sierra Luhn
NDOT Public Involvement
PO Box 94759
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Vicki Kramer, Director
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