Appendix B

Agency Coordination

Meeting Notes

Project:	NWO-2019-00187-WEH – Norfolk to Wisner	
Subject:	404/401 Pre-Application/Filing Meeting	
Date:	Tuesday, February 20, 2024	
Location:	Virtual	
Attendees:	USACE: Dalton Decker, Jeremy Grauf NDEE: Dan Ross	NDOT: Jeff Hartman, Lauris Hollis, Ben Trenne HDR: Lisa Richardson, Dillon Dittmer, Carmen Modrcin

Project Information Links

Project Website

Draft Environmental Assessment

DEA Appendices

1. **Introduction**
    a. Project History
        - Lisa discussed the project background and previous agency engagement, starting in 2019 [summary available in Chapter 4 of the DEA linked above].
        - Project is evaluated as an Environmental Assessment with FWHA serving the role of lead federal agency.
        - Expected FONSI in May 2024
        - Public hearing was held in December with good participation and no comments regarding natural resources.
            - NDOT has made minor design changes to accommodate public comments related to access.
        - NDOT is working towards a project letting fall of this year.

    b. Purpose and Need
        - Lisa highlighted the purpose and need from Chapter 1 of the DEA
        - Project Purpose:
            - Fulfill the legislative intent to continue the development of the expressway system identified in the 1988 Nebraska Highway Needs Study.

        - Improve regional connectivity in northeast Nebraska, including for commercial vehicles, by providing expressway connections with N-57, N-15, and N-51, while maintaining community access.
        - Maximize the use and condition of existing transportation infrastructure and ROW to enhance the cost-effectiveness of the project.
    - USACE was provided an opportunity to review Purpose and Need and Alternatives chapters prior to the EA being published. USACE had no comments at the time.

c. Project Description
    - NDOT is proposing to expand approximately 16 miles of existing US-275 from a two-lane highway to a four-lane expressway between N-57 and Wisner, Nebraska.
    - Construction Packages: For administrative purposes, the project has been divided into two construction packages (A & B):
        - Package A: This package extends from N-57 to the N-15 east junction. It is roughly twice as long as Package B. The final limits of construction are expected in early 2024, with NDOT planning on a fall 2024 letting.
        - Package B: This package extends from the N-15 east junction to Wisner. The design on this package is not as advanced, and letting is expected approximately one year after Package A.

2. Alternatives Considered and Proposed Design (Lisa)

a. Alternatives Considered
    - Alternatives Analysis: The EA includes a detailed analysis of the project alternatives (Chapter 2.3: Alternatives Analysis and Alternatives Eliminated from Further Consideration). The alternative corridors were evaluated based on the following criteria:
        - Satisfaction of the overall project purpose and need.
        - Practicability, considering technology, logistics, and cost.
        - Potential resource impacts relative to other alternatives. Resources considered include wetlands, channels, floodplains, threatened and endangered species, structures, cultural resources, schools, Section 4(f) properties, hazardous materials, wells, center pivots, and other notable impacts such as feedlots and sewage lagoons.

b. Proposed Design
    - NDOT is using a 2+2 strategy to add new lanes adjacent to the existing
        - The Preferred Alternative would expand the existing two-lane highway to a four-lane expressway by constructing a new, parallel, two-lane roadway south of the existing US-275, except between

575th Avenue in Stanton County and 2nd Road in Cuming County. The eastbound lanes would shift 150 feet to the south to avoid an intermittent channel feature in the south ditch of the existing roadway. The existing two lanes would be resurfaced and construction would include ancillary features such as drainage structures, and intersection improvements at the two N-15 intersections with US-275, the N-51 intersection with US-275 northwest of Wisner, and various county road intersections. The Project would be constructed under traffic with lane closures controlled by appropriate traffic control devices and practices, thereby precluding the need for a detour.

3. **Permitting**
    a. Wetland Delineation occurred between 2019 and 2022, with two addendums to the original delineation ensuring all possible impacts were assessed. Total wetland and water resources delineated include:
        - 18.94 acres of Palustrine Emergent wetlands.
        - 24.75 acres of wetland in an agricultural setting (PEM wetland).
        - 0.47 acres of Palustrine Scrub/Shrub wetland.
        - 0.98 acres of Palustrine Forested wetland.
        - 1.42 acres of open water.
        - Stream channel features, many of which are channelized and showing degradation due to surrounding agricultural practices, include three unnamed ephemeral channels, ten unnamed intermittent channels, and four perennial channels (one unnamed, Payne Creek, Humbug Creek, and Sand Creek).

    b. Preliminary Impacts
        - Since publication of the DEA, NDOT has proceeded with design and has reduced wetland and stream impacts compared to the impacts shown in the DEA. The following are the impact numbers as of February 2024:
            - Wetland
                - 9.641 acres of permanent wetlands
                - 0.860 acres of temporary wetlands
            - Stream Permanent
                - 0.239 acres
                - 2,220 feet
            - Stream Temporary
                - 0.252 acres
                - 1,259 feet

    c. NeSCAP – NDOT has completed NeSCAP analysis for the project:
        - 27 Riparian Reaches were documented
        - Current Project Impact Units: +541.16

        - With NDOT standard BMPs, seeding, slope grading, etc. a positive score was achieved with no stream mitigation.

d. Individual Permit
    - The permit application includes hyperlinks and references to the associated EA to avoid redundancy. Sections of the IP include:
        - Intro & Background
        - Project Description
        - Applicant's Purpose and Need
        - Alternatives Analysis
        - WOUS Impact Avoidance and Minimization
            - NDOT has placed considerable emphasis on avoiding the unnamed parallel feature near the N-15 intersection with US-275 by widening from a 54' median to nearly 200' median, with the eastbound lanes shifted approximately 150' to the south.
        - Environmental Conditions and Impacts
            - The application includes a slight deviation from previous NDOT applications to reduce redundancy by including impact narrative in the impact table rather than a separate section.
        - Compensatory Mitigation
        - Short-term, Secondary, Cumulative Impacts
        - Adjacent Landowners
    - USACE confirmed that they will adopt FHWA's agency concurrences associated with the EA to the greatest extent possible, specifically, they asked about the northern long-eared bat consultation. HDR confirmed that a DKey was completed in summer 2023.

e. Section 401 Water Quality Certification
    - HDR reiterated the requirements of the recently updated NDEE 401 Certification Requirements and noted that project team expects to get all 401 WQ information to NDEE in order for NDEE to issue the WQC withing the USACE 120-day permit review.
    - NDEE did not have any deviations from the guidance. However, NDEE noted that their office has had a minor reorganization and has newer staff reviewing WQC materials as a result.

f. Mitigation
    - NDOT is proposing the Wiser Mitigation Site located southwest of Wisner along River Road. It's assumed that this site is Floodplain Depressional. The site is proposed as Advanced Permittee-Responsible Mitigation (APRM) to capture NDOT's remaining US-275 expressway projects, including Norfolk – Wisner (both A and B packages) and Wisner – West

Point North. USACE indicated that they cannot approve APRM mitigation for the Wisner – West Point North project without an application detailing the impacts of that project. Instead, NDOT should identify that they want to reserve the remainder of the mitigation site for future projects.

- Project Partitioning: NDOT asked if the site needs to be partitioned to show the area reserved for the Norfolk – Wisner project and the area reserved for future projects. USACE indicated that a ledger is sufficient, and the site does NOT need to be partitioned on a map. The ledger should state the impacts and proposed ratios associated with the Norfolk – Wisner project that would be fulfilled at the site. The ledger should clearly indicate what is being used and what would be potentially available for future use. USACE indicated that there would be no reference to the Wisner – West Point North project in the permit authorization.
- Mitigation Ratios: NDOT requested USACE input on mitigation ratios for the proposed impacts. USACE indicated that they are moving towards just using the Nebraska subclass (HGM model) for wetland functions to determine mitigation ratios and expects to publish general ratio guidelines in the future. The functional loss/gain would be determined using the Nebraska subclass for in-kind mitigation. USACE indicated that some out-of-kind impacts may require a higher ratio, for example, forested wetlands. The type of mitigation (restoration, preservation, etc.) would also affect the mitigation ratio. USACE is open to proposals but there are no hard/fast rules at this time. NDOT previously provided a mitigation memo with preliminary mitigation ratios to USACE prior to the site visit. NDOT will update this information in the final application materials.

g. Permit Requirements and Schedule
    - NDOT is expecting to submit to USACE no later than April 1st.